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Rethinking consent with continuums: sex, ethics and young people

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ABSTRACT

Over the last decade, there has been growing awareness about issues of sexual consent. This has resulted in a global shift towards prioritising education and campaigns which address consent and sexual violence. Yet much discourse about consent continues to reinforce legalistic and binary notions of consent/rape which do not map onto young people's experiences of navigating sex and relationships. This paper draws on findings from an innovative 2-year participatory action research project about sexual consent with young people that involved a series of educational and action-based projects at seven sites in Southern England. By drawing on important feminist work about continuums, this paper considers the generative potential of theorising and teaching about consent using the device of a continuum. It offers insight into how young people construct consent and develops an expanded model of consent using 'continuum thinking'. Findings suggest a need to encourage and embrace a wider variety of terminology regarding consent and sexual violence in order to invite more people into the consent conversation.

Keywords: Consent; Continuum; Youth; Sexual violence; Sex Education

Introduction

The growing awareness about issues surrounding sexual consent over the last decade has resulted in a shift towards prioritising education and campaigns about sex and consent (Gilbert 2017; Whittington and Thomson 2018; Iyer 2019; Brady and Lowe 2020; Beres, 2020). It has been argued that in order to cultivate a more ethical sexual culture[1] it is essential to enhance awareness and vocabulary around consent which includes concern for violation, negotiation and pleasure (Whittington and Thomson 2018; Bragg et al. 2020).

The study this paper draws on was a 2-year participatory action research project about sexual consent with young people and educators involving a series of educational and action-based projects in seven sites in Southern England. The project aimed to co-produce an account of sexual consent that was congruent with young peoples' everyday lives. The research aims, questions and methodology were co-created with young people throughout the research process in line with a commitment to exploring consent beyond the binaries of yes/no and legal/illegal.

Drawing on important feminist work about continuums this paper considers the generative potential of theorising and teaching about consent using the device of a continuum to develop an expanded model of sexual consent. It offers insight into how young people construct consent and the pedagogic potential of engaging with categories of 'non-consent' and 'passive consent'. The advantages of continuum thinking (Boyle 2019), are considered to show how ideas about a consent continuum could enable more critical engagement with consent in research and educational contexts.

Young people and consent

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[1] Throughout this paper the terms ethics and ethical are used in line with Moira Carmody's work on sexual ethics (Carmody 2015). This pays attention to the individual, interpersonal and structural contexts of sexuality rather than specific behaviours and acts.

The term 'consent' has gained traction over the last half century (Weeks, 2007; Waites, 2004) as a result of feminist and LGBT+ advocacy for (women's) bodily autonomy to be recognised and protected by the law (Cahill 2001; Gavey 2005; Whittington and Thomson 2018). It is widely recognised that the focus and content of Relationships and Sex Education (RSE) shifts in response to political pressures and the 'moral panic' of the moment (Gilbert 2017; Carmody 2015; Thomson 2004). The present moment is dominated by concerns relating to teaching consent, and ensuring that younger people are informed about risks and the law (Whittington and Thomson 2018; Bragg et al. 2020).

Consent education and campaigns often start with the legal context, yet commentators have argued that it is essential that they do not end there (Beres 2020; Brady and Lowe 2020; Whittington and Thomson 2018; Harris 2018; Gilbert 2017). It has been argued that a focus on the legality of consent can simplify and obscure the real-life processes involved in sexual negotiation (Cense Bay-Cheng and Dijk, 2018; Harris 2018). Campaigns and educational programs that present an 'ideal' example of enthusiastic and explicitly communicative consent may struggle to acknowledge how difficult and awkward navigating consent can be for everyone (not just young people) (Brady and Lowe 2020; Harris 2018).

Empirical work that captures young people's understandings and negotiations of consent suggests that they have a more complex and nuanced understanding about consent and sexual agency than many educational models give them credit for (Cense et al. 2018; Whittington 2019b; Brady and Lowe 2020; Cense 2019a). Contemporary sexual cultures for young people continue to be characterised by taken for granted 'heteronormativity' involving inequality and pressure (Brady and Lowe 2020; Cense 2019b; Cense et al. 2018; Anitha and

Gil 2009) and problematic notions of choice and agency which do not reflect the multi-faceted elements of young people's sexual decision making[2].

Much of the work cited above points to the significance of 'grey areas', ambiguity and ambivalence in young people's understandings of consent and practices of sexual communication and negotiation (Whittington and Thomson 2018; Brady and Lowe 2020 Beres 2020; Brady et al. 2017; Cense et al. 2018; Coy et al. 2013; Muehlenhard and Peterson 2005; Boyle 2019). The language that young people use to label and characterise sexual encounters reflects wider research about the invalidation of experiences of sexual violence (Kelly and Radford 1990; Gavey 2005; Anitha and Gil 2009; Coy et al. 2013). It also mirrors the continued educational and policy focus on risk and safety rather than pleasure or ethics (Bragg et al. 2020; Renold and McGeeney 2017; Carmody 2015). The research this paper presents seeks to contribute to this field by bridging conversations about consent and sexual violence using a continuum.

