



‘Saying No’: Frames of Sexual Abuse in Survivors’ Narratives

Romaine Girod¹

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Abstract

Using qualitative interviews with survivors and activists against sexual violence in the Catholic Church in Switzerland, this article suggests that the expression “saying no” or the idea of “refusal” frames discussions regarding child sexual abuse with detrimental consequences. This discourse is sometimes linked to a restrictive understanding of sexual consent and is applied to children in very asymmetrical relationships, who should be placed outside the scope of sexual consent. Particularly for men who have been sexually abused as children, this understanding of consent is referred to when speaking about sexual abuse. This asks questions about the gender norms influencing the discourse of consent and the challenges of understanding oneself as a victim of abuse. The article argues for a critical examination of the concept of consent and its connection to children and minors. It suggests that it is crucial, as many (feminist) scholars in different fields have argued, to abandon a negative standard of consent (saying no, resisting) in politics against sexual violence and instead focus on the capability to participate in and determine the sexual relationship.

Keywords Sexual abuse · Consent · Catholic Church · Survivors

Introduction

In 2021, the case of a young woman in France who accused firemen of raping her when she was between the ages of thirteen and fifteen received considerable media and feminist attention. The protesters demanded “justice for Julie.”¹ The accused claimed that the young girl had consented, and the court dismissed the rape charges as sexual assault charges. The issue of consent was at the forefront

¹ A pseudonym was used.

✉ Romaine Girod
romaine.girod@unil.ch

¹ Institut Des Sciences Sociales, University of Lausanne, Vaud, Switzerland

of the matter.² If, as some scholars have argued, “under the dominance of the consent paradigm, the child becomes a person defined through her inability to consent” (Fischel, 2016, p.7), how can the discourse of consent still be present in the case of children, with powerful and disastrous effects for victims?

Recently, mobilizations against sexual violence have led to a revival of activist and scholarly interests in the topic of sexual consent. Scholars in sociology and the social sciences have been interested in the different understandings of sexual consent and their effects on sexual violence prevention and policies. Some scholars have analyzed young individuals and university students’ perceptions of consent and the challenges of navigating sexuality and consent in relationships (Beres, 2014; Boucherie, 2019; Brady & Lowe, 2020; Jozkowski & Peterson, 2013; Metz et al., 2021), while others have examined its legal application. Research has shown that a narrow understanding of consent as ‘lack of resistance’ prevails in different legal frameworks (Brian, 2020; Jaquier et al., 2023; Le Magueresse, 2021; Lieber, 2023; Pérona, 2022; Romero, 2018). Legal scholars and sociologists have also been interested in the regulation of the age of consent (Delessert, 2021; Fischel, 2016; Waites, 2005). Consent, as a concept, is generally understood as drawing the line between sex and sexual violence and between morally acceptable and intolerable sex. It is both a legal and moral concept as well as a concept used in everyday life (Alcoff, 2018; Fischel, 2019; Garcia, 2021). How is the language of consent used (or not) by survivors when speaking about sexual violence, and what are some issues with the concept?

This article contributes to these debates. It considers sexual consent to be a social discourse shaped by representations and practices (Torenz, 2021) and draws on a corpus of fifteen semi-directive interviews with survivors and activists against sexual violence within the Catholic Church in Switzerland. It is the continuation of an ongoing reflection on survivors’ narratives and their effects (Girod, 2023). The empirical data is part of a larger research project that analyzes the work of survivors and activists who have mobilized to denounce sexual violence and seek justice. In a socio-historical perspective, it documents the collective struggle to raise awareness and confront sexual violence within the Catholic Church since the end of the 1980s in Switzerland. Consequently, the interviews did not focus on the issue of consent, but rather on collective action, activism, justice, and public speaking. However, parts of the experiences of sexual abuse were shared in all the interviews, which led to discussions about consent. The analysis presented in this article is a result of what emerged inductively from the interview material.

The article begins with a brief theoretical discussion on the meanings of sexual consent and some of its criticisms and limitations. Subsequently, it briefly presents the context of the mobilizations against sexual violence in the Catholic Church in Switzerland before explaining the methods and empirical data collection and analysis. Finally, the article examines the frames used to discuss sexual abuse by survivors. It suggests that the notion of sexual consent in its negative form (“saying no”)

² See for an overview: <https://www.mediapart.fr/journal/france/080221/affaire-julie-la-justice-accusee-d-alimenter-la-culture-du-viol>.

is closer to an obligation to say “no” addressed to subjects who should be outside the scope of meaningful consent.

