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# SEXUAL ETHICS AND VIOLENCE PREVENTION

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## ABSTRACT

Violence against women remains a pressing and unresolved global issue which has proved resistant to over 30 years of feminist activism around prevention. This article argues that many prevention strategies have been shaped by unarticulated discourses about sexuality which have focused primarily on women managing the risk of the unethical behaviour of men. An alternative conception of sexual ethics is proposed based on Foucault's work on ethics, sexuality, governmentality and power as productive and in a constant state of negotiation. I argue that all sexual encounters, regardless of the gender of the people involved, invites the possibility of ethical sexual behaviour. Given the failure of prevention strategies in eradicating intimate sexual violence to date, there is a pressing need to consider how desire, acts and pleasure can be understood from an ethical perspective to create a greater possibility of realizing an erotics of consent. This would result in alternative ways of shaping violence prevention strategies and provide new directions for law, education and negotiating intimate sexual relationships of women and men of diverse sexualities.

## INTRODUCTION

**V**IOLENCE AGAINST women remains a pressing global social and legal issue that continues to be resistant to prevention. How is it that we now know so much about the extent and manifestations of gendered violence, yet remain unable to find ways to stop it happening or at least to reduce its occurrence? In Australia, much hope has been placed on social policy as a mechanism of the state to bring about this much needed change. Australia has been seen by many as having developed a unique relationship between the state and liberal and radical feminist campaigners (Sawyer, 1990, 1993; Yeatman, 1990). Anti-violence has been a key focus of these political activities and led to an active engagement with the state to try and bring about a reduction in violence against women (Carmody, 1992). Despite the often fraught nature of this relationship, since the early 1980s, numerous rounds

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of legislative reform, increased penalties for sexual offences, revised health, welfare and police procedures and several decades of community education have been achieved. These gains were not easily won but despite their best intentions they have failed to deliver the much hoped for deterrence in crimes being committed or significant changes in the behaviour of those who continue to perpetrate violence against women (Carmody and Carrington, 2000). The failure to achieve legal sanction against perpetrators of sexual assault highlights this point dramatically. Studies in Australia and the UK have estimated that attrition rates for sexual assault could be as high as 90 percent (Carrington, 1997; Chambers and Miller, 1987; Lees, 1997). Figures for 1996, not an atypical year, have been chosen for the purposes of illustration. Of those who sought criminal justice intervention in 1996, two-thirds did not result in any charges being laid. Of those that went to court, two-thirds resulted in an acquittal for the accused. Of the 2802 recorded incidents of sexual assault in NSW for that year only 289 persons were found guilty (NSW Bureau of Crime Statistics and Research, 1997a, 1997b). The implication of such dramatically high attrition rates is that sex offenders can expect a good measure of legal impunity while most victims can expect to remain unprotected. This reality has led to a call for an increased focus on primary prevention, to reflect on the successes and failures of the past and to begin to reconceptualize political goals and strategies and to develop different theoretical ways of understanding violence against women (Carmody and Carrington, 2000).

The primary prevention of sexual violence is particularly important because it is one of the most difficult crimes to detect, deter, police or punish. Primary prevention to date has focused on persistent efforts over the past 30 years (especially by feminists) to render sexual violence a visible concern of the public and the state by challenging the idea that it is a private matter (Carmody, 1992; Franzway et al., 1989). In 1999 my colleague, Kerry Carrington, and I examined a range of social policy initiatives including feminist discourses of prevention, men's responses to violence, crime prevention discourses, the role of legal reform, public awareness strategies and education programmes in educational settings. The findings of that research indicated that many of the strategies focused on quick-fix approaches that placed responsibility for prevention primarily on individual women or men, requiring individuals to manage their own risk through avoidance strategies. This is especially problematic in the gendered context of sexual violence. It was argued that there were a number of ways to resist this approach and move towards a primary preventative framework for responding to intimate sexual violence. The conclusions recommended that more research was needed into how to prevent sexual violence by promoting its opposite: the inculcation of ethical sexual practices (Carmody and Carrington, 2000: 354-6).

This article expands on that earlier research by exploring the possible connections between sexual ethics and violence prevention. It begins by first discussing how some culturally deterministic feminist traditions have

marginalized women's desire and pleasure by placing an emphasis on avoiding sexual exploitation. It argues that these often unarticulated discourses have shaped anti-violent strategies and resulted in the impossibility of primary prevention. The main interest here is the kind of power relations and knowledge that have developed and shape anti-violence work. The approach is genealogical rather than metaphysical and is concerned with what the debates and theories tell us about where we are placed in the history of culture and meaning making as opposed to a search for an ultimate truth (Mansfield, 2000). In the second section of the article some preliminary ideas are presented about how to conceptualize sexual ethics and the links to violence prevention. It is argued that all sexual encounters, regardless of the gender of the people involved, invite the possibility of ethical or unethical sexual behaviour. Here it will be considered how Foucault's ideas about constituting an ethical self can broaden debates about sexual behaviour that are pleasurable, non-exploitative and have the potential for an erotics of consent. This article will argue for alternative ways in which violence prevention policies can be developed to avoid limited conceptions of femininity and masculinity and to explore how a focus on ethical sexual subjectivity can contribute to violence prevention.