Continuum thinking for consent

In the late 1980s, Liz Kelly (1987) introduced the continuum of sexual violence, which captures how people construct and label different kinds of sexual violation. The continuum offers a way of making sense of the relationship between criminal acts (such as rape) and everyday forms of coercion and pressure that are part and parcel of heterosexual cultures in a patriarchal society. Kelly highlights how the device of the continuum better captures complex and interlinked experiences that are difficult to differentiate if they do not sit at an 'extreme' end. She demonstrates that the categories we use to name and distinguish forms of violence, whether in research, law, policy or lay discourse, shade into and out of one

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[2] For work that captures the complexity of youth sexual agency see Cense (2019b).

another (1987). Kelly's continuum has become the backbone for much policy and practice relating to violence against women and girls, yet it exclusively focuses on violence, negative and problematic experiences.

Building on Kelly's generative work, Karen Boyle (2019) has argued the importance of 'continuum thinking' as an "essential element of feminist theories of gender violence" and notes that it allows us to "make sense of experiences that had no name"(32). She argues for 'continuums in the plural' (2019,21) as the context of and connections between gender and violence vary. Continuum thinking poses "a series of challenges to established binaries such as violence/not violence, victim/survivor, real/virtual, child/adult and choice/constraint" (32). Importantly, and most relevant to the research detailed below, Boyle notes that no one term "is necessarily 'better' (more feminist) than another" and that a key value of continuum thinking is to see "connection not equivalences" (2019,21). Boyle emphasises that embracing a spectrum of language, even terms that we may be critical of, allows people to be understood and for more diverse participation in conversations which help recognise and distinguish between different forms of violation.

Furthering the application of continuum thinking, recent work from the study described below has developed a continuum that extends to include more positive and agentic elements of sexual negotiation (Whittington and Thomson 2018; Whittington 2019b;). Whittington's continuum of sexual agency (Whittington and Thomson 2018) captures how young people construct and speak about consent and sexual violence and can be understood as part of a wider project to encourage processual and ethical thinking in sexualities education (Bragg et al. 2020; Scott et al. 2020). What follows demonstrates the application of continuum thinking in research and educational contexts.

The participatory project

This project was co-funded and hosted by Brook[3] who hold a commitment to youth participation, advocacy and sex positive practice. The research was participatory from its conception with young people choosing the focus on consent and advocating for a project that did not focus on extreme examples of violation or pleasure. Over two years, I worked with participation and education teams and groups of young people to develop and deliver a series of action research interventions about sexual consent[4] and sex education at seven sites. These included a young people's participation and advocacy group at Brook (P+); a group enrolled on a Health and Social Care qualification (NVQ); two contrasting youth clubs (YC); an all-girls compressive school (SCH); a University (UNI); and supported accommodation for recent asylum seeking unaccompanied minors (OH).

In total 103 young people actively participated in the study and contributed to data generation through group activities and discussion. The age of participants ranged from 13 to 25 including 71 young women, 31 young men and 1 young person who identified as non-binary. Seventy-five of the participants (77%) were under 18. Participant's socio-cultural and economic backgrounds were varied and complex offering some insight into how different sexual cultures, discourse and practises interact. The school students and participation group who participated in the study were actively involved with educational and campaigning activities about consent and so were highly aware of the term. In contrast, the participants I worked with at the inner-city youth club attended a variety of schools with varied access to RSE and many had never heard the term sexual consent before.

Creative, participatory and action research methods

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[3] Brook are the UK's largest Sexual Health and Wellbeing charity for young people.

[4] Many of these activities have been developed into training and educational resources for educators. These are available at Brook Learn, (2020) learn.brook.org.uk/

In keeping with the practices of participatory action research, creative, group-based and educational methods were used throughout the study. Although one-to-one interviews are often championed as a way of gaining in depth and personal accounts of sensitive topics the feminist, youth work and participatory agendas of this project called for a group oriented approach to examining issues of consent (Banks et al. 2011). In order to avoid the 'trap' of young people trying to be 'politically correct' in a focus group type activity (Robinson, 1999) I employed creative methods and interactive activities. I facilitated with (mostly) gentle challenges to encourage groups to go beyond what is considered 'sayable' in public.

Creative methods can allow for a more 'embodied and visual methodology' enabling the researcher to observe and foreground the processing and development of ideas in a way that more traditional research methods do not create space for (Thomson and Holland 2005). This approach is also argued to be more inclusive and easily adapted to the age and ability of participants. These methods allowed people to participate at their own pace, rather than trying to keep up with conversations or feeling awkward about the 'pregnant silences' that may be thought to be out of place in group interviews (Heath et al. 2009, 122). It has also been suggested that creative methods encourage a more relaxed atmosphere (Punch 2002) and enable the researcher and participants to connect through a common activity. I used mind mapping, body mapping, cake decorating, continuum activities, interactive games and scenario-based discussions and found this was the case.

Importantly these techniques reduce the likelihood of the researcher imposing their own categories and language onto participants (Punch 2002). The diagrams, pictures and writing from activities such as body mapping, definition and continuum exercises became a raw data source (Heath et al. 2009:122). They also became artefacts (Renold 2019) and stimulus for later group discussion, encouraging us to explore the differences in language and

opinion used by different members of the groups. Participants were therefore able to articulate and analyse their own, and each other's, ideas "in their own terms" (Cornwall 2003:1328).

The participatory activities above, and my active group facilitation, allowed me to encourage and capture a kind of 'thinking out loud' and also provided space for some intervention and teaching (Cammarota and Fine 2008). The majority of the group discussions were run in the form of workshops, or activity-based discussion, enhancing the possibilities for research conversations to be 'learning moments' (Biesta 2015).

