

THE JOY OF CONSENT

In this book, a feminist philosopher argues that consent is not only a highly imperfect legal threshold but also an underappreciated complement of good sex.

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THE JOY OF CONSENT

A Philosophy of Good Sex

MANON GARCIA

The Belknap Press of Harvard University Press

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*To Norah and Éliane, in the hope that your world
will be freer than ours*

To Tamer

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Why do you consult their mouths, when it is not they who should speak? Consult their eyes, their complexion, their breathing, their fearful air, their soft resistance: this is the language that nature gives them to answer you. The mouth always says no, and must say it; but the accent it adds to it is not always the same, and this accent cannot lie. Does not the woman have the same needs as the man, without having the same right to express them?

—JEAN-JACQUES ROUSSEAU

The major distinction between intercourse (normal) and rape (abnormal) is that the normal happens so often that one cannot get anyone to see anything wrong with it.

—CATHARINE MACKINNON

INTRODUCTION

WHO IS RUINING SEX? American puritanism? Feminist college students? Macho men? In newspapers as well as in academic research, a worry is looming: What if people were to stop having sex? Many grown-ups prefer a thrilling TV show to a good time with a partner, and we are told college students do not know how to become intimate without dating apps or a lot of alcohol. Although many agree that there is a problem, its exact nature divides deeply. For some, there is no doubt that it is the consent culture developed on American college campuses that ruined our sex lives. Nowadays, a reasonable young man should not have sex with a lady without making her sign a contract or, better, talking first to his dad's lawyer. For others, the consent culture is the cure rather than the disease—a response to the way sex has served as a pretense and an occasion for male sexist violence. The reason people are having less sex is that women are finally strong enough to say they do not want what has historically been forced on them. Either as the guilty party or the solution, consent is at the core of the reorganization of our sex lives.

Misleading Intuitions

We think we know what consent means. There is, after all, a great deal of discourse in which consent is taken as an excellent criterion to distinguish between good and bad—between good and bad

government, good and bad contract, good sex and rape. We also know what consent is because we consent all the time, whether we are accessing a website, signing up for a credit card, or voting. And we know that the vocabulary of consent is useful in thinking about amorous and sexual relationships in a (hopefully) egalitarian context between men and women.

But we don't actually have a clear understanding of consent. Our apparent understanding rests on mistaken intuitions that conceive of consent as self-evident. Regarding the definition of consent, it is commonly held that sex is consensual when two (or more) people agree to have sex with each other. This makes some sense. Of course, establishing sexual consent in court can be difficult, especially given the usually private context of sex, but in ordinary contexts consent is taken to be given when people agree. Besides this intuition that to consent is to agree, the common view on consent consists of two more intuitions: consensual sex is permissible and permissible sex is consensual; nonconsensual sex is rare, and it is rape. (As I discuss below, although there is much evidence that rape is not rare, and although this evidence is widely reported, most people behave as though rape is highly aberrational.)

Yet none of these intuitions is as simple as it seems, calling into question whether consent itself is really so straightforward as both its proponents and doubters presume. First, the definition of consent is not self-evident. What is it, indeed, to "agree" to have sex? The rosy picture that comes to mind is that of two people who love each other, have sexual desire for each other, and have sex on the basis of this reciprocal love and desire. Another increasingly popular representation is that of "Tinder sex"—nearly immediate sexual interactions between strangers, in which the act amounts to a mutual provision of bodies with the object of all partners' sexual pleasure. In that context, the agreement appears almost contractual. Indeed, in some cases, users of dating and hook-up apps agree ahead of time on the exact sexual services they will exchange.

But the range of situations in which one can agree to sex is much larger than these images convey. You may agree to sex because you have an urge to have sex with a given person, but you may also agree to sex because you know that your partner will lengthily insist and you have to wake up early the next day so you would rather say yes, get it over with, and go to bed. You may agree because it's your job, because you need money and the sex will be paid for, because you're scared to anger your partner, or because you hope to get or keep a job by agreeing. You may also agree because you feel lonely, because you are in need of physical contact, or because, after all, why not? You may agree because the other person seems lonely, because they seem to really want it, because you don't have the courage to say no, or because it would seem impolite or confrontational to do so.