#### DANGEROUS MEN AND 'VICTIMS'

Feminist theory and practice involve competing arguments and assumptions about the very nature of politics, the meaning of equality, the significance of sexual difference and the possibility of social and economic change (Bryson, 1999: 5). However, the dominance of radical feminist discourse has impacted greatly on constructions of women's desire, especially in relation to heterosexuality. Sex and power are interwoven in this belief system which argues that they are 'manifested in men's violence towards women through rape, pornography, child sexual abuse and sexual harassment, as well as in the more mundane arena of asymmetries in women's and men's relation to active sexuality' (Hollway, 1996: 93). Hollway argues further that radical feminism too often treats all men as sexual villains and the power that they manifest through their sexuality as monolithic in contrast to women's powerlessness and victim status. The universalization of men as violent and women as passive recipients of violence is still a pervasive contemporary feminist theory (Lees, 1997; Mackinnon, 1987). There is nothing positive in such an overarching negative conception of femininity or masculinity (Carmody and Carrington, 2000; Jefferson, 1997). It is not only misleading to represent all men as 'dangerous' (see Connell, 1995; Messerschmidt, 1993), but such a totalizing conception of masculinity constructs all men as criminal, or potentially so. It fails to take into account the multiple ways in which men can be men, cross-culturally, transhistorically and during different stages of their lifecycle (i.e. during adolescence as opposed to adulthood). It tends to assume that all men are either biologically, socially or culturally prescribed heterosexed creatures of

patriarchy regardless of the multiple pathways and sexualities associated with masculinity (see Collier, 1998: 6-33). However, as Connell (1995: 79) points out, many men individually and collectively are complicit with masculinities that they do not personally aspire to. Gadd (2002: 65) suggests that this requires us to entertain a more complex understanding of the way in which violence against female partners is simultaneously condoned and condemned through a multitude of contradictory social discourses. Building on Jefferson's (1994) work, Gadd argues that without attention to both the psychic and social dimensions of masculinity it is not possible to explain why most men do not accomplish masculinity through violence. This is a far cry from a deterministic view in which masculinity is universalized as dangerous and always potentially violent. It also holds promise for developing new ways of developing prevention strategies.

While accepting Connell's (1995) notion of hegemonic masculinity is deeply problematic in the analysis of men, their gender and crime, this theoretical model is also problematic for the analysis of women as victims of crimes of violence (Carmody and Carrington, 2000). The flip side of a totalizing concept of masculinity is an equally totalizing concept of femininity which robs women of any agency or ability to exert power, express desire, take control, resist, prevent or avoid their victimization in intimate sexual encounters with men. Prevention is a virtual impossibility within this theoretical framework (see also Egger, 1997). Women are 'in waiting' to experience violence and men are forever poised to engage in it. This approach reflects a fixed subjectivity in which power relations between women and men are deterministically constructed as oppressive and exploitative to women and in which men are all-powerful. It also fails to acknowledge the diversity of women's subjectivities due to age, class, culture, sexuality or dis/ability and how these are inscribed in women's experience of sex. A recognition of the fluidity of female and male subjectivities and the constant negotiation of power within intimate relations opens up the possibility of finding new ways of conceptualizing violence prevention.

A plethora of activities have been promoted and implemented by radical and liberal feminists over the past 25 years, aimed at reducing violence against women. Some of these include law reform, development of support services, introduction of school curricula, videos, films, pamphlets, stickers and posters, billboard campaigns, books, journal articles, conferences, radio and television interviews, community education announcements, soap opera storylines, training of professional staff and students, direct action, public shaming, street marches such as 'Reclaim the Night', and tree planting ceremonies. While much of this activity has provided an alternative discourse on sexual violence by public actions and declarations of anti-violence attitudes, what is unclear is whether it has prevented sexual violence from occurring. Sexual assault services and generalist counselling agencies continue to report increasing referral numbers of new victims. Whether this is evidence of an increasing willingness to report or an increasing incidence of sexual assault is impossible to infer. Whatever the case, the fact that the incidence of sexual

violence is not declining suggests that we have not yet found ways to stop it. These prevention strategies have been dominated by a focus on women managing their risk of sexual assault. It is only relatively recently in the state of NSW for example that a government-funded campaign using well-known sporting figures targeted men's violent behaviour towards women. This suggests that we need to critically analyse these strategies including the assumptions about women and men that are embedded in prevention strategies and to develop different approaches to prevention.