The consent continuum activity (Figure 1) which provides the basis for this paper was developed collaboratively with the participation group and participation worker (Figure 1). This activity, initially developed through group discussion, became a core tool in my practise, analysis and subsequent theorising about consent. It maps onto the work of Kelly and Boyle outlined above and, as demonstrated later in this paper, offers a productive way of teaching and talking about sexual consent that captures a spectrum of language and experience.

[Figure 1 about here]

Ethics

The topic of study, the age and potential vulnerability of participants and the public and group work nature of this project, meant this research was considered 'high risk' by ethical governance criteria. The research methodology and ethical considerations of researching sexual consent collaboratively with young people are described and explored in detail elsewhere (Whittington 2019a). There I demonstrate the generative potential of non-traditional approaches to research consent and illustrate the ethical process as an ongoing "reflexive concern, rather than a discrete procedural requirement" (Beckett and Warrington 2015, 11). The parallels between seeking research participation and consent and negotiating

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sexual encounters were discussed throughout the research producing a rich layer of findings relating to everyday consent and dissent.

Regarding youth participation in this project staff at each site became gatekeepers and allies by supporting recruitment and mediating my access to groups. I often worked alongside youth workers and teachers to facilitate classes, workshops and discussion before working more independently in smaller groups. Young participants were given the option to choose a pseudonym for research reporting. Where comments from transcription or field notes can be attributed to a specific individual I have done so. However, as much of the work and data generation was collaborative, many definitions and outputs cannot be attributed to one individual.

Analysis

Despite the diversity of participants in terms of religion, ethnicity, age, class and sexual experience, there was surprising consistency in the ways in which individuals initially constructed and spoke about sexual consent. I characterised these as 'abstract', (meaning that it was discussed in theory rather than through examples) and 'binary' (where something either was, or was not, consensual).

Multi-modal data ranged from field note reflections to discussion transcripts, videos, photographs, hand-written and co-produced definitions and diagrams. The educational, iterative and reflective nature of the research produced numerous learning moments for the participants, and for myself as a youth worker, teacher and researcher. Group sessions involved much co-analysis through discursive activities which generated "learning about learning, or meta learning" (Coghlan and Brydon-Miller 2014, 240) both in situ and later during independent analysis. For example, the continuum activity above allowed participants

to analyse different scenarios using the tool of the continuum to discuss and code different terminology and scenarios.

Further to the collective enquiry and analysis, I used thematic analysis to sort and code the wider data set (Braun and Clarke 2006). Despite the variety of data and the different research groups, analysis revealed a number of strong and congruent themes across the data. Using a continuum approach data from definitions tasks and conversations about scenarios were coded along an extended continuum that holds space for a spectrum of language that captured the positive, negative, legal and lay constructions of consent.

Findings

Constructing consent

Throughout the research, consent was commonly constructed as a decision about sex that must be freely made. By participating in different activities and discussions outlined above participants offered and co-produced their own definitions of consent. Below are some initial definitions developed in three contrasting groups. They are the result of activities that required participants to draw on a dictionary or legal definition, or make up their own definition as if they had to explain consent to someone else. Ideas of agreement, permission, and retractability came up in all definitions and many research conversations

[Table 1 about here]

The definition activities often stimulated much discussion and also some frustration. Many groups were able to give a simple definition at the beginning but recognised that it became more difficult to define as they considered more nuanced and 'real life' examples.

[Figure 2about here]

[Figure 3 about here]

The initial request for a definition of consent seemed to prompt participants to think about and define it in quite an abstract way. This was particularly apparent in definitions offered by younger participants in more public classroom spaces. Consent was recognised as something that is 'give-able', 'possess-able' and 'change-able' but there was little consideration of complexities such as what counts as sex, and how or why it may be difficult to give or do consent as defined above in different contexts.

Consent as legal and binary

This study aimed to avoid framing consent in terms of rape or other extreme examples of sexual violation. However, like Brady and her team (2017), I found it nearly impossible to engage young people in talking about consent, without also talking about rape, violence, coercion and pressure. For instance in our first conversation Maya, aged 14 (YC), explained that consent as a decision should be made, "without coercion", and Mike aged 16 (YC), defined it as "having the freedom to agree". Their choice of language here is one example of how some of the young people were able to draw on a legal lexicon that directly reflects the legal definition of consent.

Even if I did not mention terms associated with sexual violence or the law, many of the young people did so, regardless of age and sexual experience. The simple and binary definitions of consent which young people gave suggested that if consent was not explicitly sought or given then the act that followed was not consensual:

"legally that would be rape" (JT, 14 YC).

Although the term 'rape' was used fairly frequently it was often spoken about in jokes, or

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with an element of embarrassment. It was considered a "harsh" word (Willow SCH), only to be used in extreme and more clear cases, reflecting the work of Kelly and Radford (1990). The term 'non-consensual' was used far more frequently and captured a range of acts.

Giving and getting

Many of the definitions of and discussions about consent broke down the process of consent into 'giving', 'getting' and in some cases 'withdrawing'. The way participants spoke about consent (provoked in part by how my questions were posed), reproduced an understanding of consent as explicit, responsive and binary, something that is rational and which involves a 'seeker' and a 'giver' a clear 'yes' and a clear 'no'.