The terms by which one agrees to have sex may be vague. When one agrees to go into another's hotel room, does one agree to have sex with the occupant, as defenders of disgraced former Hollywood mogul Harvey Weinstein implied as woman after woman accused him of rape? Does an agreement to have nonpenetrative sex (like oral sex or sexual petting) mean, or signal, an agreement to penetrative sex? If you agreed to have sex with someone, but this person lied about their identity to seduce you, did you really agree to the sexual encounter? It is easy to imagine that the response to this question will differ depending on the status of the liar—their age, marital circumstances, and so on.

Here's an even trickier question: What should we think of situations in which a partner's behavior changes radically once sex starts? Many news articles and testimonies on social media recount cases of women who agreed to have sex with a sweet and loving man who, as soon as sex started, seemed to turn into someone else completely—someone domineering or even violent. Does an agreement to have sex with someone imply an agreement to have whatever kind of sex that person wants?

This list of questions, purposely inspired by mundane situations as well as morally troubling ones, challenges the apparent simplicity of consent. The definition of consent as a simple agreement to have sex is obviously insufficient.

It is precisely this insufficient equation between consent and agreement that undergirds the current moral consensus and legal mechanics surrounding sexual relations in liberal societies. Sex is viewed as a matter of privacy that is morally permissible as long as the participants are consenting adults, an intuition that has for several decades and in many countries grounded changes in the legal definition of rape and inspired the adoption of a minimal age for consent. Yet when we go through the above nonexhaustive lists of reasons for which one might agree to sex, it is clear that agreement is not consent's twin: agreement may be more or less free, more or less constrained, and it does not always reflect a choice that is free enough to be considered consent in the sense that philosophers and lawyers give this word. To agree to sex when you can refuse it without incurring risk is not the same as agreeing to sex when your safety or your job depends on it. In law, which I will return to in detail, there are limits to the power of consent: the consent of the parties does not always suffice to make an agreement valid (for instance, in most jurisdictions it is forbidden to kill someone even if they freely agree to be killed), and most legal systems establish conditions that must obtain lest even an apparently free agreement be invalid. For instance, labor law often deems certain work conditions unlawful—and society deems them wrong—even if the worker accepts them. Thus a work contract that stipulates a salary below the minimum wage would not be valid; the contract would not bind the people who sign it.

It seems therefore that if sexual consent is to render sex permissible, then it cannot be just any type of agreement, for whatever reason. We think consent is self-evident because we think it is equivalent to agreement, yet agreement on its own is not al-

ways the same thing as consent. And so we must think harder about what consent actually involves.

Mores and the Law

The above examples of agreement's inadequacy show us two things. First, they demonstrate that our intuitions about consent are simplistic and wrong. Second, they reveal a tension between a legal approach to consent and a moral one. One can readily imagine situations in which the partners' consent would be invalid on a legal level yet valid on a moral one, and the other way around. For example, in France, the purchase of sexual services is illegal, so it is forbidden to consent to sex in exchange for money. Thus a prostitute cannot be considered as consenting in the context of their job, as the sex they provide is prohibited. However, sex workers who choose this activity and who are not the victims of pimps and human trafficking consent to the sex they sell, at least according to some sense of consent. In the same way, until very recently, willing participants in BDSM play (a term referring to bondage, discipline, dominance, submission, sadism, and masochism) could not be considered consenting because BDSM practices constituted offenses of assault and battery. The legal prohibition of this type of sex appears to many observers as a form of state puritanism and paternalism.¹ Conversely, until the 1970s in the United States, 1990 in France, and 1997 in Germany, it was considered impossible to rape one's spouse: any sex that took place between spouses was deemed consensual and permissible, including sex obtained through threat, coercion, and violence. In such a context, sex could be morally nonconsensual and still be legal. Moral and legal definitions of consent can, therefore, be in conflict. Some sex can be consensual and unlawful, and some nonconsensual yet lawful.

