Journal of Community & Applied Social Psychology
J. Community Appl. Soc. Psychol., **18**: 168–193 (2008)
Published online 24 October 2007 in Wiley InterScience
(www.interscience.wiley.com) **DOI**: 10.1002/casp.922

"If a Girl Doesn't Say 'no'...": Young Men, Rape and Claims of 'Insufficient Knowledge'

RACHAEL O'BYRNE[1], SUSAN HANSEN[2]* and MARK RAPLEY[3]
[1]*School of Psychology, Murdoch University, Murdoch 6150, Western Australia*
[2]*Division of Psychology, Nottingham Trent University, Nottingham, UK*
[3]*School of Psychology, University of East London, London, UK*

ABSTRACT

Most psychological theories of rape tend to stress factors internal to both rapists and their victims in accounting for the phenomenon. Unlike such theories, social psychological and feminist accounts have drawn attention to social and cultural factors as productive of rape, and have criticized psychological accounts on the grounds that they often serve, paradoxically, to cement pre-existing 'common-sense'. In this paper we examine the ways in which young Australian men draw upon widely culturally shared accounts, or interpretative repertoires, of rape to exculpate rapists. In particular, we discuss the reliance placed on a 'lay' version of Tannen's (1992) 'miscommunication model' of (acquaintance) rape and detail the use of this account—the claim that rape is a consequence of men's 'not knowing'—as a device to accomplish exculpation. Implications of our methods for capturing young people's understanding of sexual coercion, rape and consent, and for the design of 'rape prevention' programmes, are discussed. Copyright © 2007 John Wiley & Sons, Ltd.

Key words: sexual refusal; discursive psychology; interpretative repertoires; young men; date rape

INTRODUCTION

In contrast to rape by a stranger, which has an estimated reporting rate of 44%, rape by a partner, date or acquaintance is extremely likely to go unreported (Easteal, 1992). It is estimated that only 7% of acquaintance rapes are ever reported, making this form of sexual assault the most dramatically under-reported of all the crimes in Australia (Easteal, 1992). The most common reasons that women give for not reporting the assault include: fear of going to the police; believing that 'it was not serious enough for the police' (Walker, 1993); believing that the police would not believe them and that reporting would do no good (Corbett, 1993) and the fear that they would in fact be blamed for their assault (Criminal

* Correspondence to: Susan Hansen, Division of Psychology, Nottingham Trent University, Nottingham, UK.
E-mail: susan.hansen@ntu.ac.uk

Copyright © 2007 John Wiley & Sons, Ltd. *Accepted 15 February 2007*

Justice Newsletter, 1992). These fears are far from unfounded given that the conviction rate for reported sexual assaults in Australia is less than 1% (Mouzos & Makkai, 2004)—a result that has led some scholars to conclude that the focus and concern of the Australian legal system is with the rights of sexual assault offenders and not with the rights of the victims (Russo, 2000). This emphasis on the victim and their supposed role in their own victimization has been paralleled in psychological explanations of rape (Allison & Wrightsman, 1993), and consequently in psychological contributions to rape prevention (Crawford, 1995; Kitzinger & Frith, 1999; O'Byrne, Rapley, & Hansen, 2006).

The positivity of psychological 'explanation'

Since Foucault, a growing body of work has examined the remarkably rapid uptake of 'psychological knowledge' in popular culture (see for example: Hansen, McHoul, & Rapley, 2003). That is to say, it appears that, along with beliefs adopted from nutritional science, psychological 'facts' demonstrate what Foucault termed high positivity: 'psychological' accounts and explanations are not only swiftly and widely disseminated through the popular media of western cultures, but also are readily adopted in 'lay' discourse.

Psychological accounts of rape appear little different. In one analysis of the intersection of 'lay' and 'professional' knowledges, Crawford (1995) explored how people account for rape in a discursive analysis of a segment of a 1991 radio talk show in which four 'experts'—a sociologist, a psychiatrist specializing in the treatment of sex offenders, a lawyer and a professor of health education—discussed 'date rape' with the radio host and several callers. Crawford (1995) demonstrates how the speakers drew on three distinct models or 'interpretative repertoires' (Potter and Wetherell, 1987; Wetherell, 2005)—organized discursive formations that Antaki (1994: 119) describes as offering speakers a 'judicious choice of available cultural explanations'—in accounting for rape.

Crawford describes these three interpretative repertoires as the 'victim precipitation model', the 'social structural model' and the 'miscommunication model'.[1] The *victim precipitation* model is derived from psychoanalytic theory and suggests that every woman experiences unresolved conflict between their conscious wishes and unconscious desires for coerced intercourse. Horney (1973: 22), for example, goes so far as to claim that the psychoanalytic literature suggests: 'what the woman secretly desires in intercourse is rape and violence, or in the mental hemisphere, humiliation'. While subsequent feminist scholarship has repudiated the victim-blaming conceptualization of rape (e.g. Brownmiller, 1975) inherent in this approach, it is apparent that many of these ideas, particularly those regarding appropriate female behaviour, still remain endorsed, albeit implicitly, by a number of contemporary psychological accounts of rape (see, Nevid, Rathus, & Greene, 2005; Thornhill & Palmer, 2001; Thornhill and Thornhill, 1983) and more explicitly within Western culture (Anderson, 2007; Crawford, 1995; Doherty & Anderson, 1998; Fickling, 2005).

[1]It is not our intention here to suggest that these are the *only* possible ways of accounting for rape available within our culture. Clearly, and especially in the light of the controversy caused by Thornhill and Palmer's (2001) work suggesting that men have simply been 'hardwired' to rape by evolution, it is indeed possible to come up with any number of more or less convincing accounts. That the postulations of *soi-disant* evolutionary psychology have yet—on the basis of our data at least—to penetrate the lay vocabulary is perhaps a testament to their public plausibility. See Hansen (2001) for a critical review of these ideas.

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

For example, media coverage of sex crime cases is dominated—almost without exception (Sanday, 1993)—by accounts of rape in which the (usually female) victim 'is either pure and innocent, a true victim attacked by monsters. . .or she is a wanton female who *provoked* the assailant with her sexuality' (Benedict, 1992: 18, our emphasis). Noting this tendency in the American media more generally, the US journalism pressure group Fairness and Accuracy in Reporting (FAIR) summarized a 1991 survey of American reporting by noting that: 'helpful reporting on rape is the exception not the norm. Instead of hearing the cries of survivors, the press is hearing the complaints of apologists; instead of condemning cruelty, the press promotes excuses' (Flanders, 1991). That little seems to change in this respect is suggested by more recent research. Thus, for example, in their analysis of the reporting of two rape cases in the Israeli popular media Korn and Efrat (2004: 1056) suggest that, via a focus on the victims' prior sexual history, newspapers 'reinforce[d] the myths that a woman who is having consensual sex cannot be raped' and, if she is raped, that she is both culpable and likely to have been 'asking for it'.

A second way of viewing sexual assault, described by Crawford (1995) as the *social structural* model, conceives of rape not as a 'women's problem', but rather as a logical corollary of the structure of western heteropatriarchal societies—a view that is endorsed in Australia by the National Association of Services Against Sexual Violence (NASASV):

> Sexual violence is located in hierarchical social and political structures which reinforce such discrimination and oppression through laws and education and social systems, and where further systemic disadvantage is experienced by victim/survivors of sexual assault in their interaction with health, legal and other social systems.
>
> (Dean, Hardiman, & Draper, 1998: 49)

Evidence for these claims can be seen in the closing statements by three Australian judges in three notionally very 'different' rape trials (Scutt, n.d). For example, Justice John Gallop, in justifying his decision not to convict a man who raped a 16-year-old indigenous girl who had been 'promised' to him by her parents in return for part of his welfare payments, concluded that '[she] knew what was expected of her', and that the rapist was merely 'exercising his conjugal rights in traditional society' (McIntyre, 2005). Similarly, in explaining his decision to give a rapist a reduced sentence, Judge Jones claimed that, as the victim was a sex worker, she would be 'less psychologically harmed by the rape' than a 'chaste woman' would have been (Magazanik, 1991: 1). Also, in dismissing a charge of marital rape, Supreme Court Justice Derek Bollen asserted that:

> There is, of course, nothing wrong with a husband, faced with his wife's initial refusal to engage in intercourse, in attempting, in an acceptable way, to persuade her to change her mind, and that may involve a measure of rougher than usual handling.
>
> (cited in McIntyre, 2005, np)

As Crawford (1995) points out, the social structural model of rape identifies cultural justifications of inequality, such as the beliefs that women are the property of men; that women's sexuality is inherently evil and that men are entitled to the sexual services of women as crucial factors in nourishing the sexual violence of men (Sheffield, 1989). Indeed, one of the most consistent findings in the social psychological literature is the effect that the existence of traditional sex roles, adversarial attitudes towards women and the accompanying acceptance of rape myths have on the reported proclivity of men to rape (e.g. Bohner, Siebler & Schmelcher, 2006; Gerber & Cherneski, 2006; Hinck & Thomas,

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

1999; Murnen, Wright, & Kaluzny, 2002). Furthermore, rape myths promote self-blame by the victim, particularly in the case of acquaintance rape, an effect that may discourage women from reporting the crime, result in 'secondary victimisation' (Davis & Breslau, 1994) and deter victims from actively seeking recovery resources (Doherty & Anderson, 1998; Koss, Dinero, Seibel, & Cox, 1988). Therefore, as Davis and Lee (1996) have argued, current myths and stereotypes surrounding sexual assault reflect a society which exculpates perpetrators of assault and blames victims for failing to control men's sexuality, a set of circumstances which Doherty and Anderson (1998: 583) describe as enabling, or constituting, a 'rape-supportive culture'. That western Anglophone societies such as Australia and the UK represent instances of such a culture may perhaps be inferred from the results of polls such as that reported in *The Guardian* in November 2005, which noted that: 'one in three people believes that women who behave flirtatiously are at least partially responsible if they are raped' (Fickling, 2005), with a further 22% of respondents to the ICM poll holding women partially or totally responsible for their rape if they had had many previous sexual partners.

Within the social structural framework the key to preventing rape lies in changing societal attitudes about rape, rape myths and about men and women (Easteal, 1992). However, this model is not consistently reflected in the focus of the majority of contemporary rape prevention campaigns and programmes which are, rather, informed by Tannen's (1992) '*miscommunication*' model, as evidenced by the assumed need to say 'No' presented in campaign slogan after campaign slogan (e.g. Commonwealth of Australia, 2004) or, alternatively, the *necessity* for a clear and unambiguous verbal 'Yes' to sex: thus the British government has recently launched a rape prevention campaign which is predicated on the proposition that 'this campaign aims to reduce incidents of rape by ensuring that men know they need to gain consent before they have sex' (Home Office, 2006a,b). Clearly, such a campaign presupposes that at least some men simply may *not* know that they require the consent of their sexual partners.

