# SULKING INTO SEX BLAME, COERCION, AND CONSENT

## Sumeet Patwardhan

OMETIMES, people sulk when their partners refuse sex. For instance, they might angrily pout, initiate the silent treatment, or manifest some other form of conspicuous, blame-laden withdrawal. To avoid this sulking, those on the receiving end sometimes submit to sex that they do not want. Consider, for example, the following narrative from an online forum:

Cuddle: I wanted a cuddle, and I told [my husband] that's all I wanted. He got frisky and started pushing it. This is not uncommon, since becoming parents I've often just let him go ahead because he sulks and I'm too tired, it's easier just to let him have his three minutes, and then I get some peace and he's happy.... This weekend I might have even felt like it if only he'd started with a bit of nice chatting and cuddling. But he went straight for the finishing line, as per usual. Then he got in a sulky, "victim" mood, rolled over, and refused to cuddle. And accused me of seeing somebody else!... Underneath it I think he just feels like I ought to do it whether I want to or not. And that is making me angry. Very angry. And very, very tired.<sup>2</sup>

The sulking that this woman faces is clearly morally problematic. So is the sex induced by that sulking. Indeed, both the sulking and the resulting sex seem to wrong her; she is owed rectification—perhaps just an apology, perhaps more. But what explains this intuition? It cannot be that all sexual pressures are wrongful, let alone wrongful in the exact same way. After all, sexual pressures are diverse: violence, disappointed sighs, the prospect of divorce, seductive flirting, peer group opinions, family expectations for children, economic

- For data on the prevalence of nonphysical sexual pressures, see Smith et al., "The National Intimate Partner and Sexual Violence Survey," 2-3, 15-16. I have not found data specific to sulking, but the number of online stories of sulking into sex indicates that it is common.
- 2 Anonymous, "Being Made to Feel Bad." Netmums Forum, March 20, 2017, https://www.netmums.com/coffeehouse/drop-clinic-984/domestic-abuse-41/1636124-being-made-feel-bad-about-no-sex.html.

incentives, and the list goes on. Accordingly, let me rephrase the question: How can we explain the intuition about cases like Cuddle without overgeneralizing?

The first aim of this article is to answer this question. I start by arguing that even attempting to blamingly sulk someone into sex—blamingly sulking *for* sex—often imposes *wrongful blame*. Next, I argue that succeeding at blamingly sulking someone *into* sex often undermines their consent via coercion. This imposes the further wrong of *nonconsensual sex*.<sup>3</sup>

Both arguments cut against the current literature. Sarah Conly and Alan Wertheimer claim that pressures like sulking do not wrong a victim. Conly, Wertheimer, and Kimberly Kessler Ferzan all claim that pressures like sulking are not consent undermining. And Robin Morgan seems to claim that *all* sexual pressures undermine consent—a position avoided by my arguments. Still, my arguments usefully extend to other sexual pressures that involve blame, demonstrating the continuity between subtle pressures like sulking and more overt pressures like threats of violence. They even extend to sulking within non-sexual interactions. I thereby offer a novel, striking explanation of the wrongfulness of blamingly sulking for and into sex—an explanation that generalizes without overgeneralizing.

The second aim of this article is to bring out three broader lessons for the literature on consent and coercion. To start, if we disregard the nuances of different sexual pressures—especially subtle pressures like sulking—we risk overlooking key moral features of those pressures. We run the same risk, moreover, if we ignore how such pressures unfold within the unique dynamic of close relationships. This risk increases if we consider only hypothetical, "cleaned-up" cases rather than first-person testimonies. In sum, the relative abstraction of contemporary discussions of consent and coercion has led scholars to neglect the wrongfulness of subtle sexual pressures. For this reason, I focus on blameladen sulking within close relationships, leaving robust discussion of other sexual pressures for other papers within my broader research program. For the same reason, I draw heavily from real stories.

The article proceeds as follows. In section 1, I characterize sulking for and into sex. Typical cases such as Cuddle are prolonged, pervasive, habitual,

- 3 Some philosophers, like David Archard in "The Wrong of Rape," define "rape" as "non-consensual sex." Others, like Ann J. Cahill in *Rethinking Rape*, do not. I need not take a position here, so I avoid the term.
- 4 Conly, "Seduction, Rape, and Coercion," 114–15; and Wertheimer, Consent to Sexual Relations, 183.
- 5 Conly, "Seduction, Rape, and Coercion," 114–15 and 119; Wertheimer, Consent to Sexual Relations, 183; and Ferzan, "Consent and Coercion," 954–56, 971–80, 994–95, 1002–7.
- 6 Morgan, "Theory and Practice," 165.

situated within a close relationship, and laden with blame. In section 2, I argue that blamingly sulking at someone for sex often wrongs them. It imposes numerous harms to pressure them to respond to the blame, even though they have done nothing morally wrong in the first place. In section 3, I first articulate some sufficient conditions for consent-undermining coercion. Next, I show that they are often satisfied in cases of blame-laden sulking into sex. In section 4, I examine some implications. I discuss the nature and gravity of nonconsensual sulking into sex, explain why it should not always be criminalized, and describe why the framework of consent is useful. I then extend my argument to myriad sexual and nonsexual pressures.

#### 1. SULKING FOR AND INTO SEX

Cycle: [My boyfriend] came upstairs with me and started undressing me, but I let him know I was tired. He got pouty and pouty [sic] and left. He gets pouty and sulks any time I say no.... The last time we had sex was 7 days ago. It's not like months are passing.... It makes me feel even less excited about having sex, because I'm nervous about whether I'll want to have sex. So it's a vicious cycle. I feel nervous, like I have to want sex.... [I] feel like shit for not wanting to have sex.<sup>7</sup>

This narrative from Reddit illustrates three key features of sulking. <sup>8</sup> First, sulking is a triadic relation between a sulker, a sulkee, and a frustrated goal of the sulker—here, the girlfriend's having sex. By sulking, the sulker communicates to the sulkee that they want them to provide one or more of the following forms of support: to resolve the sulker's frustrated goal; to distract them from it; or to comfort them about it. In Cycle, the boyfriend wants the girlfriend to resolve his frustrated goal by having sex with him. To communicate this desire, he sulks.

This leads us to the second key feature of sulking: the peculiar way it communicates a desire for support. Unlike ways of seeking support that orient towards the supportive person—like crying on their shoulder—sulking involves withdrawal. But because sulkers seek support, they must remain within the scope of the sulkee's attention. To achieve this peculiar "proximate withdrawal," sulkers employ conspicuously limited verbalization, offering curt responses or pointed

- 7 u/fakepalindrome\_ (username), "Boyfriend Gets Pouty if I Don't Want to Have Sex." Reddit, September 8, 2014, https://www.reddit.com/r/relationships/comments/2fuhgm/boyfriend\_gets\_pouty\_if\_i\_dont\_want\_to\_have\_sex/.
- 8 This section draws from a similar account of sulking offered by psychologists Anita Barbee and Michael Cunningham. See Barbee and Cunningham, "An Experimental Approach to Social Support Communications," 393–95, 407.

silence. As in Cycle, sulkers often employ nonverbal forms of withdrawal as well: angry sighing; defiant body language; pouting or frowning; flat affect; manifest focus away from the sulkee; physical movement away from the sulkee; or reluctance to socialize. A sulker's use of withdrawal, I suspect, is one source of resistance to viewing sulking as coercive. In our popular imagination, coercion involves "approach" behaviors; this article resists that picture.

The affective core of sulking—its third key feature—is anger, rather than anxiety or sadness. Because of this, sulking frequently involves (un)conscious blame. It is no coincidence that the girlfriend in Cycle feels "like she has to want sex," feels "like shit for not wanting to." She feels guilty for saying no due to her boyfriend's sulky blame. Such blame is often difficult to challenge. Since sulking involves limited verbalization, sulkees frequently lack an explicit rebuke to challenge. Even when the sulker does issue a rebuke, they will often prevent challenges, e.g., through silence. By preventing challenges, the sulker can avoid admitting their distress and thereby save face. Indeed, entertaining challenges would draw the sulker into precisely the engagement they seek to avoid: a conversation.

As a final observation, note that even though sulkers are often self-aware, they can certainly sulk unknowingly.

I can now formulate an account of sulking for and into sex. Someone (A) sulks someone else (B) *into* sex just in case:

- 1. *A*, knowingly or not, sulks at *B* for sex. That is:
  - a. *A* proximately withdraws from *B* verbally and perhaps also emotionally, mentally, physically, and/or socially;
  - b. primarily because *A* is angry about a frustrated goal;
  - c. at least in part to communicate to *B* that *A* wants support for that frustrated goal;
  - d. where the support A wants includes sex with B.  $^{10}$
- 2. *B* agrees to sex with *A*, at least in part because of 1, and *A* and *B* have sex.

While the above conditions are *necessary* features of sulking into sex, cases of sulking into sex also have four *characteristic* features, which I will discuss below. I will focus mostly on cases that have these features, in order to attend to sulking in its most typical form.

- 9 Miceli, "How to Make Someone Feel Guilty," 96.
- 10 Sometimes, the sulker does not want the sulkee to agree to sex in the moment; they want the sulkee to agree to their next sexual advance. For simplicity's sake, I do not focus on such cases, but my arguments easily extend to them.