> I think consent is, is when you ask permission from your girlfriend or boyfriend, or partner, if they wanna have sex, or if they're in the mood to have sex or if they're comfortable doing any, any position that, you know […] They can say yes or no.
>
> (Maryon, YC)

> Erm, definition of consent is when two people agree to have sex. Like, verbally, like if you was to aks her to have sex and she says yes then like good. Or like yea, that's really it.
>
> (Reggie, YC)

The notion of consent as something that you must seek or can give is also linked to socio/legal and contractual discourses. The 'yes model' and the 'no model' as defined by Anderson (2005), which posits that consent is about response, was visible in participants definitions. However, when we took the time to think about wanting and not wanting sex, and the process of negotiation, most young people were quick to move away from, or at the very least problematise, the idea that consent is this binary or explicit in practice.

> Issy: I think asking, saying yes
>
> Elsie: Just saying yes?
>
> Issy: Yes or no, like your permission

Micaela: It's like an action to say you don't want it

Elsie: Ok, and you think is as black and white as yes or no?

Asmin: That's how it should be, but people don't understand.

(SCH)

There were multiple contributions suggesting that what should happen and what does happen were different and that 'getting and giving' was too simple to adequately explain the nuanced process of sexual negotiation. The following extract from a group discussion at the youth club, captures a more nuanced (and jokey) image of consent which destabilises a binary notion of getting and giving that was often missing in earlier research conversations and definition activities.

Elsie: Do you really think people ask like that?

JT: Cool a'ight, look I don't think that often people actually straight up ask it [agreement from Matt]. I think it's in like, it's in like the feeling of the room. So, it's like there, if you've like already started kissing then you can like move on sort of thing.

Elsie: Mmm, so how do you know that someone wants to move on?

Matt: Shirts off [we all laugh].

Maryon: You can tell their body language

Matt: When, when they lean down to you […]

(YC ages 14-16)

The more honest and relaxed conversation above was possible due to the length of time we had worked together and the rapport developed whereby participants knew I was not looking for 'correct' answers.

When encouraged to move beyond the abstract and binary discussion of consent participants would talk about consent as a fluid and embodied relational experience which

involves "subtle" (Kev, YC) navigation, reading signals, tones, restrained expressions and advances which fit current cultural expectations of gendered sexuality. Participants' explanations of how consent happens "in real life" reflects the findings of Hickman and Muehlenhard (1990). They identified four categories for conveying sexual signals: direct, indirect, verbal and nonverbal, and suggested that nonverbal signalling was more common. Rather than explicitly asking for consent and asserting your desires by seeking an explicit response from another, you might for example "read body language" (Vic, Uni), "Make a move" or "go by the feeling in the room" (JT, YC).

The quote from JT encapsulates what a number of young people said about consent or wanting and being ready for sex. Many referred to 'feeling it', or feeling and 'sensing' their way through an encounter, suggesting that consent, or a broader articulation and mutual set of desires, cannot be broken down into a set or series of (speech) acts and successive reactions. The more embodied and fluid descriptions of sexual negotiation that were offered by participants resonate with the Latin and French origins of the word consentir – 'to feel with'. This raises questions about how best to conceptualise consent without basing it on transactional models of having, giving and withdrawing and instead thinking of it as a process, the outcome of which can be defined as consent, or perhaps consensual. Discussions with young people and exercises such as the continuum outlined above, encouraged us to recognise the limitations of these roles, expressions and responses. Over time, all the people and groups I worked with ventured into conversations about consent that moved beyond a binary construction of the term.

Deconstructing consent

The definitions and descriptions developed above paint a positive picture that young people understand and value consent and want to explore and learn about it in a way that

relates to their everyday lives and language. However, this research also revealed dissonance and resistance to legal definitions and discourses. Although participants were familiar with the concepts they frequently resisted labelling experiences and scenarios variously as 'rape', 'violence' or 'coercion' and many had difficulty articulating how 'active' explicit consent might occur in practice.

The following section illustrates how grounding conversations about consent in scenarios and everyday experiences can highlight the limits of the term and cultivate a more situated understanding of sexual negotiation. It illustrates how deconstructing consent and practising continuum thinking offers opportunities for critical teaching and learning by considering context in the form of the environmental, material, ethical and relational aspects of an encounter and the perceived agency and competence of those involved.

Contextualising consent

Some of the most nuanced explanations of sexual negotiation emerged in conversations that actively challenged the notion that consent was a binary of 'yes' or 'no', or that it was simple to practise. We discussed examples from popular media including 'Tea and Consent' (see Brady and Lowe 2020 for a review of this) and a BBC documentary 'Sex on trial, is this rape?'. We also devised and explored a range of scenarios based on participants' own ideas. The scenarios (which have subsequently been adapted as educational resources for Brook) depicted problematic 'non-violent' encounters where at best consent was not made explicit and at worst, an explicit personal or legal boundary was clearly crossed.

Although clear distinctions between 'rape' and 'consensual sex' could be made at an abstract level, conversations that were grounded in scenarios or where people drew on their own experience seemed more difficult for participants to categorise. Participants noted that they did not "have enough information" (Willow, SCH) to categorise something and that it is

"not fair to call" (Emma, SCH). Members of the university group, who all shared personal experiences, suggested that "the more you know the more difficult it gets" to confidently define and label a scenario as rape. Both young men and young women constructed and discussed scenarios in ways that avoided identifying one person (usually a man) as exclusively at fault.   They attributed responsibility to both parties, considering the victim (usually a woman) to have been active in the encounter. Participants appeared more comfortable classifying unwanted or unequal scenarios using the category of 'non-consensual' rather than using explicit legal terms. This was consistent across all the research groups and reflects other research on labelling and validating non-volitional encounters (Brady and Lowe 2020; Brady et. al. 2017; Coy 2013; Kelly and Radford 1990).