These examples show that consent is not only a tool we might use to prosecute or otherwise punish bad sex, whether that means

putting a person in prison, kicking them out of school, or firing them from a job. Consent is also a concept at the heart of a moral problem—the problem of knowing how we *ought* to have sex. The intuition that consent is a legal term, raising mainly legal issues, oversimplifies the problem. When we use the vocabulary of consent in the prosecution of bad sex, we in fact take for granted two views from which morality is inextricable: first, consent is morally necessary for a sexual encounter to be good; second, the state, thus the law, should protect us against the moral wrong of bad sex.

The Parking Lot Scenario and Other Myths

The intuition that any sex is permissible if it is consensual is wrong, and so is its correlate—that any lawful sex is consensual. This second intuition, that any lawful sex is consensual, is linked to the idea that people largely consent to the sex they have, so that rape is an exceptional phenomenon. As analyses of rape culture confirm, rape is commonly understood to be a crime committed by a stranger, at night, in a parking lot, with a knife or a gun. In this scenario, the rapist is perceived as a misfit, often mentally ill, like a serial killer in a TV show. The rapist is not held to be an ordinary man. Of course, a rapist could be a deranged stranger opportunistically assaulting people, but, in contrast to myth, this is not at all a typical scenario. In most cases, the rape victim knows the perpetrator, and the crime happens in a familiar place. According to the Rape, Abuse & Incest National Network, in about 75 percent of US rape cases, the victim is acquainted with the perpetrator; in 33 percent of rape cases, the perpetrator is the partner or ex-partner of the victim. In France, the figures are even more striking. In 2016, 91 percent of actual or attempted rapes were perpetrated by a person known to the victim. In 47 percent of cases, the perpetrator was the partner or ex-partner of the victim.²

More importantly, rape happens far more often than the parking lot scenario leads us to believe. This scenario rests on the idea that rapists are sick, out-of-control people and that if such people are simply put away from society, then we can eliminate rape. But profiles of rapists show that they are not monsters, and they are not extraordinary. For the most part, they are the guys next door. They belong to all social classes. They are not lashing out in desperation because they are unable to find willing partners; in fact, they often have more active sex lives than the average man in their respective societies. And there are very many of them. In 2021 alone the FBI reported that 149,724 men committed sex offenses in the United States. This number is surely low; consider that only about 35 percent of sexual offenses were reported to the authorities in 2013.³

It is because people hold the intuition that rapists are crazy and abnormal that we have a tendency to exonerate rapists who do not fit this imaginary profile. The philosopher Kate Manne calls this “himpathy”—the sympathy that men accused of rape and sexual assault receive in courts and in the media. Manne takes the example of Brock Turner, a Stanford University student who was caught in the act of raping an unconscious fellow student, Chanel Miller. Turner received widespread support from the public and enjoyed a lenient judicial hearing. The judge in the case sentenced him to six months in jail—he served only three—because, the judge said, the conviction itself would have a “serious impact” on the young man’s life.⁴ This kind of sympathy, born of the false intuition that “real” rapists are sick and that “normal” men therefore cannot be rapists, perpetuates rape culture—that is, a culture in which sexual violence is constantly minimized and hidden and thus rendered socially acceptable.

Our intuitions concerning rapists’ profiles are false and so are our intuitions about the experience of rape. Contrary to what many people think, rapes and sexual assaults make up a considerable portion of people’s sexual experiences. In the United States,

there are, on average, 463,634 rape and sexual assault victims, age twelve or older, each year.⁵ One in five US women has experienced completed or attempted rape in her lifetime.⁶ On average almost 130,000 rapes were reported to authorities each year between 2013 and 2020, according to the FBI.⁷ Again, it is commonly recognized by researchers that rapes and sexual assaults are underreported, so it is very likely that the actual figures are much higher. In any case, these numbers make clear that the experience of rape and sexual assault is common, especially among women.

Is Nonconsensual Sex Rape?