To begin, a sulker is typically in a close relationship with the sulkee. People tend not to want support from strangers or acquaintances. Even when they do want it, they often do not pursue it because strangers will likely refuse or fail to support them. Even when they do pursue it, they tend to be more verbal, to avoid being misinterpreted. Hence, sulking in general, including sulking for and into sex, is far rarer between strangers or acquaintances.

Second, sulking for and into sex is typically blame laden: the sulker blamingly sulks at the sulkee for not having sex. It is certainly possible for someone to sulk for sex without blaming the sulkee. But because sulking is almost always embedded within close relationships and because feelings of sexual entitlement can easily arise within close sexual relationships, sulking for and into sex tends to involve blame for sexual refusal. <sup>11</sup>

Third, a sulkee usually recognizes when a sulker is blaming them for something—even if they do not always recognize what for. In some cases, this is because a sulker clearly communicates the blame or the views motivating it. As one sulkee has described, "[My husband] thinks its [sic] his right to have sex at least once a day but would like it twice a day." In other cases, sulkees may recognize the blame on their own: "I knew he was mad.... In his mind he's the victim and always has been.... I'm the bad guy." Such recognition is not surprising. As Victoria McGeer observes, we social creatures are disposed to pick up on others' attitudes towards us. <sup>14</sup> Hence, recognition of blame is common across blame-laden forms of sulking, including but not limited to blame-laden sulking for and into sex.

Fourth, sulking into sex is typically prolonged, pervasive, and habitual. Proximate withdrawal aims to make interpersonal engagement with the sulker contingent on the sulkee's support. If this withdrawal were brief, the sulkee would not be incentivized to submit to sex. Accordingly, when a sulkee does submit, the sulking tends to be prolonged. The difficulty of challenging sulky blame, as observed earlier, is another reason that blame-laden sulking into sex

- 11 For an argument that connects blame even more closely to withdrawal behaviors, see Bennett, "The Varieties of Retributive Experience," 149–52.
- 12 Jo B(1113) (username), "Different Sex Drives May Lead to Separation." Netmums Forum, March 16, 2020, https://www.netmums.com/coffeehouse/life-504/family-other-relationships-50/1893925-different-sex-drives-may-lead-separation.html.
- 13 Anonymous poster, "Boyfriend is Playing the Victim." Reddit, June 12, 2021, https://www.reddit.com/r/vaginismus/comments/nyg2qy/boyfriend\_is\_playing\_the\_victim/ (post since deleted).
- 14 McGeer, "Civilizing Blame," 181-82.
- 15 For some stories of particularly lengthy sulking, see "Emotional Abuse in Sulking Silence when Sexual Demands Go Begging"; and Sugar and Mitchell, "Sulking for Sex."

tends to be prolonged. Sulking into sex also tends not to stay compartmentalized. Instead, it pervades different parts of life. This is because "getting in a mood"—cooking in a sulk, going on a walk in a sulk, etc.—can give a sulkee powerful incentive to submit. Finally, like other strategies of seeking support, sulking is often habitual. As one sulkee recounts, "Things will be okay for a while, but then he reverts to the same behaviour." Sulking into sex therefore frequently involves a kind of prolonged, pervasive, and habitual detachment that is anathema to us social creatures.

In sum, I will focus mostly on typical cases of sulking for and into sex—cases in which a sulker blamingly sulks at someone close to them for not having sex; the sulkee knows that the sulker is blaming them; and the sulking is pervasive, prolonged, and habitual.

Sulking into sex does manifest another typical feature worth mentioning. As you might notice, in almost all the real stories I discuss, a man sulks at a woman. This is no accident. Gender and patriarchy influence the prevalence of heterosexual relationships; the frequency at which different people feel entitled to (sulk for) sex; the costs that different people incur upon refusing sex; and more. My arguments, however, will not concentrate exclusively on cases of men sulking women into sex. This is because I aim to offer a more general account of the wrongs of sulking for and into sex—an account that can illuminate how cases of sulking that do not involve a man sulking at a woman can still be wrongful. <sup>17</sup>

Having elucidated some necessary and typical features of sulking for and into sex, let me emphasize: this elucidation is valuable independent of my later arguments. This is because it provides a foundation for further examining the nature and ethics of sulking. Indeed, this is one major reason that I focus specifically on sulking. To my knowledge, philosophers have said little to nothing about this peculiar behavior involving saying little to nothing—and yet there is so much to say.

<sup>16</sup> McDermott, "My Partner Wants Sex Every Night and Sulks if I Don't Agree."

<sup>17</sup> For examples of such cases, see u/Sam\_Fort (username), "BF Sulks if I Don't Give Him Sex Every Night." Reddit, July 28, 2021, https://www.reddit.com/r/relationships/comments/otarsg/bf\_sulks\_if\_i\_dont\_give\_him\_sex\_every\_night/; Price, "A Few Words about Sexual Coercion in the Wake of the Aziz Ansari Accusations"; and McDermott, "My Girlfriend Sulks if We Don't Have Sex and It's Bringing Back Painful Memories." For data on sexual victimization perpetrated by women, see Stemple, Flores, and Meyer, "Sexual Victimization," 303.

#### 2. BLAMINGLY SULKING FOR SEX

Guilty: I have been married for 12 years.... We met when I was 19 and carefree. We had sex multiple times a day. Since then life got crazy, and my sex drive went down. At a minimum we make love once a week. Our max at the moment is probably 4 times. I literally reject him 10 times a day/night. Not because I'm nasty but because I'm bloody tired! I work full time in child protection for DHs. It's a stressful role, plus 3 kids, a house etc. He will sulk and complain for hours after I say no. I'm just so over it. I'm ready to walk away because I'm sick of the guilt!<sup>18</sup>

Guilty, from an anonymous user of an online forum, is a typical case of sulking for sex. But is it a typical case of sulking *into* sex? Does the husband's sulking ever get his wife to submit? I do not know, but to deem that he has wronged her, we do not need to know—or so I will argue in this section. That is, I will argue that even attempting to blamingly sulk someone into sex—blamingly sulking *for* sex—often wrongs them. That argument is built on three premises, as follows:

- P1. In many cases of blamingly sulking for sex:
  - a. the sulker and sulkee are in a close relationship;
  - b. the sulker blamingly sulks at the sulkee for not having sex with them;
  - c. the sulkee recognizes that they are being blamed; and
  - d. the sulkee's not having sex with the sulker is not wrong.
- P2. To "misdirectedly blame" someone is to blame them for something that is not wrong.
- P3. Misdirectedly blaming someone who is close to the blamer and who recognizes that they are being blamed often wrongs them.
- C1. In many cases of blamingly sulking for sex, the sulker wrongs the sulkee.

I have already defended the first three parts of P1 and will defend the fourth shortly. Afterwards, I will defend P3 at more length. Unlike these substantive

<sup>18</sup> Anonymous poster, "Seriously Considering Leaving My Husband Due to the Sulking Because of What He Believes to Be 'Not Enough Sex," Stay at Home Mum, 2016, https://www.stayathomemum.com.au/ask-sahm/question/734fee81-6367-48ea-9097-a4e21c59ab24/.

premises, P2 simply defines "misdirected blame." "Well-directed blame," in contrast, is blame directed towards something that is wrong. 19

Some philosophers have discussed views that seem to conflict with P1d. For example, Scott Anderson argues that people can create sexual obligations by *promising*, say, to have sex after the kids are asleep. Richard Hull, moreover, explores whether sex that minimally harms one person but greatly benefits another is required by *beneficence*—though he does not take a stand. Finally, Alan Soble suggests that people can have *distributive* obligations, say, to reciprocate sexual pleasure. 22

In many sexual interactions, however, these views fail to apply. Take Guilty. The wife has not promised to have sex at her husband's desired frequency. Nor does her refusal fall afoul of beneficence or distributive justice, given that she is exhausted and stressed. Hence, even if the views above are all true, we can still affirm P1d. In many cases of blamingly sulking for sex, refusing sex is not wrong.

P3 states that blame that is both misdirected and recognized—though it need not be recognized *as* misdirected—often wrongs a blamee close to the blamer. Other forms of blame, such as misdirectedly blaming a stranger, might also be wrongful. But for reasons discussed in section 1, such cases are not my focus. Additionally, P3 is neutral about what blame involves: a judgment, emotion, desire, intention, functional role, etc.<sup>23</sup> Having clarified P3, I can now defend it.