Data generated from conversations about scenarios were full of contradictions and illustrated the persistence of gendered power relations, double standards and the dissonance between abstract (and thus tidy) definitions of consent and the situated messy and volatile realities of negotiating sexual interaction at different points in one's sexual career.

The following conversation demonstrates the persistence of rape myths, heterosexist scripts and the uneasy application of legal terms. We were discussing the 'Sex on trial, is this rape?' documentary scenario, which depicts rape by penetration of the mouth after a secondary school house party

> Asmin: Like it's kind of true, you know about the led on part. Like some girls actually do lead boys on and when something does happen
>
> Issy: They say they didn't…
>
> Elsie: So do you think that that happens then? Girls lead boys on and then regret it the next day?
>
> Issy: Yea

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Asmin: Not all girls but yea

Elsie: So why do you think, well what's the difference between the girls that do and the girls that don't?

Asmin: The girls that don't do it, are not stupid. [we all laugh nervously]

Elsie: ok, what's stupid about it?

Asmin: 'Cos like why would you lead someone on and not accept the consequences?

[…]

Elsie: But in the film he's the one that's like 'can I get into bed with you?' 'can I do this' and she is like half asleep.

Asmin: Oh well she did move [over] so there was space [Issy: laughs loudly and uncomfortably]

Elsie: So, you think that her moving over and letting him in the bed was her –

Asmin: No, it's not a one way thing. I err, I ok like, it's mostly girls that are the victim of rape. But I feel like in some cases, in most cases it's not a one way thing. Like obviously, like. I don't know how to explain it. Like, I'm not saying that about clothing because most like most of the time people are like 'oh well you shouldn't have dressed like that' like, you're basically asking for it. It's not that 'cos I feel like people should have the right to wear whatever they want. But like the way they talk, the way they flirt and stuff I feel like that kind of stuff leads it on. […]

The group conversation above contained competing understandings of agency, boundaries and responsibility. The idea that clothing might indicate consent was directly opposed suggesting that they found this particular victim blaming narrative problematic. Yet the process of consent was individualised and responsibility for managing boundaries was placed upon the woman. The 'stupid' girl was viewed as incompetent (mapping onto the NATSAL definitions of sexual competence) because she does not know or communicate her own boundaries, leads others on and experiences 'regret', has sex 'under duress' and does not make autonomous' decisions (Wellings et al. 2001; Palmer et al. 2016). During the research I observed that where young people had little sexual experience, notions of victim

blaming that circulate in popular culture were easier to articulate and adopt as they were not complicated by personal experience or understanding of context.

"If you said yes, you've got to accept the consequences of that" (CC 15, YC)

The significance of experience and familiarity was something that participants themselves acknowledged when invited to add context or consider a scenario involving themselves or a friend. When discussing one scenario Asmin asked if it really counted as "proper rape". I invited her and her group to consider what this meant and whether they might think differently about any of the scenarios if they knew the person.

> Yea I feel like unless it's happened to you. Like we might be saying this now, and God forbid if it happens to us and it happened how it happened at the party [in 'Sex on trial'] we would call it rape as well. But because it hasn't happened to us [yea], we just don't know how to put it really to words. […]
> (Asmin, SCH)

The school data above included themes that recurred in many conversations with young people during the research. Initially I found data containing victim blaming statements difficult to write about because I did not want to undermine the overall response from all participants that consent, or rather equitable and ethically negotiated sexual interaction was important. I was also concerned that I might inadvertently encourage the downplaying of rape and sexual violence by engaging with conversation about grey areas using young people's categories of 'non-consensual' or 'unwanted' and acknowledging that some examples were hard to categorise and label even if they might technically fall under a legal or criminal category. This apprehension may understandably be shared by teachers seeking to deliver more discursive or critical RSE.

Extending the continuum

To help capture how young people responded to scenarios, and the way they defined rape and consent (both in group activities and through conversation) I developed a continuum of sexual agency (Whittington 2019b). The device of the continuum offered a way of speaking about and viewing sex, consent and violation that is not absolute – which mirrored the ways young people spoke about the topic. Their responses contained some statements that could be considered rape myths – but more significantly showed that non-consensual sex and rape were defined by the relative presence or absence of violence and or explicit rejection. Like the work of Brady et al. (2017) and Coy et al. (2013), young people in this study viewed and spoke about acts and encounters on a spectrum with rape (understood as explicitly violent) on one extreme end, and what one group termed 'active consent' on the other. The continuum below (figure 4) captures how young people in this study described consent from more extreme examples of violation to more positive and agentic encounters.

[Figure 4 about here]

Continuum thinking in action

By applying the continuum activity in research and in subsequent teaching, I have found that participants' contributions were more nuanced than in activities which ask them to define or consider consent in the abstract. In response to scenario-based activities and discussion, a number of participants said that they "understand more on consent if you see different scenarios" (Asmin, SCH). They noted "personal and legal are different" (Lizzie, YC) and were able to highlight gendered doubles standards when encouraged to re-imagine scenarios: "we'd think differently about it if it was a man […] so, yeah… we judge women more harsher" (Kev, YC).