The miscommunication model is then arguably the dominant current account of acquaintance rape, informing both professional and 'lay' understandings (Crawford, 1995). Briefly, the model proposes a dichotomy in conversational styles between men and women, making miscommunication inevitable. From this perspective, acquaintance rape is understood as an (albeit extreme) instance of miscommunication, where both man and woman fail to interpret the other's verbal and non-verbal cues, with the resulting communication failure ending in rape (Crawford, 1995; Kitzinger & Frith, 1999).

Social psychological research on rape

The bulk of the social psychological literature relating to rape deals not with rape or sexual assault *per se*, but rather with attitudes towards rape and rape victims, beliefs about responsibility for rape, 'rape-myth acceptance' and 'rape proclivity' and with correlating these constructs with a range of demographic and experiential variables (Adams-Curtis & Forbes, 2004; Emmers-Sommer & Allen, 1999). It is a literature with a strong experimental tradition, a largely undergraduate respondent base and, as Doherty and Anderson (1998: 584) put it, what is often an 'ecologically invalid, oversimplistic view of the way that blame and accountability are managed in conversation' which is, of course, precisely the venue (be it in police station interview rooms, courts of law or rape crisis centres) where these issues are played out in the real world.

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

Suffice it to say, the experimental social psychological literature tends to concur with everyday common sense (cf. Hansen, 2006) in that it demonstrates, for example, that subjects presented with rape scenarios are more likely to say that the 'resisting woman should have had sex . . . if the couple had had coitus 10 times before . . . than once or never' and that engaging in foreplay obliges subsequent participation in sexual intercourse (Shotland & Goodstein, 1992: 756); that there is cross-cultural variation in understandings of sexual coercion, sexual refusal and sexual consent: for example, American and Brazilian undergraduates have different views about how 'a heterosexual encounter may develop, given the preliminary pattern of consistent or inconsistent resistance' with Brazillians showing a 'strong consensual-sexual-intercourse schema, while Americans. . .have a strong date-rape schema' (DeSouza & Hutz, 1996: 549). Other studies suggest that students who are led to believe that other students report high levels of 'rape myth acceptance' and 'rape proclivity' (by experimental manipulation) are likely to report similarly high levels in subsequent testing (Bohner et al., 2006); that women who have met rape victims show lower levels of 'rape acceptance' than those who have not, and that men who espouse 'adversarial sexual beliefs', 'traditional gender role beliefs' and display 'aggressiveness and anger' show higher levels of 'rape acceptance' (Anderson, Copper, & Okamura, 1997); that men tend to 'attribute less blame to perpetrators of sexual assault than do women, regardless of whether the perpetrator is female or male' (Gerber & Cherneski, 2006: 35). Others have concluded, perhaps counter-intuitively, that 'many token resistant women honestly refuse[d] but later decide[d] to have sex. . . [T]oken resistant behavior occurs on or after the 11th date, whereas resistant behavior (said "no" and meant no) occurs earlier' (Shotland and Hunter, 1995: 226). Indeed, these authors appear to suggest that women literally may not know their own minds, in that '83% of token resistant women had more than one sexual intention during the token resistant episode. . . [M]ost token resistant behavior is a change of intention that is poorly recalled because of memory consolidation' (Shotland and Hunter, 1995: 226). Whether memory failure is at issue or not, it is also clear from the social psychological literature that not only may men and women differ in their deployments of token refusals (Dreznick, Cronin, Waterman, & Glasheen, 2003) but also that unwanted *consensual* sex is a routine feature of heterosexual dating relationships (O'Sullivan & Allgier, 1998; Reneau, n.d.).

Indeed a recent study of the self-reported sexual *behaviour*—as opposed to elicited attitudes or responses to rape scenarios—of young men and women, Vanwesenbeck, Bekker, and van Lenning (1998) found that young men were significantly more likely than young women to report actively—or coercively—attempting to shape sexual encounters according to their wishes, especially when anxious or unsure. In contrast, young women tended to report operating in a more 'defensive' fashion—in trying to set limits on sexual activity and unwanted sex, to counter the 'pro-active' sexual aggression of young men. That is, traditional gender roles and socio-structural asymmetries continue to structure the ways in which young men and women negotiate heterosexual encounters, such that the onus is understood to be on young women to defensively shape—through refusal and resistance—consensual sexual encounters with more 'proactive' and aggressive partners.

As suggested by this empirical work, the different-but-*equal* view of male and female conversational 'cultures' is, in practice, deeply flawed. Equally, feminist scholarship has argued that 'differences' in communicational style tend, frequently, to a male-communication-as-norm, female-communication-as-deficient position (Crawford, 1989; Hare-Mustin & Maracek, 1988). Certainly, when the miscommunication approach is employed to account for acquaintance rape it is evident that exactly such an interpretation

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

has been widely endorsed. For example, as Kitzinger and Frith (1999: 295) note: 'psychologists have concluded that "if more women were able to communicate their disinterest, more of the unwanted sex would be eliminated"'—a sentiment that is echoed in many acquaintance rape programmes, and further evidenced by the fact that rape prevention programmes have been, and remain primarily, directed at women and their assumed inability to successfully refuse unwanted sex (Corcoran, 1992).[2]

Furthermore, as Kitzinger and Frith (1999)—among many others—have argued, it should not even be necessary for a woman to say 'no' for her to be heard and understood as refusing an invitation to have sex. Using conversation analytic findings on the normative interactional structure of refusals, they argue that men have a sophisticated understanding of these conversational 'rules', and as such conclude that male claims not to have 'understood' refusals which conform to culturally normative patterns can only be heard as 'self-interested justifications for coercive sexual behaviour' justifications that are readily validated by the widespread endorsement within our society of the miscommunication model of rape, and of the normality of a 'proactive' role for young men and a 'defensive' role for young women, within heteropatriarchial sexual scripts.[3]

Our aim in the current study was to explore how 'lay' people—in this case, young men—account for the incidence of rape. Do they draw on the same 'repertoires'—the victim precipitation, the social structural and the miscommunication model of rape—as did the 'experts' in Crawford's (1995) study? And, if so, how is each employed and to what extent is each account accepted by the other participants? Finally, how similar or different is the knowledge that young men are able to articulate about culturally normative ways of providing sexual refusals to the knowledge that they then provide in order to account for rape? Do the data provide support for the proposition that rape is best understood as a simple consequence of the insufficient knowledge that young men have of how sexual refusal may be accomplished?

METHODOLOGICAL APPROACH

This analysis is an exercise in applied discursive social psychology, a now well-established alternative to mainstream social and community psychological methods. Discursive psychology (DP) (Edwards & Potter, 1992, 2001; Potter & Wetherell, 1987) draws on conversation analytic (e.g. Sacks, 1992; Schegloff, 1968), ethnomethodological (e.g. Garfinkel, 1967) and conceptual analytic traditions (cf. Coulter, 1983; McHoul & Rapley, 2003) to re-specify psychological topics, such as attitudes, attributions, knowledge, beliefs and emotions, as discourse practices, rather than as reified cognitive componentry (see Edwards & Potter, 2001; Rapley, 2004). In contrast to the dominant 'cognitive' paradigm in psychology, discourse is assumed to be *situated*, *action-oriented*, *constructed* and *constructive* (Edwards & Potter, 2001). Indeed, Edwards and Potter (2005: 242) express the central epistemological and methodological commitments of DP clearly when they note that the purpose is:

> to counter and invert what mainstream psychology has done *with discourse*, which is to treat it as the *expression of* thoughts, intentions and cognitive structures. The 'inversion' offered by DP is to start with discourse itself, and to see how all of those presumptively prior and independent notions

[2]Though see Rickert and Weimann (1998) and Schewe (2002) for an account of some notable exceptions.
[3]For a critical review of the role of such 'sexual scripts' in interaction, see Frith and Kitzinger (1998).

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

> of mind, intention, motive, etc., are topicalized, categorized and, in various less direct ways, handled and managed within discourse itself.

One of our aims here, then, is to examine the ways in which notions of 'knowledge', its presence, possession or absence—'cognitive' matters *par excellence*—are managed in participants' talk, and to explicate the interactional and rhetorical work accomplished by, for example, claiming 'not to know'.

To accomplish this we also draw on the well-established concept of 'interpretative repertoires' (Potter & Wetherell, 1987). Interpretative repertoires are 'recurrently used systems of terms used to characterize and evaluate actions, events and other phenomena. They are constituted through a limited range of terms used in particular stylistic and grammatical constructions' (Potter & Wetherell, 1987: 149). Our focus here is on the repertoires that young men employ to structure a 'worldview' for the focus group topic from the inter-subjectively shared resources available to them (Wetherell, Stiven, & Potter, 1987). This approach complements and extends studies which offer analyses of the prevalence of phenomena such as 'rape myths' amongst young men (e.g. Anderson et al., 1997; Lonsway & Fitzgerald, 1994; Vanwesenbeck et al., 1998) in that the analytic notion of interpretative repertoires allows for the study of the *rhetorical functions*, and not simply the prevalence, of such commonly shared ways of understanding rape.

Thus, building on the very small number of such studies in the literature (e.g. Anderson, 1999; Anderson et al., 2001; Doherty & Anderson, 1998; O'Byrne et al., 2006) here we examine *how* young men invoke the miscommunication, the victim precipitation and the social structural models in order to account for the phenomenon of rape. However, in addition to identifying the repertoires employed, we also explore the uses and functions to which they are put, and the consequences thrown up by their use (Potter & Wetherell, 1987; see also Kurz, Donaghue, Rapley, & Walker, 2005). Specifically, we demonstrate that through the predominant employment of the miscommunication model, young men work to attribute responsibility for rape to women, while simultaneously reducing the accountability attributable to men.

We recognize that, from the standpoint of 'mainstream' social psychological research methods, our study is open to severe criticism on at least two grounds: firstly in terms of sample size and hence the power of the analysis, and secondly in terms of the representativeness of the sample.