To some degree this analysis has been avoided as the dominant discourses of male violence have focused on power and control promoted and condoned by societal practices as central motivating factors for male violence to women. Power and the abuse of power manifested in sexual violence are viewed as resulting from structurally gendered power relations. Historically this has been crucial in challenging previous discourses of the responsibility of individual women for the crime of sexual assault and other forms of intimate violence (Carmody, 1992). However, the conflation of sexuality with sexual violence as a result of this political strategy has obscured the particular constructions of sexuality, which have shaped anti-violence strategies to date.

#### DISCOURSES OF SEXUALITY OR 'GUILTY SECRETS'

An understanding of the particular configurations of power/knowledge that underpin violence prevention is possible by exploring how sexuality discourses have developed over the past 30 years and how these have continued to shape anti-violence strategies. Feminist readings of sexological discourses in the 1970s rejected and condemned sexual 'passivity' as demeaning and degrading to women and promoted the notion of feminine self-assertion through sexual 'activity'. Clitoral stimulation was seen as the key to female happiness and led to the view that anything to do with penetration was harmful for women. Penetration (read penis or penis substitute) and passivity were banished from correct feminist and female sexuality. Added to this were the heated debates about pornography (for example, Dworkin, 1974; MacKinnon, 1987; jeffreys, 1994 in relation to lesbian erotica). In the case of Dworkin and Mackinnon this led to political alliances with right-wing anti-feminist groups which are opposed to all forms of sexual expression outside marriage (Bryson, 1999: 183). Instead women should band together to provide protection from the excesses of patriarchy. Some interpreted this as a call for women to embrace same-sex desire and to build a lesbian nation of lovers who it was assumed were more egalitarian and in which women would be safe from sexual exploitation (Daly, 1978). Others saw this as a way of opposing interactions with men at all levels, especially the personal. The development of women's culture both inside and outside the bedroom was seen as an antidote to patriarchal oppression. Women's oppression therefore became tied to male sexuality, which was seen as violent, exploitative and stamping out all 'feminine' values in the society.

Despite the continuing dominance of phallogentric and essentialist discourses, alternative voices emerged to question the limits of this analysis. For feminists like Gayle Rubin (1992), sexual exploration, expression and liberation continued to be a crucial focus in feminist politics. The debate became polarized around what has been well documented as the sex wars (Kwok, 1997; Sawicki, 1991). On one side were the supporters of Dworkin (1974) and MacKinnon (1987) who saw *all* women as victims of male sexuality. The development of identity politics that had been so crucial in building a global women's movement was starting to shatter in face of other women's voices. They were viewed by their opponents as anti-sex and detracting from the wider feminist struggles. The pro-sex supporters called for a reinvigorated feminist debate about women and sexuality that did not reduce women to victims of male sexuality. Central to these struggles were modernist conceptions of what it meant to be a woman and other women who resisted a universalized and limited construction of women's sexuality and relations with men.

The impact of these competing discourses was felt widely in many parts of western urbanized feminist communities in the USA, the UK and Australia. Heterosexual women often reported feeling alienated from feminist politics and resented the oppression they experienced in their desires to pursue pleasure in the arms of a man. Hollway (1996: 91) argues that there has been little space in the political criticism of heterosexuality to develop feminist sexual desire outside of erotic domination by a man. She suggests that the relative silence of heterosexual women has perpetuated the absence of such a discourse. It is 'further amplified by a historical lack of any discourse which offers women positions in which we can recognise ourselves as desiring sexual subjects, without moral opprobrium and sanctions'. These limits of a particular form of sexual subjectivity were not limited to heterosexual women. Bisexuality was frowned on by 'good feminists' as a failure to give up heterosexual privilege and Queer Nation had yet to emerge to challenge the 'fixed' boundaries of sexual desire and practice. Feminist sexual police had a strong influence in the public regulation of what was considered acceptable sexual desire, acts and pleasures of individual women. Feminist lesbians were ostracized in some communities if their behaviour was seen as male identified, for example, if their desires included erotic difference through butch-femme pleasure or penetration or SM. For some women the message they received was that they must constantly surveil themselves and their lovers for desires and pleasures that replicated heterosexuality or were male identified. These disciplinary practices on one hand rendered the body into a regulated set of subjectivities by establishing norms and behaviours against which bodies are judged and against which they police themselves (Sawicki, 1991). However, resistance to these practices is always possible as indicated by the following reflection by Sally Abrahams (1999: 116), who speaks of her experience as a 1970s' Sydney lesbian:

