

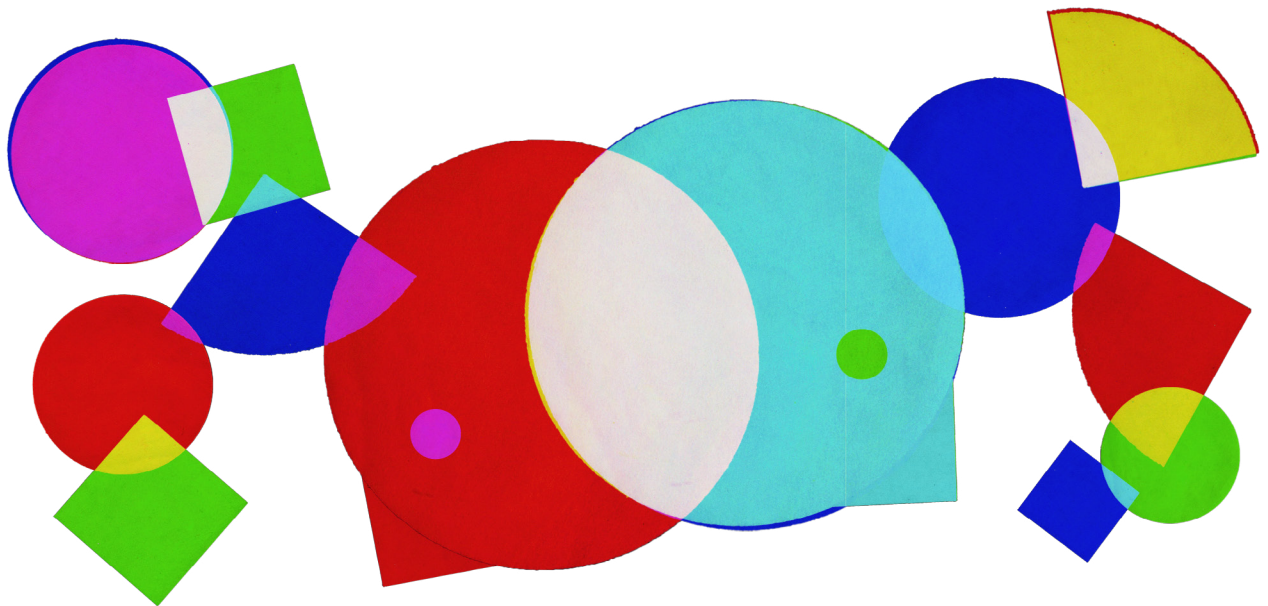


BEYOND CONSENT: MOVING TO A FULL-BODIED SEXUAL ETHICS

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This essay is the third in a three-part series for Fully Human. Their themes are the normalisation of commodified sex; sexual objectification; and the limits of consent.

'I definitely didn't feel liberated, I think a lot of it was disguised as that. If anything I felt controlled and... completely trapped... It was my choice. I was 21, which is young, but it was my choice... It was weird. It was traumatic. But everything happens for a reason'

This is Crystal Hefner, widow of Hugh Hefner, the Playboy tycoon, describing her life with him at his libertine mansion – a life thought to epitomise sexual freedom but instead characterised by continual shape-shifting into his object: 'I had to be malleable. Compliant. I had to let people touch me, casually, like I was part of the mansion décor.'⁰¹

Hugh Hefner was one of those at the forefront of the sexual revolution, pushing against old social mores involving purity and traditional values, promoting the idea that all sex is fine so long as it's consensual. This big idea – that good sex only requires consent⁰² (dubbed by some 'sex positive')⁰³ – has come to define modern sexual ethics. Many paths have led to it (discussed below) and consent is widely touted as the leading answer to problems of sexual assault and harassment that are currently plaguing schools and campuses.

But how well does it achieve this aim? Is all consensual sex good sex? And if some consensual sex is bad sex⁰⁴, how can we talk about that and address it? This essay explores these questions, concluding that consent by itself is a poor stand-in for a richer sexual ethics, and as a result is contributing to the problems it claims to be addressing. Whilst consent remains important as a legal boundary, it's critical we start approaching sex with a deeper set of hopes and expectations.

CONSENT'S DICTUMS AND THE LOAD THEY BEAR

Consent is a cornerstone of our sexual offence laws. It is illegal to sexually touch or penetrate someone without their consent, with consent defined as the person's [agreement by choice](#), with the freedom and capacity to make that choice. People may be convicted of a sex offence if they did not have reason to believe the other was consenting to sexual contact.