Indeed, by these standards our sample size (n=9) is extremely small, and the participants themselves—as a self-selected group of middle class, male, university students—may be regarded as entirely unrepresentative of the (male) population at large. It should thus be noted that, regarding the issue of sampling, we rely on an *alternative* epistemological position to the default positivist assumptions underpinning experimental social psychological work. That is to say, following the example of the Nobel laureate and quantum physicist Feynman (n.d.) we take the epistemological position that, as 'nature uses only the longest threads to weave her patterns, [so] each small piece of her fabric reveals the organization of the entire tapestry'. Or, in Schegloff's gloss of sociologist Sacks' (1992) position on sampling in the social sciences:

> [Sampling] depends on the sort of order one takes it that the social world exhibits. An alternative to the possibility that order manifests itself at an aggregate level and is statistical in character is what he terms the 'order at all points' view. This view understands order not to be present only at aggregate levels and therefore subject to an overall differential distribution, but to be present in detail on a case by case, environment by environment basis. A culture is not then to be found only

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

> by aggregating all of its venues; it is substantially present in each of its venues. (Schegloff in Sacks, 1992, p. xlvi).

The import of this is that 'traditional' psychological methods based on aggregationist and statistical models which, as we have seen, no longer characterize even the natural sciences, cannot but miss much of the essentially socio-cultural grounds of human action (see McHoul & Rapley, 2003; Rapley, McCarthy, & McHoul, 2003). A detailed examination, then, of a fragment of the moral-social-cultural world can reveal important properties of the whole tapestry: social-cultural-moral phenomena (and accounts of morally troubling social conduct such as rape are such phenomena *par excellence*) will be visible, in regular ways, regardless of sampling, distribution, aggregation, statistical techniques, etc.

That is, we do not seek to make statistical generalizations about the prevalence of the 'beliefs' or 'attitudes' expressed by participants, nor to claim any degree of representativeness for those uttering them. Rather our aim, in common with all discursive psychological work, is to identify and to describe (in an approximation to everyday interaction) the regular ways in which certain versions of events in the world are produced as factual or authoritative, in talk, and to examine the rhetorical uses to which such locally produced 'truths' are put. That is to say we seek to demonstrate both the cultural and social *availability* of specific, grammatically coherent, discursive resources which may be drawn upon to organize socially shared knowledge, and to examine the uses and upshots of these accounts. Clearly, a corollary of our epistemological position is the view that—given the documented presence of these ways of accounting in our sample—they can reasonably be expected to be readily found in the wider culture.

ANALYTIC MATERIALS

Our analysis is based on transcripts of two focus groups conducted with nine self-identified heterosexual male students. Participants were aged between 19 and 34 years and took part in one of two focus groups, each of approximately 40 minutes in duration. Focus groups were conducted by a male moderator, and followed an open-ended, semi-structured format to allow, as much as possible, for participants to set their own agenda (Wetherell et al., 1987). Focus groups were tape-recorded and transcribed using a simplified version of Jeffersonian notation, which stresses readability at the expense of the detailed nuance of prosody, pronunciation and timing (see Wetherell, 1998; Wetherell & Potter, 1992; Wetherell et al., 1987 for other examples). The participants' names have been pseudonymized.

Analysis

Prior to analysis, data were examined and all the instances of the three models in use were coded. Utterances which proposed a role for rape victims themselves in their victimization were coded under the 'victim precipitation' repertoire; formulations appealing to broader cultural factors in accounting for rape (e.g. men's socialization) were coded as belonging in the 'social structural' repertoire; and talk suggesting that difficulties in communication, interpersonal misunderstanding or ignorance of social cues as factors determining rape were coded as employing the 'miscommunication' repertoire. The miscommunication

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

model was the most frequently employed interpretative repertoire. The socio-structural model and the victim precipitation model were less frequently invoked. Further, when the rhetorical aspects of their use were examined, it was clear that the latter repertoires, when invoked, were regularly either reformulated or contested and were subsequently replaced with the more dominant miscommunication model. Although the coding protocol allowed for the emergence of novel interpretative repertories, no new repertoires were identifiable in the data to hand.[4] We do not wish to claim that the three repertoires we examine here are exhaustive of all of the possible ways in which rape can be constructed in talk, but on the basis of our data, the three repertoires in question most parsimoniously describe the organized and conceptually coherent accounts offered by participants. In the analyses that follow our interpretations of participants' talk is guided by the conversation analytic principle that the *local* meaning of any given utterance is displayed in the third turn (Sacks, 1992). That is to say, we look to the nature of the *receipt* of participants' utterances by *other focus group members*—whether they pass unchallenged, are agreed with, contested, or are in some other fashion marked as accountable and in need of repair—to draw out the locally produced, inter-subjective meanings in the talk. As with all such work, we do not seek to make definitive, prescriptive interpretations, but recognize that our readers may well disagree with our readings.

Understanding sexual refusal

Before we examine participants' use of these interpretative repertoires in accounting for rape it is necessary to demonstrate the sophisticated and nuanced understandings the young men displayed of how sexual refusals are *normatively* accomplished—outside of coercive and non-consensual sexual encounters.[5] In a discussion of how they themselves would refuse unwanted sex (Extract 1) it is apparent that the participants are well aware that—despite the emphasis placed on it by the majority of 'rape prevention' programmes—effective sexual refusals need not contain the word 'no'. Indeed it is evident that these young men share the understanding that explicit verbal refusals of sex *per se* are unnecessary to effectively communicate the withholding of consent to sex.

Extract 1 FG 0705

122 M:	Cool. So um, the next scenario is (.) you're back at your house with a girl
123	(.) it's looking like sex is on the cards for whatever reason you really don't
124	want to have sex with her tonight (.) how do you let her know
125 John:	You could come up with one of ya (.) your clichés like 'I don't think this is a
126	good idea', or ah, you know, 'I'm not ready for this' or you know one of the
127	cliché's (.) as soon as you come out with that cliché they know (.) they know what you're
128	trying to say because it's used all the time, whereas if you sort of (.)
129	try and dance around the clichés they might not get the point straight
130	away
131 M:	Mm hmm (.) okay (.) anyone
132 James:	I've got no idea
133 George:	I know people that will do anything for a root
134	((laughter))
135	If it got to that stage (.) obviously you're interested (.) well I'd assume that'd be

[4]We are happy to supply copies of focus group transcripts to interested readers upon request.
[5]We report a more detailed analysis of men's knowledge of the pragmatics of sexual refusals elsewhere (see O'Byrne et al., 2006).

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

136	the case so then why would you say no (.) you always it's easier to make an
137	excuse the next day than at the time
138 M:	Hehe (.) how do you say no
139 James:	If it's a disgusting woman (.) I mean just a platonic kind of friend but a
140	disgusting woman (.) you gotta make a face if they're sort of implying something
141	then they'll probably get the picture
142 M:	Yeah
143 James:	I don't think I'd (.) don't think I'd ever say 'no'
144 John:	You just say
145 James:	If they were at my house then it'd be for a reason so
146 John:	Oh yeah (.) 'this isn't quite what I expected tonight' and then they'd say 'what
147	did you expect' (.) 'not this I just thought we'd have a drink and then you'd
148	go home'
149 John:	Hehehe
150 James:	And then they'd start to get the (.) get the idea (.)
151 Andrew:	I'd call a cab (inaudible) rather sensitive excuse (.) I guess
152 John:	Yeah you don't wanna say
153	You couldn't say 'no', could you
154	You don't wanna say 'no (.) I don't like you now' (.) you know you'd come up
156	with some excuse 'You looked good in the soft light at the pub but now'
157 George;	'I'm sobering up now'
158 John:	Yeah hehehe 'And I'm having second thoughts' A soft gentle excuse would be
159	the best one

Having shown—in brief—that young men can and do display a clear awareness of the fine-tuned nuances of the normative interactional management of sexual refusal—here, via cliché (l. 125–129), indirection (l. 139–141) or the offering of palliatives (l. 146, 147) and excuses (l. 151, 156, 159)—let us now turn to examine their displayed understandings of the manner in which young *women* may proffer sexual refusals. In Extract 2 it becomes apparent that, in the same way that men may offer clichéd excuses, or conduct themselves in ways that are culturally understood as indicating a lack of interest in sex, they too 'hear' these forms of conduct from women as having precisely the same upshot.

Extract 2: FG1203

261 M:	Mhmm great okay so are there ways of knowing when it's not on the cards (.)
262	how would a guy pick up that sex is not on the cards that way
263 John:	Body language
264 James:	Yeah (inaudible) body language
265 M:	What's that sorry
266 James:	It's all put down as body language
267 M:	Oh yeah
268 James:	Women are pretty good (.) fakers (.) teasers no but it's body language all
269	the time
270 George:	The conversation gets shorter
271 James:	Mhmm
272 George:	Very abrupt
273 John:	Start looking at their watch and you know (inaudible) 'It's getting late' (.)
274 Andrew:	'How long does the taxi take to get here' that type of thing
275 M:	Hehehe
276 John:	'I just remembered I'm working early in the morning' you know there's always
277	little hints like letting you know that 'I've just uh changed my mind' (.)
278	yeah there's always little hints

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

It seems clear then that young men, in these focus groups at least, are capable of displaying not only that they are competent at the offering of refusals, but also of hearing forms of female conduct (e.g. 'body language', l. 263, 268; the 'shortness', l. 270 or 'abruptness' of conversation, l. 272) as ways in which women may clearly communicate their disinterest in sex. It is also clear that the men can hear both 'little hints' (l. 278) and 'softened' refusals *as* refusals—thus statements like 'it's getting late' (l. 273) or 'I'm working early in the morning' (l. 276) are *not* taken at face value as comments by women on the time or their employment schedule—but rather as indicators that, in the moderator's words, 'sex is not on the cards'. Of note here is that in *none* of the examples given do the men indicate that the explicit use of the word 'no' is necessary for a woman's refusal of a sexual invitation to be understood as such.

Invoking the miscommunication model

The next extract marks the beginning of a discussion that centres on the issue of rape. The topic has been raised by Kyle, one of the participants, not by the moderator, and it is important to note that this discussion follows from the previous extracts in which the men have demonstrated their sophisticated ability both to issue and to 'hear' subtle, but still clear and direct, refusals of unwanted sex. Of note here is the commencement of the work done in the rest of the focus group discussion to *undo* the displays of shared knowledge that we have just seen (see O'Byrne et al., 2006 for a fuller account of young men's understandings). That is to say, here, in stark contrast to their previously displayed understanding of the pragmatics of sexual refusal, the young men collaboratively work up claims 'not to know' what constitutes sexual refusal when performed by women.