It was particularly perilous in the 1970s for a lesbian like me. I tried hard. It was said that feminism was the theory and lesbianism the practice. But mine

never quite lined up. I wore overalls and flying boots to all the demonstrations and marches: dragged my lover from the back of the police vans; sprayed the Tempe overpass; danced for Emma Goldman: I earned my stripes. But I had secrets. I lived in fear of any of my comrades discovering the (shamefully unburned) black lace bra under my slogan-emblazoned T-shirt. I covered up my male identified shaved legs, hid my razor - that sharp edged tool of the patriarchy - in my underwear drawer.

Indeed. The strength of these repressive discourses was underpinned by a belief that women were responsible for avoiding direct sexual exploitation by men or, if they identified as lesbians, to avoid replicating male behaviour. **In** the case of heterosexual women, as Hollway (1996) suggests, this left no room for women to be desiring heterosexual subjects. Richardson (1996) suggests that part of the problem is a failure to recognize the difference between the social institution of heteronormativity and particular forms of heterosexual practices and relationships. She, like Jackson (1996), argues that there are a diversity of meanings and social arrangements that challenge the reality of a unitary heterosexual subject or a unified heterosexual community. 'Bisexual' women often hid part of their erotic desires from public scrutiny and only made visible relations with women that were universally assumed to be non-exploitative. For lesbian women there were two impacts. Feminist lesbians such as Abrahams (and many others) resisted the cultural dominant norms of the period but ran the risk of exposure and moral condemnation.

Within these discourses is a set of assumptions concerning consent and the subjectivity of women and men. Rigid adherence to a universalized femininity, masculinity and consequent sexual practices precludes a flexible and negotiated consent specific to the sexual encounter. If all sexual encounters between women and men are assumed to be exploitative because they occur within patriarchal power relations, no freely given consent is possible for either party. This position assumes that women have no agency over their own sexuality and those men are always exploitative. While it has been important historically to make visible the ways in which gender relations have benefited dominant forms of masculinity, assuming that all relations are inherently exploitative is a deterministic view. It fails to acknowledge the multiple ways in which femininities and masculinities are constantly negotiated and performed in different social and cultural contexts.

The rupturing of essentialist and one-dimensional views on sexuality in the wake of the 1980s' sex wars has resulted in a reinvigorated debate about sexuality and the development of diverse sexualities influenced strongly by postmodern critiques of grand narratives such as radical feminism and the growth of queer theory and studies of masculinities. A good deal of this fresh approach to theorizing sexuality, power and gender derived from these bodies of work and emergent philosophical debates, especially from the work of Michel Foucault. It is by considering these alternative discourses that the space is created to develop a different possibility of sexual consent.



DEVELOPING ETHICAL SUBJECTS

Any adequate postmodern ethics must take account of the realities of subjective experience and social life in the late capitalist world (Patton, 1986: 129). In exploring the place of sexual ethics and violence prevention, it is important therefore to be clear on how the concepts of subjectivity and ethics will be used. First, the role of the subject and subjectivity will be explored. By subject the reference here is to the way our immediate daily life is already caught up in complex political, social and philosophical - that is shared concerns (Mansfield, 2000: 3). Enlightenment thinkers epitomized in the works of Rousseau conceptualize the subject as an autonomous free-spirited individual that develops as part of our spontaneous encounter with the world (Mansfield, 2000). For radical and liberal feminists the central subject of concern is woman, whose dignity and worth have had to be rescued from centuries of misogynist and patriarchal descriptions (Zalewski, 2000: 33). This has resulted in a demand for rights and equality underpinned by making visible the 'truth' of women's plight and to make women's lives better. Three decades of anti-violence work by feminists have been focused around achieving this aim. However, as discussed previously, a number of problems emerged when women and men were understood and represented as unified sexual subjects. Modernist conceptions of the subject have been strongly critiqued by both postmodern feminists and poststructuralist philosophers such as Foucault. Postmodern feminists question the idea of an essential subject to be discovered and cast doubt on the political effectiveness of insisting that there is an essential subject of woman within whom identity politics and rights claims can be located (Zalewski, 2000: 40). Rather than trying to assert the truth of the subject of woman, postmodern feminists attempt to show how the category of woman is represented and how certain representations attempt to make natural certain ideas about women (Zalewski, 2000), for example, woman is/as mother, woman is/as victim of male violence. Modernist feminists express grave concern about the potential loss of identity politics and the implications of this for making women's lives better and accuse postmodern feminists of failing to provide a political agenda. In reply, Butler and Scott (1992: xiv) argue that a representational discourse that presumes a fixed or ready-made subject such as woman fore-closes and actually limits the possibility of political action. This can be seen as authoritarian rather than emancipatory and camouflages contradictions and complexities. Rather 'the most responsible political act is to expose indeed *flaunt* those contradictions and complexities' (Zalewski, 2000: 70, original emphasis). Central to this is the very political act of understanding how social practices are important in constructing meaning and gender identity (Bryson, 1999).