This short analysis of myths about rape, rapists, and their victims aims to challenge one of our primary intuitions about consent: viewing consent as a self-evident criterion to distinguish (good) sex and rape is inextricably linked to the idea that, overall, people's experience of sex is an experience of consent. Despite our tendency to think of nonconsent as extraordinary, studies on sex and sexual violence show a very different situation: both the experience of rape and the experience of less-than-fully consensual sex are widely shared. Studies on these issues are still scarce, but recent research highlights the frequency of nonconsensual sex in heterosexual as well as nonheterosexual relationships, not only in the form of legally recognized marital rape but also in subtler forms that a court may not recognize as rape—such as sex obtained through threats, coercion, intimidation, and blackmail.⁸ Taken together, the statistics concerning sexual violence and the studies of nonconsent in stable relationships draw a picture that is resolutely different than the simplistic view of self-evident consent. Consent is neither self-evident in the sense that it is present in the large majority of sexual encounters, nor in the sense that we know exactly what we are talking about when we speak of consent.

That consent is in fact nuanced and ambiguous becomes obvious when we assess the claim that all nonconsensual sex is rape. This claim is grounded in our intuitive understanding of rape, and at first glance it seems clearly to be true: obviously, where consent is absent, rape has occurred. This is not only what we intuit but also what lawmakers have in mind when they define rape: a rape occurs when one of the partners does not agree to have sex with the other(s), yet sex—usually meaning penetrative sex—takes place. Yet there are cases when a person claims they had sex against their will, but a court finds they were not raped, because the alleged perpetrator had no intention to rape. According to French criminal law, for instance, it is not enough that the facts show a defendant broke the law; every crime must also have a moral element. That is, the author of the facts must have intended to break the law when they did so. Thus there cannot be rape if the instigator of penetrative sex obtained by violence, coercion, threat, or surprise had no intention to rape. (US criminal law also incorporates a requirement of criminal intent, known by the Latin term *mens rea*.) One might argue that this is simply a failure of law to accord with common understanding, yet sociologists who study consent in action find that when people give accounts of their experiences of nonconsent, they very frequently refuse the use of the term “rape.” Study respondents tend to feel that this term refers to an unbearable violent act, whereas their experience is rather of situations that are deeply unpleasant but ordinary and livable. Nicola Gavey’s important book *Just Sex?* overflows with examples of women who reluctantly acquiesce to undesired sex with insisting husbands—husbands who know full well that their wives do not want sex—but also reject the notion that they have been raped.⁹

More broadly, the question of whether all nonconsensual sex is rape is an invitation to wonder what it is to *not* consent. Not agreeing to do something can take many forms. Is it saying no? Must one struggle frantically? Is it enough to not say yes? Is it

not really being in the mood, or need one be strongly opposed? Consider that members of many couples have the experience of not feeling sexual desire at the same time. When you have sex with your spouse to please them, even though you don't feel like having sex, do you consent to sex? It is probable that the response to this question depends on the details of the scenario. In the context of a relationship that is generally going well and in which sex is not a subject of haggling, one can easily conceive of a sexual encounter in which one partner joyfully accepts sex initiated by the other, even though the accepting partner is not experiencing sexual desire in the moment but only wishes to please the other. One has, in other words, little trouble imagining a nondesiring person agreeing to sex with their partner out of a sense of love for them. But let us imagine another scenario, one in which a partner insists on having sex every night, even when their partner has had an exhausting day, is physically unwell, or is feeling depressed. Now, let us imagine that the undesiring partner gives in, not out of love but in order to "have some peace." In this second scenario, the evidence of consent is far less tangible than in the first one.

Let us imagine a third scenario, in which a man and a woman meet at a party. They don't know each other. They chat, they have fun. They dance, they kiss, they have a great time. At the end of the evening, the man offers to walk the woman home. She would be happy to leave it at that for the night, but she already told the man where she lives, and he insists that it is not a big detour for him. She tells herself that it is late and she will probably feel safer on the street if she walks with him. She accepts. When they reach her building, the man insists on coming up to her apartment. He promises he won't stay long. She would rather go to sleep, but he went out of his way, and it's cold outside, so she accepts. They go up, he kisses her, she lets him, but she doesn't want to go further. His hand finds its way under her shirt; he insists. She gently pushes him away, but she is worried that if

she says no, she'll be seen as a tease. And he seems to really want her. Maybe it won't be that bad after all. And, let's be honest, it's probably going to be over fast. She is less and less in the mood, though. But what if he takes a rejection badly? What if he gets angry? What if he were to force her? She lets him proceed. They have sex.