The Concept of Sexual Consent

Most academic research on consent was developed regarding heterosexual relationships and instances of sexual violence against women. The points made are still worth considering, but this raises important questions. How can we also understand the narratives of male survivors and their framing of what constitutes abuse? How do they use the concept of consent? Only a few studies address these questions. Two interesting examples are the investigation of gay and bisexual men's understandings of affirmative consent policies (Richardson, 2022) and the exploration of queer adults' practices and understandings of sexual consent (Beres, 2022).

The notion of consent has a long history in Western political thought. It has historically been developed to theorize relations between two or more persons and to theorize relations between individuals and their governments. Political thinkers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau developed theories of the legitimacy of the state based on the popular consent of the governed (Johnston, 2009). Theoretical reflections on consent have been further developed in various domains, such as academic research, medical care, ethics, and contract law.

Scholars in ethics and philosophy have contributed to the theorization of consent. In this respect, consent can be understood as a communicative act that alters the moral (and sometimes legal) relationship between two agents. It grants permission to act toward someone and transforms an action that would otherwise be legally or morally reprehensible. It must be signified in some manner and requires the absence of coercion, competence or agency, intention, and information to be valid and morally transformative (Archard, 1998; Kleinig, 2009).

Since the 1970s, feminist and survivors' movements have denounced sexual violence against women and children and have tackled the question of sexual consent. They framed sexual violence as a social and political problem rooted in gender inequalities and male domination (Boussaguet, 2009; Brownmiller, 1993; Kelly, 1988; Russel, 1975; Whittier, 2009). There have been considerable feminist theorizations on consent and on the issue of coercion. A first set of feminist critiques was concerned with contract theory developed by the liberal tradition mentioned above. In her famous article “Women and consent” for example, Carol Pateman (1980) summarizes some fundamental difficulties with the notion of consent: the assumption of two equal and free individuals who can enter freely into agreements with each other. As she explains, contract theory is based on a vision of rational individuals with the unproblematic capability to express their will, ignoring the reality of power and domination in people's lives.

A second strand of criticism was developed in radical feminist writings on heterosexuality (Gavey, 2005; Mackinnon, 1989, 2016). These critiques of consent are rooted in an analysis of the heterosexual script and the gender hierarchies it

reproduces. As Catharine MacKinnon has argued, the objectification of women and the eroticization of men's violence and women's submission in the heterosexual script make it difficult for sexual consent to be truly free from coercion. Nicola Gavey (2005) also highlights the linguistic problem with the expectations that women (and we could extend this observation to individuals in general) should say "no" when "no" is rarely used by people when they want to refuse something in everyday life, even more so in asymmetrical relations.

Additionally, the legal application of the concept of consent has been an important concern for scholars and activists (Le Magueresse, 2021; Pateman, 1980). The Swiss criminal law regarding rape and sexual assault was modified in July 2024. Before the revision, the notion of resistance was the primary criteria considered by the courts to establish non-consent, with physical resistance prevailing over verbal resistance. The revised law will consider whether someone was in shock or in psychological distress when assessing consent (or more precisely, the incapacity to resist), but the more extensive version of consent (only yes means yes) proposed by human rights and feminist organizations was rejected (Jaquier et al., 2023; Lieber, 2023). This observation is shared by Joseph Fischel who argues in the case of US law that "the non-consent standard has been rescripted as a force element" (Fischel, 2016, p.116). As I will suggest, resistance remains a powerful requirement outside the legal field as well.

Minors and Consent

The way consent, as a legal and moral standard, should be applied to minors is contested. As Matthew Waites (2005) demonstrates, there are multiple legal frameworks regulating differently the issue of the capability of minors to consent, in what conditions, in what relationships, and on what subjects. These interrogations, as well as their legal resolutions, have varied greatly over time. However, many legal frameworks include the understanding that, under a certain age and in certain circumstances or relationships, minors are not competent to consent to sexual relations.