Enabling continuum thinking encourages people to consider the process and outcome of sexual negotiation and to critically observe the norms and expectation that restrict how different encounters may play out. It also enables people to think more critically about how different experiences and presentations of negotiation are judged by others and take an approach that promotes sexual ethics, rather than foregrounding legal definitions and discourses.

My own experience and observations of putting the continuum to work in educational spaces highlights a number of strengths. Yet, as with all new tools and theories, there are further developments to be made. Although overt sexual violence was not addressed as part of this work it is important to pay attention to how gendered and sexual violence is normalised in the discourses participants drew on and the experiences that some of them disclosed. While the continuum introduced above was helpful in enabling more open discussion about sex and consent, its application (in teaching) could be used to collude with the normalisation of sexual violence and the subordination of women, or those with less power in everyday hetero-patriarchal society for numerous intersectional reasons.

The line between 'passive consent' and 'non-consensual' encounters is problematic. In some ways, both labels are misleading and unhelpful for more traditional, binary, feminist and legal discourses about sexual violence. Yet this research, and that of other scholars (see Gavey 2005; Peterson and Muelenhard 2005; Coy et al. 2013; Brady and others 2017, 2020), reveals that many people's sexual encounters and the way in which they label them more often fall into the aforementioned categories. Legal and lay definitions of rape and consent often draw on a fairly reductive conception of 'sex' as penetrative and thus the 'non-consent' and 'passive consent' categories are more user friendly when people are thinking about scenarios and beginning to question their own sexual experiences.

I draw on Boyle (2019) to support the broader categories that make up the consent continuum above. She asserts that "sometimes we need to speak in two voices" (32) and use language we are critical of as a starting point in order to be understood by different people, and to explain different connections and contexts. In order to deliver sexualities education that cultivates sexual competence and agency it is important to start with the language that young people themselves use (Cense 2019a; Whittington and Thomson 2018; Bragg et al. 2020). By using continuum thinking and starting where young people are at (Davies 2009) this research enabled productive conversations where both participants and I developed our vocabulary and understandings of consent in theory and practice. As Boyle (2019) advocates this encouraged us to see the connections but also the distinctions between different acts, modes of communication and contexts of for sexual negotiation.

Conclusion

The data presented in this paper suggests that young people's understanding of sexual consent is based on simple legal and transactional discourses reflecting those found in numerous educational programs and campaigns (Bragg et al. 2020; Brady and Lowe 2020). However it has also shown that while fluent with a legal lexicon of consent, young people are uncomfortable with the binaries and labels this produces and are interested in the more complex aspects of sexual negotiation.

When encouraged to elaborate on what consent is, and moreover how to do it, participants provided more complex answers which often involved deconstructing consent and focussing on the situated and contextual realities of sexual negotiation. The contributions that participants provided showed that sexual agency and decision making are constrained, enabled or mediated by social and cultural context and expectations, as well as by interpersonal ones. Young people's contributions to the project also highlighted the

persistence of gendered double standards that maintain patriarchal and male centred views of sex and pleasure and victim blaming discourse.

By practising continuum thinking and embracing a variety of language and terminology, participants and I were able to destabilise some of the binaries associated with consent and sexual violence (Boyle 2019). Through activities such as the consent continuum and the development of and discussion about scenarios that depicted grey areas we were able to capture the distinctions and connections between different acts and experiences. Thus, it is important to advocate for sexualities education and research that holds space for an expanded model of consent focussing more on the ethics and contexts of encounters than on a heavy handed legal binary of consent/rape. More nuanced educational conversations that acknowledge everyday issues and grey areas have been welcomed by young people.

References

Anderson, Michelle 2005. Negotiating Sex. *Southern California Law Review*, Villanova Law/Public Policy Research Paper No. 2005-9. 41(9):101-140.

Anitha, Sundari and Gil, Aisha, 2009. "Coercion, Consent and the Forced Marriage Debate in the UK," *Feminist Legal Studies*. 17:165-184.

Banks. Sarah, Craig Gary, Pain, Rachel. Summebell, Carolyn 2011. Community-based Participatory Research: Ethical Challenges, Durham Community Research Team, Centre for Social Justice and Community Action, Durham University, available from https://www.dur.ac.uk/resources/beacon/CCDiscussionPapertemplateCBPRBankset al7Nov2011.pdf

Beckett, Helen and Warrington, Camille 2015. 'Making justice work : experiences of criminal justice for children and young people affected by sexual exploitation as victims and witnesses'. University of Bedfordshire.

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

Biesta, Gert. 2015. The Rediscovery of Teaching: On robot vacuum cleaners, non-egological education and the limits of the hermeneutical world view. *Educational Philosophy and Theory*, 48(4):374-392.

Boyle, Karen. 2019. What's in a name? Theorising the Inter-relationships of gender and violence. *Feminist Theory*, 20(1):19–36.

Brady, Geraldine and Lowe, Pam. 2020, 'Go on, Go on, Go on': Sexual Consent, Child Sexual Exploitation and Cups of Tea, *Children and Society*, 34(1):78-92.

Brady, Geraldine, Lowe, Pam, Brown, Geraldine, Osmond, Jane. and Newman, Michelle. 2017). 'All in all it is just a judgement call': issues surrounding sexual consent in young people's heterosexual encounters. *Journal of Youth Studies*, 21(1):35-50.