### 2.1. Wrongful Misdirected Blame

Targets of misdirected blame face seven characteristic, interconnected harms. Blame—whether misdirected or not—usually involves the blamer *negatively morally assessing* and *directing negative emotions towards* the blamee. Relatedly, blame that is recognized often causes the blamee to *morally criticize themselves* and *feel negative emotions* like guilt.<sup>24</sup> We care about how close relations view and feel about us and about how we view and feel about ourselves, so recognized

- 19 If blame for suberogatory acts should also count as well-directed, my arguments can be extended to show that sexual refusal is rarely if ever suberogatory.
- 20 Anderson, "On Sexual Obligation and Sexual Autonomy," 123–32. Contrast Liberto, "The Problem with Sexual Promises," 394–403.
- 21 Hull, "Have We a Duty to Give Sexual Pleasure to Others?" 10-11.
- 22 Soble, Sexual Investigations, 53-58. See also Wertheimer, Consent to Sexual Relations, 258-76. Contrast Srinivasan, "Does Anyone Have the Right to Sex?"
- 23 Tognazzini and Coates, "Blame."
- 24 Carlsson, "Blameworthiness as Deserved Guilt," 91; and Fricker, "What's the Point of Blame?" 173.

blame often harms us.<sup>25</sup> Moreover, blame, like wrongdoing, regularly imposes *relational harms*. The blamer and blamee cease to be in a relationship in which they both have and recognize that they have good will for each other.<sup>26</sup> Such a relationship gives them faith that each other will follow shared norms. Damaging this relationship, then, hinders goods of reliable norm compliance like safe vulnerability and mutual respect.<sup>27</sup> To stop these harms, the blamee must usually deny the act, excuse it, justify it, or atone for it. This *reparative labor* often takes time, energy, and social sensitivity.<sup>28</sup> Finally, if the misdirected blame persuades the blamee, they *gain a false moral belief* that their action is wrong, which can restrain them from living as they desire.<sup>29</sup> Misdirected, recognized blame in a relationship does not always cause all seven of these harms. But almost always, it causes at least some of them.

When blame is well directed, it can still cause some of these harms, like negative moral assessments. But it does so in the presence of justifying moral considerations: the moral improvement of the blamee; the reparation of past harms and damaged relationships; the prevention of future harm; etc. When blame is misdirected, however, it frequently lacks justifying moral considerations. There might be exceptions. For instance, on complex moral issues that require taking a stand, it might be worth it to risk levying misdirected blame. But oftentimes, there are not moral considerations that justify levying misdirected, recognized blame on a close partner.

Harming someone in the absence of justifying moral considerations wrongs them. This claim leaves open which moral considerations are enough to justify a given harm and whether harmless wronging is possible. Accordingly, I take this weak claim to be widely shared; I will not robustly defend it.

From this claim, we get to P3: misdirected, recognized blame directed at a close partner often wrongs them. When the husband in Guilty blamingly sulks at his wife "for hours," when his blame makes her feel "sick of the guilt," when she is "ready to walk away" from their twelve-year marriage—and all she has done is to reject some sexual interactions—she is not the victim of some cosmic tragedy.<sup>30</sup> She is the victim of a wrong.

Sarah Conly objects to P3. She claims that threats of "emotional pain," such as sulking or misdirected blame, impose "pressure of a sort an honorable

- 25 McGeer, "Civilizing Blame," 166-67 and 181-82.
- 26 Hieronymi, "The Force and Fairness of Blame," 144n30 and 145n34.
- 27 McGeer, "Civilizing Blame," 163, 174.
- 28 Hieronymi, "The Force and Fairness of Blame," 124-25.
- 29 Fricker, "What's the Point of Blame?" 181.
- 30 See the anonymous "Stay at Home Mum" post cited above note 18.

person wouldn't," but they do not "[go] beyond [one's] rights." She explains, "It is the nature of family relations that you may use your relationship to (try to) impose on other family members, at least up to a point.... We are vulnerable to our families, but that vulnerability is the price you pay for having an emotional relationship." 32

At what point is it wrongful to leverage relational ties to impose on one's partner? Conly does not give a comprehensive answer, instead discussing various examples. For instance, she thinks that it is permissible to threaten to break up with a partner unless they change, as long as the change bears on the relationship's health and is not itself immoral.<sup>33</sup> In contrast, threatening violence to induce change is clearly impermissible.<sup>34</sup> Threats of emotional pain, Conly suggests, are akin to permissible threats of a break-up.

Conly's reasoning neglects that emotional pains are heterogeneous. It can certainly be okay to impose some emotional pains (for example, a painful but important expression of disappointment). But I have just argued that some other emotional pains—specifically, instances of misdirected blame—often wrong the victim. The fact that some forms of emotional pain are the "price you pay" for a relationship does not entail that every form of emotional pain is similarly permissible. Accordingly, we should reject Conly's objection.

Alan Wertheimer advances a different objection. He says, "People are sometimes justified in being angry with others ... [but] even when expressions of anger are not justified, it does not follow that one's behavior is rights-violating [or obligation-violating]. Some boorish behavior is part of the rough and tumble of life." One interpretation of this objection is as follows. First, angry

- 31 Conly, "Seduction, Rape, and Coercion," 114–15. Conly's arguments concern threats of "emotional pain" writ large, which she also describes as ways of "using the strength of family ties to [one's] own ends." Additionally, she mentions a laundry list of pressure tactics that fit under this category: guilt tripping, sneering, contemptuously castigating, coaxing, cajoling, wheedling, importuning, haranguing, berating, and browbeating. For this reason, I take her comments to apply to sulking and misdirected blame, even though she does not explicitly mention them.
- 32 Conly, "Seduction, Rape, and Coercion," 115.
- 33 Conly, "Seduction, Rape, and Coercion," 110. For discussion of the complex ethics of break-up threats, see Liberto, "Threats, Warnings, and Relationship Ultimatums," as well as Ferzan, "Consent and Coercion," 977–78.
- 34 Conly, "Seduction, Rape, and Coercion," 118.
- 35 Wertheimer, Consent to Sexual Relations, 183. Note that Wertheimer's comments are explicitly about "unjustified anger" writ large but are nonetheless relevant. After all, recall that sulking's affective core is anger. And when sulking involves misdirected blame, the anger involved in such sulking is thereby unjustified. Furthermore, note that I add "obligation-violating" to the quote because Wertheimer switches between "rights talk" and "obligation talk" throughout his piece.

misdirected blame imposes minor harms. Second, minor harms are merely "boorish"; they are not wrongs. If they were, everyone would walk on eggshells to avoid them. Moreover, we would not easily let go of these harms. Instead, wrongdoers would make costly amends; third parties would expend effort to support the victim. These actions would likely be more significant than the minor harm suffered! In other words, we have an interest in avoiding excessive duties of diligence, rectification, and victim support. This interest stops minor harms from being wrongs.

I do not find this objection convincing. Even when breaching a promise imposes minor harms, it can still wrong the promisee. This is because keeping a promise does not always require excessive diligence, and breaching a promise need not lead to excessive rectification and victim support. Similar reasoning applies to misdirected blame. Oftentimes, avoiding misdirected blame requires only thinking before you blame, not walking on eggshells. Similarly, rectification can involve a brief apology; support can involve a brief reassurance that the victim is not to blame. Hence, our interest in avoiding excessive duties of diligence, rectification, and victim support should not stop minor harms from being wrongs.

In any case, misdirected blame often imposes major harms, at least when it is prolonged, pervasive, habitual, and directed at a close partner. My argument concerns exactly such cases. Accordingly, even if minor harms are not wrongs, one may adopt a duly restricted version of P3 without undermining my conclusion. Wertheimer's objection thereby fails to refute my argument.

# 2.2. Wrongful Sulking

P3 leads to my conclusion. Contra Conly and Wertheimer, a sulker for sex does not just evince bad character or impose nonwrongful harm. They often wrong the sulkee via misdirected blame. Hence, the husband in Guilty does not just have a nondirected duty to become more virtuous. He also has a directed duty of atonement to his wife, like a duty to apologize.<sup>36</sup>

Some sexual pressures do not involve misdirectedly blaming a close partner. Thus, my argument does not imply that all sexual pressures are wrongful, let alone wrongful in the exact same way. But some sexual pressures can involve misdirected blame, for instance, aggressive shouting, and verbal jabbing. My arguments usefully extend to such pressures.

Importantly, sulkers who levy blame might commit additional wrongs. To take one example, their behavior might transform sexual "invitations" into

"demands."<sup>37</sup> To take another, if they prevent a sulkee from challenging their blame, their blame might be inappropriately peremptory.<sup>38</sup> Putting these points aside, this section suffices to establish that it is wrongful to blamingly sulk at someone *for* sex—independent of whether one sulks them *into* sex.

#### 3. BLAMINGLY SULKING INTO SEX

Tried: When I tell [my husband] no, he fucking pouts about it. His mood is off for hours or even the rest of the day. I've tried explaining to him why I'm not interested, and I've told him how his sulking is annoying and makes me feel bad. I wonder how he would feel if he knew how many times I've consented to sex just because I don't want to have to deal with his pouting.... I've tried explaining to him how I feel touched out. He doesn't get it. I've tried explaining to him that when I have a million things to do sex is the last thing on my mind. He just doesn't get it. It makes me so angry. I feel like I have to choose between his grumpy mood or having sex even when I don't want to.<sup>39</sup>

In Tried, from another Reddit thread, the husband does not just blamingly sulk at his wife for sex; he does not just wrong her via misdirected blame. He sulks her into sex, and so he wrongs her further. He coercively undermines her consent. To make this argument—and to generalize beyond this case—I will start by identifying sufficient conditions for consent-undermining coercion. In the rest of the section, I will show that blame-laden sulking into sex often meets these conditions.