Extract 3: FG1203

374 Kyle:	Um I just (.) I just had a thought when does no mean no when does yes mean
375	yes I'm just wondering how this type of (.) information ties into rape and stuff
376	like that (.) um (.) with um common defences of (inaudible) stuff like that
377 M:	Yeah
378 Kyle:	I'm wondering in those situations (.) what is the thinking (.) of the perpetrator
379	in terms of (.) these signals they're interpreting that are coming their way
380	you know
381 M:	Yep
382 Jason:	If you don't give a verbal 'no' then you're up shit creek
383 M:	Yep
384 Cam:	Then again well as you said well when's no no when's yes yes (.) the perpetrator
385	could actually really be the victim where they're going 'no' and they're basically
386	throwing themself on you and go 'well I said "no"'
387 Kyle:	Playing hard to get

Although it would appear that Kyle is invoking a different-but-equal version of the miscommunication model to account for rape (l. 374–80), as evidenced by his suggestion that there is a 'thinking' 'perpetrator' and therefore an identification of shared responsibility for effective communication within 'those situations', this is effectively minimized. By posing the rhetorical question, 'when does no mean no when does yes mean yes', Kyle draws on the fact that acceptances and refusals, even in their most direct forms of 'yes' and 'no', can be flexibly employed to achieve opposite effects (e.g. token refusals and token acceptances). Despite the explicit understanding of this flexibility that he and the

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

other participants have earlier demonstrated, it is constructed here as problematic; and as such flagged as a possible defence for 'rape and stuff like that' (l. 375–6). The constructed uncertainty of 'this type of information' is extended further in his next turn through the reformulation of the lexical items 'yes' and 'no' into the much vaguer 'these signals' (l. 379). This works to construct sexual refusals, even apparently clear and direct refusals, as ambiguous 'signals' and therefore as readily subject to misinterpretation. Furthermore, the construction of the *sender's* communication as unclear, positions it as an impediment to the 'perpetrator's' ability to 'think' and to 'interpret' the vague 'signals that are coming their way', effectively reducing the accountability attributable to the 'perpetrator' of rape.

Jason is the first to address Kyle's introduction of the topic. Despite having previously claimed that 'girls are usually fairly apt at letting blokes know when it's not on', and also that their being 'cold to a certain extent' is readily 'hearable' as a refusal to have sex (in data reproduced in O'Byrne et al. (2006, 146; 148)), he too immediately invokes the miscommunication model to account for rape. However, he omits any reference to the 'perpetrator' and their ability to interpret 'signals' in the explanation that he provides, and instead emphasizes a non-specific 'you', who does not 'give a verbal "no"' (l. 385–6), as the prime agent accountable for rape. This claim is accomplished by producing the account in terms of causality—'*if* you don't give a verbal "no" *then* you're up shit creek' (our emphasis). What makes this claim so powerful is that it is based in what Sacks (1992) describes as Type 1 ('natural') causality (e.g. *if* you touch the stove [*then*] you will burn your hand) when in practice Type 2 ('moral') causality (e.g. *if* you are insincere [*then*] no-one will love you) is operative (Sacks, 1992; Rapley, 2004). This effectively positions his claim as a 'universal truth' (Antaki, 2005, personal communication). By doing so the effect (being 'up shit creek') is constructed quite simply as the inevitable and natural result of the cause ('not giving 'a verbal "no"'). The implication is, therefore, that if the abstract (and hence generalized) 'you' *do* 'give a verbal "no"' then 'you' will not be raped. As such, he not only attributes the cause of rape solely to the victim but, in addition, the sole responsibility for rape prevention.

In their study of young women's talk about sexual refusals, Frith and Kitzinger (1998) also note the frequent use of 'if-then' hypothetical structures. They argue (after Edwards, 1995) that these structures serve to blur the distinction between actual and hypothetical events: for example utterances like '*if* you turn around and say that *then* they'll think you're a slapper', work, through implicit claims to general commonsensical knowledge, to distance the speaker from any direct, personal—and hence accountable—claim to knowledge based on specific experience (Frith & Kitzinger, 1998). The 'if-then' structure works to present sexual interactions as predictable and scripted, implying both unproblematically causal relations between actions and their consequences, *and* a natural and universal flow to these chains of events (cf. evidence that these young men are quite well aware that achieving sexual intimacy is anything but a simple one-off event reported in O'Byrne et al. (2006)).

However, here Cam, the next speaker, rejects the account of rape that Jason has provided. He manages this disagreement by invoking a consensus warrant with Kyle—'as you said' (l. 384)—and by reproducing a minimally reformulated version of the question that Kyle posed earlier 'when's no no when's yes yes?' (l. 384–386) which, by enlisting Kyle, works to downplay his *personal* accountability for his subsequent assertions.[6] However, unlike Kyle, Cam does not endorse the miscommunication model and the underlying assumption that Jason has noted—that a verbal 'no' is an effective method of rape avoidance. Furthermore,

[6]Consensus warrants are rhetorical devices that bolster the facticity of a version by depicting it as one that is agreed upon across witnesses, or as having the assent of independent observers (Edwards & Potter, 1992).

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

he rejects it not on the feminist premise that the absence of 'no' can be used as an excuse by the perpetrator (Kitzinger & Frith, 1999), but on the grounds that the presence of the word 'no' can be used by the victim as a justification for an accusation of rape 'well I *said* '*no*'' (l. 386). Rather, the account of rape that Cam provides constructs clear verbal refusals of unwanted sex as, *actually*, token refusals of consensual sex, whereby 'they're going "no" and basically throwing themself [sic] on you' (l. 385–6). This has the effect of constructing women's claims of rape as generally false, which serves to warrant his assertion that 'the perpetrator could actually *really* be the victim' (l. 384–5).

Importantly, in offering no challenges to it, the participants accept this final account of rape. This is shown firstly by Kyle's promptly produced, clichéd, summary of Cam's assertion that token refusals account for rape ('playing hard to get', l. 387). Kyle maintains this account—uncontested by the other participants—in his subsequent formulation, as can be seen in the following extract:

Extract 4: FG1203

413 Kyle:	Just something I thought and wondering how this ties into it yeah
414 M:	Yeah
415 Kyle:	It all does 'cause um
416 M:	Yeah
417 Kyle:	'Cause some people do play hard to get but that is no excuse for rape (.)
418	don't get me wrong'
419 M:	Yeah
420 Kyle:	But again (.) with regards to communication how (.) how does the
421	receiver in (heh)terpret a(heh)ll th(heh)at (.)um

Kyle reiterates without challenge the account of rape that was negotiated previously, 'people *do* play hard to get', but problematizes it by claiming that this is 'no excuse for rape' (l. 417–8). By *not* euphemizing 'rape' here he establishes a position as someone who does not 'excuse' rape resulting from women 'playing hard to get' (Crawford, 1995), and further strengthens his position by adding 'don't get me wrong'. This, together with the use of the gender neutral term 'people', operates as a disclaimer, warding off potential accusations of sexism that might result from what the speaker is about to say (Hewitt & Stokes, 1975). However, in his next utterance he begins his turn with 'but again', which has the effect of undermining his previous claims in favour of the assertion that follows (Hewitt & Stokes, 1975). He then reformulates the identity of the agent accountable for rape, 'the perpetrator', to the more innocuous 'receiver' who has difficulty interpreting 'all that'. This difficulty is worked up with the continuous use of laughter throughout the question he poses: 'how does the receiver interpret all that' (l. 420–1). The laughter here ironizes male responsibility for rape by constructing women's attempts at communication as all but impossible for the 'receiver' to 'interpret'.

Of note throughout these two extracts is the choice of descriptions employed by the participants to describe the act of 'rape', and the parties necessarily involved. The word 'rape' is only employed twice and both times by Kyle. He uses it the first time in order to define the topic that he wishes to introduce, but notably softens its use with the addition of 'and stuff like that' (l. 375–6). The second time the word 'rape' is used is in order to accomplish some important self-presentation work (l. 417). At all other times 'rape' is variously euphemized as; 'it' (l. 413); 'those situations' (l. 378) and the formulaic 'up shit creek' (l. 382) rather than presented, unambiguously, as an act of coerced sexual penetration. These formulations work to underplay the significance and criminal nature of

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

rape. In addition, the 'victim' of rape is notably absent, referred to only and vaguely as 'you' (l. 382) or 'they' (l. 385) and 'some people' who 'play hard to get' (l. 387). Indeed, there is only a single occasion when a 'victim' is identified (l. 384–6) and, remarkably, this is in reference to the possible victim status of the 'perpetrator'! By euphemizing the act of rape, and the persons involved, the significance and consequences of rape are not only undermined but also, with the inversion of the notion of 'victimhood', almost parodied.

In the following extract the moderator reintroduces the topic of date rape by presenting the participants with Tannen's (1992) miscommunication theory as described by Kitzinger and Frith (1999). Overall, the participants endorse the miscommunication model as an adequate account of date rape. However, as was seen in the last extract, the model is again reformulated to incorporate token refusals of sex, and therefore to problematize the issue of what forms of conduct *actually* constitute valid consent. In addition, the participants, like the speakers in Crawford's (1995) analysis, also draw on the victim precipitation model, as well as the social structural model, as alternative accounts for rape. However, as will be illustrated, in a necessarily long extract, these accounts are quickly reformulated, contested and subsequently replaced with the dominant miscommunication model.

