

2015

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Annika M. Johnson

Western Oregon University, ajohnson10@wou.edu

Stephanie M. Hoover

Western Oregon University, hooverst@wou.edu

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Recommended Citation

Johnson, Annika M. and Hoover, Stephanie M. (2015) "The Potential of Sexual Consent Interventions on College Campuses: A Literature Review on the Barriers to Establishing Affirmative Sexual Consent," *PURE Insights*: Vol. 4 , Article 5.

Available at: <https://digitalcommons.wou.edu/pure/vol4/iss1/5>

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The Potential of Sexual Consent Interventions on College Campuses: A Literature Review on the Barriers to Establishing Affirmative Sexual Consent

Abstract

In light of the new California legal mandate for affirmative sexual consent in higher education institutions, the current sexual consent literature merits review. This review examines perceived peer norms, traditional sexual scripts, and rape myths specific to consent. In particular, we describe findings about indirect, nonverbal communication and token resistance among young adults; we also connect sexual consent to rape myths about accidental or unintentional sexual behavior, perceived miscommunication, and preexisting sexual relationships. Based on these findings, we assert that additional research and interventions are needed to address barriers that hinder young adults from establishing affirmative sexual consent. We refer to the body of literature on sexual assault prevention. This literature sheds light on potential avenues for developing affirmative sexual consent interventions and evaluating their effectiveness.

Keywords

sexual consent, rape myths, sexual scripts, sexual assault prevention, sexual assault policy

Cover Page Footnote

The authors acknowledge the contribution of M. Candace Christiansen and her comments on an earlier version of this article.

Affirmative Sexual Consent and the Literature on Traditional Sexual Scripts and Rape Myths

Annika M. Johnson, Western Oregon University
Stephanie M. Hoover, Western Oregon University
 Faculty Sponsor: **Dr. Stephanie Hoover**

In light of the new California legal mandate for affirmative sexual consent in higher education institutions, the current sexual consent literature merits review. This review examines perceived peer norms, traditional sexual scripts, and rape myths specific to consent. In particular, we describe findings about indirect, nonverbal communication and token resistance among young adults; we also connect sexual consent to rape myths about accidental or unintentional sexual behavior, perceived miscommunication, and preexisting sexual relationships. Based on these findings, we assert that additional research and interventions are needed to address barriers that hinder young adults from establishing affirmative sexual consent. We refer to the body of literature on sexual assault prevention. This literature sheds light on potential avenues for developing affirmative sexual consent interventions and evaluating their effectiveness.

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National data shows that one in five women is sexually assaulted in college, most often perpetrated by an acquaintance, and the incident is rarely reported (White House Task Force to Protect Students from Sexual Assault, 2014). In response to the prevalence of rape and sexual assault on college campuses, the United States White House established a task force to ensure that Title IX regulations were being met and students were safe while pursuing higher education (Office of the Press Secretary, 2014). As federal pressure required that public-funded schools address sexual assault in higher education, California passed *Senate Bill 967- Student safety: Sexual assault* on September 28, 2014 (De León et al., 2014). The bill was labeled as the Affirmative Consent Bill (De León et al., 2014). This new law is enforced by college judicial boards specifically and requires students to rely on the presence of a *yes* when establishing sexual consent, rather than the presence of a *no*. The law states: “Affirmative consent’ means affirmative, conscious, and voluntary agreement to engage in sexual activity. [...] Lack of protest or resistance does not mean consent, nor does silence mean consent” (De León et al., 2014. p. 1). Secondly, the law also describes consent as being jointly established and not to be assumed based on relationship history. Bill 967 states:

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. ... 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. (De León et al., 2014, p. 1)

In sum, the law requires unambiguous, mutually agreed upon, affirmative sexual communication for any sexual behaviors in California institutions of higher education. At this point, because the law is new, the authors did not find any scholarly literature describing the actual consequences of this law on student sanctions or campus climate.