## 3.1. Consent-Undermining Coercion

Consent to an activity is the normative power to release another person from a duty not to infringe on the relevant domain of your authority. I might agree to something without my agreement counting as morally transformative consent. For example, if I am coerced into saying yes to a sexual activity, I have *agreed*, but I have not *consented*. (Other examples include agreement

- 37 Kukla, "That's What She Said," 80-84.
- 38 Patwardhan, "Peremptory Blame."
- 39 u/tri\_nisvx (username), "The No Sex Sulk." Reddit, June 8, 2020, https://www.reddit.com/r/breakingmom/comments/gzf9fe/the\_no\_sex\_sulk/.
- 40 My argument does not depend on holding this view of the dynamics of consent. For a recent survey of various views, including a defense of a novel, "scope-shifting" view, see Liberto, *Green Light Ethics*, 60–87.
- 41 Some theorists prefer not to use "consent" as a success term, instead distinguishing morally transformative "valid consent" from "invalid consent" (as well as from "no consent at all"). This usage would not change my arguments.

induced by incapacitation, deception, etc.) A sexual activity is consensual if and only if all participants consent to it. Otherwise, it is nonconsensual, or, in other words, the consent of one or more participants has been undermined.

To articulate five jointly sufficient conditions for consent-undermining coercion, I will consider a paradigmatic case. A credibly threatens B, "I will hit you if you do not let me touch you." B, preferring not to be hit, agrees. Clearly, B has not consented; A's touch is nonconsensual. In this case, B is entitled to have the option of not agreeing and yet not being hit, since being hit would wrong them. But they are confident that this option is unavailable. Their confidence is not accidental. It stems from A's threatening B—A's acting at least recklessly, if not knowingly or intentionally. Because B prefers to avoid being hit, B lets A touch them. This decision, importantly, seems eminently reasonable. (Later, I will elaborate on what "reasonable" means.) Hence, B lacks meaningful discretion between the options to which they are entitled. Their agreement thereby fails to genuinely exercise authority over their sexual life; A still had a duty not to touch B. "With this illustration, I can now formalize this section's argument.

- P4. If someone (B) agrees to another person (A) doing something (X), and the following conditions are met, B's consent to X is undermined via coercion:
  - a. *Unavailable Option*: *B* has sufficiently high confidence that *A* will do *Y* unless *B* agrees to *X*;
  - b. *Moral Baseline*: Y would morally wrong B;<sup>43</sup>
  - c. *Causal Role*: *A*, through words or conduct, intentionally, knowingly, or recklessly caused *B* to have the confidence referred to in Unavailable Option;
  - d. *Preferable Compliance*: *B* agrees to *X* because *B* prefers that to facing *Y*;
  - e. Reasonable Compliance: It is reasonable for B to agree to X because they prefer to do that rather than to face Y.<sup>44</sup>
- P5. Many cases of being blamingly sulked into sex meet these conditions.
- c2. In many cases of being blamingly sulked into sex, the sulkee's consent to sex is undermined via coercion.

<sup>42</sup> The reasoning guiding this illustration resembles that offered by Wertheimer in *Coercion*, 202–21, 267–86.

<sup>43</sup> For this language of "baselines," see Nozick, "Coercion."

<sup>44</sup> I follow standard conceptions of recklessness: to "recklessly" cause such confidence is to recognize but unjustifiably disregard the risk that one will cause it. See Edwards, "Theories of Criminal Law." A minorly different definition would not affect my arguments.

I have already supported P4 via the earlier analysis of A threatening to hit B. Moreover, this premise is quite modest. It gives *jointly sufficient* conditions for coercion, not *necessary* conditions. Indeed, many philosophers (including me!) doubt that these conditions are necessary. <sup>45</sup> P4 also need not expose the *best explanation* of why its conditions suffice for coercion; one could reformulate P4 to better "carve at the joints." Such modesty makes P4 well accepted. <sup>46</sup> Crucially, P4 is accepted even by Sarah Conly, Kimberly Kessler Ferzan, and Alan Wertheimer—scholars who doubt that behaviors like sulking can undermine

- To begin, P4 does not account for "third-party coercion," whereby a third party, *C*, coerces *B* into submitting to *A*. Moreover, to list some arguments specific to each of P4's conditions: Claudia Card loosens the Unavailable Option and Preferable Compliance conditions, seeming to suggest that even a threatening atmosphere can undermine consent. David Zimmerman modifies the Moral Baseline condition, arguing that *Y* need not wrong *B* for *A* to undermine *B*'s consent. Tom Dougherty removes the Causal Role condition, arguing that *A* need not cause *B*'s confidence to undermine their consent. And Dougherty also argues against a condition similar to the Reasonable Compliance condition, showing that *B*'s consent can be undermined even if noncompliance is reasonable. See respectively Card, "Recognizing Terrorism," 18–19; Zimmerman, "Coercive Wage Offers," 131–38; and Dougherty, "Coerced Consent," 443–51, and "Sexual Misconduct," 333.
- 46 Anderson, "Coercion." As Anderson notes, accounts of coercion differ along two dimensions. The first dimension is the extent to which they focus on the coercee's situation or on the coercer's conduct. The second dimension is the extent to which they are "moralized"—requiring prior normative judgments—or "nonmoralized." See also Anderson, "Of Theories of Coercion, Two Axes, and the Importance of the Coercer," 396–404. P4 is closest to a coercee-focused, moralized account. (Note that because P4 does not offer necessary conditions, it is somewhat inaccurate to describe it as a full "account" of coercion.) Nevertheless, I describe P4 as "well accepted" because it aligns with the "standard view" in the contemporary literature on coercion. See Anderson, "Coercion", "Of Theories of Coercion, Two Axes, and the Importance of the Coercer," 396, 411, and "How Did There Come to Be Two Kinds of Coercion?" 24–29. Moreover, as I discuss in the main text below, my opponents accept P4 as sufficient for consent-undermining coercion.

Finally, it is worth noting that my conclusion would still follow from accounts of coercion that are coercer focused and/or nonmoralized. Take Anderson's own coercer-focused, nonmoralized account, discussed in "Of Theories of Coercion, Two Axes, and the Importance of the Coercer," 414–21; "The Enforcement Approach to Coercion," 6–18; and "Conceptualizing Rape as Coerced Sex," 72–85. Despite being explanatorily different from coercee-focused, moralized accounts, his account is extensionally similar, as he mentions in "The Enforcement Approach to Coercion," 10. Moreover, in "Coercion as Enforcement and the Social Organisation of Power Relations," Anderson also extends his account to nonparadigmatic cases of coercion (529–39). For reasons like these, my analysis of coercive sulking does not depend on adopting a coercee-focused, moralized account. That said, thoroughly defending this claim would require too much space here, so I leave this for other work. Thanks to an anonymous reviewer for pressing me to clarify how P4 relates to other accounts of coercion.

consent.<sup>47</sup> Thus, I am content to appeal to P4 without robustly defending it. I now turn to defending P5.

### 3.2. Consent-Undermining Sulking

Recall my focus on typical cases of sulking into sex—prolonged, pervasive, habitual, blame-laden sulking that gets a close partner to submit. Many such cases meet the Unavailable Option condition. For consider a sulkee who submits to sex. It is likely that either they believe that their partner will keep sulking if they say no, or they believe that their partner will escalate to worse behaviors if they say no. Without one of these two beliefs, the sulkee would likely have refused. Certainly, in some cases, sulkees worry that their partners will escalate if rejected. But frequently, sulkees seem to submit despite not worrying about this. In these cases, it is likely that the sulkees submit because they are confident that their partners will continue sulking if they say no. Thus, many cases of being blamingly sulked into sex meet the Unavailable Option condition.

Of these cases meeting the Unavailable Option condition, many also meet the Moral Baseline condition. Some philosophers, like Conly and Wertheimer, doubt this, skeptical that sulking can wrong a sulkee. <sup>48</sup> But in section 2, I undercut this doubt. There, I argued that blamingly sulking *for* sex often involves wrongful misdirected blame. That argument applies equally to blamingly sulking *into* sex.

Cases that meet the Unavailable Option and Moral Baseline conditions often meet the Causal Role condition. Many sulkers intend to cause sulkees to believe that they must submit for the sulking to stop. Even when sulkers do not intend this, they often realize that their conduct is likely or certain to cause this belief. After all, sulkers often recognize not only that they are sulking for sex but also that sulkees will likely pick up on this. Even truly unaware sulkers are often made aware, for instance, by a sulkee asking, "Will you stop sulking if I say yes?" Hence, in many cases of blamingly sulking into sex, the sulker intentionally, knowingly, or recklessly causes the sulkee to believe that if they do not have sex, the sulking will not stop.

- 47 Conly, "Seduction, Rape, and Coercion," 104–10; Ferzan, "Consent and Coercion," 963–65, 968–80, 994–97, and 1005–7; and Wertheimer, Consent to Sexual Relations, 165–71 and 177–86. Technically, Conly argues that P4 should require intent (104–5). However, her arguments fail to show that recklessness is insufficient. In fact, they show that negligence would be sufficient. Wertheimer might also modify P4 minorly. In Coercion, he suggests that if B prefers their agreement to count as consent, then in some cases, it should (277). I will not discuss this kind of objection, because sulkees will rarely want their agreement to count as consent.
- 48 Conly, "Seduction, Rape, and Coercion," 114–15; and Wertheimer, Consent to Sexual Relations, 183.