On the face of it, it seems a reasonable assumption that if people understand this law and what consent means, they will be less likely to perpetrate sexual assault, and so much campaigning and education designed to prevent sexual violence has had this as its focus. Some approaches aim to reach as many as possible through simple messaging, such as posters proclaiming 'no means no' or (more

01: <https://www.newstatesman.com/culture/2024/01/crystal-hefner-doctrine-interview>

02: With the caveat of sexual acts against children, who are judged by the law as unable to consent before the age of 16. Children can be sexually abused whether or not they have apparently consented to the sexual activity, because their consent is judged invalid. However, because the law is designed to protect children, it is not implemented in situations of consensual sexual activity between adolescents of similar developmental stage.

03: For example, Wikipedia describes sex-positivity as 'an attitude towards human sexuality that regards all consensual sexual activities as fundamentally healthy and pleasurable, encouraging sexual pleasure and experimentation': https://en.wikipedia.org/wiki/Sex-positive_movement

04: Beyond forms of sex which are outlawed, i.e. sex with children below the age of consent. This caveat applies throughout this essay.

frequently now) 'yes means yes',⁰⁵ whereas others, in the form of lessons and workshops, provide a more in-depth understanding of consent's meaning, for example by unpacking the different forms pressure and coercion can take, and looking at various signs of consent and what is needed for it to be informed. Thames Valley Police's video [Consent: It's as simple as tea](#) has proven a highly popular teaching tool, illustrating various forms of non-consent through the metaphor of someone consenting or not to a cup of tea. There have also been critiques of this video which build in further criteria for sex to be consensual.⁰⁶

As sexual violence has become more prevalent,⁰⁷ voices calling for consent as the solution have become more insistent, across education, civil society, government and beyond. Consent education is an integral part of the UK's statutory curricula for schools, and consent workshops a mandatory requirement for students at many Universities in the UK and elsewhere. And in other places (such as magazines and online forums) where diverse forms of sex are celebrated or promoted, you'll typically find the message that as long as everyone's consenting, it's all good. But, despite the widespread appeal and adoption of a simple focus on consent, the efficacy of this approach remains unknown⁰⁸.

On consent's shoulders lies the weight of preventing sexual violence and making 'sex good again'.⁰⁹

WHEN CONSENSUAL SEX ISN'T GOOD SEX

The focus on consent is underpinned by an assumption that sex divides into a binary: unwanted, non-consensual and unlawful sex on the one hand and good sex on the other. But the reality is that much consensual sex is unwanted, harmful or profoundly regretted. One study found that 50% of women and 26% of men had had consensual unwanted sexual activity at least once with their partner within the past fortnight, and another that 52% had engaged in consensual but unwanted sexual messaging.¹⁰ Whilst some of these experiences in fact involve a deeper form of wanting (say for intimacy) that is outweighing muted or absent sexual feelings, many involve people consenting because of fear, social

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05: The 'no means no' mantra was designed to rebut the rape myth that a woman's 'no' can be token resistance and there as a challenge to overcome through persuasion. However, it became apparent that this phrase was collusive with another rape myth, that the absence of a 'no' conveys consent – hence the move to the 'yes means yes' emphasis. However, as will become apparent, this mantra is also not without its issues. For one thing it implies that consent should be assertive and verbal, despite most sexual communication not being of this ilk.

06: For example, *Consent – it's not as simple as tea!* <https://www.youtube.com/watch?v=NLKWEUjOHss>

07: Sexual offences in England & Wales Overview: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/sexualoffencesinenglandandwalesoverview/march2022>  
<https://www.theguardian.com/society/2024/feb/17/toxic-online-culture-fuelling-rise-in-sexual-assaults-on-children-by-other-children-police-warn>  
<https://www.theguardian.com/society/article/2024/aug/14/violence-against-women-on-uk-trains-rises-by-50-in-two-years>

08: Beres, M. (2020). Perspectives of rape-prevention educators on the role of consent in sexual violence prevention. *Sex Education*, 20(2), 227-238

Burton, O., Rawstorne, P., Watchirs-Smith, L., Nathan, S., & Carter, A. (2023). Teaching sexual consent to young people in education settings: a narrative systematic review. *Sex Education*, 23(1), 18-34

09: Angel, K. (2021). *Tomorrow sex will be good again*. Verso

10: Drouin, M., & Tobin, E. (2014). Unwanted but consensual sexting among young adults: Relations with attachment and sexual motivations. *Computers in Human Behavior*, 31, 412-418

O'Sullivan, L. F., & Allgeier, E. R. (1998). *Feigning sexual desire: Consenting to unwanted sexual activity in heterosexual dating relationships*. *Journal of Sex Research*, 35(3), 234-243

pressures, and dynamics relating to power or past trauma.