Extract 5: FG1203

531 M:	[. . .] we've probably already kind of talked about some of this stuff ((moderator
532	reads)) verbal and non-verbal communication (.) falsely believing that she wants
533	sex (.) he-she fails to say no clearly and effectively' that's a particular that's
534	someone's theory (.) um Tannen's theory ah (.) Tannen's miscommunication
535	theory (.) we're interested in what you guys thought about this for a
536	theory
537 Jason:	If a girl doesn't say 'no' look you in the eye and say 'no' (.) anything else
538	can be sort of miscommunicated so if she looks you in the eye and goes 'no'
539 M:	Yeah
540 Jason:	Fine. But if she goes (.) if she sort of says 'no::' and does the whole
541	(.) look away flirty it sort of like (.) leaves you in the lurch
542 M:	Alright (.) any other ideas
543 Cam:	Basically well (.) it can actually happen to a male or female (.) like (.) this
544	myth that I've heard females say about 'oh how could a guy get raped' (.)
545	hey just 'cause you don't want it don't mean it don't feel good (.) um you know
546	the same goes for females basically (.) whichever sex it is has to be clear about
547	'look na this has gone past where I want to go I'm not prepared to go any
548	further' and make it clear (.) 'no more' (.) 'stop there' (.) or you know if they
549	want some of the stuff but they don't wanna do it all (.) you know they need
550	to go 'look' (.) and be clear 'I want it to go here (.) and just here for now'
551 M:	Yeah
552 Cam:	Basically you know otherwise there is misconception and there is (.) you
553	know miscommunication where one's going 'okay well they're doing this'
554	and the other's going (.) 'I wish they'd back off a bit'
556 M:	Yep
557 Cam:	So unless each is clear then (.) you know (.) it will continue
558 M:	Mmmm yep cool (.) oh ok so on that point do you think it's necessary we've
559	sort of touched on this a little bit (.) do you think it's necessary for a women
560	to say 'no' clearly and effectively for her to be understood as not wanting to
561	have sex or are there other ways (.) of knowing that she doesn't want to
562 Mike:	You can always (.) take the physical signs but like I said before they're
563	generally really ambiguous you never know if they are definite I reckon
564	verbals probably the best way to get round it
565 M:	Ahem (.) which is sorry

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

566 Cam: Verbal
567 Mike: Verbal definitely yeah
568 M: Yep
569 Mike: If she says 'no' I'll stop you know
570 M: Yep
571 Cam: Yep but they really need to make it clear in both (.) physical and verbal (.)
572 there's no point them saying 'oh no I don't want it' and then for you know
573 they're basically they're (.) guiding you in so to speak (.) well gee do
574 they really not want it
575 M: Mmm
576 Jason: There's plenty of opportunities for all women to stop it (.) assuming the boy's
577 being honourable and stuff but um they can not sort of (.) get into that sort of
578 situation the flirty situation in the first place or they can not go home with you
579 an' they can not go into the bedroom an' they can once you're there they can
580 sort of like go 'no you're not allowed to take my clothes off' and they can
581 I think it's what's that 30 second rule they had in America where the guy was
582 having sex with her and she goes 'na this is a bad idea' says 'no' he finishes
583 and she goes 'oh that was rape' and sort of like (.) so there's plenty of
584 opportunities for a girl to avoid the situation (.) and um (.) so but if a girl
585 looks you in the eye and says 'no' then that's sort of the end of it
586 (*focus group interrupted*)
587 Mike: Um back on that note I think I think things progress I'd say from the age of
588 say maybe eighteen (.) or maybe even twenty onwards (.) generally you find
589 people being more sexually active (.) generally like (.) they're sort of coming
590 out of the later stage of adolescence and that (.) the sign is generally that if
591 you go out with someone I think from that age on (.) you're that's sort of
592 what's going to happen that's pretty much what the plan is but then to back out
593 like if it gets to a situation where like you can end up in a situation where
594 it like becomes date rape generally you're given the signs that to that point it is
595 okay you know like it depends on the age (inaudible)
596 Mike: Probably eighteen onwards I'd say
597 Kyle: Um sorry to interrupt but I just realized that um that statement is kind
598 of putting the blame on women almost (.) she fails (.) something she did
599 Jason: He misinterprets her
600 Kyle: She fails to say 'no' clearly (.) well what about the guy
601 Cam: Yeah he's also he's failed to actually interpret what she means so it's actually
602 both parties
603 Mike: So both parties are (.) a problem there
604 M: Yep
605 Jason: Women often seem to forget that men don't deal with subtleties (.) if we
606 want something we tell you
607 M: Yep
608 Jason: Women want sort of
609 Mike: Men deal in yes and no whereas women deal in a vast array of options so yeah
610 Jason: That's just in general life I find
611 M: Yep yep um (.) so (.) so sorry what's your name
612 Kyle: Kyle
613 M: What was your ah
614 Kyle: Yeah miscommunication between the sexes but you know is it really
615 miscommunication where is it coming from is it from her not saying
616 'no' effectively or from him not interpreting it effectively
617 M: Yeah
618 Jason: Depends on the situation I think
619 M: Yep
620 Mike: Probably a combination of things I'd say
621 M: Yep (.) cool (.)
623 Mike: Like I think i-if the situation is ambiguous the male is going to lean

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

624	towards the positive side of interpretation of it so
625 Jason:	Hehe of course
626 Kyle:	I guess it depends on his expectations too on his um socialization how he
627	views women how he views his role in the world (.) how he views the dating
628	scene (.) um
629 Cam:	It really comes down to (.) well one they've got to communicate better an'
630	more clearer and two we've got to l(heh)earn to tr(heh)y an' int(heh)erpret
631	b(heh)etter

The first point of interest in this extract is the way in which 'rape', 'the rapist' and 'the victim' are presented throughout the discussion. The word 'rape' is, except on three occasions, again replaced with various pro-terms including 'it' (l. 543, 545, 557) or 'the/a situation' (l. 578, 584, 593) and is never presented as the action of an agent (namely a rapist) but rather as a something that 'will continue' (l. 557), or again as a situation that one can 'end up in', 'where it *like* becomes date rape' (l. 594; our emphasis). Not only is rape once again euphemized into near insignificance, but Cam goes so far as to suggest that unwanted, non-consensual sex is not necessarily a matter which demands serious consideration: 'hey just ''cause you don't want it don't mean it don't feel good''' (l. 545). In addition, there is no explicit reference to a 'victim', and on the one occasion that a victim is identified implicitly, the gender of the victim as typically female is presented as a 'myth' and instead the fact that 'it can actually happen to a male or female' is emphasized (l. 543). The fact that the *perpetrator* in male rape cases is virtually invariably male is also notably omitted. It is within this context that Cam employs the word 'rape' in order to further the point that rape *can* happen to men. The third time the term appears is when Jason employs it to emphasize that women make false claims of rape, ''oh that was rape'', after 'he finishes' (l. 581–4). The rhetorical effect of so euphemizing the act of rape, and the actors involved, is that the seriousness of rape, the active role of the rapist in its perpetration and the consequences for the victim are discounted.

Evident throughout this extract is the participants' overarching employment and acceptance of the miscommunication model in accounting for rape. Jason is the first to respond to the interviewer's question about the adequacy of the theory (l. 531–6) and, in contrast to his own earlier version in Extract 3, in which he asserted that a verbal 'no' is an effective means for women to avoid rape, it can be seen that he too now endorses the subsequent account proposed by Cam (in Extract 5), in which a 'no' alone was claimed to be insufficient and as having potentially negative consequences for the 'perpetrator'. In Jason's reformulation he addresses Cam's concerns by constructing the need for a 'girl' who gives a verbal 'no' to accompany it with congruent non-verbal behaviour—to 'look you in the eye'—in order for the refusal to be 'heard' and accepted by the recipient as a refusal of unwanted sex (l. 537–8). This claim is bolstered by contrasting it with a second, alternate example: 'if she sort of says ''no::'' and does the whole look away flirty' (l. 540–1) is constructed as having negative consequences for the recipient, who is left 'in the lurch' (Hutchby & Wooffitt, 1998).[7] This further accomplishes the construction of women as being responsible for rape and men as passive bystanders helplessly 'left' without agency in the act.

However, in the extract under examination here, Cam appears no longer to accept that a simple 'no', even in combination with congruent body language, constitutes a 'clear'

[7]Contrastive devices enable the speaker to positively evaluate a particular position, or version of events in an explicit way, while at the same time, criticizing another position or version. Furthermore, by doing so the facticity of each side of the contrast is strengthened (Hutchby & Wooffitt, 1998; see page 29).

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

refusal of unwanted sex. Rather, in an explicit reformulation (l. 546 ff) he provides examples of how verbal refusals 'need' to be produced in order for them to be understood and oriented to as such. Furthermore, having earlier emphasized (l. 543) that rape 'can actually happen to a male or female' and that 'whichever sex it is has to be clear' (l. 546) his positioning of himself here as an even-handed, liberal and well-informed egalitarian deflects potential accusations of sexism on the grounds of his assertions that follow. Indeed, he provides explicit examples, (e.g. 'look na this has gone past where I want to go I'm not prepared to go any further', l. 547–50) of how refusals 'need' to be formulated by 'whichever sex it is' that is subjected to attempted rape. What these examples produce is a construction of the rape victim as an autonomous agent; one who can exercise choice and control ('I want it to go here and just here for now'), and whose 'wish' to have their importunate 'partner' 'back off a bit' can be expected to be respected upon being voiced. In so doing, rape is, again, arguably constructed as being, essentially, consensual sex, a consequence of the rapist not knowing that consent was denied by virtue of the refusal being insufficiently explicit. This claim is further bolstered by his summary of the problem—'unless each is clear then it *will* continue' (l. 557) which, through his employment of a Type 2 causality statement, the use of the word 'will' and the stress placed on it (Crawford, 1995), constructs the continuation of rape as an inevitable *fact* resulting—quite simply—from ignorance engendered by miscommunication. In a final account which superficially invokes the miscommunication model, but which in practice provides a version of events which functions simultaneously to blame the victim and to exculpate the understandably confused male Cam suggests that women *knowingly* mislead men. He wonders, rhetorically, 'Yep but they really need to make it clear in both (.) physical and verbal (.) there's no point them saying "oh no I don't want it" and then for you know they're basically they're (.) guiding you in so to speak (.) well *gee* do they really not *want it*?' (l. 571–4). This, by implication, suggests that it is not just 'clear' communication, but *explicitly* 'clear' communication by the victim, and the victim alone, that '*will*' end the phenomenon of rape.

Contesting the miscommunication model

However, it can be seen in Extract 5 that the miscommunication model is not accepted entirely unproblematically as an adequate account of rape. Rather, it is contested twice by one of the participants, creating a crisis on both occasions, albeit a crisis that is quickly resolved. The first occasion is when Kyle (l. 597 ff), apologetically interrupts the discussion to tentatively suggest that the model 'is *kind of* putting the blame on women *almost*' noting that '*she* fails something *she* did' (l. 598)[8]. His suggestion that the model 'blames' women is deflected by each of the other participants in turn. Jason points out that it also states 'he misinterprets her' (l. 599). This assertion is affirmed by Cam in an extended, self-correcting, formulation, 'yeah he's also *failed* to actually interpret what she means' (l. 601–2), which resolves the problem of attributing blame with the proffered upshot that: 'so it's actually *both* parties' (l. 602). This finds approval with Mike who agrees that 'both parties are a problem there' (l. 603). However, although the participants initially discount the notion that women are *solely* to blame for rape by claiming that 'both parties are a problem there', victim-blaming immediately reasserts itself. Jason claims that 'women

[8]The employment of hedges, such as 'kind of', 'sort of', 'almost' and 'I think', has the effect of softening a speaker's claims (Antaki, 1994).

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

often seem to *forget* that men don't deal with subtleties' (l. 605)—effectively reconstructing the problem of rape as one not only resulting from the proposed *fact* that 'men don't [know how to] deal with subtleties' but also from women not remembering 'often' enough that this is, simply, the case.