Cases that meet these first three conditions frequently meet the Preferable Compliance condition. As one woman named Teresa recounts, "Sometimes I'd just submit, otherwise he'd sulk for three days and be nasty. So it was the lesser of two evils.... It was easier to grit your teeth and think of mother England and be done with it." Of course, a sulkee's agreement is not always motivated by a preference to avoid sulking. For example, it can be motivated by a preference not to wrong the sulker—if, say, the sulker deceives the sulkee into seeing sex as obligatory. But as Teresa recounts, sulkees often see sex not as obligatory but as the "lesser evil." Hence, in many cases of being blamingly sulked into sex, the sulkee agrees because they prefer to avoid sulking.

On some views, these first four conditions suffice for consent-undermining coercion. <sup>51</sup> But because Conly's, Wertheimer's, and Ferzan's views require the Reasonable Compliance condition, I will end by showing that cases meeting the first four conditions often meet this fifth condition.

For it to be reasonable for B to agree to X because they prefer to do that rather than to face Y, two conditions are necessary and sufficient. First, agreeing to X must be *objectively preferable* to facing Y and to pursuing other alternatives. One way of spelling this out is to say that agreeing to X must be less harmful than facing Y or pursuing other alternatives—not according to B but according to a reasonable or ordinary person. After all, if B agrees because they miscalculate the costs of X, Y, and alternatives, we should not paternalistically relieve them of responsibility for that miscalculation. Second, B must not have an easily accessible remedy for Y. Otherwise, the autonomy-constraining threat of Y would be counterbalanced.

- 49 Murphy, "Tactic #13."
- 50 For an argument that such moral deception can undermine consent, though not via coercion, see Patwardhan, "Do I Have To?"
- 51 For instance, Dougherty's account of coercion does not require conditions like the Reasonable Compliance condition. See Dougherty, "Sexual Misconduct on a Scale," 324–26, 330–34. For what it is worth, I am similarly skeptical of this condition.
- 52 Ferzan talks in terms of "bad choices" and "mistakes" ("Consent and Coercion," 975). Conly talks in terms of "harms great enough to affect [one's] decision procedure" ("Seduction, Rape, and Coercion," 106). I use the term "objective preferability" to unify their terminology, but I am not committed to this specific term. One could reformulate this condition while maintaining its spirit.
- 53 Ferzan, "Seduction, Rape, and Coercion," 996–97, 1006; Wertheimer, Consent to Sexual Relations, 184, and Coercion, 267, 275–76.
- 54 Wertheimer has articulated two other necessary conditions for the Reasonable Compliance condition: the harm of *X* must be grave enough to justify third-party intervention; and it must be reasonable to expect *A* to believe that *B* agrees to *X* to avoid *Y*. For discussion, see Wertheimer, *Consent to Sexual Relations*, 184–85, and *Coercion*, 277–78. My

Conly, Ferzan, and Wertheimer doubt that pressures like sulking can meet these two conditions. They believe, roughly, that facing the sulking is objectively preferable to submitting to sex; that there are other alternatives that are objectively preferable; or that the harms of sulking are easily remedied. These beliefs, I will argue, are mistaken.

In many cases of being blamingly sulked into sex, submitting is objectively preferable to facing continued sulking. As discussed earlier, sulking involves unpleasant withdrawal, and misdirected blame involves several serious harms. These harms compound as a relationship gets closer, as the number of affected third parties (e.g., one's children) increases, and as sulking gets longer, more pervasive, and more habitual. For instance, in Tried, the sulkee recounted, "When I tell him no, he fucking pouts about it. His mood is off for hours or even the rest of the day.... I wonder how he would feel if he knew how many times I've consented to sex just because I don't want to have to deal with his pouting." In Guilty, the sulkee was ready to end a twelve-year marriage because she was "sick of the guilt!" Yet a third sulkee has shared, "Saying 'no' and holding that 'no' in the face of someone deeply resistant, is *exhausting*." 58

Undoubtedly, the harms of submitting to sex can also be serious. But sometimes people can reduce some of its harms, e.g., hastening its end by faking an orgasm. More importantly, to claim that submitting can be objectively preferable to facing sulking does not imply that the harms of the former are trivial. It implies only that the harms of the latter can outweigh them.

What if a sulkee submits to sex to avoid brief, compartmentalized, or one-off sulking? They might be irrationally catering to their partner's desires. That said, we should hesitate to draw this conclusion lest we too hastily impute a kind of false consciousness. Moreover, recall that typically, sulking is the opposite: it is prolonged, pervasive, and habitual. In these cases, sulkees who submit

argument can easily extend to these conditions, so for simplicity's sake, I do not discuss them further.

<sup>55</sup> Conly, "Seduction, Rape, and Coercion," 114–15; Ferzan, "Consent and Coercion," 954–56, 971–80, 994–95, 1002–7; and Wertheimer, Consent to Sexual Relations, 183. As I discuss in notes 31 and 35, Conly's and Wertheimer's arguments apply to sulking even though they do not explicitly mention it. In contrast, Ferzan explicitly rejects the possibility that submitting to sulking or guilt-tripping could be reasonable (994, 1002–3). Ferzan also makes similar arguments about various verbal pressures: needling, haranguing, cajoling, pestering, badgering, whining, and more (955–56, 972, 974–75, 995, 1006). These arguments do not depend on the pressures being verbal, so they provide additional support for her skepticism about consent-undermining sulking.

<sup>56</sup> See the Reddit post cited above note 39.

<sup>57</sup> See the "Stay at Home Mum" post cited above note 18.

<sup>58</sup> Price, "A Few Words about Sexual Coercion in the Wake of the Aziz Ansari Accusations."

are often choosing rationally. To say otherwise seems baselessly patronizing. Hence, submitting is often objectively preferable to facing continued sulking.

Frequently, submitting is also objectively preferable to pursuing alternatives. Trying to distract a sulker is routinely effortful and ineffective. As observed in section 1, sulkers have strong incentives to prolong their sulking. Similarly, extrication is difficult. Even within nonabusive relationships, sulkees can face myriad obstacles to leaving the relationship or shared space: logistical (e.g., low funds, limited transportation, or childcare needs); psychosocial (e.g., internalized and social sanctions for gender norm violations); religious (e.g., prohibitions against divorce); relational (e.g., the value of the relationship itself); etc. Even if a sulkee does leave, the sulker's blame can keep weighing on them. These difficulties with extrication compound when sulking is prolonged, pervasive, habitual, and in a close relationship. Accordingly, the main alternatives to submission—distraction and extrication—are seldom promising.

Finally, sulking can rarely be remedied easily. Set aside legal remedies, like awards of damages; our focus is the moral sphere. In this sphere, one remedy is improving *resilience* to sulking. But to value interpersonal engagement with someone is to feel a loss when they enduringly, pervasively, and habitually withdraw. Being vulnerable to a partner's blame, moreover, reduces moral complacency. Hence, becoming inured to blame-laden sulking is a costly remedy. Another remedy is a sulker's *atonement*. Could a sulkee convince a sulker to atone? Yes, but recall that challenging a sulker's blame is often quite difficult. Could a sulkee's friends or other third parties encourage a sulker to atone? Yes, but frequently, a sulkee would have little confidence that they could get third parties to intervene; that such intervention would succeed; or that any intervention would not itself have costs, like blowback from bad-mouthing a partner. In sum, sulkees often lack easily accessible remedies for being blamingly sulked into sex.

Thus, in many cases of being blamingly sulked into sex, submitting is objectively preferable to facing continued sulking or to pursuing other alternatives, and such sulking is not easily remedied. In other words, the cases that meet P4's first four conditions frequently meet its final condition, Reasonable Compliance. Contra Conly, Ferzan, and Wertheimer, P5 is true. <sup>60</sup>

<sup>59</sup> Analogously, Krista Thomason argues that "Shame prevents us from ignoring our unflattering features" (Thomason, "Shame, Violence, and Morality," 2).

<sup>60</sup> I have argued that "many" cases of being blamingly sulked into sex meet the Unavailable Option condition, "many" cases that do so also meet the Moral Baseline condition, and so on. Could "many" of "many" (of "many" ...) cases amount to a few? I doubt it, given how many stories of sulking appear to meet all five conditions. But I welcome evidence suggesting otherwise.

From these premises follows c2: being blamingly sulked into sex often undermines one's consent via coercion. It can be tempting to see sulking as something that little kids do—that is to say, annoying but relatively inconsequential. I hope to have weakened this temptation. Sulking can be quite powerful within adult relationships—powerful enough to induce nonconsensual sex.