A study of 14-17 year old adolescent girls in a poor urban region of the United States found that 38% had had sex out of fear that their partner would get angry if they didn't, and 10% had had sex because they feared their partner otherwise breaking up with them.<sup>11</sup> Such fears are fed by gender norms that say that girls and women should please others and keep their partners happy. The consent model<sup>12</sup> assumes that girls and women can decline sex without consequence, but in fact for many, a 'no' may lead to aggression, break-up, or being shamed as frigid or a tease.<sup>13</sup>

Another powerful gender norm at play in the bedroom is the idea that males are always up for sex and it is the role of females to 'gate-keep', and this is conducive to unwanted sex for both genders. Males may read a female's disinterest as token resistance, simply an act the girl or woman is under obligation to perform, and so attempt to get round this through persuasion until she consents.<sup>14</sup> And similarly, both women and men (straight, gay or bisexual) can simply assume men want sex, meaning they are not attuned to signs to the contrary (not to mention men expecting this of themselves).<sup>15</sup> Relatedly, males may push themselves into sexual situations that deep down they don't want, because they have been taught that their masculinity should be proved through sexual 'conquest'. This then also creates poor sexual experiences for females, as they are left with at best the disquieting feeling they've been treated simply as a means to an end. Consent culture not only does little to disrupt these harmful gender scripts, it can in fact reinforce them through implicitly narrating a version of sex in which men get consent from women to do sex to them (versus this being something that unfolds between them).<sup>16</sup>

Maltreatment and trauma are also influential in fuelling unwanted or harmful consensual sex. When people have been taught through past abuse and neglect that their worth lies in sex, that their safety lies in pleasing others, or that their feelings aren't to be taken seriously, they are powerfully primed to consent to sex they don't want. As one young survivor of neglect and sexual assault explained when asked if she ever engaged in sex that felt messy, 'I think that's a constant... I know that when I'm asked to do something, I'll consent to it. Then I have these issues, not during, but after the fact – of going back and thinking, "did I really want to do that? Why did I say yes to it?"'. In the same interview study,

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11: Blythe, M. J., Fortenberry, J. D., Temkit, M. H., Tu, W., & Orr, D. P. (2006). Incidence and correlates of unwanted sex in relationships of middle and late adolescent women. *Archives of pediatrics & adolescent medicine*, 160(6), 591-595

12: I am using the phrases 'the consent model' and 'consent culture' as shorthands for the ideology (and associated practices) that assume consent as comprising all or most of sexual ethics, versus being a part of something much more holistic.

13: Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494

14: Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494

Muehlenhard, C. L., Humphreys, T. P., Jozkowski, K. N., & Peterson, Z. D. (2016). The complexities of sexual consent among college students: A conceptual and empirical review. *The Journal of Sex Research*, 53(4-5), 457-487

15: Ford, J. V., & Becker, A. (2020). "A Situation Where There Aren't Rules": Unwanted Sex for Gay, Bisexual, and Questioning Men. *Sociological Science*, 7, 57-74

Ford, J. V., & Maggio, C. (2020, September). How college men understand unwanted sex with women. *Sociological Forum* (Vol. 35, No. 3, pp. 648-672)

16: Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494

Schowengerdt, I., Lamb, S., & Brown, C. (2021). Problematizing consent campaigns in the #METOO era. *Gender and Women's Studies*, 4(1), 4-18

another summed up the way abuse had left him in relation to sex: 'I'm scared to refuse out of past experience'.<sup>17</sup> A further common feeling is being 'damaged goods' and it therefore not mattering what happens to oneself in sexual situations.<sup>18</sup> For some discomfiting sex can even be sought out as a form of self-harm or traumatic re-enactment – an attempt to revisit a situation reminiscent of one's abuse in order to try and regain control over it.<sup>19</sup> The high numbers of people who have experienced abuse and neglect<sup>20</sup> means that these dynamics cannot be dismissed as unusual oddities. Whilst they go unseen in a sexual culture shaped by playboy ideals and porn, they are glaringly apparent to those who choose to look beneath the veneer of 'sex positive' mantras. And consent education that aligns with this culture and its blind-spots preferentially harms those struggling with these issues, given that it promotes a solution to them that is of little relevance or utility.

People find themselves speechless and invalidated. There is little language to describe consensual sex that was nonetheless bad sex – bad sex because it involved a power play, or hidden motives, objectification, traumatic re-enactment, fear or shame. Scarce resources for conveying its harms and any wrongdoings within it. This is aptly captured by the confusion apparent in an anonymous question on Quora, 'Is it wrong to feel violated even though I consented?'<sup>21</sup>. Similarly, uncertainty and contradiction are visible in the gap between Crystal Hefner's words describing control and trauma and her explanation that it was all her choice.

There is no other sphere of life in which we use the law as our primary guide on how to ethically relate to one another. We think of a good friend as someone who is trustworthy and cares about us – not as someone who doesn't defraud and assault us (although of course those things are important!). A good boss is someone who respects us, holds us accountable, and supports our professional growth, not simply someone who doesn't harass and steal from us. And despite the insistence that all you need for sex is consent, the reality is that most of us have higher hopes for our sexual partners too. How many of us would want sex with someone who is only respecting our consent out of fear of punishment?<sup>22</sup> How many girls would feel satisfied with sex that they discover was simply about 'lad points'? And how does it feel to come away from sex in which your consent was respected, but your value as a person wasn't?