Kyle again disrupts the use of the miscommunication model as an account for rape when he asks 'is it *really* miscommunication where is it coming from is it from *her* not saying 'no' or is it from *him* not interpreting it effectively?' (l. 615). By constructing his proposition in an either/or format (he does *not* ask 'is it *both* miscommunication coming from her *and* him not interpreting it effectively?') he has effectively removed the option for 'both parties' to be identified as 'the problem there', and in so doing requires the other participants to name *either* the woman *or* the man as the agent accountable for rape. This difficulty is managed by Jason—arguing that it 'depends on the situation' (l. 618) which neatly sidesteps the need to specifically implicate either party and, in so doing, dissolves the individual agency of the perpetrator of rape. Mike offers an even vaguer formulation—'probably a combinations of things I'd say' (l. 620)—which, by alluding to a complex causality, achieves the same effect of removing the need to place *particular and specific* blame. However, he then extends Jason's account to specify the types of situation in which rape *will* take place. Again via the use of a Type 2 causality statement, he asserts that 'if the situation is ambiguous [then] the male is going to lean towards the positive side of interpretation of it' (l. 624), constructing the male's inclination 'to lean' as a fact that 'is' going to happen, that 'is' a naturally occurring state of affairs in the world, a formulation immediately and strongly endorsed by Jason with 'hehe of course' (l. 625). We note that, while 'the positive side of interpretation' for the man will very likely result in negative consequences for the woman, the *responsibility* for unambiguous communication is again produced as the woman's concern.

Invoking the victim precipitation model

In addition to the miscommunication model, the victim precipitation model is also employed in this extract to account for rape. Jason proposes that 'there's plenty of opportunities for all women to stop it' (l. 576ff), a claim bolstered by his deployment of the extreme case formulations 'plenty' and 'all' (Pomerantz, 1986). Despite the fact that the topic of discussion is rape, he adds the clause 'assuming the boy's being honourable' (l. 577), and the other participants do not contest this assumption. Furthermore, the deployment of the categories 'women' and 'boy' in a single utterance work, through the predicates they invoke (Sacks, 1992), (e.g. maturity and innocence, respectively), to increase the moral accountability attributable to *all* women while simultaneously reducing that attributable to 'boys'.[9] Jason then outlines, in a three-part list (Jefferson, 1990) the plethora of 'opportunities' that women can take in order for them to 'stop' rape. He suggests that 'they can *not* get into. . .the flirty situation in the first place', 'they can *not* go home with you' and 'they can *not* go into the bedroom' (l. 578). By implication, he constructs an 'every woman' who by placing herself in contact with men, either in public or in private, is either accountable for, or at least complicit in, her rape. However, while Jason is proposing that women should avoid interacting with men, particularly in private, in order to avoid rape, he himself does not accept his own proposition as one that is entirely

[9]Any given person can be identified in an indefinite number of ways (Sacks, 1992). Therefore, to use a particular category (or use one of its related predicates) is never neutral but rather is to get moral work done (Jayyusi, 1984).

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

plausible. This is evidenced in his continuation, 'once you're there' (l. 579) which unlike, for example, '*if* you get there', strongly suggests the likelihood (or typicality) of such private interactions taking place. To overcome this, he adds a fourth part to the list 'they can sort of go "*no* you're not allowed to take my clothes off"' (l. 580) and, here through the use of (suggested) direct reported speech (Holt, 2002), the miscommunication model is again invoked. If women cannot be blamed for their 'risky' behaviour then, it seems, they can still be blamed for failing to adequately communicate what it is a man is, and is not, 'allowed' to do.[10] The use of the term 'allowed' here of course implies that, should they employ it appropriately, women retain agency and control over men intent on forced sexual penetration.

Directly following Jason, Mike too employs the victim precipitation and miscommunication models to account for rape. He makes the claim that, 'the sign is generally that *if* you go out with someone' from a certain 'age on... [*then*] that's sort of what's going to happen that's pretty much what the plan is' (l. 592) which, through the use of yet another Type 2 causality statement (Sacks, 1992), and as well his reference to 'the plan', works to construct his assertion as a piece of common knowledge, a social fact; a script that everybody over 'say maybe eighteen or maybe even twenty onwards' (l. 588) knows. This works to position adult women who 'go out with someone', and then 'end up in a situation where it like becomes date rape' (l. 593–4) as not only responsible for the rape, but also knowingly responsible, as they have 'ended up' there in spite of their knowledge of 'the plan'.

Invoking the social structural model

An interpretive repertoire reflecting the social structural model of rape is only invoked once, and very briefly, in this extract (and indeed in all of the data). Kyle proposes that, 'I guess it depends on his *expectations* too on his um *socialization* how he views women how he views his *role in the world* how he views the dating scene um' (l. 626–8; our italics). Once again his proposition is produced rather tentatively, as evidenced by the hedge 'I guess' that prefaces his claim, and the repeated use of the filler 'um' throughout it (Antaki, 1994). By claiming that it 'depends' on the man too, Kyle works to emphasize the role of the beliefs, expectations and social knowledge not of men *in toto*, but rather of individual men, in the perpetration of rape—an emphasis that is furthered through the stress placed on the word 'his' when referring to the man's 'expectations' and 'socialisation'. In doing so, he is clearly proposing that the responsibility for rape, at least in part, be attributable to some men 'too'. However, this attempt to implicate men as active agents in rape is quickly subverted by Cam, who immediately re-invokes the miscommunication model as being not an *alternative* but what 'it *really* comes down to' (l. 629). This resolves the threat that Kyle has made to the miscommunication model and, importantly, the burden of responsibility that it places on women for rape. Cam laughingly asserts that 'well one they've got to communicate better an' more clearer and two we've got to l(heh)arn to tr(heh)y an' int(heh)erpret b(heh)tter' (l. 629–31), presenting a version of the miscommunication model that appears to implicate both men and women. However, while women *must* communicate not only 'better' but also 'more clearer', men in contrast need only *try*. Importantly, the use of the term 'interpret' clearly proposes that men

[10]Direct reported speech refers to the incorporation of another's utterances into one's own speech. It is employed to achieve various conversational ends (Holt, 1996, 1999), including its use to make claims robust and less open to charges that the speaker is mistaken (Wooffitt, 1992).

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

and women speak different languages—a circumstance that means translation is necessary, and hence that mistranslation is an ever present possibility. Furthermore, the laughter—notably only evident in the part of his solution that pertains to the role of men—works to trivialize the importance of his claim, and in so doing effectively minimizes the responsibility for preventing rape that he claims to be proposing for men.

DISCUSSION AND CONCLUSIONS

Kitzinger and Frith (1999) demonstrated that the difficulty young women report in refusing unwanted sex *verbally* by 'just saying 'no'' is not a function of the situation, their age, or even their gender, but rather results from the refined knowledge that they possess of how it is that refusal is normatively accomplished. In data reported briefly here, and more extensively elsewhere (see O'Byrne et al., 2006), we have shown that, as Kitzinger and Frith (1999) suggested, young men also *can and do* display a sophisticated understanding of subtle verbal and non-verbal means of communicating sexual refusal. However, despite the comprehensive ability that young men demonstrably have to 'hear' sexual refusals, which overwhelming include refusals that do *not* contain the word 'no', when the morally troublesome issue of *accountability* for rape arises, a rather different picture emerges.

When asked to account for rape an interpretative repertoire reflecting the social structural explanation of rape was only once (and extremely tentatively) produced, *and* then immediately rejected. Instead, the miscommunication model of rape was overwhelmingly employed by young men in order to explain the occurrence of rape. Furthermore, the version negotiated did not reflect the different-but-equal stance that Tannen (1992) has proposed, but rather, in line with the concerns raised by Hare-Mustin and Maracek (1988), a 'men-as-naïve-and-confused-mis-hearers versus women-as-accountably-deficient-signallers' model was evident.

We suggest that the discrepancy between these young men's *showing* of knowledge and their *telling* of ignorance lies in the need for them, *as men*, to accomplish the local management of (masculine) accountability for rape.[11] While explicit or implicit claims of insufficient knowledge may reveal unequivocally that speakers just do *not* know, a number of EM/CA studies (e.g. Beach & Metzger, 1997; Lynch & Bogen, 1996) have shown that such claims may often be strategically deployed to achieve specific rhetorical ends. For example in adversarial and hostile environments such as courtroom cross-examination or Prime Minister's Questions, 'not knowing' works to preserve alternative and competing versions of (past) events by avoiding confirmation of information designed to challenge and discredit a speaker's intentions, actions and reconstructed stories (Beach & Metzger, 1997). Here, the rhetorical effect of claiming insufficient knowledge of the subtle ways in which sexual refusals are normatively performed is to delete the accountability of men for rape. As such the data here suggest that, for these young men at least, the discursive resources of a rape-supportive culture (Doherty & Anderson, 1998) are readily available. Indeed, by maintaining the hegemonic repertoires of miscommunication and victim

[11]We do not intend that the term 'need' be interpreted here as indexing a psychological state located 'within' participants. Rather 'need' here refers to what may be described as the 'demand characteristics' of the situation or, alternatively, the normative social requirement for them to provide an account that is accountable, as such. We also recognize that the local identity work—the self-presentation of participants as heterosexual *men*—within the focus group itself must be taken into account when considering the 'veracity' of the accounts provided by participants. See, for example, Edley & Wetherell (1997); Pascoe (2003) and Speer (2001) for further discussion of the doing of masculinity in interview-based research settings.

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

precipitation, the responsibility for rape that has long and widely been attributed to women is effectively sustained.

Theoretical and practical implications

The present findings have theoretical and methodological implications for current psychological approaches to rape and sexual consent (Calder, 2004), and pragmatic implications for rape prevention programmes (and for that matter law reform). This research adds to the growing body of literature on young people's attitudes towards, and understanding of sexual consent, sexual coercion and rape (e.g. Gavey, 1992; Lavoie, Robitaile, & Hebert, 2000; Vanwesenbeck et al., 1998). As noted above, more conventional studies of the *self-reported* sexual behaviour of young men and women (e.g. Vanwesenbeck et al., 1998) have found that young men are more likely than young women to report attempts to actively and coercively shape sexual encounters according to their wishes, *especially* when anxious or unsure. In contrast, researchers assert that young women tend to operate in a 'defensive' fashion in their reported engagement in trying to set limits on sexual activity and unwanted sex, to counter the 'pro-active' sexual aggression of young men. The present study helps to contextualize such quantitative findings, by addressing the disjuncture between self-reported and/or questionnaire-based accounts and the local pragmatics of knowledge-in-interaction. This is a key area where applied discursive social psychology can make a distinctive contribution to a literature still effectively dominated by questionnaire and other self-report measures. The miscommunication repertoire—although apparently an egalitarian and liberal model—by our qualitative analysis, at least, appears, in practice, to serve to rhetorically justify coercive sexual behaviour, and to place the onus for the 'clear' communication of sexual refusal squarely on young women's shoulders.