There is no age of consent *per se* in Swiss criminal law. Rather, there is a notion of "sexual majority," which was fixed in the last revision of the criminal code in 1992 at the age of sixteen (Delessert, 2021). The law allows minors below that age to consent to sexual relations when the participants have a difference of less than three years in age. Moreover, above the age of sixteen, the law criminalizes the imposition of sexual acts by taking advantage of a situation of dependence, education, or trust (for example, by parents, teachers, doctors, priests). In those cases, there is a presumption of non-consent without any requirement of force or coercion. Therefore, the law recognizes the importance of the context and the power relations that might prevent autonomy, choice, and meaningful consent.³

The rationale behind age of consent laws has been infused with gendered conceptions and expectations. The issue of the competency to consent and the concerns with the risks associated with sexual relations were not the same for boys

³ Articles 187.2 and 188 of the Swiss criminal code. Available at: https://www.fedlex.admin.ch/filestore/fedlex.data.admin.ch/eli/cc/54/757_781_799/20240101/fr/pdf-a/fedlex-data-admin-ch-eli-cc-54-757_781_799-20240101-fr-pdf-a-3.pdf.

and girls. The worry was that girls' chastity should be protected from men, while boys' masculinity should be safeguarded against being "groomed into homosexuality" (Delessert, 2021; Gerodetti, 2005; Waites, 2005). However, the focus was much more on girls and remained as such for a long time. Feminist fights against child sexual abuse in the 1980s and 1990s, for example, had mostly in mind a girl child to be protected from fathers, uncles, neighbors, and so forth (Boussaguet, 2009). Nathalia Gerodetti writes: "the Swiss criminal code in protecting sexual freedom used a definition of consent which relied on the ability to resist sexual offenses. It stressed not the freedom to but the freedom from and women's sexual freedom was hence condensed into a right if not obligation to refuse sexual advances rather than to choose or initiate them" (Gerodetti, 2005, p.115). Sexual majority implied a duty to "say no." This legacy and the gender representations shaping the conception of consent might explain some contemporary difficulties for men who have been victimized in thinking of themselves as victims.

Sexual Violence in the Catholic Church

Child sexual abuse in the Catholic Church is a global phenomenon. In the United States, cases of sexual abuse committed by priests were first publicized in the 1980s. In the 1990s, survivors' organizations, such as the Survivors Network of those Abused by Priests (SNAP), were created. By 2002, with the publication of a series of investigation papers by the *Boston Globe*, the question of sexual abuse by priests had reached a level of intense media attention and public scrutiny in the country. Similar public revelations have followed in European countries since the 2000s (Bajos et al., 2023; Donnelly & Ingis, 2010; Frawley-O'Dea, 2004; Terry, 2015). This led Conferences of Catholic Bishops in many countries to mandate research and reparation commissions to respond to the crisis and to the demands of victims' organizations. In Belgium, for example, the independent commission *Andrianssens* was set up in 2009 and received beyond four hundred victims' testimonies in a few days. It published its report in 2010. In Germany, similarly, a scientific investigation into dioceses' archives was mandated in 2014 and established at least three thousand victims (for an overview of research commissions in different countries, see Bajos et al., 2021, p.16). In France, public pressure on the Catholic Church has increased since the 2000s with the foundation of victims' organizations and the growing media coverage of abuse cases. A research commission was created in 2019 with the mandate to explore archives as well as conduct a population-based survey and a qualitative study with victims (Bajos et al., 2021, 2023).

In Switzerland, the issue of sexual abuse within the Catholic Church emerged as a public problem in the early 2000s. Testimonies of victims appeared in the media, and the first televised debates on the topic were organized, inviting church officials to respond to public denunciations. This history is closely linked to that of compulsory social measures and child placements. Since the 1990s, victims of forced child placements, often in Catholic institutions, have begun telling their stories publicly and asking for reparations from the state in the form of indemnities and national research projects (Droux & Praz, 2021; Mottier et al., 2024).