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17: Wright, J. (2022). Trauma-informed consent education: Understanding the grey area of consent through the experiences of youth trauma survivors. *Atlantis*, 43(1), 19-31

18: Hamilton-Giachritsis, C., Hanson, E., Whittle, H., & Beech, A. (2017). Everyone deserves to be happy and safe. *A mixed methods study exploring how online and offline child sexual abuse impact young people and how professionals respond to it*. NSPCC

19: Fredlund, C., Wadsby, M., & Jonsson, L. S. (2020). Motives and manifestations of sex as self-injury. *The Journal of Sex Research*, 57(7), 897-905

Wright, J. (2022). Trauma-informed consent education: Understanding the grey area of consent through the experiences of youth trauma survivors. *Atlantis*, 43(1), 19-31

20: For example, Radford, L., Corral, S., Bradley, C., & Fisher, H. L. (2013). The prevalence and impact of child maltreatment and other types of victimization in the UK: Findings from a population survey of caregivers, children and young people and young adults. *Child abuse & neglect*, 37(10), 801-813. And, <https://ddi.ac.uk/childlight-publishes-groundbreaking-global-index-on-child-exploitation-and-abuse-prevalence/>

21: Quoted in Israel, E. B. (2024). Caring for Valid Sexual Consent. *Hypatia*, 1-21 (p. 1)

22: Israel, E. B. (2024). Caring for Valid Sexual Consent. *Hypatia*, 1-21

# FICTIONAL SEX AND FICTIONAL PEOPLE

The fundamental reason why the consent model fails to mark as problematic so much unwanted or harmful sex is because it is based on flawed and superficial notions of what is to be human and what it is to sexually relate. It asks us to be assertive, atomistic individuals who clearly know the sex we want and don't want, and aren't afraid to frankly ask, affirm or decline<sup>23</sup> – not only is this a stretch for many of us, it's far from clear that this is the 'best' type of person to be. Sexual consent is conceived similarly to consent for medical procedures or research<sup>24</sup> – the idea being that an informed individual can choose if this is something they want, and if so, they consent and go ahead. It is effectively granting someone permission to access your body, whilst you are given permission to access theirs. After all, the basic meaning of consent is permission giving, and there is a passive, 'accepting' quality to it.

But sex isn't like this, and when it is (more-or-less 'I'll use your body whilst you use mine'), the potential for disappointment, hurt and abuse are high. Unlike a medical or research procedure, sex shouldn't be something that is 'done' to someone by somebody else, but at its core should be an interaction that unfolds between them. In this way, it is just like a conversation,<sup>25</sup> in which each person and their feelings and experience matter to the other, and desire is interactive – one person's feeding the other's in a reciprocal spiral. Again just as in a conversation, there is listening, expression, openness and flow (often in directions not known at the outset, so impossible to consent to in advance), the difference being that in sex all this is more bodily than verbal. And it is this embodied flow, connection and responsivity that people often describe when asked what they feel is good about sex:

*I think good sex is sex that starts before you're actually having sex, where there's just kind of that unspoken sexual energy that you play with through touch and conversation.*

*You kind of lose yourself in this world of just being in the moment and having sex then and there, not thinking about anything else in the world<sup>26</sup>*

This attuned mutuality is all the more important in sex because it is here that we are at our most vulnerable.<sup>27</sup> Of course people may detach and dissociate from this vulnerability, but it remains beneath the surface, and can catch-up with people at later points in time.<sup>28</sup> Through embodied caring conversation, each person is conveying to the other that they matter to them: they are valued, heard, respected, safe.

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- 23: Angel, K. (2022). *Tomorrow sex will be good again: Women and desire in the age of consent*. Verso Books.
- Schowengerdt, I., Lamb, S., & Brown, C. (2021). Problematizing consent campaigns in the #METOO era. *Gender and Women's Studies*, 4(1), 4-18
- 24: Reiss, M. J. (2022). Consent, mutuality and respect for persons as standards for ethical sex and for sex education. *Journal of Philosophy of Education*, 56(5), 685-694
- 25: Angel, K. (2022). *Tomorrow sex will be good again: Women and desire in the age of consent*. Verso Books.
- 26: Fahs, B., & Plante, R. (2017). On 'good sex' and other dangerous ideas: Women narrate their joyous and happy sexual encounters. *Journal of Gender Studies*, 26(1), 33-44
- 27: If this wasn't true, then sexual abuse would not be seen and experienced as the major violation that it is. See Lamb, S., Gable, S., & de Ruyter, D. (2021). Mutuality in sexual relationships: a standard of ethical sex?. *Ethical Theory and Moral Practice*, 24, 271-284
- 28: This is for example described by women who have exited prostitution. As one example, see Doring, M (2022) *Any girl: a memoir of surviving prostitution in Ireland*. Hatchette.