This article examined how current sexual consent behavior among young adults differs from the new mandate. Relevant research on sexual consent in three domains will be reviewed: perceived peer norms, traditional sexual scripts, and rape myths. Based on the current literature, there are barriers that deter young adults from establishing affirmative sexual consent, as the new bill requires. The remainder of the article described potential avenues for developing affirmative sexual consent interventions and evaluating their effectiveness.

Peer Norms of Sexual Consent

Young adults' sexual behaviors reflect their perceptions of their peers' sexual attitudes and behaviors (Boone & Lefkowitz, 2004; Humphreys & Brousseau, 2010; L'Engle & Jackson, 2008). Humphreys and Brousseau (2010) argued that individuals internalized external beliefs as their own, which resulted in pressure to perform specific behaviors. This argument was developed from quantitative evidence about heterosexual sexual consent attitudes and behaviors. Heterosexual young adults were pressured to act like their peers when communicating about sexual consent (Humphreys & Brousseau, 2010). The research revealed that young adults had heightened awareness of others when considering their sexual partner's potential reaction to communicating about sex. When participants perceived that their sexual partner would negatively react to their sexual communication, they were less likely to exhibit sexual consent behaviors. Therefore, perceived peer norms are a powerful force in shaping behavior.

Specific studies have established that indirect, nonverbal communication prevails among young adult sexual consent. Young adults tend to avoid direct conversations regarding sexual consent when possible and rely on nonverbal passive approaches to avoid embarrassment (Humphreys, 2004; Humphreys & Brousseau, 2010; Jozkowski, Peterson, Sanders, Dennis, & Reece, 2014). In a study with fictive, heterosexual scenarios, undergraduate men and women endorsed passive methods, such as not resisting, to indicate their consent to intercourse (Hickman & Muehlenhard, 1999). Young adults' current sexual communication did not include elements of affirmative consent; rather, students were using lack of response or lack of resistance to pursue continued sexual activity (Humphreys & Brousseau, 2010). Next, the traditional sexual script will be examined for its influence on young adults' sexual communication when establishing sexual consent.

Traditional Sexual Scripts and Token Resistance

Sexual scripts are an important factor when researching sexual consent because they describe normative cultural expectations and behaviors (Jozkowski & Peterson, 2013). A sexual script represents the cognitive schema of the normative progression of events in a sexual encounter (Sakaluk, Todd, Milhausen, Lachowsky, & Undergraduate Research Group in Sexuality, 2013). These scripts serve as guidelines for an individual's behavior and influence expectations in real life occurrences (Krahé et al., 2000; Rose & Frieze, 1989, 1993). Mass media promote sexual scripts within cultures; the majority of the research included here is specific to young adults in the US (Jozkowski et al., 2014; L'Engle,

Brown, & Kenneavy, 2006). For example, when researching media influence on adolescent sexual activity, L'Engle and colleagues (2006) found that media predicted greater variance in sexual intentions and activities than both religion and school. Hust and colleagues (2014) found that readers of men's magazines reported lower intentions to ask for sexual consent, as well as lower intentions to respect their partners' sexual consent decisions.

Imbedded in sexual scripts are assumptions about gender roles. Masculine gender roles impose independence, confidence, and exploration; feminine gender roles are constructed around behavioral restraint and self-control (Lippa, 2001). Specific to sexual consent, the traditional sexual script presupposes that the man advances the sexual contact, and the woman resists and serves as the gatekeeper for sexual activity (Byers, 1996 as cited in Krahé et al., 2000). The man in this script is allowed to maintain a relatively free approach to sexuality, and it is the woman's role to limit sexual behavior, which sets men up to "outwit" women's defenses in order to achieve sexual activity (Weiderman, 2005, p. 498).