Emerging work using a psychoanalytic interpretive perspective to explain male violence to women by Jefferson (1994) and Gadd (2002) explores male subjectivity. Jefferson assumes that humans are characterized by split, contradictory subjectivities. He argues that unless we understand this we

cannot theorize masculinity in a way that men will recognize (1994: 28) Jefferson (2002) is deeply critical of the failure of critical criminology to adequately conceptualize criminal subjects and argues that this lack has resulted in too much reliance on equating all men as inherently violent and fails to acknowledge differences between men. Gadd (2002) builds on

Jefferson's ideas of the psychosocial subject and applies this to a case study of one self-confessed perpetrator of domestic violence. In the process of a series of interviews, 'Mark' reflects on his own behaviour. Gadd applies the Kleinian psychoanalytic model to analyse these reflections to highlight the discursive and psychic processes that construct part of his subjective experience. This approach is useful in highlighting the multiple ways in which masculinity is or can be performed and lends weight to arguments that challenge the modernist conceptualization of the unified rational subject. Gadd argues strongly that this approach must be considered as a complement to structuralist and feminist perspectives on male violence. This is crucial to ensure that the new insights gained by this approach are not reduced to an individualistic pathological model of masculinities. The concern here is that the approach still remains focused on trying to understand the unethical behaviour of men who are violent and is limited in assisting a reconceptualization of prevention.

For Foucault the subject develops within the broad relationships of power and subordination that are present everywhere in all societies (Mansfield, 2000). What is important here is the fluidity of ways in which individual subjects can produce a diversity of subjectivities and can resist power/knowledge. Deleuze and Guattari's idea of rhizomatics is also helpful here. The life of things is seen in terms of ever-changing and ever-renewed movement out of fixed forms into new possibilities (Mansfield, 2000: 145). Rather than assuming a fixed, stable feminine or masculine subject, a process of constantly becoming or performing gender, as Butler points out, is possible. This has significance for critiquing prevention strategies that continue to position *all* men as potentially dangerous and *all* women as possible victims of violence.

#### ETHICAL SEXUAL SUBJECTIVITIES

In exploring ways of thinking through the role of ethics and sexuality it is useful to consider Foucault's ideas on the subject. The argument refers to three areas of his work: governmentality, the development of the ethical subject and power relations. Foucault argues that a new form of power emerged in the 16th century, which took as its object the government of the population and sought to strengthen, constitute and regulate it, not through force, repression or coercion but through the institution and dispersion of the norms of good government. This form of power did not displace sovereign power (judicial or state power), or the more modern forms of disciplinary power (panopticonism). Rather it operates alongside, in a triangular

relation with these two forms of power. It does not emanate from the state but is diffuse and multifarious. This new form of power he calls governmentality. The concept of governmentality is in part a critique of totalizing discourses that conceive the state (whether capitalist or patriarchal) as the centre from which all power emanates. Rather than a singular reliance on repressive power through direct coercion or force to achieve social regulation, mechanisms within the social body enlist individuals or groups (e.g. families) to act as instruments of government. Building on this work and considering Foucault's work on ethics and sexual behaviour provides a different conceptualization of ethics and power. He argues that there are three elements to understanding sexual behaviour: acts, pleasure and desire. Greek society, he suggests, placed the emphasis on sexual acts, with pleasure and desire seen as subsidiary. He contrasts this with a Chinese approach where acts are put aside because you must restrain them to get the maximum duration and intensity of pleasure. The Christian formula puts an accent on desire and tries to eradicate it. Acts have to become neutral: you act only to produce children or to fulfil your conjugal duty, so pleasure is both practically and theoretically excluded (Rabinow, 1997: 268-9). Rabinow takes this analysis further and argues that the modern formula is desire, acts have become less important and nobody knows what pleasure is.