Some proponents of consent (as all you need) have responded to the point that sex unfolds by asserting that sexual partners need to get verbal consent before each new sexual activity within the encounter. This idea took concrete shape in U.S. Antioch College's Sexual Offense Prevention policy which stated that: *'All sexual interactions at Antioch College must be consensual. Consent means verbally asking and verbally giving or denying consent for all levels of sexual behavior.'*<sup>29</sup>

This approach was subjected to much ridicule (including on Saturday Night Live) because it was so obviously at odds with most people's (good) sexual experiences. But even though this extreme take on consent has largely been laughed off stage, the preference for verbal communication remains,<sup>30</sup> with a large gap apparent between what people say consent means and how they actually (generally nonverbally) communicate in sexual situations.<sup>31</sup>

Because the consent focus misses the mark on good sex, it is at risk of pathologising it – for example, 'losing yourself' may be judged as questionable because it doesn't allow for conscious, deliberate check-ins on consent. In tandem, as discussed, it leaves unaddressed many forms of less-than-healthy but nonetheless consensual sex.

And in addition to all of this, there is the irony that the notion of consent education as a fundamental solution to sexual violence in fact colludes with versions of people and sex that are *highly conducive to this abuse*. When all we talk about is consent, there is no framework with which to challenge those who treat others as sex objects or simply a means to an end. We can't clearly see the problem with seeing sex, the site of greatest human vulnerability, as just a game, a conquest, or glorified wank. In turn, these sexual schemas, given free rein *through what we're not talking about*, fuel not only harmful consensual sex but sexual assault too.<sup>32</sup> Because when people generally aren't being valued or respected, it's hard to keep making an exception for their consent. When you're used to just thinking about number one, attending to what someone else is saying about what they want becomes a challenge. And when gender norms of male entitlement and dominance persist, there is the temptation for men to resort to sexual coercion in the face of disinterest.<sup>33</sup> A final fiction of the consent focus is that it is people's (more pointedly, some males') ignorance and misunderstanding of consent that gives rise to much sexual assault – the idea being that if you understand what consent is, you would then 'get it' and avoid harmful, unlawful sex. But research indicates that people (men included!) are generally very good at understanding another's refusal or disinterest.<sup>34</sup> We generally don't need training on how to 'know a no' – this is a skill (attuned to our cultural norms) that we learn from a young age in all walks of life, beyond the sexual. The *'Consent: It's as simple as tea'* video ends by concluding that *'if you can understand how completely ludicrous it is to force people to have tea when they don't want tea, and*

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29: Antioch College. (2014–2015). Student handbook 2014–2015. Yellow Springs, OH

30: Schowengerdt, I., Lamb, S., & Brown, C. (2021). Problematizing consent campaigns in the #METOO era. *Gender and Women's Studies*, 4(1), 4-18

31: Beres, M. A. (2014). Rethinking the concept of consent for anti-sexual violence activism and education. *Feminism & Psychology*, 24(3), 373-389

Muehlenhard, C. L., Humphreys, T. P., Jozkowski, K. N., & Peterson, Z. D. (2016). The complexities of sexual consent among college students: A conceptual and empirical review. *The Journal of Sex Research*, 53(4-5), 457-487

32: Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494

33: The widely discussed account of the evening between comedian Aziz Ansari and 'Grace' are a good illustration of these dynamics: <https://babe.net/2018/01/13/aziz-ansari-28355>

34: O'Byrne, R., Rapley, M., & Hansen, S. (2006). 'You couldn't say "no", could you?': Young men's understandings of sexual refusal. *Feminism & Psychology*, 16(2), 133-154



you're able to understand when people don't want tea, then how hard is it to understand consent?' – well quite.

## HETEROSEXUAL ANAL SEX: A CASE STUDY

The troubling dynamics of a lot of heterosexual anal sex are one of the clearest illustrations of consent culture's failures. Anal sex between men and women<sup>35</sup> has steadily increased over recent decades,<sup>36</sup> with the latest National Survey of Sexual Attitudes finding that 28.5% of 16-24 year olds have had it.<sup>37</sup> Whilst some women straightforwardly want and enjoy it, it is a sexual practice with a stark gender asymmetry. Girls and women often describe it as painful and uncomfortable. Only a minority mention personal pleasure, and over four times the amount of young women who have tried it dislike it compared to young men.<sup>38</sup> In addition, due to anatomical differences, females are at greater risk than males (when anally penetrated with a penis) of subsequent health problems such as faecal incontinence and bleeding.<sup>39</sup> In contrast, a sizeable number of men desire anal sex with women, because for them it carries few personal risks and is linked to physical pleasure, status with other males, 'conquest' and dominance, and/or the enactment of porn-fuelled fantasies.<sup>40</sup> Many girls' and women's agreement to the practice is shaped by the desire to please their sexual partner (bound up with notion that they should be doing so), alongside its normalisation by porn, wider culture, and increasing prevalence, in a vicious spiral.<sup>41</sup> Approaching this situation through a narrow ethics of consent, we would find little of concern, barring those cases where overt force or coercion is used. In short, consent culture says, good anal sex is when men ask women if they can have it and