Scholars consider token resistance a component of contemporary sexual scripts (Krahé et al., 2000). Token resistance occurs when a woman declines a man's sexual advances despite intending to continue engaging in the sexual behavior (Muehlenhard & Hollabaugh, 1988). Token resistance involves pretending to not want to participate in sexual activity, though in reality the person intends to participate. It is uncertain what percentage of people endorses a belief in token resistance, as well as the frequency of token resistance behaviors. Survey data suggested that 60.7% of women never engaged in token resistance, and the women who chose to engage in token resistance had done so on five or less occasions (Muehlenhard & Hollabaugh, 1988). These results give credence to the argument that token resistance is not prevalent. Muehlenhard and Rodger's (1988) qualitative analysis on token resistance also rejects the prevalence of token resistance. Specifically, male and female participants were asked to describe their sexual behavior, including token resistance by implementing open-ended questions. The findings confirmed that students were rarely engaging in token resistance, and the majority of the time saying no meant no. However, more recent research conducted on a university campus in Germany found that more than one half of women reported engaging in token resistance (Krahé et al., 2000). The German women reported to believe that saying no when meaning yes was normative (Muehlenhard & Hollabaugh, 1988). The female participants also believed token resistance would protect their sexual reputation because of double standards that reprimand women for being too

sexually eager (Muehlenhard & Hollabaugh, 1988). Women who display an eagerness for sexual behavior counter society's gender roles and are at risk of being labeled as too sexual (Weiderman, 2005).

The notion of token resistance complicates sexual consent because it creates uncertainty in interpreting a woman's resistance to a man's sexual advances; specifically, whether the woman genuinely wants the behavior to end, or if she is exhibiting token resistance (Krahé et al., 2000). Additional research has shown that 48.3% of men with a history of sexually aggressive behavior reported past experiences of token resistance from a sexual partner (e.g., a woman said no, even though she meant yes; Loh, Gidycz, Lobo, & Luthra, 2005). Loh and colleagues provide possible explanations for these findings including: sexually aggressive men may pay less attention to refusals; they believe it is their role to persuade women into having sex; they expect women to control their sexual desire and refuse sexual advancements. As a result, sexually aggressive men justify sexual aggression by perceiving these experiences as token resistance instead of sexually aggressive acts. Research has also revealed that men who indicated they perceived token resistance to occur coincided with their acceptance of rape myths and stronger rape supportive attitudes, as compared to men who rejected the notion of token resistance (Garcia, 1998; Krahé et al., 2000). Rape myths are widespread beliefs that affect people's perceptions of what constitutes rape (Bohner, Eyssel, Pina, Siebler, & Viki, 2009).

Rape Myths that Shape Perceptions of Sexual Consent

In addition to examining sexual script and peer norms, rape myths are also important for understanding barriers to establishing affirmative sexual consent. Notably, Ryan (2011) argued for the integration of research on rape myths and sexual scripts in order to better understand sociocultural aspects of rape.¹ In the case of sexual consent, three rape myths are relevant to the new affirmative consent law: (a) unintentional sexual behavior occurs, (b) miscommunication about sexual behavior happens, and (c) rape does not occur in a preexisting sexual relationship.

The research about unintentional or accidental sexual behavior illuminates the coercive, nonconsensual nature of this behavior. In a study on the acceptance of rape myths among college students, results showed that the most commonly endorsed rape myth (20%) was *he did*

not mean to commit rape (Vandiver & Rager Dupalo, 2012). This belief presupposes that sexual assault occurs because of harmless miscommunication (Deming, Krassen Covan, Swan, & Billings, 2013; Vandiver & Rager Dupalo, 2012). In a qualitative study examining how college students indicated their own consent and interpreted their partners' consent, Jozkowski and Peterson (2013) found that deception was often described by men who claimed that the penis entered the vagina or anus accidentally and then apologized. This finding aligns with additional research suggesting that young adults believe that unintentional, nonconsensual sexual behavior occurs (Vandiver & Rager Dupalo, 2012). Ultimately, reported accidental or unintentional intercourse results from coercive behavior and a lack of sexual consent. The findings of this research undermine the rape myth suggesting that the perpetrator did not mean to commit rape.