A few years later, in 2010, during a radio program, an anonymous survivor shared his struggle with Catholic authorities and called for others to join him to demand that a neutral and independent commission be set up to receive victims.⁴ Following this testimony, a victims' organization was created, the *Groupe SAPEC*.⁵ After a few years of negotiations between the organization, members of parliament, bishops, and other church officials, a Commission of Conciliation and Reparation was established in 2016. The commission is independent of the Catholic Church and can receive victims whose cases can no longer be prosecuted by the justice system due to the statute of limitations.⁶ The victims' organization has recently expanded its scope of action to include victims of sexual and spiritual abuse by religious authorities beyond the Catholic Church.

In 2022, the Bishop Conference and the representatives of religious congregations and communities announced the launch of a preliminary research project at the national level. The research mandate was given to a team of historians and social scientists from the University of Zurich. In September 2023, the research team published a report on sexual abuse in the Catholic Church from the 1950s. The report established beyond one thousand victims (minors and adults) since 1950 and pointed to systemic factors behind sexual abuse as well as the destruction of archives (Bignasca et al., 2023). The research project has been extended for three more years by Catholic authorities.

Methods

Data Collection

The article draws on a corpus of fifteen semi-directive qualitative interviews with survivors and activists, four women and eleven men. The interviews were carried out between 2021 and 2023. They lasted between 1 h and 30 min and 6 h, either at the interviewee's home or in my office at my university. They were recorded and transcribed; some were separated into two different sessions. I sent the questions in advance and a description of my research, following the methodology adopted by Praz et al. (2018) in their oral history study on sexual abuse in a Catholic institution in Switzerland. I wanted to make sure that the interviewees were comfortable with all the topics when they accepted to participate. Interviewees were informed of the guarantee of anonymity, their right to withdraw from the study, and the use of the data for scientific purposes only through a consent form or an explanatory note with the interview questions. I offered to send interviewees the transcription of the interview to open the possibility of mentioning if they wanted some information to be erased. Participants were not recruited first and foremost because they were survivors of child sexual abuse. Rather, they were contacted because of two forms

⁴ Radio program *Hautes Fréquences* 2010, archive of the organization.

⁵ For more information, see the website of the organization: <https://groupe-sapec.ch>.

⁶ For more information, see the website of the commission: <https://cecar.ch>.

of public speaking and political action against sexual abuse in the Catholic Church: either because they had been involved with the victims' organization introduced in the "[Sexual Violence in the Catholic Church](#)" section or because they wrote an autobiographical book and spoke publicly about their experiences.⁷ The interviewees were between 48 and 96 years old; most of them were retired. They came from the French-speaking part of Switzerland. Around half of them had a university degree or higher education background. Most of them had kept an attachment or a link to the Catholic Church, and three were employed by the Church. Most of them were heterosexuals; three identified as homosexual.

In the interview, there was no direct question about the experience of sexual violence because my focus was not on sexual abuse per se. In addition, I wanted to avoid reproducing a form of pressure to share details about the abuse to be believed. However, some questions were about the actions taken to obtain forms of justice, either through the Church, the justice system, or other means. In this context, interviewees shared experiences and reflections on sexual violence, which have been analyzed for this article. I kept in touch with the interviewees after the interview via email, seeking to ensure that the process of discussing these issues had not been distressing for them. Moreover, for the purpose of the larger research project, I used an ethnographic approach and participated in various public events, press conferences, and meetings organized by the victims' association mentioned in Section "[Sexual Violence in the Catholic Church](#)". Consequently, I collaborated with some of them regularly for 2 years.

Data Analysis

To analyze the interviews, I used the qualitative software ATLAS.ti to help with the coding. I started inductively with an open coding of the interview data, staying close to the text, and adding codes as I moved through the interviews. I repeated this procedure multiple times. Subsequently, I developed more analytical codes aimed at summarizing the core of the interviews. In this second phase, I constructed groups of codes (categories) from the initial codes (Gibbs, 2007; Thornberg & Charmaz, 2014). With the software, I generated a report on the relevant categories. The report then enabled me to analyze all the codes on a particular topic together (for example, related to "saying no," "refusing," "control"). Throughout the process of coding, I used the software to write memos on the codes and categories. I reflected on how different codes were interrelated to one another, what questions they raised, and the variations between similar ideas. I finally focused on the parts of the interviews addressing sexual abuse directly and looked at how these accounts were constructed (what words were chosen, the emotions conveyed, etc.).

⁷ In one case, the aggressor was a pastoral worker in the Protestant Church. I did not mention this information when I cited parts of the interview because it would have made the person easily recognizable.