Foucault invites us to consider that acts are the real behaviour of people in relation to the moral code or prescriptions. The code tells us what is permitted or forbidden and determines the positive or negative value of the different possible behaviours. This is clearly where laws about consent and community education come into play. The ability of laws and education to impact on regulating people's sexual behaviour is contested, however. While many individuals support and follow consent prohibitions, the high incidence of exploitative sexual encounters in most communities suggests that the threat of coercive power over individuals is not enough. Intimate relations between individuals are more complex than this. Even if we accept how governmentality enlists individuals and groups such as families to act as instruments of government, the incidence of sexual violence points to a failure to achieve social regulation or to create ethical sexual subjects. We also need to consider that families have been identified as a primary site of sexual exploitation of women and children through domestic violence, sexual assault and child abuse (Fawcett et al., 1996). Individual subjects cannot stand outside the discourses that shape them. Here it is crucial that we understand how historically gender relations have shaped discourses about women and men's sexuality.

Inherent in all relationships, as Foucault reminds us, are relations of power. His notion of power as mobile and productive and in a constant state of negotiation contrasts with grand narratives such as radical feminism in which it is always structurally defined by patriarchy (Card, 1991). In this later model ethical behaviour is to be achieved by gender equality or by regulation through laws and sexual conduct codes. The failure of these measures in the past 30 years to prevent exploitative sexual relationships suggests we need to find creative alternatives to the 'art of living'.

Foucault's work on ethics provides an alternative point of view and it is to this that I now turn. Foucault's central argument about ethics involves what he calls *rappport Cl soi* - the relationship you ought to have with yourself which determines how an individual is supposed to constitute himself (sic) as a moral subject of his (sic) own actions (Rabinow, 1997: 263). Foucault argues therefore that the care of the self is intimately linked with ethics and that ethics is the considered form that freedom takes when it is informed by reflection (Rabinow, 1997: 284). Further, 'The care of the self is ethical in itself: but it implies complex relationships with others insofar as this ethos of freedom is also a way of caring for others' (1997: 287). The abuse of power manifested in exploitative sexual relations 'exceeds the legitimate exercise of one's own power and imposes one's fantasies, appetites and desires on others'. Therefore 'one has not taken care of the self and has become a slave of one's desires' at the expense of another (1997: 288).

It is important here to remember that Foucault understood the subject or the self as constructed within discourse and thus he is arguing for a conception of subjectivity that avoids the modernist conception of an essential self. However, as feminists have pointed out, Foucault's subject is assumed to be male (Sawicki, 1991). Despite this gender blindness, a critique of modernist notions of the essential rational subject, the role of power/knowledge and the subsequent social practices that flow from this have proved useful to poststructuralist feminists (see Bryson, 1999; Zalewski, 2000, for detailed discussion of these issues).

A reconceptualization of sexual ethics therefore seems very pressing. Building on Foucault's conception of sexual behaviour as involving acts, desire and pleasure raises a number of interesting questions. If desire, acts and pleasure are considered singularly, does this limit the possibility of ethical sexual behaviour? Let us first consider acts on their own. There is a long history of both of medical and legal discourses that have shaped attitudes to sexuality and have focused on regulating or repressing certain sexual acts through laws or cultural sanctions, for example, male homosexuality, oral sex, sex outside marriage, masturbation, public sex, SM, rape and sexual assault. Despite these attempts to regulate sexual behaviour Foucault (1990) provides evidence through his genealogy of sexuality that there has always been a multiplicity of sexualities. This is where his conception of power relations as productive and dispersed is crucial. On one level the powerful discourses of medicine and law aim to work in concert with sovereign power to repress and regulate unacceptable sexual practices, but alongside this is governmentality which enlists individuals and groups to act as instruments of government. The family becomes central in imparting norms of sexual behaviour and gender relations. Resistance to these norms creates alternative subjectivities and political movements to challenge the attempts at repression. This can be seen clearly in the emergence of Gay Liberation, feminist movements and Queer Nation to name a few. The tension between regulation and freedom of sexual expression is evident in several political strategies over the past 30 years. Both Gay Liberation and the Women's Movement have in part

tried to make publicly visible aspects of sexual relations that were discriminatory and repressive. Gay Liberation and its later derivatives have argued that homosexual desire is part of the multiple ways in which sexual identity is experienced and the state has no place interfering in homosexual acts between consenting adults (Flynn, 2001). However, as discussed earlier, even within these movements individuals can comply with the constraints of 'sex police' and become docile bodies to the dominant social norms of the subgroup. Despite the relative success of these movements, individuals still experience discrimination, and violence towards lesbians and gay men is considered an epidemic by many researchers (Herek and Berrill, 1992; Mason and Tomsen, 1997). Feminist campaigns against violence towards women by men have focused on also making visible the multiple ways in which sexual exploitation is manifested and its devastating impact on women. As discussed previously, much of the strategy has assumed a universalization of women as victims and men as dangerous both as individuals and systemically. Rape in marriage is one area where freely given consent to sex was not possible as sexual access by the husband to his wife was built into the marriage contract. Legal condemnation of these acts did not occur in Australia until 1981, but despite this, few prosecutions have been brought or succeeded in criminal sanctions. It would seem that developing notions of sexual ethics that focus purely on either liberating or repressing certain sexual acts is limited in achieving *rappport a soi*.