The rape myths of accidents and miscommunication are connected in that they excuse aggressive behaviors. Researchers argue that ignoring communication of nonconsent, claiming accidental or unintentional sexual behavior, and portraying lack of consent as miscommunication, are signs of sexual aggression (Beres, 2010; Hickman & Muehlenhard, 1999; Jozkowski et al., 2014). This body of research about sexual communication demonstrates that miscommunication cannot be blamed for sexual assault occurring (Hickman & Muehlenhard, 1999; Jozkowski et al., 2014). Specifically, Hickman and Muehlenhard examined men and women's hypothetical indications of sexual consent. Men and women rated their dates' behaviors as indicative of consent similarly; gender differences were not present when perceiving others (Hickman & Muehlenhard, 1999). However, male participants rated their own behaviors, including nonverbal, as more indicative of consent, as compared to female participants' ratings of their own behaviors. Men seemed to more readily assume that they consented to sexual behavior. Women, on the other hand, did not see their own nonverbal behaviors as necessarily indicative of consent. A second study provided additional examination of gendered communication with survey data (Jozkowski et al., 2014). Men reported to use nonverbal cues more often than women to indicate their own consent, whereas women used verbal cues to indicate their own consent. More simply put, men believed their consent was implied and that verbal communication was not needed.

Two seminal studies (Hickman & Muehlenhard, 1999; Jozkowski et al., 2014) provide evidence that women may prefer verbal communication over potential nonverbal cues. With women being considered sexual gatekeepers, women may expect to be given the opportunity to refuse

¹ See Edwards, Turchik, Dardis, Reynolds, & Gidycz (2011) and Suarez & Gadalla (2010) for a review of rape myths more broadly.

consent to sexual activity (Jozkowski et al., 2014). However, as stated above, the research on sexual communication suggests that young adults rarely use verbal communication about sexual consent (Humphreys, 2004; Humphreys & Brousseau, 2010; Jozkowski et al., 2014). Taken collectively, these studies suggest that communication is a key variable in understanding coercive sexual experiences. Lack of mutually agreed upon communication creates problems for consent.

The last rape myth discussed here relates to preexisting sexual relationships. Researchers have investigated the rape myth suggesting that sexual consent no longer needs to be addressed when individuals are in an existing sexual or dating relationship (Deming et al., 2013; Jozkowski et al., 2014). When examining students' reactions to consent negotiations within different relationships, students perceived less need for sexual consent the longer the couple had been in a committed relationship (Humphreys & Herold, 2007). Specifically, as the relationship length increased, participants perceived the nonverbal communication scenarios as more consensual, clear, and acceptable. Ben-David and Schneider (2005) had similar findings in their examination of young adults' perceptions of rape. Participants had a stronger tendency to minimize the severity of the rape as the acquaintance level increased. More intimate acquaintances were also perceived as less violating and psychologically damaging to the victim (Ben-David & Schneider, 2005). This is problematic because a majority of women are sexually assaulted by an acquaintance (White House Task Force to Protect Students from Sexual Assault, 2014).

The law does not make any exceptions for preexisting sexual relationships. An individual must ask if not certain that communication is indicative of consent. Under the affirmative consent law, rape myths regarding accidents, miscommunication, and preexisting relationships are no longer tolerated. The law insists that individuals must jointly establish sexual consent throughout the entire encounter and in all circumstances.

Directions for Future Research

Taken as a whole, the literature on rape myths and sexual scripts provide substantial evidence about current sexual consent behaviors among young adults. Heterosexual young adults often do not engage in verbal or direct methods when establishing sexual consent. Internalized traditional sexual scripting, such as token resistance, further complicates sexual communication. Emerging literature suggests that gender attitudes, roles, and stereotypes are also part of the problem regarding beliefs towards sexual assault (Black & McCloskey, 2013; Jozkowski et al., 2014; Murnen, Wright, & Kaluzny, 2002).

Traditional gender attitudes prioritize men's pleasure over women's (Jozkowski & Peterson, 2013). Future research should continue to incorporate variables about traditional gender attitudes and sexism.