Bragg, Sara, Ponsford, Ruth, Meiksin, Rebecca. Emmerson, Lucy, & Bonell, Chris. 2020. Dilemmas of school-based relationships and sexuality education for and about consent, *Sex Education*, DOI: 10.1080/14681811.2020.1788528

Braun, Virginia and Clarke, Victoria. 2006. Using Thematic Analysis in Psychology. In: *Qualitative Research in Psychology*. 3(2):77-101.

Cahill, Ann. 2001. Rethinking rape, Cornel university press, London

Cammarota, Julio and Fine, Michelle. 2008. 'Youth Participatory Action Research: A Pedagogy of Transformational Resistance', in *Revolutionizing Education: Youth Participatory Action Research in Motion* edited by Julio Cammarota, and Michelle Fine, , 1-12. Routledge, London

Carmody, Moira. 2015. *Sex, Ethics and Young people*, Critical Studies in Gender, Sexuality and culture series, Palgrave Macmillan, Hampshire.

Cense, Marianne. 2019(a). Navigating a bumpy road. Developing sexuality education that supports young people's sexual agency, *Sex Education*, 19(3):263-276

Cense, Marianne. 2019(b) Rethinking sexual agency: proposing a multicomponent model based on young people's life stories, *Sex Education*, 19(3):247-262.

Cense, Marianne, Bay-Cheng, Laina., & van Dijk, Lieke. 2018. "Do I score points if I say 'no'?": Negotiating sexual boundaries in a changing normative landscape. *Journal of Gender-based Violence*, 2:277-291.

Coghlan, David. and Brydon-Miller, Mary. 2014. *The Sage encyclopaedia of action research*. SAGE. Los. Angeles, Calif.

Coy, Maddy., Kelly, Liz., Elvines, Fiona., Garner, Maria. and Kanyeredzi, Ava. 2013. *"Sex without consent, I suppose that is rape": How young people in England understand sexual consent.* Children's Commissioner's Inquiry into Child Sexual Exploitation in Gangs and Groups. Office of the Children's commissioner.

Davies. Bernard. 2009). In Defence of Youth Work, 'The open letter', https://indefenceofyouthwork.com/the-in-defence-of-youth-work-letter-2/

Gavey, Nicola. 2005. *Just sex?,* Taylor & Francis Ltd, London.

Gilbert, Jen. 2017. Contesting consent in sex education. *Sex Education*, 18(3), 268-279.

Harris, Kate Lockwood. 2018. "Yes Means Yes and No Means No, but Both These Mantras Need to Go: Communication Myths in Consent Education and Anti-Rape Activism." *Journal of Applied Communication Research*, 46(2):155–178.

Heath, Sue. Brooks, Rachel. Cleaver, Elizabeth. and Ireland, Eleanor. 2009. *Researching young people's lives*, Sage publications.

Iyer, Padmini. 2019. 'Due to all this fear, we're getting less freedom': young people's understandings of gender and sexual violence in New Delhi, India'. *Gender and Education*, 31(2):222-239.

Kelly Liz. (1987) 'The Continuum of Sexual Violence'. In *Women, Violence and Social Control.* edited by Hanmer J. and Maynard M. Palgrave Macmillan, London.

Kelly, Liz. and Radford, Jill. 1990. '"Nothing really happened": The invalidation of women's experiences of sexual violence'. Critical Social Policy. 10(30):39–53.

Muehlenhard Charlene and Peterson, Zoe. 2005. 'Wanting and not wanting sex: the missing discourse of ambivalence.' *Feminism and Psychology.* 15(1):3-23.

Palmer, Melissa J., Clarke, Lynda., Ploubidis, George B., Mercer, Catherine.H., Gibson, Lorna J., Johnson, Anne M., Copas, AndrewJ. and Wellings, Kaye. 2016, Is '"Sexual Competence" at First Heterosexual intercourse associated with subsequent sexual health status?' *The Journal of Sex Research*, 54(1):1–14.

Punch. Samantha, 2002. 'Interviewing strategies with young people: the 'secret box', stimulus material and task based activities'. *Children in Society.* 16(1):45-56

Renold, Emma. 2019. Ruler-skirt risings: Becoming crafty with how gender and sexuality education research-activisms can come to matter inn *Up-lifting Gender & Sexuality Study in Education and Research* edited by Jones, T., Coll, L. and Taylor, Y. 1-26. Basingstoke: Palgrave Macmillan.

Renold, Emma. and McGeeney, Ester. 2017. Informing the future of the Sex and Relationships Education Curriculum in Wales. Project Report. Cardiff: Cardiff University.

Robinson, Nicola. 1999. The use of focus group methodology - with selected examples from sexual health research. *Journal of Advanced Nursing,* 29(4):905-913.

Scott, Rachel., Smith, Clarissa., Formby, Eleanor., Hadley, Alison., Hallgarten, Lisa., Hoyle, Alice., Marston, Cicely., McKee, Alan and Tourountsis, Dimitrios. 2020. What and how: doing good research with young people, digital intimacies, and relationships and sex education, *Sex Education*, DOI: 10.1080/14681811.2020.1732337

Thomson Rachel. 2004. 'An Adult thing? Young people's perspectives on the heterosexual age of consent', *Sexualities,* 7(2):133-149.

Thomson, Rachel. and Holland, Janet. 2005. '"Thanks for the memory": memory books as a methodological resource in biographical research', *Qualitative Research*, 5(2):201–219.