#### 4. IMPLICATIONS

Initiate: My husband and I have been married for 16 years.... Over the years, my sex drive has waned because of stress, age, work, children, etc. I try to make an effort to be intimate every week, [but] sometimes I just don't feel like having sex. Rather than trying to "woo" me just a little or even initiate sex when we have quiet time and our kids aren't likely to walk in, my husband sits and sulks until I make the first move. He does this every single time.... I know I could work on my libido, but why is it always up to me? Why do I get the guilt trip?<sup>61</sup>

My argument calls us to reflect seriously on sulking within sexual relationships. But before such reflection, it is useful to clarify the argument's moral and legal import. Additionally, it is useful to see how my argument generalizes (to cases like Initiate) without *over*generalizing. This section's discussion of these points will necessarily be partial: there is much more to say than space here allows.

## 4.1. Moral and Legal Import

All directed wrongs disrespect someone as a person. But unlike directed wrongs that are nonsexual, sexual wrongs also disrespect someone as an embodied, sexual agent. And unlike other sexual wrongs, nonconsensual sex involves another form of disrespect: a wrongful violation of one's *authority* over one's sexual life. As Hallie Liberto describes, "Any consent-related violation just is ... a breach of their authority within a domain that they are entitled to control." 62

Violations of sexual authority have at least three interlocking dimensions. They inhibit *sexual autonomy*, the ability to construct and govern one's sexual life; they inhibit *sexual freedom* (from interference and from domination); and they inhibit *trusting*, *intimate sexual relationships* by disrupting decisions about if, when, and how to engage in sex within various relationships. Of course, sex can also be wrongful for reasons unrelated to authority. Accordingly, sulking into sex can involve many wrongs besides nonconsensual sex. Such wrongs include exploitative sex, unjust sex, stalking, derivatization, inattention or lack

- 61 Sugar and Mitchell, "Sulking for Sex."
- 62 Liberto, "Coercion, Consent, and the Mechanistic Question," 232.

of attunement, inequality deployed as a form of force, and more. <sup>63</sup> But in the cases that I have discussed, the sulker does not just unfairly take advantage of the sulkee; does not just truncate the sulkee's distinct sexual agency; and so on. The sulker also violates the sulkee's authority. Instead of their close relationship being a space for free, intimate, sexual exploration, the sulker makes it a space where the sulkee capitulates to a sexual life imposed upon them. For this reason, I adopt a "both and" approach. Sulking into sex can involve both nonconsensual sex and wrongs unrelated to consent.

Nonconsensual sex, importantly, is a *degreed* wrong. After all, consent-undermining mechanisms are themselves degreed: victims can be more or less coerced, more or less incapacitated, etc. Relatedly, victims' experiences—which also affect the wrongfulness of nonconsensual sex—vary widely. Even sex itself is widely variable. As is common sense, a heteronormative view of sex as penile-vaginal penetration is arbitrarily narrow. Although literature on consent often neglects the immense diversity of sex, such diversity implies a concomitant variability in the wrongfulness of nonconsensual sex. Finally, nonsexual consent violations, like theft, are degreed wrongs. Why would sexual consent violations differ in this regard? In sum, what unifies the category of "nonconsensual sex" is not the *gravity* of its wrong but the *nature* of it.

C2 does not imply, then, that nonconsensual sex induced by sulking is always as wrongful as other forms of nonconsensual sex. Some instances of the former might be of the utmost gravity. For instance, one sulkee describes her experience as "emotional or psychological abuse," recounting, "My husband sulks and won't speak to me for up to four weeks if I don't respond to his requests for sex." Many other cases of sulking might not be so egregious.

One might be tempted to reserve the category of "nonconsensual sex" for wrongs of the utmost gravity. But let me mention two benefits to conceptualizing the wrong of nonconsensual sex as degreed. For victims of less egregious violations of sexual authority, this conceptualization helps them to understand their experiences as experiences of violated authority. Such victims can then see the crucial continuity between their own experiences and the experiences of

- 63 On exploitative sex, see Anderson, "Sex under Pressure," 368; and Yap, "Conceptualizing Consent," 56–60. On unjust sex, see Cahill, "Unjust Sex vs. Rape," 754–57. On stalking, see Patwardhan, "Stalking by Withdrawing." On derivatization, see Cahill, Overcoming Objectification, 32, 138–39. On inattention or lack of attunement, see Anderson, "A Phenomenological Approach to Sexual Consent," 2, 14–21. On inequality deployed as a form of force, see MacKinnon, "Rape Redefined," 469–77.
- 64 "Emotional Abuse in Sulking Silence when Sexual Demands Go Begging." For another sulkee's discussion of abusive sulking, see the *Netmums Forum* post by user Jo B(1113) cited above note 12.

victims who face more egregious violations of sexual authority—despite the differences between those experiences. Those who are not victims also benefit from seeing this continuity. Many people recognize and morally attend to sex that is blatantly nonconsensual, like sex induced by threats of fatal violence. But we should dedicate a similar kind of moral attention to sex that is less blatantly nonconsensual, like coercive sulking into sex. Seeing the continuity between these cases helps us to do exactly this.

Conceptualizing the wrong of nonconsensual sex as degreed has a second benefit. By recognizing that my authority over my sexual life can be violated in a vast spectrum of ways, I can more easily recognize that my authority itself is vast. For example, I can more easily recognize that I have the authority to demand a sexual life free from coercive sulking—and from all manner of coercive pressures, no matter their severity. In this way, seeing the wrong of nonconsensual sex as degreed serves to empower us. These two benefits, along with the various considerations above, make it natural to see nonconsensual sex as a wrong with variable gravity. 65

The discussion above also reveals why it is important to talk about the wrongfulness of sulking in terms of consent. Some theorists might prefer otherwise. For instance, Jonathan Jenkins Ichikawa observes, if consent is "whatever it is that makes sex *qua* sex morally permissible," then it is a normatively useless concept; it cannot explain anything about the ethics of sex. <sup>66</sup> We could focus instead on the equality of sexual interactions, as Catharine MacKinnon suggests. <sup>67</sup> Or maybe the problem is that consent has an extremely low bar; we cannot theorize about subtle or minor sexual pressures in terms of consent. <sup>68</sup> Or perhaps the concept of consent is not flawed, but our deployment of it is. Audrey Yap, for example, argues that people problematically take sexual desire to suffice for consent. <sup>69</sup> And Quill Kukla (writing as Rebecca Kukla) argues that discussions of consent frequently reinforce the narrative that ethical sex simply requires acquiescence—usually, a woman acquiescing to a man initiating. <sup>70</sup> Arguments like these might encourage theorizing about sulking in terms other than consent.

<sup>65</sup> For lengthier discussions of the degreed wrong of nonconsensual sex, see Liberto, *Green Light Ethics*, 244–50; Dougherty, "Sexual Misconduct on a Scale," 337–43; and Boonin, *When Yes Means No*, 145–69.

<sup>66</sup> Ichikawa, "Presupposition and Consent," 23-24, 23n36.

<sup>67</sup> MacKinnon, "Rape Redefined," 431, 436, 439-51, 462-65, 469-70, and 476.

<sup>68</sup> MacKinnon, "Rape Redefined," 440, 443-50; and Yap, "Conceptualizing Consent," 56-60.

<sup>69</sup> Yap, "Conceptualizing Consent," 51-56.

<sup>70</sup> Kukla, "That's What She Said," 75.

But as per the discussion above, the language of consent crucially illuminates how sulking into sex can violate one's authority over one's sexual life. The ethical considerations of authority that underlie consent are neither comprehensive—encompassing every consideration relevant to moral permissibility nor reducible—to considerations like equality. This is why I adopt a "both and" understanding of the wrongfulness of sulking into sex. Moreover, C2 belies the claim that we cannot theorize about sulking in terms of consent, that the bar for consent is too low. The sufficient conditions for coercion that apply to paradigmatic sexual pressures apply to sulking all the same. These pressures are continuous. Finally, it is indisputable that our deployment of the language of consent is often pernicious. We can avoid some of these dangers by being more careful, e.g., never taking desire to suffice for consent. But more importantly, the language of consent can also be *empowering*, as discussed above. C2 shows that a sexual life free from coercive sulking is not just valuable but something that we have the authority to demand. For these reasons, it is important to theorize about sulking in terms of consent.<sup>71</sup>

I turn now to C2's legal implications. Criminalizing nonconsensual sex raises complicated questions regarding, among other things, the import of interpersonal privacy; the costs of criminal legal bureaucracy; the requirements for culpability; and the effectiveness of criminal punishment as a remedy for sexual wrongs. For this reason, the fact that a sexual interaction is nonconsensual does not entail that it should be considered a crime—a specific instance of the general principle that moral wrongdoing does not entail criminal wrongdoing. Accordingly, C2 does not imply—nor do I believe—that nonconsensual sex induced by sulking should always be criminalized.