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35: In accordance with general usage, this is defined as a man penetrating a woman's anus with his penis, unless otherwise stated

36: Mercer, C. H., Tanton, C., Prah, P., Erens, B., Sonnenberg, P., Clifton, S., ... & Johnson, A. M. (2013). Changes in sexual attitudes and lifestyles in Britain through the life course and over time: findings from the National Surveys of Sexual Attitudes and Lifestyles (Natsal). *The Lancet*, 382(9907), 1781-1794

37: <https://www.theguardian.com/society/2022/aug/11/rise-in-popularity-of-anal-sex-has-led-to-health-problems-for-women>

38: Fahs, B., & Gonzalez, J. (2014). The front lines of the "back door": Navigating (dis) engagement, coercion, and pleasure in women's anal sex experiences. *Feminism & Psychology*, 24(4), 500-520

Kaestle, E. C. (2009). Sexual insistence and disliked sexual activities in young adulthood: Differences by gender and relationship characteristics. *Perspectives on sexual and reproductive health*, 41(1), 33-39

Marston, C., & Lewis, R. (2014). Anal heterosex among young people and implications for health promotion: a qualitative study in the UK. *BMJ open*, 4(8), e004996

39: <https://www.theguardian.com/society/2022/aug/11/rise-in-popularity-of-anal-sex-has-led-to-health-problems-for-women>

40: Marston, C., & Lewis, R. (2014). Anal heterosex among young people and implications for health promotion: a qualitative study in the UK. *BMJ open*, 4(8), e004996

41: Fahs, B., & Gonzalez, J. (2014). The front lines of the "back door": Navigating (dis) engagement, coercion, and pleasure in women's anal sex experiences. *Feminism & Psychology*, 24(4), 500-520

Fahs, B., & Swank, E. (2021). Reciprocity, partner pressure, and emotional labor: Women discuss negotiations around oral and anal sex. *Sexuality & Culture*, 25(1), 217-234

Faustino, M. J. (2020). "It's time to ease your fears—and your sphincter": gender and power in contemporary media discourses of heterosexual anal sex. *Gender Issues*, 37(3), 241-260

Faustino, M. J. (2021). Representations of heterosexual anal sex in *Cosmopolitan* magazine. *Culture, Health & Sexuality*, 23(8), 1050-1065

Faustino, M. J., & Gavey, N. (2022). "You feel like normal sex is not enough anymore": Women's experiences of coercive and unwanted anal sex with men. *Violence against women*, 28(11), 2624-2648

Marston, C., & Lewis, R. (2014). Anal heterosex among young people and implications for health promotion: a qualitative study in the UK. *BMJ open*, 4(8), e004996



women agree. The backdrop that shapes men's desire for it and women's frequent lack of it (but their consent nonetheless) is rendered invisible. This is vividly exemplified by the magazine *Cosmopolitan's* narration of anal sex to its female readers:<sup>42</sup> it is first and foremost promoted as something erotic and raunchy, and as an act that allows women to gift their male partners whilst achieving sexual prowess. Alongside this narration, the consent mantra is fastidiously included (it's your choice, only do it if you're comfortable) – with zero acknowledgement of the cultural coercion that they themselves are exerting, manipulating and shaping these choices.

A number of research studies have delineated the confusion, misery and self-blame that this situation has left women dealing with. In a paper titled 'The failed promise of consent in women's experiences of coercive and unwanted anal sex with men', the authors share women's difficulties finding words for their experiences of bad anal sex that they felt they consented to.<sup>43</sup> Many grapple with the language of consent, trying unsuccessfully to fit these encounters into its framework:

*It's not an experience that I would want other people to have... I would say yes it is still consent, but the fact that that consent has caveats is kind-of concerning*

*I wouldn't say my consent was completely absent, but I also wouldn't say that it was fully given either. It's very hard to describe actually*

*I wish there were more words for what it, like, the consent and not consent... I'm not even sure like how consented it was, you know? I don't even know myself, which is tricky... I think sex should be a sharing between two people and it was not that.*

There is a palpable sense here of these women struggling to find a language of sexual ethics that would enable them to describe how and why these experiences were not OK, and finding the consent discourse not up to the task. How would all this look different if these women and their sexual partners had instead been versed in the language and ideals of mutuality, attunement and respect?