This suggests that the development of the ethical self requires consideration of how we can understand desire. In radical feminist discourse, which retains a strong influence in anti-violence work, male sexuality is conceptualized as uncontrollable and women are required to manage it to avoid sexual exploitation. So men are consumed by sexual desire while women's desire disappears or is determined by male desire. The spectre of male violence therefore hangs over the bed in any heterosexual encounter. Gay men are positioned as constantly desiring and this must be controlled and regulated to ensure public health and 'safety' of non-gay men. The picture is not much better in relation to lesbians. There are several possible subjectivities available: the political lesbian who is defined as asexual in male terms such as angry, man-hater or ugly; or the 'special' friend or companion (read asexual); or, like gay men, lesbians are saturated with sexual desire and any woman is fair game. Another competing discourse operates alongside this: the radical feminist idea of women loving women who are egalitarian and non-coercive. Emerging data on same-sex domestic violence and rape have significantly challenged this myth (Elliott, 1996; Herek, 1990). Underpinning these desire discourses is the ever-present influence of romance narratives and how these are shaped by cultural norms of desire, desiring bodies and anticipation. . . . Which leads us to pleasure.

It is the anticipation of sexual pleasure that builds from desire. But while memory, fantasy or experience may shape desire and acts, it can be argued that pleasure requires presence in the moment. So how do desire and acts become pleasure? Is pleasure a singular or a mutual experience? Leaving solo

masturbation aside, if there is an absence of mutual pleasure, does this mean the encounter was unethical? Foucault is helpful here in reminding us that the care of the self - *raison a sDi* - implies complex relationships with others and is also a way of caring for others. This suggests that self-care and reflection require a consideration of the interrelationships between desire, acts and pleasure, not a singular focus on one aspect of sexual behaviour alone. I want to suggest therefore that ethical sexual behaviour becomes possible when we pay attention to all three aspects.

The discussion so far has rejected universalizing discourses that view women as inherently and always potential victims of male desire, acts and violence. It has been suggested earlier that a conception of power relations that assumes that structurally constituted masculine power is deterministic and means that freely given sexual consent is impossible. An overview of feminist discourses that have shaped anti-violence theory and practice has highlighted how women's sexual desire and pleasure have been marginalized in an attempt to avoid and prevent sexual exploitation of women by men. These discourses have placed heterosexual male desire as central and have failed to acknowledge the multiple sexual subjectivities available to both men and women. The responsibility for managing consent and therefore ethical sexual practice has been placed with women. There has been little change in these approaches when lesbians and gay men are acknowledged as sexual subjects.

Over the past 30 years we have witnessed more and more individuals and groups acknowledging that sexual violence is a reality in their lives. It has been important for the previously submerged voices of people with disability, diverse culture groups and a variety of age groups to be publicly heard and recognized as worthy of concern and the commitment of government resources to support them. Rather than simply adding increasing groups of people whose consent must be acknowledged and improving adherence to sexual consent laws and codes, we need to move beyond a limited conception of sexual ethics. Foucault's ideas about the care of the self provide a productive space to explore more fully the complex relationship we have with ourselves in developing our own moral and ethical subjectivity. This approach has potential for heterosexual, same-sex and queer sexualities. The failure to achieve non-violent communities through repressive power (via the state), the panoptic gaze or technologies of governmentality suggests that alternative ways of thinking are urgently required. I consider that much of the sexological, legal, etc. discourses concerning sexual violence have focused on what is perceived as 'abnormal' and the desires, acts and pleasures of unethical subjects. **It** seems timely therefore to shift our thinking to consider that many women and men of diverse sexualities do behave as ethical subjects. Ethical subjects, following Foucault, not only reflect on how they constitute ourselves as moral subjects of their own actions, but essential to this subjectivity is caring for others. Therefore desire, acts and pleasure are performed in an ethical manner in which freely given and constantly negotiated consent is inherent. Ongoing self-reflection is a crucial part of ethical behaviour. This not only is a psychic reflection on feelings, desires and acts

but also requires us all to consider how our own subjectivity and desires are shaped by cultural norms and expectations and how we can choose to accept or resist them.