Here, it is of note that Schewe (2002), in his recent exhaustive review of available rape prevention programmes, is dismissive of the evidence in support of the miscommunication model, noting that, while 'improving communication skills is a worthy goal, the effectiveness of attempting to teach communication skills in a rape prevention programme has yet to be demonstrated' (n.p.). Thus, although the miscommunication model has been adopted by many contemporary rape prevention programmes—with variants such as that promulgated by the UK Home Office (2006a, 2006b) predicated upon the assumption that the prime cause of rape is men's insufficient knowledge of consent and its communication—the weight of current evidence strongly suggests that this may be unwarranted.

Indeed, in their recent study of the experience of sexual coercion among gay and bisexual men, and of rape prevention programmes aimed at these groups, Fenaughty, Braun, Gavey, Aspin, Reynolds, and Schmidt (2006: 31) note that here too a simple 'no' is most frequently presented as *the* way to accomplish sexual refusal. However, and crucially, they conclude that 'more emphasis should be placed on encouraging sexually initiating men to interpret hedged "not really" responses as meaning no, rather than on recommending respondents to sexual invitations or initiations learn how to say 'no' with that exact word'. Although such recommendations are still arguably a product of the 'miscommunication model', they clearly represent a significant advance on strategies which place the onus for clear communication exclusively on the 'respondent's' shoulders.

Although DP to date has tended to be applied primarily as an analyst's activity, with little explicit concern with making an impact on 'real world' policies and practices, the findings

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

of this and related studies (c.f. Frith & Kitzinger, 1998, 1997; Kitzinger & Frith, 1999; O'Byrne et al., 2006) appear to have some pragmatic implications for rape prevention programming. Firstly, our research lends further support to existing suggestions that 'improving communication' is neither a necessary nor a sufficient goal for rape prevention programmes. A primary task, then, is to re-conceptualize the miscommunication model within existing programmes, not as a *basis* for rape prevention strategies but *as one of* the very rape myths that may serve, in practice, to promote, condone and exculpate coercive sexual behaviour (cf. Coates & Wade, 2004).

The identification and debunking of culturally prevalent 'rape myths' is a central component of most rape prevention programmes (Schewe, 2002). However, critics have noted that while short-term attitudinal change may be demonstrated after traditional debunking of rape myths, this effect is short-lived, and does not necessarily lead to behavioural change. Indeed, Rickert and Weimann (Rickert and Weimann, 1998: 170) report that, 'in some cases, they actually had a 'backlash' effect. Some men who had been through the programme were reported to have a greater likelihood of sexual aggression after the prevention programme than before exposure'.

However, in presenting this research, and its' associated transcripts, to young men and women we have found that by drawing attention to our shared commonsensical knowledge of how *everyday* refusals are normatively done, and then to how this knowledge is often then patently discounted in favour of the interpretative repertoire of miscommunication, and the rhetoric of inevitable causality in accounting for rape, young people become engaged in an active discussion of how it is that both sexual consent and sexual refusal are *actually* negotiated. This, in turn, leads young people to independently query the legitimacy of young men's claims to insufficient knowledge—without us having to present the miscommunication model as (another) de-contextualized account. What we have found, in practice, is that this approach leads to a recognition that the miscommunication model bears at least a family resemblance to other, albeit more widely accepted, 'rape myths', and as such, should be critically engaged with, rather than used to underpin otherwise problematic assertions about which ways of communicating sexual refusal should, and should not, be recognized as such.

One future possibility, then, for rape prevention programmes is to work with 'what everybody knows' about how we understand each other, and to use this knowledge to engage young people in actively contesting their own, and others', questionable appeals to 'insufficient knowledge'.

REFERENCES

Adams-Curtis, L. E., & Forbes, G. B. (2004). College women's experiences of sexual coercion: A review of cultural, perpetrator, victim, and situational variables. *Trauma, Violence & Abuse*, *5*, 91–122.

Allison, J., & Wrightsman, L. (1993). *Rape: The misunderstood crime*. Newbury Park: Sage.

Anderson, I. (1999). Characterological and behavioural blame in conversations about female and male rape. *Journal of Language and Social Psychology*, *18*, 377–394.

Anderson, I. (2007). What is a typical rape? Effects of victim and participant gender in female and male rape perception. *British Journal of Social Psychology*, *46*, 225–245.

Anderson, I., Beattie, G., & Spencer, C. (2001). Can blaming victims of rape be logical? Attribution theory and discourse analytic perspectives. *Human Relations*, *54*, 445–467.

Anderson, K., Copper, H., & Okamura, L. (1997). Individual differences and attitudes towards rape: A meta-analytic review. *Personality and Social Psychology Bulletin*, *23*, 295–315.

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

Antaki, C. (1994). *Explaining and arguing: The social organisation of accounts*. London: Sage.

Beach, W., & Metzger, T. (1997). Claiming insufficient knowledge. *Human Communication Research*, *23*, 562–588.

Benedict, H. (1992). *Virgin or vamp: How the press covers sex crimes*. New York: Oxford University Press.

Bohner, G., Siebler, F., & Schmelcher, J. (2006). Social norms and the likelihood of raping: Perceived rape myth acceptance of others affects men's rape proclivity. *Personality and Social Psychology Bulletin*, *32*, 286–297.

Brownmiller, S. (1975). *Against our will: Men, women and rape*. New York: Simon and Schuster.

Calder, G. (2004). The language of refusal: Sexual consent and the limits of post-structuralism. In M. Cowling, & P. Reynolds (Eds.), *Making sense of sexual consent* (pp. 57–72). London: Ashgate.

Coates, L., & Wade, A. (2004). Telling it like it isn't: Obscuring perpetrator responsibility for violent crime. *Discourse and Society*, *15*, 499–526.

Commonwealth of Australia. (2004). *Violence against women: Australia says no* (Booklet). Canberra: Australian Government Printing Service.

Corbett, L. (1993). Lunar landscapes: The dark side of sexual assault and the law. In P. W. Easteal, & S. McKillop (Eds.), *Women and the law: Conference proceedings No. 16*. (pp. 131–141). Canberra: Australian Institute of Criminology.

Corcoran, C. (1992). From victim control to social change: A feminist perspective on campus rape prevention programmes. In J. C. Chrisler, & D. Howard (Eds.), *New directions in feminist psychology: Practice, theory and research* (pp. 130–140). New York: Springer.

Coulter, J. (1983). *Rethinking cognitive theory*. New York: St Martin's Press.

Crawford, M. (1995). *Talking difference: On gender and language*. London: Sage.

Crawford, M. (1989). Agreeing to differ: Feminist epistemologies and women's ways of knowing. In M. Crawford, & M. Gentry (Eds.), *Gender and thought* (pp. 128–145). New York: Springer.

Criminal Justice Newsletter. (1992). Rape found five times more common than earlier studies indicated. *Criminal Justice Newsletter*, *23*, 6–7.

Davis, G., & Breslau, N. (1994). Post-traumatic stress disorder in victims of civilian trauma and criminal violence. *Psychiatric Clinics of North America*, *17*, 289–299.

Davis, T., & Lee, C. (1996). Sexual assault: Myths and stereotypes among Australian adolescents. *Sex Roles*, *34*, 787–803.

Dean, C., Hardiman, A., & Draper, G. (1998). *National Standards of Practice Manual for Services Against Sexual Violence*. Melbourne: National Association of Services Against Sexual Violence Project Team.

DeSouza, E. R., & Hutz, C. S. (1996). Reactions to refusals of sexual advances among U.S. and Brazilian men and women. *Sex Roles*, *34*, 549–565.

Doherty, K., & Anderson, I. (1998). Talking about rape. *The Psychologist*, *11*(12), 583–586.

Dreznick, M. T., Cronin, J. M., Waterman, C. K., & Glasheen, C. (2003). Saying yes when meaning no: An investigation of gender and individual differences in token seduction. *Journal of Psychology and Human Sexuality*, *15*, 69–84.

Easteal, P. (Ed.). (1992). *Without consent: Confronting adult sexual violence*. Canberra: Australian Institute of Criminology.

Edley, N., & Wetherell, M. (1997). Jockeying for position: The construction of masculine identities. *Discourse & Society*, *8*, 203–217.

Edwards, D. (1995). Two to tango: Script formulations, dispositions, and rhetorical symmetry in relationship troubles talk. *Research on Language and Social Interaction*, *28*, 319–350.

Edwards, D., & Potter, J. (1992). *Discursive psychology*. London: Sage.

Edwards, D., & Potter, J. (2001). Discursive psychology. In A. McHoul, & M. Rapley (Eds.), *How to analyse talk in institutional settings: A casebook of methods* (pp. 12–24). London: Continuum.

Edwards, D., & Potter, J. (2005). Discursive psychology, mental states and descriptions. In H. te Molder, & J. Potter (Eds.), *Talk and cognition: Discourse, mind and social interaction* (pp. 241–259). Cambridge: Cambridge University Press.

Emmers-Sommer, T. M., & Allen, M. (1999). Variables related to sexual coercion: A path model. *Journal of Social and Personal Relationships*, *16*, 659–678.

Fenaughty, J., Braun, V., Gavey, N., Aspin, C., Reynolds, P., & Schmidt, J. (2006). *Sexual coercion among gay men, bisexual men and Takatāpui Tāne in Aotearoa/New Zealand*. Auckland, New Zealand: Department of Psychology, The University of Auckland.