## COULD RICHER NOTIONS OF CONSENT BE THE ANSWER?

One response to the mismatch between what consent says is good or bad sex and people's lived reality has been to expand upon consent's meaning, adding in layers and caveats.<sup>44</sup> For example, there are those who argue that sex isn't consensual if one or other engaged in persuasion, had more power than the other, wasn't completely transparent about their motives, had been drinking, or was passive versus actively enthusiastic. Within this endeavour, the indicators of non-consent keep growing, and anyone trying to get their head around it all soon becomes lost in a thicket of social behavioural complexities<sup>45</sup>

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42: Faustino, M. J. (2021). Representations of heterosexual anal sex in *Cosmopolitan* magazine. *Culture, Health & Sexuality*, 23(8), 1050-1065

43: Faustino, M. J., & Gavey, N. (2024). The failed promise of consent in women's experiences of coercive and unwanted anal sex with men. *Feminism & Psychology*, 09593535241234429

44: Lamb, S., & Gable, S. (2022). In defence of mutuality as an ethical standard in sexual relationships: A Reply to Michael Hand and Michael Reiss. *Journal of Philosophy of Education*, 56(5), 695-706

45: Muehlenhard, C. L., Humphreys, T. P., Jozkowski, K. N., & Peterson, Z. D. (2016). The complexities of sexual consent among college students: A conceptual and empirical review. *The Journal of Sex Research*, 53(4-5), 457-487

– not to mention the anxiety this engenders around sexual situations, young people being left with the sense that to avoid non-consent they must be constantly attending to an ever-growing mental checklist.

Others have tried to square the circle by describing consent as involving emotional and bodily attunement to the other, or as trust and trustworthiness, or as respect. But the inescapable problem with all these approaches is that they take us away from the core meaning of consent: as understood by the law; as understood in everyday life (including in other spheres); and indeed as communicated in straightforward sexual consent campaigns. A situation in which numerous definitions and understandings are circulating is ripe for confusion, misunderstanding and invalidation. For instance, sex that doesn't meet a rich definition of consent (for example, because there wasn't respect or equality) might then be judged by the harmed person as rape, but the law will not meet them there. When people try to explain this sex as non-consensual they find themselves bumping up against consent's simple definition (*well you did go along with it*) in either the minds of others or themselves.

We return to the point that too much is being placed on consent's shoulders. Of course consent is important in sexual ethics: it draws a line around a particularly harmful form of sex which society outlaws. But consent isn't everything: it can't be 'consent' whilst also doubling up as respect, kindness, care, and trust. These are critical principles in their own right and need to be taught and respected as such.

## WHY DID SEXUAL ETHICS BECOME ALL ABOUT CONSENT?

What explains the hegemony of consent? Why did we end up with this buzzword as our guide on how to sexually relate to one another? Essentially this has resulted from a motley crew of societal actors finding common cause with it.

Consent is the line the law draws between what is legal and illegal sexual activity between adults (and effectively adolescent peers),<sup>46</sup> and so it has been the focus of crime prevention initiatives.<sup>47</sup> The Hugh Hefners of this world have been keen to have as much sex as possible, and ethical principles that go beyond consent risk curtailing this freedom. 'Freedom' has also been a priority for liberals concerned by the damage caused by traditional sexual mores (that, for example, shamed people for being gay or having sex outside of marriage). In addition to all this, with there being so much rape around, feminist activists have understandably made challenging this wrong a priority. And all these groups have been operating in a neoliberal social milieu that has simplified and distorted our conception of what it is to be human.<sup>48</sup> The default human here is individualistic, agentic, 'rational', and focussed on a game of give-and-take in the service of self-interest – not one who is relational, sensitive, messy, unfolding, and

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46: However there are situations where it would seem consent is not sufficient even for the law, and in situations where the justice system has only given regard to consent, gross injustices can arise. See the following case, as well as the discussion of K.A. & A.D v Belgium in the book below.

<https://www.theguardian.com/uk-news/2024/jan/12/man-disability-benefits-leg-amputated-court-marius-gustavson-eunuch-maker>

47: However, returning to the research indicating that people don't tend to have problems understanding consent, this is questionable as a focus of rape prevention. It seems somewhat akin to burglary prevention initiatives educating us all on what theft involves.

48: See the first essay in this series: <https://fullyhuman.org.uk/when-buying-sexual-services-becomes-normal-corporate-profit-and-human-loss/>

at heart, vulnerable:<sup>49</sup> in need of respect, recognition and care.

It is clear to see how this set of converging interests and ideas would land us with consent as our sexual mantra. Some in this loose alliance wanted to stop sexual violence, others to permit as much sex as possible, still others, the end to oppressive norms. Some aims were laudable, others less so, but none were squarely focussed on a full-bodied sexual ethics – on actually answering the question of what good sex looks like. If we had started with this question, where instead might we have ended up?