#### RECONCEPTUALIZING VIOLENCE PREVENTION POLICIES AND STRATEGIES

If we accept the proposition that a consideration of sexual ethics may have something to offer in relation to violence prevention, how would this translate into prevention policy and practice? Governments, community groups and individuals often champion community education as a strategy to reduce sexual violence. In an earlier review of community education and education programmes in schools and universities, Kerry Carrington and I argued that many of these programmes adopted a 'quick-fix' workshop approach to rape prevention education (Carmody and Carrington, 2000). We were also critical of the reliance on psychological discourse, the limited evaluation of programmes, their inability to lead to lasting attitude change and the risk avoidance focus, especially for women. Parrot's (1990) review of 26 US university programmes was also cited, which revealed only two programmes aimed at changing men's behaviour and 21 for women (see Carmody and Carrington, 2000, for a detailed discussion).

An alternative approach to prevention building on links between sexual ethics could look somewhat different. For a start it would require a rejection of universalized assumptions about masculinity and femininity. It would recognize that there are many ways to perform gender which acknowledge that not all men perform masculinity through linking sex with violence and that not all women are nurturing and non-violent. As Jefferson (2002) points out, non-violent men are in the majority and, as Segal (1994), Jackson (1996) and Hollway (1996) argue, heterosexual women do find pleasure in nonexploitative sex with men. The focus of education would therefore be underpinned by a clearly articulated discourse that acknowledges the multiple subjectivities available to women and men including difference in relation to erotic choice of partners. And most importantly it would involve women *and* men to ensure active engagement in developing ethical gender relations. This would be radically different from focusing on teaching women to learn risk avoidance or leaving men positioned simply as dangerous and denying any other subjectivity. Second, education would be focused on building an understanding of the process of ethical negotiation of all intimate relations, whether sexual or not. This creates the possibility of moving away from a punitive education model which aims to achieve prevention through threat of punishment or controlling risk and promotes a pessimistic view of gender relations with men as always dangerous and women as passive 'victims'. This approach also has potential for challenging homophobia and racism, as an ethical person would be required to critically reflect on the implications of his or her behaviour on him- or herself and his or her care for others. It would also

be important to locate these discussions within the broader sociocultural and historical context and consider how these shape our sense of ourselves and our relations to others. Crucial also is a consideration of power relations. Two issues are important here. There is a need to understand how the dominant gender order continues to limit the possibility of more egalitarian relations between women and men, children and adults. Awareness of these factors, however, does not preclude the possibility of recognizing the fluidity of power relations and the role of individual and collective resistance to dominant discourses concerning sexuality and violence.

There have now been almost 30 years of political campaigning aimed at reducing or preventing sexual violence, but sexual violence continues. While current prevention strategies continue to focus solely on attempting to control or regulate unethical desire, acts and pleasure, they will fail to achieve nonviolent communities. Historical reluctance to acknowledge the existence and impact of sexual violence in many women's lives has required anti-violence activists to vigorously resist community denial. However, if we continue to essentialize masculinity and femininity and avoid the complexity of sexual relations and sexual violence we leave little hope for primary prevention becoming a reality instead of a dream. Instead we are left with a situation in which interpersonal violence is increasingly normalized and remains unchallenged. This is deeply depressing and provides little hope for the future.

#### A CHALLENGE

A thorough and extensive critical appraisal of prevention strategies to date is therefore very pressing for scholars, feminists of all theoretical perspectives and other individuals and groups committed to building non-violent communities. A shift to the links between ethical subjectivity and prevention strategies is one part of what needs to be a very spirited conversation linked with ongoing research and theory development. Integral to these approaches is a need to recognize the insights gained from the material reality of women's and men's lives. However, we need to hear much more from women and men who engage in ethical sexual relations, how power relations are negotiated and how our subjectivities are influenced by cultural norms and social practices. How do differently sexed and gendered women and men negotiate casual, short-term and ongoing relationships? Given the myriad of influences that shape our subjectivity, how is it that some of us are able to resist using violence in intimate relations while others do not? Exploring these issues will not preclude the harsh reality that some men and women will behave unethically and exploit others for their own pleasure. It is not suggested that we abandon the social and legal sanctions to hold these people accountable. Rather, the argument is for a reinvigorated debate about prevention which resists the historical dominance of essentialist ideas about masculinity and femininity and how these have shaped anti-violence policy and practice. Understanding how ethical women and men negotiate intimate relations can



provide us with an opportunity to use this knowledge to inform prevention policy. Inculcating ethical sexual practices as a cultural norm sends a very clear message that communities will no longer tolerate intimate sexual violence. However, these messages will have little hope of success if the economic and social differences between and within communities are unaddressed.

It is hoped that a critical reflection of all of these complex issues from a different theoretical standpoint will provide insights into how desire, acts and pleasure are understood from an ethical perspective and create a greater possibility of primary prevention.

#### NOTE

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