This position might initially seem controversial. But let me offer just one schematic, supporting example. Consider sulking into sex within a longstanding relationship. Suppose that both partners, having recognized the wrong, are reconstructing a healthier sexual life. In such cases, criminal punishment is sometimes helpful, sometimes not. It can be a galvanizing tool, spurring a wrongdoer to take reparation seriously. But it can also meddlesomely interfere with the victim standing up for themselves and with the victim and wrongdoer working things out together. In sum, criminal accountability is not the only form of accountability for nonconsensual sex, nor is it always appropriate. Of course, there is still much more to say (as with every point in this section).<sup>72</sup>

- 71 I am grateful to an anonymous reviewer for urging me to engage more explicitly with feminist criticisms of consent.
- 72 For more discussions of nonconsensual sex in the moral versus criminal spheres, see, for example, Patwardhan, "Meddlesome Blame for Nonconsensual Sex"; and Wertheimer, Consent to Sexual Relations, 2–3, 5–6. For discussion of the meddlesomeness of criminal

Just as C2 avoids implying that sulking into sex should always be criminalized, so too does it avoid implying that sulkers are always culpable. Some sulkers are clearly culpable, e.g., those who knowingly levy misdirected blame. Other sulkers may not be, e.g., those whose pernicious socialization makes them justifiably ignorant that their blame is misdirected. Nevertheless, nonculpable sulkers still ought to rectify the wrong done.

## 4.2. Extending the Argument

My argument does not entail that all sexual pressures undermine consent. For example, some pressures—like economic incentives in the context of ethical sex work—may not be wrongful. If so, they do not satisfy P4's Moral Baseline condition. That said, my argument also does not entail that sexual pressures like these are *not* consent undermining. This is because P4 articulates jointly sufficient conditions for consent-undermining coercion, not necessary conditions. In this way, I avoid endorsing Robin Morgan's expansive view that consent is undermined whenever not initiated out of one's own affection and desire. <sup>73</sup> So too do I avoid ruling out this view—despite being skeptical of its implication that all pressured sex is similarly nonconsensual. In other words, I take pressured sex to be morally heterogeneous, and my argument leaves room for this.

Although my argument does not overgeneralize, it does generalize. I have focused on blame targeted at sexual *refusal*. But P4 can hold even when blame is targeted at sexual *noninitiation*. Recall Initiate: "my husband sits and sulks until I make the first move." I have also focused on *occurrent* sulking. But in relationships involving habitual sulking, P4 can be met *before the sulking starts*. Consider this story: "At 71, I have no desire to have sex. However, my husband, 80, is still keen, and if I turn him down, he sulks.... For ages now, I have gone along with it." Here, the wife suggests that she "goes along with it" so that her husband does not even start sulking.

Blaming behaviors other than sulking, e.g., incessant criticism, can also satisfy P4. One person recounts their complicated experience: "I said yes ... because I didn't want him to be mad at me. Or yell at me. And I wasn't sure I didn't want it. I was already there, so I just let it happen." Indeed, paradigmatic cases of coercion, like cases of sex to avoid assault, often involve threatening

prosecution of relational wrongs more generally, see, for example, Mendlow, "The Moral Ambiguity of Public Prosecution." I am grateful to an anonymous reviewer for asking me to say a bit more about the legal implications of C2.

<sup>73</sup> Morgan, "Theory and Practice," 165.

<sup>74</sup> Sugar and Mitchell, "Sulking for Sex."

<sup>75</sup> Parker and Parker, "Steph and Dom Solve Your Sex, Love, and Life Troubles."

<sup>76</sup> Bennett and Jones, "45 Stories of Sex and Consent on Campus."

both misdirected blame *and* violence. The coerciveness of such conduct is thereby overdetermined. Furthermore, if someone habitually uses misdirected blame to coerce their partner into sex, P4 can be met even when their conduct does *not* involve blame. For they might still recklessly cause their partner to believe that any sexual refusal will be met with wrongful blame. P4 applies even to pressure tactics that *never* involve blame, as long as they involve a different kind of threat to wrong the coercee.

Finally, P4 can hold for nonsexual interactions too. Say that to end a dayslong sulk, my partner lets me paint their office in my favorite color. Clearly, their compliance is not consent. Of course, painting their room is less wrong than having nonconsensual sex—authority over wall color is less important than sexual authority—but what I did is still nonconsensual. In other words, sulking can be a general tactic of coercive control.<sup>77</sup>

Thus, it is vital that we recognize that sex to avoid blame-laden sulking is often nonconsensual. This conclusion has numerous moral and legal implications, not only for sulking but also for myriad other behaviors. Perhaps most importantly, this conclusion reveals the continuity between diverse forms of nonconsensual sex and empowers us to demand a sexual life free from all of them.

#### 5. CONCLUSION

Recognition: As the #MeToo movement began to take form ... I started to question my actions.... I started to see that while I believed I had always been respectful and obtained consent, my sex life involved many incidences of pressuring women into sexual acts until they relented.<sup>78</sup>

- 77 Contrast Ferzan's verdict about a different nonsexual case: a teen incessantly sulking (or using similar pressure tactics) to get their parent to buy them ice cream ("Consent and Coercion," 993–96). Her focus on a child-parent relationship in this case muddies our intuitions for multiple reasons. For one, Ferzan observes, "good parents don't give in to their children's whims" (994). In other words, it is objectively preferable for the parent to withstand the sulking; this is what good parenting requires. So this case does not meet P4. But partners are not each other's parents. For this reason and others, conclusions about sulking within child-parent relationships are not straightforwardly parallel to conclusions about sulking within partner-partner relationships. (For what it is worth, unlike Ferzan, I am happy to hold that teens can sometimes undermine the consent of their parents via pressures like sulking. Indeed, holding this position seems to be part and parcel of recognizing that sometimes teens should be treated as full moral agents. Moreover, this position need not lead us to exaggerate the wrong of child-parent coercion or to deny that good parents are resilient to pressure. But this is a complicated matter better left for discussion elsewhere.) Thanks to an anonymous referee for asking me to elaborate on child-parent cases.
- 78 Bennett and Jones, "45 Stories of Sex and Consent on Campus."

This paper started with a question: What could explain the wrongfulness of sulking for and into sex, without overgeneralizing? I have now given an answer that cuts against the existing literature. Sulking at someone for sex often involves wrongfully blaming them; sulking someone into sex often coercively undermines their consent. Such violations of sexual authority, importantly, should be morally but not always criminally sanctioned. These arguments avoid implying that all sexual pressures are the same. Nevertheless, they usefully extend to subtle sexual pressures besides sulking, overtly aggressive sexual pressures, and even nonsexual pressures.

I hope that I have demonstrated to philosophers that we should attend to real stories of how a particular sexual pressure unfolds within close relationships. Such attention helps us to identify the key moral features of the relevant pressure, especially when that pressure is subtle. I also hope that I have helped both sulkees and sulkers. Do the former understand their experiences better and feel more empowered to demand better treatment? Are the latter more equipped to follow the path of change that is described in Recognition? If so, I would be glad. Ultimately, what I hope to have illuminated is the following. Sulking is a complicated, seemingly paradoxical behavior of proximate withdrawal. In intimate relationships, sulking and blame form a fraught, potent pair. Sexual coercion therefore need not involve blatant threats of violence. Often, it operates via simmering absence, a withdrawal that pulls you in its wake.<sup>79</sup>

Macalester College spatward@macalester.edu

#### REFERENCES

Anderson, Ellie. "A Phenomenological Approach to Sexual Consent." *Feminist Philosophy Quarterly* 8, no. 2 (July 2022): 1–24.

Anderson, Scott. "Coercion." *Stanford Encyclopedia of Philosophy* (Spring 2023). https://plato.stanford.edu/archives/spr2023/entries/coercion/.

79 For feedback on the ideas and drafts that developed into this paper, thanks to two anonymous reviewers, as well as Sam Asarnow, Sonu Bedi, Sarah Buss, April Conway, Emmalon Davis, Kristie Dotson, Tom Dougherty, Guus Duindam, Paul Garofalo, Lisa Gourd, Gillian Gray, Scott Hershovitz, Josh Hunt, Renée Jorgensen, Gabrielle Kerbel, Dan Lowe, Ishani Maitra, Cameron McCulloch, Gabriel Mendlow, Sarah Moss, Marcela Prieto Rudolphy, Laura Ruetsche, Tad Schmaltz, Mark Schroeder, Laura Soter, Angela Sun, Eric Swanson, Brian Talbot, Jamie Tappenden, Adam Waggoner, Brian Weatherson, Katie Wong, and audiences at the University of Michigan, the Minorities and Philosophy 2020 Summer Flash Talk Series, and Washington and Lee University.

