

Non Consensual Intimacy : An Interdisciplinary Perspective

Santosh Sharma

MA, English

Abstract

The world is plagued by critical issues including non-consensual intimacy, sexual coercion, pressure, and certain breaches of body autonomy due to coercion. This is an overly complex issue. A multidisciplinary approach is required to address issues that transcend the scope of individual disciplines. This paper aims to examine the reasons, forms, and effects of non-consensual intimacy from an interdisciplinary approach. The legal system addresses the issue of pressure as well as the concept of consent. Why is this the case? Non-adherence to due process and the failure to recognize the concept of power imbalance make the legal system unfair to the victim. Sociology delves into the oppression, coercion, and perpetuation of violence and stigmatization faced by the victim due to patriarchal, unequal, and violence-oriented gender constructs. Brutality, intimidation, and stigmatization of the victim are the consequences of the structural violence created by the foundation. In addition to the health consequences of non-consensual intimacy, the public health system must address the issue of violence in order to address the profound social and health consequences faced by the victim.

This paper aims to prove the importance of the use of a holistic conceptual approach to deal with all the effects in a cohesive manner with the help of non-consensual systemic violence. The legal system incorporates aggressive measures, reform policies, and organizational structures of intervention with a focus on behavior and the purposeful addressing of harmed situational status

and social system aggression. The sequential approach of rehabilitation to break the stigma of protective dissonance.

Introduction

Non Consensual intimacy is the different form of sensual or intimate engagement without the spontaneous, well-informed, and fervent consent of all the individuals engaged. Non-consensual intimacy is an infringement of an individual's perimeter or authority. Non-consensual intimacy takes different forms and types, ranging from sexual assault, harassment, coercive sexual activity, child sexual abuse, sexual violence, non-consensual recording, sexual exploitation, etc., in an event when an individual is incapable of providing consent. At the heart of intimacy is the establishment of trust, respect, and individual freedom. However, when intimacy is engaged without the consent of an individual, it becomes an invasion of an individual's dignity, security, and basic human rights. Non-consensual intimacy ranges over a broad spectrum, starting from overt acts of sexual assault and rape to more subtle acts of pressure, deceit, and continuous harassment. Non-consensual intimacy is beyond cultural limits and cannot be defined. Non-consensual intimacy is found globally, both at the individual and social levels, and takes different forms and levels of seriousness.

This phenomenon, non-consensual intimacy, has been a major issue in our society, despite decades of activism, research, and legislation against it. Physical or sexual violence, mostly carried out by intimate partners, has been reported in one-third of women globally, according to a report made by the World Health Organization (2021). Nevertheless, non-consensual intimacy has been experienced by men, children, and those who identify as non-binary, though this has not been documented adequately because of social stigma. Why?

Several ways of studying non-consensual intimacy have been discredited. The law addresses it mainly, while psychology examines trauma caused by non-consensual intimacy, and sociology examines cultural factors that allow non-consensual intimacy to exist.[p]. Though these three ways of studying non-consensual intimacy are important, they might not be enough, considering that they might not address the relationship between non-consensual intimacy and how it is carried out. Why? Hence, a multifaceted approach is required. In this paper, researchers will discuss the relationship between law and sociology, as well as that between psychology and public health.

Conceptual Framework

This conversation is an exploration of the concept of consent.? Consent is not merely the absence of "no," but rather the creation of an open, informed, and passionate agreement.? Consent is related to liberty as opposed to willfulness, power as opposed to powerlessness, and free agency.? How is this related to consent? Non-consensual intimacy occurs when liberty is undermined through coercion, manipulation, and power imbalance.? For example:

In the case of non-consensual intimacy, power is an important factor to consider.? Why is this the case? An individual may be forced to engage in an action where opposition is dangerous or impossible because of gender, financial, and/or power issues.? The case is not merely an individual act of violence, but also a social construct.

This analysis follows this framework:

Law defines and regulates consent.

Non-consensual intimacy is viewed from a sociological perspective within both cultural and structural dimensions.

Psychology studies its influence on individuals and their relationships.

Public health is analyzed in terms of its collective effects and prevention strategies.