Waites, Matthew. 2004. Age of consent and sexual consent inn *Making sense of sexual consent*, edited by M. Cowling and P. Reynolds 73–92. Ashgate, Abingdon.

Weeks, Jeffrey. 2007. *The world we have won: The remaking of erotic and intimate life*. Taylor & Francis, London

Wellings, Kaye., Nanchahal, Kiran., Macdowall, Wendy., McManus, Sally., Erens, Bob., Mercer, Catherine H. and Johnson, Anne M. 2001. Sexual behaviour in Britain: Early heterosexual experience. *The Lancet*, 358(9296):1843–50.

Whittington, Elsie2019a. Co-producing and navigating consent in participatory research with young people, *Journal of Children's Services*, Vol.*Journal of Children's Services*, 14 (3):205-216.

Whittington, Elsie. 2019b. Understanding sexual consent: a participatory approach with young people. Doctoral thesis (PhD), University of Sussex.

Whittington, Elsie and Thomson. Rachel, 2018 Education for consent: beyond the binary. in *Critical Pedagogy, Sexuality Education and Young People: Issues about Democracy and Active Citizenry, edited by* Sanjakdar, F. and Yip, A. 49-64. Peter Lang, New York.

Table 1Definitions of consent by 3 contrasting research groups

*Table 1*1 *Definitions of consent by three research groups*

| University group (ages 20-25) [Uni]	Girls school (age 15-16) [SCH]	Youth club (ages 13-18) [YC]
Consent is [a] constantly renegotiated agreements between people, which is informed by the situation at that moment. Not assumed but communicated verbally and non-verbally and not under conditions of pressure *Consent is a fluid negotiation regarding a situation.*	*Consent – to approve or agree something such as having sex* *All parties mutually agreeing to engage in sexual contact* *A constantly renewed agreement between couples on sexual acts*	*[consent is] when you have permission to have sex with your partner and… its not by force [...] cos it's coming from your own personal view.* *I would describe it as permission.*
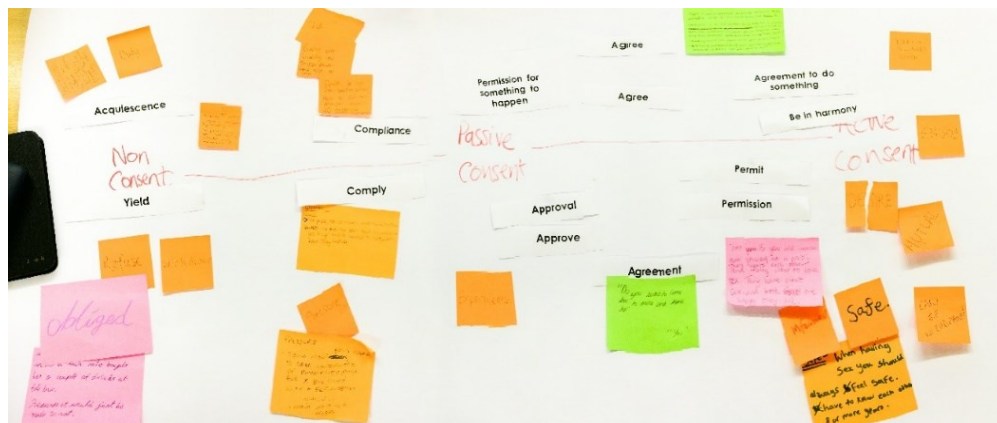
Figure SEQ Figure * ARABIC 1 Consent continuum activity developed with P+
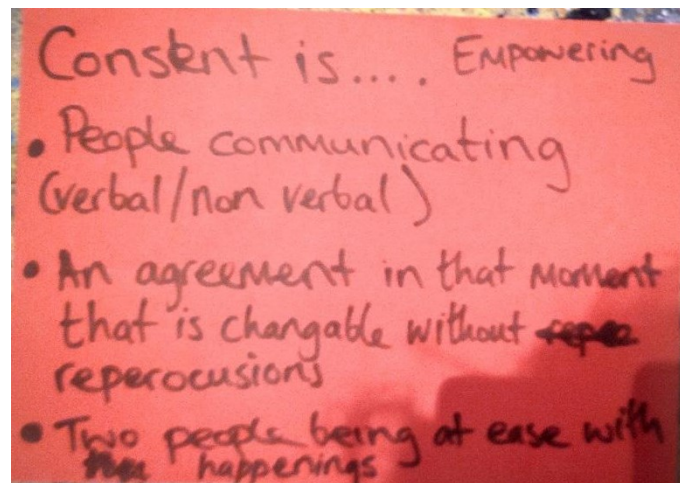
Figure 2 Raw data definition (UNI)

To freely give permission from both sides for each act, every time and be in the right state of mind.

↓

To freely give permission from both sides every time without influence.

(11 words)

Figure 3 Raw data, definition task (SCH)

RAPE	NON CONSENSUAL SEX	PASSIVE CONSENT	ACTIVE CONSENT
Explicit use of force	Aversion to sex was not made explicit	There may be some desire from at least one person	Consent is explicitly sought and given
Explicit resistance	Sex may have been unwanted and forced but it wasn't violent	Sex is wanted but explicit consent is neither sought nor given	Communication and negotiation occurs
Clear violation of boundaries			There is mutual desire

Figure SEQ Figure * ARABIC 4 Consent continuum and key developed for teaching and learning materials by .

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