Frames of Sexual Abuse: “Not Saying No”

Age Difference

One of the understandings of what constitutes sexual abuse in the interviews was very straightforward: there was sexual abuse because an adult was imposing a sexual act on a child. Although it was not expressed exactly in those terms, we can imagine the reason behind this conclusion: there was no possibility of meaningful consent. One party was taken as an object (the child) and denied their humanity (Garcia, 2021). In these instances, the phrase “saying no” was absent. The following quote from the interview with Pascal⁸ expresses this idea. Pascal is a 48-year-old man who was sexually abused when he was a teenager. He currently works at a local church. He has spoken about his story publicly and has been actively involved with the victims’ organization mentioned in the “[Sexual Violence in the Catholic Church](#)” section.

And so, I was not really sure about my affective orientation and my sexuality. And these people came in intrusively, saying you are a homosexual, and we are going to introduce you to your homosexuality.

R: The abusers said that?

Yes, the abusers. They confused, and they made us confuse in our heads, our sexuality, our legitimate affective orientation, and what they were committing. It was abuse, abuse of power, and abuse – sexual abuse. And because of the taboo of homosexuality, we did not dare say anything. And in our minds, they also created confusion. If we had talked about the abuse, we would have had to talk about homosexuality. So, because of the taboo of homosexuality, abuse could be committed. Today, we can say to a young person at school when we are doing prevention work that that’s your legitimate sexuality and your legitimate affective orientation, and that’s abuse. No adult has the right to do that to you.⁹

Pascal explains that what he calls the “taboo of homosexuality” has decreased since his youth. Thus, it is now possible to teach young people what can be understood to be their “legitimate sexuality” and what should be considered abuse, which no adult is entitled to do. A bit earlier in the same interview, Pascal reflects on being the only man in a survivor self-help group he used to attend in the 1990s. He suggests some possible explanations for the absence of other men and addresses the specific pressure on men (and adolescent boys) to present themselves as consenting (in the case of heterosexual relations) even when it might not have been their understanding of the event:

Yeah, at the time, I was the only man. It was still taboo to say I am a man, and I have been raped or sexually assaulted. I think the construction of masculine

⁸ Interviewees’ names have been changed.

⁹ Translations are my own. Interview, May 2023.

identity meant that if you said you had been raped by a man, you were no longer a man. You were going to get into trouble and be mocked and ridiculed. And as far as your self-image was concerned, it was impossible to say. There was that. I think that men, with this construction of masculine identity, could turn it around and say, 'well yeah, when I was fifteen, I slept with a 45-year-old woman'. And then they could turn it into a trophy, when maybe inside it had not quite happened like that. So, is there a denial that it was abuse? Or do we know it's abuse and suffer from it, but never say so?

In this example again, the age difference (15 and 45) and the age of the teenager seem to be enough to establish that the hypothetical relation was abusive, even when there might be pressure for men or teenagers to present these experiences as something to be proud of and something that they did ("I slept with..."). Age is understood as a relation of domination in and of itself (Wicky, 2023).

The Notion of Control and the Impossibility of "Saying No"

In other cases, the framing of sexual abuse was not the age difference, but the notion of "grip" or "hold" (*emprise* in French) in the participants' own terms. In these instances, the phrase "saying no" or "refusing" was mentioned for three purposes. Firstly, saying "no" was considered a means of preventing the occurrence of abuse. Secondly, "saying no" was referred to as something others expected and would have needed to qualify the experience as abuse. Thirdly, failing to "say no" was mentioned to express self-blame and was equated with consent. In the first case, the absence of the word "no" did not mean consent, but there was the belief that the word "no" could have stopped the assault. For example, Etienne, a 64-year-old survivor and activist who wrote a book to tell his story, shares this understanding of the necessity to "say no." He has worked in different sectors and has always been deeply committed to the church. Interestingly, he developed small cards with the word "no" written in red letters on one side and emergency numbers on the other. He distributes them whenever he can for prevention purposes. During the interview, he explained the reason behind these cards:

Because pedophiles are not bad guys. Pedophiles are manipulators. They are not bad guys. Am I being mean to you? No, not at all. That's what a pedophile is; he is very kind; he will give you presents. I know the mechanism so well; I can see how it works. It is incredible the lengths a pedophile will go to in order to rape a child. Normally, a child will never be hit. Pedophiles don't hit; they need to be loved. And he is afraid, which is why if you tell him 'no', that is it; he will never dare. Impossible. I have asked several pedophiles. I said, 'what if it's no'? If it's no, it's no; they don't do it. They choose the fragile ones – the ones who do not have parents, who are already broken.¹⁰

¹⁰ Interview, April 2022.