Further research is needed on how sexual scripts affect more diverse groups of young adults. Sexual scripts are social phenomenon that may differ based on the gender, race, ethnicity, sexual orientation, and class of the young adults. The prior research predominantly sampled White, heterosexual, university students, and many studies used research materials exclusively about heterosexual intercourse. The existing research focused on heterosexual sexual communication, so further research investigating same-sex sexual communication and a diversity of sexual behaviors is needed (Krahé et al., 2000).

A few additional research questions based on the existing literature about peer perceptions and subjective norms were raised in this manuscript. As a specific example, the research findings about young adults' perceptions are inconsistent. As stated, young adults tend to believe sexual miscommunication occurs frequently. At the same time, they believe that they accurately assess their sexual partners' consent. These two findings need further exploration to understand the apparent contradiction. In order to continue to reduce the endorsement of rape myths, research needs to investigate the prevalence and norms about token resistance and deceptive claims of accidents. Such research could inform interventions to promote affirmative sexual consent.

Recommendations for Sexual Communication Interventions

The new affirmative consent standards require significant change in sexual communication. Sexual communication, as discussed in this article, is shaped by sociocultural issues such as sexual scripts, gender roles, and rape myths (Murnen et al., 2002). Interventions that support broader cultural change are needed (Jozkowski & Humphreys, 2014; Murnen et al., 2002). If affirmative consent were to become the new social norm, students may change to express more favorable attitudes towards affirmative consent, change their sexual communication to actively engage in affirmative consent, and reduce the prevalence of sexual assault.

The authors found that campus interventions targeting sexual consent are not well documented in the scholarly literature, and there is scant evidence of whether or not they are effective (Jozkowski & Humphreys, 2014). Such interventions could provide students the opportunity to develop the intent and behaviors consistent with affirmative sexual consent. The Theory of Planned

Behavior (Ajzen, 1991) provides a framework for understanding how sexual communication could change by changing people's intentions to communicate (Humphreys & Brousseau, 2010). Specifically, current intentions of nonverbal and passive approaches must change to become intentions of direct and verbal communication when establishing sexual consent. Interventions that promote direct, verbal negotiations of sexual consent may improve peer perceptions.

Researchers have suggested strategies for interventions to prevent sexual assault and improve sexual consent communication. Jozkowski and colleagues (2014) recommended that sexual consent interventions raise consciousness about gender differences in sexual communication. Additional research on sexual assault prevention programs (not specific to sexual consent) demonstrates a preference for interactive programming (Banyard, Moynihan, & Crossman, 2009; Christensen, 2014; Fuertes Martín et al., 2012). Interaction among students during programs allows them to strategize and rehearse communication.

After conducting qualitative interviews to learn how young adults describe consent, Beres (2014) recommended that interventions not rely on students having any knowledge about the term consent. For example, "Do you have consent?" may not be an effective way to promote consent. Instead, promoting specific behaviors may have more of an impact. Beres argued for student friendly language, such as a campaign that stated: "Just because she isn't saying no, doesn't mean she is saying yes" (Sexual Assault Voices of Edmonton, 2010, "Don't Be That Guy"). However, little research has been done on current sexual consent programming and whether or not it uses language that fits for young adults or if interactive methods are used. For example, a common campus program "Consent is Sexy" uses the language of consent. This program promotes awareness of sexual rights and sexual communication to set boundaries (Consent is Sexy, 2011). "Consent is Sexy" provides workshops focused on affirmative consent for groups of students, who then manage campus campaigns. Beyond this program, what strategies are currently used to promote affirmative sexual consent remains unclear. Without data specific to sexual consent interventions, interventionists have limited knowledge of what needs exist nationally for sexual consent interventions.

In addition to limited knowledge about current programs, research on the effectiveness of programs is limited. The authors found a single study that assessed the effectiveness of a sexual consent promotion program. Borges, Banyard, and Moynihan (2008) conducted a pretest and two-week posttest assessment of college

students' knowledge and understanding of sexual consent. Sampling was nonrandom and was divided by three classes: no treatment (control group), presentation only, and presentation and group activity. The presentation only group learned about four elements of consent defined by the local university: seeking, receiving, expressed, and permission. The group activity was a discussion about alcohol and consent. The questionnaire asked students to rate whether or not certain behaviors implied consent, to identify the four components of their campus' definition of consent, and to explain when sexual consent is obtained. The most significant gain in knowledge was found in the group that received both the presentation and the interactive group activity. For existing programs, their effectiveness in changing peer norms for sexual consent and reducing incidents of sexual assault on college campuses requires evaluation.