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp

Feynman, R. (n.d.). Extract from personal papers of Richard Feynman, quoted in Gleick, J. (1992). *Genius: Richard Feynman and modern physics* London: Little, Brown & Co.
Fickling, D. (2005). One in three blames women for being raped. *The Guardian*. Monday 21 November 2005. Available from: http://www.guardian.co.uk/crime/article/0,2763,1647344,00.html. Accessed 11 January, 2007.
Flanders, L. (1991). Rape coverage: Shifting the blame. *Fairness in Accuracy and Reporting* (FAIR). http://www.fair.org/index.php?page=1558. Accessed 8 January 2007.
Frith, H., & Kitzinger, C. (1997). Talk about sexual miscommunication. *Women's Studies International Forum*, *20*, 517–528.
Frith, H., & Kitzinger, C. (1998). "Emotion work" as a participant resource: A feminist analysis of young women's talk-in-interaction. *Sociology*, *32*, 299–320.
Frith, H., & Kitzinger, C. (2001). Reformulating sexual script theory: Developing a discursive psychology of sexual negotiation. *Theory and Psychology*, *11*, 209–232.
Garfinkel, H. (1967). *Studies in ethnomethodology.* Englewood Cliffs: Prentice-Hall.
Gavey, N. (1992). Technologies and effects of heterosexual coercion. *Feminism & Psychology*, *2*, 325–351.
Gerber, G. L., & Cherneski, L. (2006). Sexual aggression toward women: Reducing the prevalence. In F. L. Denmark, H. H. Krauss, E. Halpern, & J. A. Sechzer (Eds.), *Violence and exploitation against women and girls* (pp. 35–46, 1087). New York: Annals of the New York Academy of Sciences.
Hansen, S. (2001). Review of a natural history of rape: Biological bases of sexual coercion. *Journal of International Women's Studies*, *2*, 104–109.
Hansen, S. (2006). *Social Psychology and Common Sense*. Unpublished PhD Thesis. Murdoch University.
Hansen, S., McHoul, A., & Rapley, M. (2003). *Beyond help: A consumer's guide to psychology.* Ross-on-Wye: PCCS Books.
Hare-Mustin, R., & Maracek, J. (1988). The meaning of difference: Gender theory, postmodernism, and psychology. *American Psychologist*, *43*, 455–464.
Hewitt, J. P., & Stokes, R. (1975). Disclaimers. *American Sociological Review*, *40*, 1–11.
Hinck, S. S., & Thomas, R. W. (1999). Rape myth acceptance in college students: How far have we come? *Sex Roles*, *40*, 815–832.
Holt, E. (1996). Reporting on talk: The use of direct reported speech in conversation. *Research on Language and Social Interaction, 29*, 219–245.
Holt, E. (1999). Just gassing: An analysis of direct reported speech in a conversation between employees of a gas supply company. *Text, 19*, 505–537.
Holt, E. (2000). Reporting and reacting: Concurrent responses to reported speech. *Research on Language and Social Interaction, 33*, 425–454.
Home Office. (2006a). *Tough Campaign to Tackle Rape*. http://press.homeoffice.gov.uk/press-releases/tough-campaign-rape (accessed 16/11/06).
Home Office. (2006b). *Consent campaign*. http://www.homeoffice.gov.uk/documents/consent-campaign/ (accessed 16/11/06).
Horney, K. (1973). The problems of feminine masochism. In J. Miller (Ed.), *Psychoanalysis and women* (pp. 21–38). Baltimore: Penguin.
Hutchby, I., & Wooffitt, R. (1998). *Conversation analysis: principles, practices and application*. Cambridge: Polity Press.
Jayyusi, L. (1984). *Categorization and the moral order.* Boston: Routledge & Kegan Paul.
Jefferson, G. (1990). List construction as a task and a resource. In G. Psathas (Ed.), *Interaction competence*. Washington, D.C.: University Press of America.
Kitzinger, C., & Frith, H. (1999). Just say no? The use of conversation analysis in developing a feminist perspective on sexual refusal. *Discourse and Society*, *10*, 293–316.
Korn, A., & Efrat, S. (2004). The coverage of rape in the Israeli popular press. *Violence Against Women*, *10*, 1056–1074.
Koss, M. P., Dinero, T. E., Seibel, C. A., & Cox, S. L. (1988). Stranger and acquaintance rape: Are there differences in the victim's experience? *Psychology of Women Quarterly*, *12*, 1–24.
Kurz, T., Donaghue, N., Rapley, M., & Walker, I. (2005). The ways that people talk about natural resources: Discursive strategies as barriers to environmentally sustainable practices. *British Journal of Social Psychology*, *44*, 1–19.

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

Lavoie, F., Robitaile, L., & Hebert, M. (2000). Teen dating relationships and aggression: An exploratory study. *Violence Against Women*, *6*, 6–36.

Lonsway, K., & Fitzgerald, L. (1994). Rape myths in review. *Psychology of Women Quarterly*, *18*, 133–164.

Lynch, M., & Bogen, D. (1996). *The spectacle of history: Speech, text, and memory at the Iran-Contra hearings*. Durham, NC: Duke University Press.

McHoul, A., & Rapley, M. (2003). What can psychological terms actually do? (Or: if Sigmund calls, tell him it didn't work). *Journal of Pragmatics*, *35*, 507–522.

McIntyre, G. (2005). *Aboriginal Customary Law: Can it be recognised? Background Paper No. 9*. Perth: Law Reform Commission of Western Australia.

Magazanik, M. (1991). Man convicted of raping prostitute under knife threat. Melbourne: *The Age*. 3rd August.

Murnen, S. K., Wright, C., & Kaluzny, G. (2002). If "boys will be boys" then girls will be victims? A meta-analytic review of the research that relates masculine ideology to sexual aggression. *Sex Roles*, *46*, 359–375.

Mouzos, J., & Makkai, T. (2004). *Women's experiences of male violence: Findings from the Australian component of the International Violence Against Women Survey (IVAWS)*. Research and Public Policy Series No. 56: Canberra: Australian Institute of Criminology.

Nevid, J. S., Greene, B., & Rathus, S. A. (2005). *Abnormal psychology in a changing world*. New York: Prentice-Hall.

O'Byrne, R., Rapley, M., & Hansen, S. (2006). "You couldn't say 'no', could you?": Young men's understandings of sexual refusal. *Feminism and Psychology*, *16*, 133–154.

O'Sullivan, L. F., & Allgier, E. R. (1998). Feigning sexual desire: Consenting to unwanted sexual activity in heterosexual dating relationships. *Journal of Sex Research*, *35*, 234–243.

Pascoe, C. J. (2003). Multiple masculinities? Teenage boys talk about jocks and gender. *American Behavioral Scientist*, *46*, 1423–1438.

Pomerantz, A. (1986). Extreme case formulations: A way of legitimizing claims. *Human Studies, 9*, 219–229.

Potter, J., & Wetherell, M. (1987). *Discourse and social psychology: Beyond attitudes and behaviour*. London: Sage.

Rapley, M. (2004). *The social construction of intellectual disability*. Cambridge: Cambridge University Press.

Rapley, M., McCarthy, D., & McHoul, A. (2003). Mentality or morality? Membership categories, multiple meanings and mass murder. *British Journal of Social Psychology*, *42*, 427–444.

Reneau, R. (n.d.). Unwanted consensual sexual activity in heterosexual dating relationships. Available from: http://www.womensstudies.ku.edu/graduate_certificate_research/Unwanted%20-Consensual%20Sexual%20Activity.doc. Accessed 9 January 2007.

Rickert, V. J., & Weimann, C. M. (1998). Date rape among adolescents and young adults. *Journal of Pediatric Adolescent Gynecology*, *11*, 167–175.

Russo, L. (2000). *Date rape: A hidden crime*. Canberra: Australian Institute of Criminology.

Sacks, H. (1992). *Lectures on conversation*. G. Jefferson (Ed.), Oxford: Blackwell.

Sanday, P. R. (1993). Rape discourse in press coverage of sex crimes. *Michigan Law Review*, *91*, 1414–1421.

Schegloff, E. (1968). Sequencings in conversational openings. *American Anthropologist*, *70*, 1075–1095.

Schewe, P. A. (2002). *Preventing violence in relationships: Interventions across the life span*. Washington, DC: American Psychological Association.

Scutt, J. (n.d.). Judicial Vision: Rape, prostitution and the "Chaste Woman". Available from: www.Aic.Gov.Au/Publications/Proceedings/20/Scutt.Pdf. Accessed 22/07/05.

Shotland, R. L., & Hunter, B. A. (1995). Women's 'token resistant' compliant sexual behaviors are related to uncertain sexual intentions and rape. *Personality and Social Psychology Bulletin*, *21*, 226–236.

Shotland, R. L., & Goodstein, L. (1992). Sexual precedence reduces the perceived legitimacy of sexual refusal: An examination of attributions concerning date rape and consensual sex. *Personality and Social Psychology Bulletin*, *18*, 756–764.

Sheffield, C. (1989). The invisible intruder: Women's experiences of obscene phone calls. *Gender and Society*, *3*, 483–488.

Copyright © 2007 John Wiley & Sons, Ltd.
DOI: 10.1002/casp

Speer, S. (2002). What can conversation analysis contribute to feminist methodology? Putting reflexivity into practice. *Discourse and Society*, *13*, 783–803.

Speer, S. A. (2001). Reconsidering the concept of hegemonic masculinity: Discursive psychology, conversation analysis and participants' orientations. *Feminism & Psychology*, *11*, 107–135.

Tannen, D. (1992). *You just don't understand: Women and men in conversation*. London: Virago.

Thornhill, R., & Palmer, C. T. (2001). *A natural history of rape: Biological bases of sexual coercion*. Cambridge, Mass: MIT Press.

Thornhill, R., & Thornhill, N. W. (1983). Human rape: An evolutionary analysis. *Ethology and Sociobiology*, *4*, 137–173.

Vanwesenbeck, I., Bekker, M., & van Lenning, A. (1998). Gender attitudes, sexual meanings and interactional patterns in heterosexual encounters among college students in the Netherlands. *The Journal of Sex Research*, *35*, 317–327.

Walker, J. (1993). *Crime in Australia 1992*. Canberra: Australian Institute of Criminology.

Wetherell, M. (1998). Positioning and interpretative repertoires: Conversation analysis and post-structuralism in dialogue. *Discourse and Society*, *9*, 387–412.

Wetherell, M. (2005). Interpretative repertoires. In V. Jupp (Ed.), *The Sage Dictionary of Social Research Methods* (pp. 153–155). London: Sage.

Wetherell, M., & Potter, J. (1992). *Mapping the language of racism: Discourse and the legitimation of exploitation*. London: Harvester.

Wetherell, M., Stiven, H., & Potter, J. (1987). Unequal egalitarianism: A preliminary study of discourses concerning gender and employment opportunities. *British Journal of Social Psychology*, *26*, 59–71.

Wooffitt, R. (1992). *Telling tales of the unexpected: The organisation of factual discourse*. Hemel Hempstead: Harvester Wheatsheaf.

Copyright © 2007 John Wiley & Sons, Ltd.

DOI: 10.1002/casp