In this quote, there is no reference to the word consent, only to what is usually understood as the act through which one conveys the absence of consent (“saying no”) with the expectation that it could prevent sexual abuse. However, in some interviews, this further step (associating the absence of the word “no” with consent) is explicitly taken. I think we can understand this discursive construction as influenced by normative visions of masculinity and gendered constructions of victimhood, like Pascal explained in the preceding quote. Men, and even boys, are expected by themselves and others to be able to resist and refuse sexual approaches. They are less likely to think of themselves as potential (and actual) victims, as it would entail a position at odds with dominant norms of masculinity (Andersen, 2011; Gagnier & Collin-Vézina, 2016). In this instance, the context of the abuse (adult/minor) was not enough to establish the impossibility of consenting or refusing, in short, the irrelevance of the language of consent. The following quotes from the interview with George, a survivor of child sexual abuse by a Catholic priest who was his teacher, express best how the phrase “saying no” associated with the notion of consent appears in some interviews. George is in his sixties and has just started his retirement. He is still involved in the survivors’ organization discussed in Section “[Sexual Violence in the Catholic Church](#)”. Here, “saying no” is connected to a phrase that the abusers use to blame victims and keep them silent:

They [the abusers] are so clever. They come, and they say, ‘you shouldn’t tell’. And then once we did it, they say, ‘oh, but now you are the one who wants it; you are the one who wanted it; you didn’t say no; you didn’t react’. And for example, do you know *Patouch* [an organization against child sexual abuse in Switzerland]?

R: yes.

There was a radio show, I was driving, and someone from *Patouch* came on, and suddenly children shouted ‘no’. I had to stop the car; it shattered me so much [to hear] this ‘no’ that I could not say.¹¹

The last part of the quote suggests that for George, the idea that he was expected to have said ‘no’ or that, perhaps, the word ‘no’ could have changed something seems to remain present. Years later, it still makes him emotional to hear the word ‘no’ in the context of sexual violence prevention. Later in the interview, George explained to me the same belief as Etienne mentioned previously: when “pedophiles hear no, they don’t do it” and stressed how important it is to continue the work of prevention that the organization *Patouch* is doing. Very similarly, Hans, who was sexually assaulted by a family friend when he was a teenager, recalls that he could not tell his parents at the time because talking about the abuse meant he “should have refused.” Hans is in his sixties and has just started his retirement after working for a government agency. He took part in the survivors’ organization for a few years. Here again, the quote hints at the expectations of others (family members, for example) that one should express refusal. The incapacity to do so is perceived as casting

¹¹ Interview, June 2021.

doubt on the account of sexual abuse and, consequently, is mentioned as a reason for the impossibility of speaking and denouncing the abuse:

He [the abuser] was almost a family member [...]; he came every Wednesday, my mother did his laundry, and I could not imagine what was going on. I had not managed to understand the hold [*emprise*] he had over me and what was going on. So, looking back, I say to myself, I didn't know how to react; my parents didn't realize. My father asked me once because he knew that the priest was coming to get me when I finished the apprenticeship on Wednesdays, and he wanted to know [...] he asked me if there was anything going on. And I said.

R: You said?

I always said no, no, no, no, because it was unspeakable, unspeakable. If I had said something, it would have meant I should have refused before, or I don't know, I didn't realize what was going on.¹²

The same discussion around “refusing” comes up a second time in George's interview, but this time to analyze and blame his own past actions. As he explains, he grew up in a small village in a very Catholic part of Switzerland. He describes his family background as deeply religious (he even used the adjective “fundamentalist” in the interview). This time, George makes an explicit connection with his own “consent” (as a response to my comment during the interview):

But for me, the Church is too intransigent. [...] I was obsessed with it – with Sodom and Gomorrah. If two men are together, they should be killed. And I have lived that, so I must die. It's what we called a mortal sin. So, the fact that the Church is intransigent on certain things is what's heavy. They have put so much dogma on it that it's not easy to suddenly say, well, two men together, we can tolerate that. [...] For me, regarding what I have experienced, that stuck with me.