- ——. "Coercion as Enforcement and the Social Organisation of Power Relations: Coercion in Specific Contexts of Social Power." *Jurisprudence* 7, no. 3 (December 2016): 525–39.
- ------. "Conceptualizing Rape as Coerced Sex." Ethics 127, no. 1 (October 2016): 50–87.
- -----. "The Enforcement Approach to Coercion." *Journal of Ethics and Social Philosophy* 5, no. 1 (October 2010): 1–31.
- ———. "How Did There Come to Be Two Kinds of Coercion?" In *Coercion and the State*, edited by David Reidy and Walter Riker, 17–29. New York: Kluwer/Springer, 2008.
- ——. "Of Theories of Coercion, Two Axes, and the Importance of the Coercer." *Journal of Moral Philosophy* 5, no. 3 (January 2008): 394–422.
- ——. "On Sexual Obligation and Sexual Autonomy." *Hypatia* 28, no. 1 (Winter 2013): 122–41.
- Archard, David. "The Wrong of Rape." *Philosophical Quarterly* 57, no. 228 (July 2007): 374–93.
- Barbee, Anita, and Michael Cunningham. "An Experimental Approach to Social Support Communications: Interactive Coping in Close Relationships." *Annals of the International Communication Association* 18, no. 1 (1995): 381–413.
- Bennett, Christopher. "The Varieties of Retributive Experience." *Philosophical Quarterly* 52, no. 207 (April 2002): 145–63.
- Bennett, Jessica, and Daniel Jones. "45 Stories of Sex and Consent on Campus." *New York Times*, May 10, 2018. https://www.nytimes.com/interactive/2018/05/10/style/sexual-consent-college-campus.html.
- Boonin, David. When Yes Means No: Problems of Sexual Consent. Unpublished manuscript.
- Cahill, Ann J. Overcoming Objectification. New York: Routledge, 2011.
- ———. Rethinking Rape. Ithaca, NY: Cornell University, 2001.
- ——. "Unjust Sex vs. Rape." *Hypatia* 31, no. 4 (Fall 2016): 746–61.
- Card, Claudia. "Recognizing Terrorism." *Journal of Ethics* 11, no. 1 (March 2007): 1–29.
- Carlsson, Andreas Brekke. "Blameworthiness as Deserved Guilt." *Journal of Ethics* 21, no. 1 (March 2017): 89–115.
- Conly, Sarah. "Seduction, Rape, and Coercion." *Ethics* 115, no. 1 (October 2004): 96–121.
- Dougherty, Tom. "Coerced Consent with an Unknown Future." *Philosophy and Phenomenological Research* 103, no. 2 (September 2021): 441–61.

- ——. "Sexual Misconduct on a Scale: Gravity, Coercion, and Consent." *Ethics* 131, no. 2 (January 2021): 319–44.
- Edwards, James. "Theories of Criminal Law." *Stanford Encyclopedia of Philosophy* (Fall 2021). https://plato.stanford.edu/archives/fall2021/entries/criminal-law/.
- "Emotional Abuse in Sulking Silence when Sexual Demands Go Begging." News-Mail (Bundaberg, Australia), March 2, 2009. https://infoweb.newsbank.com/apps/news/openurl?ctx\_ver=z39.88-2004&rft\_id=info%3Asid/infoweb.newsbank.com&svc\_dat=WORLDNEWS&req\_dat=6745DoC7EC9246F49DAE70DA1EA3845F&rft\_val\_format=info%3Aofi/fmt%3Akev%3Amtx%3Actx&rft\_dat=document\_id%3Anews%252F12797FAEDA676640.
- Ferzan, Kimberly Kessler. "Consent and Coercion." *Arizona State Law Journal* 50, no. 4 (Winter 2018): 951–1008.
- Fricker, Miranda. "What's the Point of Blame? A Paradigm-Based Explanation." *Nous* 50, no. 1 (March 2016): 165–83.
- Hieronymi, Pamela. "The Force and Fairness of Blame." *Philosophical Perspectives* 18, no. 1 (2004): 115–48.
- Hull, Richard T. "Have We a Duty to Give Sexual Pleasure to Others? A Reply to Arthur M. Wheeler." Commentary presented at the Tri-state Philosophical Association Meeting, Mercyhurst College, Erie, PA, October 1985.
- Ichikawa, Jonathan Jenkins. "Presupposition and Consent." *Feminist Philosophy Quarterly 6*, no. 4 (December 2020): 1–32.
- Kukla, Rebecca. "That's What She Said: The Language of Sexual Negotiation." *Ethics* 129, no. 1 (October 2018): 70–97.
- Liberto, Hallie. "Coercion, Consent, and the Mechanistic Question." *Ethics* 131, no. 2 (January 2021): 210–45.
- -----. *Green Light Ethics*. Oxford: Oxford University Press, 2022.
- ——. "Threats, Warnings, and Relationship Ultimatums." In *The Routledge Handbook of Love in Philosophy*, edited by Adrienne M. Martin, 128–37. New York: Routledge, 2019.
- MacKinnon, Catharine. "Rape Redefined." *Harvard Law and Policy Review* 10, no. 2 (Summer 2016): 431–77.
- McDermott, Roe. "My Girlfriend Sulks If We Don't Have Sex and It's Bringing Back Painful Memories." *Irish Times*, August 9, 2019. https://www.irishtimes.com/life-and-style/health-family/my-girlfriend-sulks-if-we-don-t-have-sex-and-it-s-bringing-back-painful-memories-1.3971846.
- -----. "My Partner Wants Sex Every Night and Sulks if I Don't Agree." Irish

- *Times*, March 25, 2018. https://www.irishtimes.com/life-and-style/health-family/my-partner-wants-sex-every-night-and-sulks-if-i-don-t-agree -1.3438005.
- McGeer, Victoria. "Civilizing Blame." In *Blame: Its Nature and Norms*, edited by D. Justin Coates and Neal A. Tognazzini, 162–88. Oxford: Oxford University Press, 2013.
- Mendlow, Gabriel. "The Moral Ambiguity of Public Prosecution." *Yale Law Journal* 130, no. 5 (March 2021): 1146–87.
- Miceli, Maria. "How to Make Someone Feel Guilty: Strategies of Guilt Inducement and Their Goals." *Journal for the Theory of Social Behaviour* 22, no. 1 (March 1992): 81–104.
- Morgan, Robin. "Theory and Practice: Pornography and Rape." In *Going Too* Far: The Personal Chronicle of a Feminist, 163–69. New York: Random House, 1977.
- Murphy, Clare. "Tactic #13: Intimate Partner Sexual Abuse." SpeakOutLoud, n.d. Accessed April 19, 2020. https://speakoutloud.net/intimate-partner-abuse/sexual-abuse.
- Nozick, Robert. "Coercion." In *Philosophy, Science, and Method: Essays in Honor of Ernest Nagel*, edited by Sidney Morgenbesser, Patrick Suppes, and Morton White, 440–72. New York: St. Martin's Press, 1969.
- Parker, Steph, and Dom Parker. "Steph and Dom Solve Your Sex, Love, and Life Troubles: After 50 Years, He Still Wants Loads of Sex—But I Don't!" Daily Mail, September 6, 2020. https://www.dailymail.co.uk/femail/article-8703679/Steph-Dom-50-years-wants-loads-sex-dont.html.
- Patwardhan, Sumeet. "Do I Have To? Moral Ignorance and Consent." Unpublished manuscript.
- ——. "Meddlesome Blame for Nonconsensual Sex." Unpublished manuscript.
- -----. "Peremptory Blame." Unpublished manuscript.
- ———. "Stalking by Withdrawing." Unpublished manuscript.
- Price, Devon. "A Few Words about Sexual Coercion in the Wake of the Aziz Ansari Accusations." *Medium*, January 14, 2018. https://devonprice.medium.com/a-few-words-about-sexual-coercion-in-the-wake-of-the-aziz-ansariaccusations-7db015c1cde5.
- Radzik, Linda. *Making Amends: Atonement in Morality, Law, and Politics*. Oxford: Oxford University Press, 2009.
- Smith, Sharon, Xinjian Zhang, Kathleen C. Basile, Melissa T. Merrick, Jing Wang, Marcie-jo Kresnow, and Jieru Chen. "The National Intimate Partner and Sexual Violence Survey (NISVS): 2015 Data Brief (Updated Release)." National Center for Injury Prevention and Control, Centers for Disease

- Control and Prevention, 2018.
- Soble, Alan. Sexual Investigations. New York: New York University Press, 1996.
- Srinivasan, Amia. "Does Anyone Have the Right to Sex?" *London Review of Books* 40, no. 6 (March 2018). https://www.lrb.co.uk/the-paper/v4o/no6/amia-srinivasan/does-anyone-have-the-right-to-sex.
- Stemple, Lara, Andrew Flores, and Ilan H. Meyer. "Sexual Victimization Perpetrated by Women: Federal Data Reveal Surprising Prevalence." *Aggression and Violent Behavior* 34 (May 2017): 302–11.
- Sugar, Marcy, and Kathy Mitchell. "Sulking for Sex." Advice column, *Annie's Mailbox*, November 16, 2012. https://www.creators.com/read/annies-mailbox/11/12/sulking-for-sex.
- Thomason, Krista. "Shame, Violence, and Morality." *Philosophy and Phenomenological Research* 91, no. 1 (July 2015): 1–24.
- Tognazzini, Neal, and D. Justin Coates. "Blame." *Stanford Encyclopedia of Philosophy* (Summer 2021). https://plato.stanford.edu/archives/sum2021/entries/blame/.
- Wertheimer, Alan. Coercion. Princeton: Princeton University Press, 1987.
- ———. Consent to Sexual Relations. Cambridge: Cambridge University Press, 2003.
- Yap, Audrey. "Conceptualizing Consent: Hermeneutical Injustice and Epistemic Resources." In *Overcoming Epistemic Injustice: Social and Psychological Perspectives*, edited by Benjamin R. Sherman and Stacey Goguen, 49–62. London: Rowman & Littlefield International, 2019.
- Zimmerman, David. "Coercive Wage Offers." *Philosophy and Public Affairs* 10, no. 2 (Spring 1981): 121–45.