In this scenario, the influence of social norms is clear: the woman does not want to be a tease, male desire is conceived as irrepressible, and the woman feels like she owes the man for the favor of walking her home. These norms lead the woman to have a sexual relationship she did not want. Meanwhile the man may well go home believing he has not just had nonconsensual sex. It is unlikely that he feels he was in the wrong, even if he may know, more or less consciously, that the woman did not seem really excited.

These three scenarios—agreeing to sex in order to please a loved one, agreeing to sex in order to “get some peace,” and agreeing to sex because one feels obligated by social norms—are all plausible. Indeed, many adults have experienced situations like these. In all three scenarios, a person agrees to sex, but have they consented? Have they been raped? The context matters a great deal, compelling us to recognize the complexities of consent. When we consider the many reasons that people agree to sex, we cannot escape the conclusion that consent—construed as agreement—isn't a sufficient condition for good sex. And the testimonies of our peers make clear that the absence of consent isn't equivalent to rape.

Consent and Patriarchy

To better understand what is going on in these scenarios, and to grasp the relationship between consent and good sex, it is essential to clarify the role consent plays in patriarchy, understood as the sociopolitical system that organizes the social oppression of

women by men. Consent is a key term of contemporary feminist discourse because it is implicitly understood as referring to women's sexual consent, especially in their relations with men. For most people, when we talk about sexual consent, we talk about women's consent to sex in the context of a heterosexual relationship. Yet, as I will explain later, I disagree with this (sexist) assumption. I therefore consider not only what patriarchy does to the consent and desires of women but also of men and nonbinary people, in the context of heterosexual as well as nonheterosexual relationships. True, the problem of consent is particularly acute in heterosexual relationships, and this justifies particular attention to these relationships. But people in nonheterosexual relationships are also stakeholders in the patriarchal system, and that system shapes their intimate lives.

Just as I refuse the notion that sexual consent refers solely to women's consent to heterosexual intercourse, I reject a neutral analysis of consent, which argues that men and women can consent to sex in exactly the same way. To the contrary, I show that such an analysis, oblivious to the effects of male domination not only on society but also on our pleasures and our desires, misses precisely the nuances that make consent such a fetching but also inadequate solution to the problem of bad sex. The discourse of consent reflects women's liberation: historically, women haven't been considered autonomous people; the capacity to consent highlights the autonomy that women have gained. But consent is also a risk, given how its vocabulary can be used to conceal gender injustice.

How so, you might ask—what is the risk? One risk is that, under patriarchal conditions, a consent regime may actually respond only to nonconsent. That is, having sex with a person who says no will be understood as rape, but the same will not be true of having sex with a person who says nothing at all. The French have an adage: “who does not say a word consents”—in France as elsewhere, silence has traditionally been seen as a sign of

consent. If one's concern is to identify physically violent rape, then only nonconsent is considered worthy of attention.

Decades of feminist work, some of which crystallized in debates surrounding sexual consent in the context of the #MeToo movement, have complicated this picture in at least two ways. First, thinkers and activists have highlighted experiences in which people did not necessarily say no or otherwise clearly manifest nonconsent, yet in which they claimed they did not consent. Attention has thus shifted to the “gray zone” between sex that is fully consensual and sex that is fully nonconsensual and identified as rape. And we now have the resources to think about consent in affirmative terms: consent's conditions of validity and expression have become a topic of investigation because eschewing the traditionally recognized manifestations of nonconsent is no longer viewed as sufficient to identify consent itself. In other words, people are beginning to wonder if we can use the idea of consent not only to discern impermissible sex but also to figure out what constitutes good sex. Second, feminist debates about consent have made it possible to wonder whether consent is the right tool to evaluate the permissibility of sexual experiences. On the one hand, consent is more and more firmly embedded in our psyches as the only framework through which it is possible to conceive and practice nonoppressive sexual and amorous relationships. On the other hand, the rise of consent has made it a target of criticisms, as opponents decry it as worse than useless—indeed, harmful to those who want to have freer and more egalitarian sex and love.