## GOOD SEX AS EMBODIED CONVERSATION WITH CARE

In recent years, a growing number of scholars have been critiquing the consent focus and laying out more promising principles as our basis for ethical sex – principles that align with the reality of what is to be human, the reality of sex, and the reality of our hopes and needs within it.<sup>50</sup> For example, Sharon Lamb and colleagues make the case for 'mutuality', defined as mutual caring attention towards the other, John Archard for respect, and Jordan Pascoe for sex as a process of setting and sharing sexual ends.<sup>51</sup>

Flowing from these ideas, and with everything discussed so far in mind, I offer here five principles for us to be talking about – in education, as parents, and across culture – arguably as essentials to both preventing sexual violence and harm, and supporting sex which is healthy and ethical:

- Mutual and interactive desire. The other person's feelings matter to you (alongside your own)<sup>52</sup> – so positive feelings between people build in a spiral
- Attunement and communication. Just as in good conversation, each person is attending to what the other is expressing (again, alongside their own feelings)
- Respect and care. People matter to one another (and themselves) and they are treated with value

49: Angel, K. (2021). *Tomorrow sex will be good again*. Verso

50: For example, Archard, D. (2022). Teaching good sex: The limits of consent and the role of the virtues. *Journal of Philosophy of Education*, 56(5), 645-653

Carmody, M., & Ovenden, G. (2013). Putting ethical sex into practice: Sexual negotiation, gender and citizenship in the lives of young women and men. *Journal of Youth Studies*, 16(6), 792-807

Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494

Lamb, S., Gable, S., & de Ruyter, D. (2021). Mutuality in sexual relationships: a standard of ethical sex?. *Ethical Theory and Moral Practice*, 24, 271-284

Lamb, S., & Gable, S. (2022). In defence of mutuality as an ethical standard in sexual relationships: A Reply to Michael Hand and Michael Reiss. *Journal of Philosophy of Education*, 56(5), 695-706

Pascoe, J. (2023). Beyond consent: On setting and sharing sexual ends. *Philosophies*, 8(2), 21

51: A number of these ideas resonate with Martin Buber's concept of 'I-Thou' relationships and James Carse's idea of 'infinite play' (infinite sex in particular) – see Hanson (2021) *Pornography and Human Futures* for a discussion of both (Chapter 4: Sexual relating): <https://fullyhuman.org.uk/pornography-and-human-futures/>

52: Attunement, care, respect, and honesty are important both to yourself and the other (Carmody, 2005). Both sides of the coin help us to avoid sex which harms one or both parties in one way or another – however it is only these stances towards the other person that are ethical concerns. In short, sex has both moral and self-care dimensions, these both work to lower the risk of harm and increase its potential, but they are not the same thing.

Carmody, M. (2005). Ethical erotics: Reconceptualizing anti-rape education. *Sexualities*, 8(4), 465-480

and care accordingly

- Broad equality. There is no significant power dynamic between sexual partners
- Honesty. There is transparency between people, about who they are and their intentions

None of these are difficult to understand, nor should they be onerous.<sup>53</sup> As Lamb and Gable argue, *'attention and concern for one's sexual partner is commonplace, not usually strenuous, and when this standard is not upheld, it is often felt as a violation'*.<sup>54</sup> To put it bluntly, a person shouldn't be having sex with someone whose feelings and best interests are of little interest to them.

These principles stay true to what is to be human and what it is to have sex – they are a way of being, of showing up with another, and so avoid sex having (either simple or complex) tick-boxes. When they are upheld, non-consensual and other forms of harmful sex are naturally avoided. And relatedly, by foregrounding one another's feelings and value, they naturally counter the influence of harmful sexual scripts forged by porn and gender norms.<sup>55</sup> At their heart, they are a call to bring core human values into the bedroom, a place where they have so often been absent, but where they supremely belong.

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53: They also fit well with Relationships and Sex Education (RSE) guidance that, alongside consent education, also emphasises fostering qualities such as sensitivity, trustworthiness, kindness, respect and loyalty. See for example, the UK Government's RSE guidance which is statutory for English schools.

<https://www.gov.uk/government/publications/relationships-education-relationships-and-sex-education-rse-and-health-education>

For discussion see Archard, D. (2022). Teaching good sex: The limits of consent and the role of the virtues. *Journal of Philosophy of Education*, 56(5), 645-653

54: Lamb, S., & Gable, S. (2022). In defence of mutuality as an ethical standard in sexual relationships: A Reply to Michael Hand and Michael Reiss. *Journal of Philosophy of Education*, 56(5), 695-706 (pp. 696)

55: Jeffrey, N. K. (2024). Is consent enough? What the research on normative heterosexuality and sexual violence tells us. *Sexualities*, 27(3), 475-494