Literature Review

Legal Perspectives

Legal definitions of non-consensual intimacy include rape, sexual assault, and harassment. This is an exception. This definition, which is the most clear-cut definition of consent, is highly significant. MacKinnon (1989) and other feminist legal theorists contend that the definition ignores the use of coercion to perpetuate gender inequality, while overlooking the nuances of workplace harassment or marital rape, among other things. Additionally, the survivor is disadvantaged due to the need to physically resist the crime or validate the evidence. See also.

In recent times, the scope of the legal definition of consent has been widened to include affirmative-consent standards, but the enforcement of the definition is wanting. What is the reason behind the fact that the survivors of sexual crime are the secondary victims of invasive questioning, stigma, and low rates of conviction?

Sociological Perspectives Sociology highlights the importance of cultural and social structures in non-consensual relationships. Why?... The passive or submissive part is often played by females, and patriarchal ideologies enforce a culture of oppression through normative beliefs in male superiority. Brownmiller (1975) argues that, in addition to being a function of individual psychopathology, sexual violence also functions as a manipulation by society and helps to perpetuate gender inequality.

The complex interrelation of race, class, and sexuality and gender is also enhanced through the complex representation of intersectionality.

Psychological Perspectives

Non-consensual intimacy has significant psychological implications in terms of its emotional, cognitive, and behavioral consequences. It is common for survivors of non-consensual intimacy to develop PTSD, depression (Herman, 1992), and suicidal thoughts. In this process, trauma can cause social isolation and suffering, but it can also cause self-reliance and selflessness through social connections.

It is essential to recognize that trauma responses differ significantly. While some survivors can cope with the challenges of the justice system or healthcare system, others face re-traumatization. How can this be explained? Despite being clearly distressed, cognitive psychologists argue that people should not respond accordingly. Why?

Public Health Perspectives

Public health is sometimes linked to an epidemic of non-consensual intimacy with profound social implications. In addition to physical harm, survivors face health consequences linked to reproductive health issues, sexually transmitted diseases, and chronic conditions associated with stress. WHO's (2021) assessment of gender-based violence indicates it is a health burden with consequences for productivity, generations, and healthcare costs.

The achievement of effectively dealing with the root causes of problems has been realized through prevention programs, which involve bystander intervention and education, as well as gender-based education. The lack of structural change has been identified as making prevention only temporary rather than permanent, according to public health experts.

Methodology

It is subjected to a qualitative, exploratory, descriptive, and interdisciplinary analysis. Sources include peer-reviewed journal papers, policy reports, and case studies published from 1975 to 2023. Sources incorporate literature from both law and sociology into their content. The training sessions revolve around core areas such as non-consensual closeness, concurrency, compulsion, and factors, etc. The areas are explained in more depth below. The model of integration is developed by identifying the differences and similarities between different disciplines such as Legal / Criminal Justice setting, healthcare centre, educational institutions, community and society, and online / digital spaces, etc.

Findings and Discussion

Gaps in Legal Frameworks

Although the crime of sexual violence is illegal, the survivors are protected by the law. Why? This is because of the challenges facing the system due to adversarial trials, victim-blaming, and narrow definitions of consent. It is important to adopt a system of restorative justice that respects the dignity of the survivors of violence. Why? Because we do.

Cultural and Structural Enablers

Non-consensual intimacy is maintained through patriarchal values, toxic masculinity, and silence around sex. Why is that? Why is that? The focus on family honor rather than victim well-being is a major issue for South Asians. But why is victim-blaming rhetoric rampant in Western societies through media and institutions that perpetuate rape culture?

Survivor Trauma and Resilience

Psychological studies suggest that a lack of consent has many effects on a survivor. The lack of stigma and mental health support is important for recovery. However, it may be possible. To

prevent re-traumatization, law enforcement and healthcare providers use trauma-informed methods.

Public Health Burden

The non-consensual sexual activity is known to have a major impact on the survivor, family, community, and economy. The capacity to prioritize prevention and rehabilitation programs is often used to illustrate its potential to be presented as a health issue, just like an epidemic.

Interdisciplinary Synthesis

All aspects, ranging from criminal justice to cultural change, survivor care, and reform, are affected by non-consensual sexual activity. The above statements have been derived from the study undertaken by the researchers. We can only make significant progress by cooperating and working together.