Because there is a lack of research on sexual consent interventions, we provide a brief overview of sexual assault prevention research methods to highlight potential evaluation strategies. Sexual assault interventions have demonstrated numerous outcomes, including increased awareness of rape myths, increased empathy for the victim, increased sexual assault awareness, decreased risky dating behavior, and increased bystander behavior (Bradley, Yeater, & O'Donohue, 2009; Foubert, Godin, & Tatum, 2010; Hanson & Gidycz, 1993). Researchers have used both quantitative and qualitative methods. Quantitative studies used a variety of designs, including control groups (Borges et al., 2008; Bradley et al., 2009; Foubert, 2000; Foubert & Newberry, 2006; Fuertes Martín et al., 2012; Hanson & Gidycz, 1993; Kleinsasser, Jouriles, McDonald, & Rosenfield, 2014; Moynihan, Banyard, Arnold, Eckstein, & Stapleton, 2011; Palm Reed, Hines, Armstrong, & Cameron, 2014; Rothman & Silverman, 2007) and longitudinal designs with delayed follow-up assessment (Foubert, 2000; Foubert et al., 2010; Hanson & Gidycz, 1993; Kleinsasser, Jouriles, McDonald, & Rosenfield, 2014).

In qualitative studies conducted on sexual assault prevention, researchers use a more open-ended format to solicit participants' reactions (Foubert et al., 2010). For example, Christensen (2014) assessed interactive theatre bystander interventions on a college campus. Participants engaged in focus groups after the intervention and responded to questions regarding what they liked about the presentation, what they would change, and how they thought it could change behaviors in real life situations. As another example, a prevention program targeting men used open-ended surveys to solicit feedback about participants' behaviors and attitudes (Foubert, Tatum, & Godin, 2010). An example of a survey item is: "Since seeing the One in Four program in September, have there

been any situations in which you have behaved any differently in any situation as a result of seeing the program? If so, please describe in detail how you behaved differently” (p. 709).

Based on this research, it is recommended that both qualitative and quantitative methods be used in the evaluation of sexual consent prevention programs. Themes found within qualitative studies could be used to identify variables for quantitative assessment of interventions (Christensen, 2014; Jozkowski et al., 2014). Quantitative designs with pretest and posttest data collection could increase internal validity with control groups. Longitudinal designs provide important data for examining interventions. Specifically, later follow-up assessments have the potential to assess future behaviors, not just attitude changes (Banyard, Moynihan, & Crossman, 2009). Delayed assessment could also include members of campus that did not directly participate in the intervention (Fuentes Martín et al., 2012). Assessment of the larger community would help determine if the intervention shifted peer norms to be consistent with affirmative sexual consent. Future studies should sample diverse groups, including groups based on race, gender, age, ability, and sexual identity. Information about how diverse groups respond to interventions could allow for evidence-based interventions that meet the diverse needs of young adults.

Conclusion

This review explained how peer norms, sexual scripts, and rape myths influence sexual consent. Young adults are influenced by peer norms that consent is ambiguous and indirect. Heterosexual young adults often lack verbal or direct communication about sexual consent. Rape myths shape this problematic sexual communication. Sociocultural forces and practices are in direct conflict with the new affirmative sexual consent law. Ongoing, direct consent is needed under the California law. Research and interventions are needed to promote affirmative sexual consent. Additional research on California universities would illuminate barriers for establishing affirmative sexual consent and help establish appropriate interventions. Program evaluation is needed to develop and improve affirmative sexual consent interventions on college campuses. The topic of sexual consent needs greater attention as the United States continues its efforts to improve sexual assault prevention.

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