It is not my goal to defend any of the commonly held positions but instead to take seriously the impact of gender norms and patriarchy on our sexual lives. The moral and political questions are urgent: How can we reimagine sex and love so that they are not based on sexist and unequalitarian social norms? How can we conceive of amorous relations that would be, if not joyful, at least harmless? How does gender inequality manifest itself in

love and sex? How can we fight against the perpetuation of oppressive and unjust norms in our intimate lives? And, finally, how can the concept of consent help us to address these issues?

For a Philosophy of Sexual Consent

Here, then, is the departure point of this book. Consent, we are made to understand, is at the heart of living a good sexual life and a good life more broadly. Consent orients us in our action toward each other and in constructing our sense of self. Yet, despite its wide use, the notion of consent produces overlooked moral inferences—first among them, that consent is the criterion for permissible sex. If we are to affirm that consent is the key to egalitarian and free intimacy, then we must go beyond our simplistic intuitions and propose a more rigorous analysis. Consent must be precisely defined, its functioning must be analyzed in a way that gives an account of its power of legitimation, and the conditions for a valid exercise of consent must be established.

This book argues for a moral analysis of consent. I am convinced of the importance of legal debates on how to prosecute rape and adjudicate harassment and assault allegations on campuses. I believe the law should be committed to sexual justice without exacerbating mass incarceration and racial injustice—a fraught terrain, as the prosecution of sexual violence and harassment often becomes a means for selectively punishing people of color. But law is not the topic of this book. Law can be built only on the basis of moral and political views, which are too rarely articulated with clarity. Therefore, I want here to discuss the moral and political views of consent, on the basis of which legal debates—and perhaps policymaking—can then unfold.

Because my goal is not to supply legal language but to pursue justice, I aim not only to analyze what consent is but also to determine whether, and under which conditions, it can effectively be an emancipatory tool. To do so I will rely on what the

anthropologist Clifford Geertz called “thick descriptions”—detailed examples and hypotheticals like those above, which not only describe the actions of agents but also the contexts in which these actions take place and the meanings that these contexts can confer on them.¹⁰ To put the matter bluntly, my overarching claim is that a moral and political analysis of consent reveals two problems we must solve, only one of which is addressed—usually unsatisfyingly—in the mainstream consent discourse. The first problem, the one that we can’t stop talking about, is to establish which kinds of sexual relations are wrong and therefore ought to be impermissible. The second problem is that of knowing what good sex looks like—something we cannot know by adopting only the perspective of those who can or do impose their desires and their sexual practices on others. My goal, then, is not simply to describe consent but to show how it can contribute to the normative and emancipatory enterprise that sex can and should be.¹¹

A French American Perspective

Why hold onto consent to promote sexual emancipation and why write about it? Probably at least partly for biographical reasons. I was born, raised, and trained as a philosopher in France but had been living and teaching in the United States for seven years when I started writing this book. My French colleagues and the French media (which pays attention to philosophers) see me as deeply influenced by American thought and values. When, in 2017, I was interviewed by a French newspaper about affirmative consent policies, several French writers published critical responses.¹² They worried that I would endanger the French art of love by importing American puritanism. In the United States, meanwhile, I am often perceived as *very* French, especially when it comes to talking freely about sex. The French seem convinced that Americans talk about consent all the time but rarely have sex. Americans, for their part, seem concerned that French people

have a lot of sex but do not care enough about consent. According to these clichés, Americans' obsession with consent is ruining sex, while the French are obsessed with sex at the expense of gender equality. Like most clichés, these are both exaggerated and truthful.