R: But there is also a huge difference between someone who is consenting and a child, don't you think?

But he [the abuser] was so convincing that we consented. I kept coming back. Yes, I had to go to school, but I didn't have to go to my private lessons, I didn't have to go to the movies, but he was so strong that...

The use of consent here is striking. The quote relates “coming back,” “going to the lessons” to the action of consenting despite the very asymmetrical power relation and the absence of any real capacity to consent, if we use the definition of feminist scholar Manon Garcia (2021). In her conception, consent expresses the autonomy of the consenting subject and his or her humanity. It implies the recognition of the other's vulnerability, cognitive limitations, competence, and partial autonomy, all of which affect the capability to express valid consent. This conception considers structures of domination, epistemic injustices (access to

¹² Interview, June 2023.

knowledge and the possibility of speaking about sexuality, the body, and experiences), as well as adaptive preferences to judge whether there is the possibility of consenting. This definition of consent is similar to what is usually included in the phrase “affirmative consent.” The notion was developed as a response to some criticisms of consent in its restrictive form (“saying no,” resisting). Affirmative consent usually requires the following criteria: an ongoing, active demonstration (either verbal or non-verbal) of the willingness and capacity to participate in a sexual encounter, free of coercion, specific, and informed. The idea, summarized in the phrase “yes means yes,” aims at dismissing the view that the absence of resistance or refusal is sufficient to signify consent. In George’s quote, the notion of consent is not used in an affirmative form (the incapacity to say yes). It serves to judge his past actions even when he did not have any capacity, willingness, or freedom in the encounter. Consent is associated with a lack of refusal and resistance. It is linked to the actions taken as a child (“going to the private lesson”) rather than to the state of mind, the unwillingness to participate in the situation, or the incapacity to understand it.

The use of the language of consent is particularly problematic because sexual violence happened in a deeply asymmetrical power relationship (between a priest and a minor), where consent as a legal and moral standard should have no force. Yet, as a frame, it is still deployed with hurtful consequences. Gender scholar Joseph Fischel argues that in relations of dependence, the sexual autonomy of the minors is not respected. They cannot reasonably say no given the nature of the relationship, given the risks of retaliation and the constraints on choice (Fischel, 2016, p.114). Therefore, in such relationships, even the lowest standard of consent (saying no) is impossible—let alone a meaningful yes—and yet, as we can see, it remains a frame present in these cases.

Similarly, André expresses the framing of sexual abuse through the notion of “hold.” André is an 80-year-old former French teacher. He explains perfectly what is at stake in the sexual abuse by a person close to the child and with great authority, and the abusive relationship created by the aggressor:

Anyway, it’s a situation in which the kid is alienated. It took me a long time to realize that he [the abuser] had no right to do that. It took me a long time to realize that he was attacking me. Because another aspect of these situations [...] is control/ grip [*emprise*]. [The abuser] did not touch me as soon as I arrived [at the college]. He educated me. He really did psychological work. He made me read texts; he explained texts to me; he helped me academically; he was a father figure. He educated me in every sense of the word, not just from an intellectual standpoint. He set up a moral code, convinced me of a moral code. [...] And he touched me at the precise moment when, if I didn’t agree, and I didn’t, he had worked on me enough, if I may say so, for me to let it happen. So, in a way, it seemed to me that it was part of the relationship; it was like that. As important as the physical relationship, if you like, is the relationship that’s not just intellectual but affective, isn’t it? Which is why we admire, well, I admired this man, and I told you, he had the status of a father. [...] So

emotionally, there was an emotional hold [*emprise*] as well as an intellectual enterprise, which meant that I let him do it.¹³

As this quote shows, the concept of “hold” or “control” is mentioned to explain the impossibility of refusing, again showing the emphasis on the question of “saying no” or refusing when this was simply an impossible task. André lists all the actions taken by the aggressor that made resistance impossible for him. They include an emotional, intellectual, and affective “grip” over him. This suggests again the powerful expectation that one should resist in some manner and, therefore, the need to explain why it did not happen.