Case Studies and Comparative Insights

South Asia: Due to religious and cultural beliefs, the issue of marital rape has never been fully recognized in South Asian countries. Why? The rape survivors are forced to stay silent due to pressure from society. They are suppressed and alienated from society and are kept in the state of childhoodness.

North America: In North America, the rates of campus rape are still high despite the many changes in the law and the fact that rape remains a culture.

Sub-Saharan Africa: In Sub-Saharan Africa, the problem of sexual violence in conflicts shows the link between war, gender, and power.

Nordic Countries: In the Nordic Countries, the effectiveness of the prevention-based model has shown to be important in the reduction of rape and sexual violence, with sex education and welfare being prevalent.

Policy and Practice Implications

- 1. Legal Reform (Alteration):** Broaden consent definitions, outlaw marital rape, and embrace courtroom survivorship.
- 2. Assistance Programs (Survivor-Centered Interventions):** Providing trauma-aware mental health care, survivor advocacy, and easy reporting.
- 3. Education and Awareness:** In an effort to combat the culture of rape, they are conducting comprehensive sex education programs as well as media accountability and community awareness campaigns.
- 4. Public Health Integration:** Integrate public health into national health strategies to ensure that sexual violence prevention is funded and accessible in the long run.

Conclusion

Moreover, non-consensual intimacy is a multifaceted issue, and one discipline cannot solve this problem. It is true that taking action against the perpetrator is important, but changing socio-cultural factors, psychological support, and integration into public health are also crucial. By taking a multi-disciplinary approach and understanding the root cause of systemic inequalities, we can look at this issue from a broader perspective. The future research should involve cross-cultural comparative studies, survivor testimonies, and evaluations of integrated interventions. To solve non-consensual intimacy, we should not only punish the perpetrator, but we should also work towards changing societies to accept consent as a legitimate form of self-determination and dignity.

References

- Abbey, Antonia. "Alcohol-Related Sexual Assault: A Common Problem among College Students." *Journal of Studies on Alcohol*, vol. 63, suppl. 14, 2002, pp. 118–128.
- Bohmer, Carol, and Andrea Parrot. *Sexual Assault on Campus: The Problem and the Solution*. Lexington Books, 1993.
- Brownmiller, Susan. *Against Our Will: Men, Women, and Rape*. Ballantine Books, 1993.
- Burgess, Ann Wolbert, and Lynda Lytle Holmstrom. "Rape Trauma Syndrome." *American Journal of Psychiatry*, vol. 131, no. 9, 1974, pp. 981–986.
- Campbell, Rebecca. "The Psychological Impact of Rape Victims." *American Psychologist*, vol. 57, no. 6–7, 2002, pp. 531–534.
- Gavey, Nicola. *Just Sex? The Cultural Scaffolding of Rape*. Routledge, 2005.
- Government of Nepal. *Muluki Criminal Code, 2074 (2017)*. Nepal Law Commission.
- Government of Nepal, Ministry of Women, Children and Senior Citizens. *National Strategy to End Gender-Based Violence*. Government of Nepal, 2012.
- Heise, Lori L., et al. *Violence Against Women: The Hidden Health Burden*. World Bank, 1994.
- Jewkes, Rachel, et al. "Prevalence and Consequences of Non-Consensual Sex." *The Lancet*, vol. 359, no. 9315, 2002, pp. 319–320.
- Kelly, Liz. *Surviving Sexual Violence*. Polity Press, 1988.
- Koss, Mary P. "The Scope of Rape: Incidence and Prevalence of Sexual Aggression and Victimization in a National Sample of Higher Education Students." *Journal of Consulting and Clinical Psychology*, vol. 55, no. 2, 1987, pp. 162–170.
- MacKinnon, Catharine A. *Toward a Feminist Theory of the State*. Harvard University Press, 1989.

Russell, Diana E. H. *Rape in Marriage*. Indiana University Press, 1990.

Sexual Violence Research Initiative. *Understanding Sexual Violence: A Global Perspective*.

SVRI, 2013.

United Nations. *Declaration on the Elimination of Violence against Women*. United Nations

General Assembly, 1993.

United Nations Office on Drugs and Crime. *Handbook on Effective Prosecution Responses to*

Violence against Women and Girls. United Nations, 2014.

World Health Organization. *Understanding and Addressing Violence Against Women: Sexual*

Violence. World Health Organization, 2012.