In my first book, I argued that women are not naturally submissive but are made to submit to men by the gender norms of femininity. A consequence of this thesis is that these norms make it harder for women to reject men's sexual advances than for men to reject women's. Another consequence is that women are taught by society that they should prioritize other people's desires, pleasures, and well-being over their own. It therefore seemed logical to me to shift attention to our intimate lives: surely, if all of this is true—if women are made to submit—then it must be very difficult not only to successfully contest sexual violence but also, simply, to have a joyful sex life. How can women have a fulfilling intimate life if patriarchy prevents them from seeking their own pleasure?

I decided to write a book on sex through the prism of consent both because I am interested in the question of what women can choose in a patriarchal context and because consent is the most popular framework through which to think about women's choices in the context of sex. Consent has indeed triumphed; no other concept is so central to the practice of sex equality today. The importance of consent has been widely discussed in the United States at least since the adoption of an affirmative consent policy at Antioch College in 1991. In the aftermath of #MeToo, consent has also become the foundation of the mainstream discourse on love and sex in Continental Europe and in many other places where it was, until just a few years ago, the special province of academics and feminist activists.

Writing a philosophy book on sex and consent means trying to make the most of this French American position in which I find myself, not only regarding sex and consent, but also on the

question of what it is to do philosophy. Indeed, not only sexual obsessions but also philosophical methods differ between France and the Anglophone world in general. In broad strokes, French philosophy is notorious for tackling very large issues and trying to make sense of them through interdisciplinary work and references to past philosophers. Anglophone philosophy—insofar as it overlaps with what is usually called analytic philosophy—is probably less ambitious in its scope and more ambitious in its quest for precision, logical consistency, and clarity. While the French constantly refer to past philosophers, sometimes to the point of hiding behind them to advance their own ideas, analytic philosophers often seem to focus exclusively on their contemporaries. Historically, French philosophy addressed a general audience—think of how widely Sartre, Beauvoir, Camus, and Foucault were read—while the Anglophones built philosophical truth in specialized academic journals. This last distinction, it should be said, has faded somewhat in the last decade or so, with a growing commitment to “public philosophy”—philosophical writing addressing a general audience—in the Anglophone world.

This sketch of differences simplifies complex and diverse ways of doing philosophy. Yet it suffices to hint at what a philosophy taking the best of both traditions should endeavor to do: embrace the broad ambition of the French, take interest in neighboring disciplines, and use the philosophers of the past, while committing to the precision, clarity, and argumentative efficiency of the Anglophone philosophical world. And speak not only to other philosophers but also to a general audience. This last commitment is particularly important for me. I love philosophy insofar as it intends to make sense of the world and of our lives, but I dislike the tendency of some philosophers—Anglophone and French—to write in a way that very few people can understand. *Ce que l'on conçoit bien s'énonce clairement*, as the French saying goes: “what is well conceived can be clearly stated.” At the same time, I have always been skeptical of the view, held by some

publishers and journalists, that nonacademics cannot read “real philosophy”—that the uninitiated can at most imbibe simplified arguments, made agreeable by references to popular culture or current politics. (To be clear, I am not averse to these references as such, only to the idea that the general public cannot understand any theoretical position unaccompanied by them.) I believe that one can write philosophy in a way that does not presuppose a specific knowledge of philosophy but which still uses references to the past and some technical analyses as long as they are justified. This is my methodological horizon.

My French American situation gave me yet another insight: very often, Anglophone humanities and social sciences—here again, broad strokes—cite primarily works in English and examples from the Anglophone world, thus narrowing their analyses and their arguments. But my specific subjects—sex, intimacy, love, and consent—are of course also subjects of French scholarship, literature, and jurisprudence. I believe that these sources address the issues of interest in ways that have not been acknowledged by contemporary Anglophone philosophy. The reverse is also true, as French philosophers ignore or trivialize Anglophone arguments about the politics and morality of sex. That is why I wrote this book in French and now I am writing a version of it in English. In both cases, my ambition is to respond to a pressing question: Can consent help us achieve good sex lives?

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