However, the emphasis on survivors' own actions can also be understood as an attempt to regain some sense of agency in a situation of extreme powerlessness. While I was writing the first draft of this article in November 2023, I attended a conference organized by the victims' association presented in the second section. The conference focused on the experience of spiritual abuse.¹⁴ At the end, a panel discussion was organized with various speakers, including a survivor, two theologians, and an ethics scholar. The journalist moderating the panel presented the notion of consent as the central issue to be tackled to understand spiritual and sexual abuse. Later, during the discussion with the audience, a young woman took the floor. She introduced herself as a survivor of child sexual abuse by a priest and expressed her desire to return to the discussion of consent. She then explained that having said “no” during the assault was one of the things that had later kept her alive because it had enabled her to “assert herself as a subject when she was being treated as an object.”¹⁵ Again, I was struck by the equation between the absence of consent and the act of “saying no” in the case of a child. However, her comment highlighted that this emphasis on resistance or refusal could also be understood as a means of reasserting oneself as a subject and, thus, of perhaps preserving some sense of agency.

Conclusion

The goal of this article was to reflect on the ways in which the phrase “saying no,” linked to the notion of consent or understood as a tool to prevent sexual abuse, appears in survivors' narratives and with what consequences. Paradoxically, the idea of “saying no” is referred to both by abusers to blame victims and in prevention work by survivors and activists themselves. In both cases, it brings difficulties for survivors, especially men, who continue to express remorse for their inaction, even when they were children and should have been protected. Therefore, I think the article points to the need to better understand the position of men and male survivors regarding consent and prevention initiatives, which foreground the discourse of consent as a tool to end sexual violence. Moreover, the article

¹³ Interview, July 2022.

¹⁴ The conference is available on YouTube: <https://www.youtube.com/watch?v=vEsQAe8Adkg>.

¹⁵ Field notes, November 2023.

suggests the necessity of analyzing the gender constructions and meanings behind the notion of consent, not only for their impacts on women but also on men and male survivors of child sexual abuse. The interviews demonstrate different understandings of what constitutes abuse: either age is considered a power relation, or the notion of ‘hold’ is added to express the psychological state, but also material conditions (power imbalance, isolation, relation of economic or affective dependence, authority, etc.), created or exploited by the perpetrators.

With the theoretical discussions of consent and its criticisms, I considered what the concept entails and how it could be understood and deployed when speaking about sexual violence. As a social discourse, the concept of consent, meaning the absence of resistance or refusal, remains the most frequent frame that comes up in survivors’ narratives. This understanding of consent has influence even on the issue of child sexual abuse, despite children being legally defined by their inability to consent to sexual acts with adults. In the interviews, when the idea of consent was present, it was always in its negative form (“saying no,” refusing), never with the idea that the person at the time had no competence or information to express valid consent. Instead, the term “hold” or “control,” which comes back in many interviews, precisely conveys this lack of possibility of agency and autonomy.

This points to alternative ways to comprehend sexual violence. Indeed, even when the discourse of consent was used, there was no doubt among the interviewees that they had been sexually abused (even when they said they had “consented”). The main idea in many interviews was that there was sexual abuse because the hold, or influence, of the aggressor meant resistance was impossible. This framing is associated with self-blame and culpability. It suggests the necessity to conceptualize consent differently and move away from the importance of “saying no” to the importance of being able to participate in the sexual relationship based on equality, freedom, and shared knowledge between the partners. Both options are impossible for minors in relationships of dependence and authority with adults. The former conception can have the effect of blaming the child, while the latter could emphasize the responsibility of the adult. As we have seen, the understanding of consent as “absence of resistance” is the legal requirement in the case of adults, whereas in the case of children, non-consent is presumed without any requirement of coercion or force. Yet, when discussing consent in the interviews, survivors hold themselves to the legal standard applied to adults and emphasize the idea of verbal or physical resistance.

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Data Availability The data analyzed for the study comes from qualitative interviews. The full transcript cannot be shared publicly to protect the anonymity of research participants. The interview data analyzed for the study is cited at length in the article.

Declarations

Conflict of Interest The author declares no competing interests.

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