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# 'You don't have to': a corpus-assisted analysis of modal auxiliaries in sexual consent guidance for young people

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## ABSTRACT

This paper examines modal auxiliaries in a corpus of consent guidance, with two goals: firstly to explore modal auxiliaries as discursive strategies, and secondly to evaluate their effect. Drawing on a corpus of sexual consent guidance produced by British institutions for young people and professionals who work with them, I combine corpus linguistics and feminist discourse analysis to examine modal auxiliaries. The texts present consent as free, informed, and affirmative. But when talking about abuse, the texts advise young people to 'say no' and that they 'don't have to' have sex, thereby representing coercion as able to be resisted and young people's resistance as a matter of individual choice. I conclude by suggesting strategies for strengthening consent guidance.

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## KEYWORDS

Sexual consent; sexual violence; corpus linguistics; feminist discourse analysis; modal auxiliaries

## Introduction

An estimated 41% of girls aged 14–17 in the United Kingdom experience sexual violence in intimate relationships (Safeguarding Teenage Intimate Relationships, 2015, p. 3). This paper examines a corpus of sexual consent guidance produced with the aims of preventing sexual abuse and supporting survivors. This guidance is published by British institutions for two distinct target audiences: young people and professionals who work with young people. Using corpus-assisted feminist discourse analysis, I analyse English modal auxiliary verbs as discursive resources for expressing epistemicity and deonticity in texts for each target audience.

I begin with an introduction to sexual violence prevention in the United Kingdom, followed by an overview of the data and methodology. I then turn to analysing three discourses which I argue are prominent in the texts for young people and professionals: consent as free agreement, resistance to sexual pressure, and risk reduction. When defining consent, the texts present consent as free, fully informed, and affirmative. But when discussing sexual coercion, the texts advise young people to 'say no' and avoid situations of perceived risk. I contend that this mosaic of juxtaposed discourses is double-edged: on the one hand, they construct young people who delay or abstain from sex as *smart* and agentive. But on the other hand, they also frame young people's ability to resist sexual victimisation as a matter of managing risk through individual choices. This

conceptualisation of sexual violence problematises young people's lived experiences of sexual coercion, effectively 'bleaching' it of its coercive power. Finally, I conclude by suggesting strategies to improve violence prevention and survivor support resources.

## Sexual violence and young people

Partner abuse is characterised by what Stark (2007) calls *coercive control*: a pattern of behaviour used to manipulate and subordinate victims by exerting control over 'everyday' aspects of their lives (Stark, 2007, p. 5). This might include limiting or controlling money and other resources, participation in paid employment, or communication with friends and family, in order to restrict their autonomy. However, many young people report that consent and coercive control are absent from school-provided sex and relationships education (Girlguiding, 2015, p. 15). A key challenge in educational materials for young people is the tension inherent in abstinence-focused messaging: on the one hand, young people are often represented as lacking sexual agency and needing protection from sexualisation, yet paradoxically, are also seen as having the unconstrained agency and capacity to negotiate consent (or abstinence) (King, 2011). This problematisation of agency also manifests in other institutional settings. In Ehrlich's (2001) study of sexual assault adjudications, she found that adjudicators systematically used presupposition to highlight the range of options that complainants supposedly had, while also failing to recognise the actions they took as agentive resistance. By contrast, passive clauses obscured defendants' agency, thereby presenting complainants – but not defendants – as having unconstrained agency.

A further problem with rape prevention programmes which focus on encouraging young women to 'say no' is that empirical research suggests that a direct 'no' is not one of the strategies that young people commonly report using to express non-consent. Instead, focus groups of young women and young men report that they primarily use and understand indirect ways of communicating non-consent such as by saying 'I'm flattered, but ...' or 'I'm not ready' (Kitzinger & Frith, 1999; O'Byrne et al., 2008). That said, young people are active (re)interpreters and co-constructors of guidance, as demonstrated by Jackson and Weatherall's (2010) study of how feminist-influenced messages in secondary school sexuality education are understood by New Zealand students. The students appeared to interpret the message that they can 'say no' as an affirmation of bodily autonomy: '[the educator] went on to say how like you can just say no. It's still your body. Doesn't matter if you've had sex before. And that sort of opened my eyes' (Jackson & Weatherall, 2010, p. 176). They therefore seem to understand the message that they can 'say no' as an entitlement, rather than obligation, to make free choices, suggesting that multiple readings of 'say no' discourse may be available.

Talbot (1995) shows that a key strategy for the co-construction of advice texts is what Fairclough calls 'synthetic personalisation' (Fairclough, 2001, p. 52): practices which make mass-produced texts appear to be shaped for an individualised 'implied reader, an imaginary addressee with particular preoccupations, values, notions of common sense, and so on' (Talbot, 1995, p. 146). Modal auxiliary verbs are identified as a key strategy for synthetic personalisation in Baker's (2005) study of safer sex documentation for gay men. Baker argues that the use of modals enables prophylactic use to be presented as a choice, in examples such as 'Your chance of getting an STI can depend on whether you

use a condom or not' (Baker, 2005, p. 204). Gay men are not explicitly instructed to use condoms, nor are condoms presented as the only option, but by using epistemic CAN, Baker argues, condom use is presented as one of a range of options to reduce the chance of STI transmission (Baker, 2005). This paper examines modals as discursive resources in the corpus of consent guidance.

English modal auxiliaries constitute a closed set, characterised by the 'NICE' properties – negation, inversion, code, and emphasis. Two further criteria – non-inflection and finiteness – distinguish the modals from quasi-modals such as HAVE TO, as well as from other auxiliaries (Palmer, 1979, p. 4).<sup>1</sup> Traditional approaches (Kratzer, 2012; Portner, 2009) hold that there is a categorical split between epistemic modality – relating to knowledge – and non-epistemic phenomena such as deonticity and bouleticity. Deontic modality relates to rules and norms, while bouletic modality relates to beliefs and desires. Although all modal auxiliaries are able to express more than one type of modality, Tagliamonte and D'Arcy's (2007) examination of a large corpus of Canadian English demonstrates that 'there is a strong partitioning of the forms according to function' (Tagliamonte & D'Arcy, 2007, p. 55), meaning that certain modals tend to favour certain readings in naturalistic usage. One example, they argue, is MUST, which seems to be 'becoming entrenched in particular contexts or constructions, especially epistemic uses' (Tagliamonte & D'Arcy, 2007, p. 55).

## The data

As part of a larger project on consent guidance, a 118,357-word corpus was compiled from guidance produced by local and national UK institutions. Texts were selected if they contained advice using the terms (*sexual*) consent and (*sexual*) abuse. This selection criterion was its own limiting factor as few such organisations existed in the UK at the time of data collection. This paper focuses on a 53,702-word subcorpus, summarised in Table 1, consisting of consent guidance texts produced for young people (36,590 words), and for professionals who work with young people such as doctors, teachers, and social workers (17,112 words).

The texts for professionals who work with young people were produced by Brook, an NGO which provides sexual health services to young people under 25 and training to professionals who work with young people. Founded in 1964, they provide online information about sexual health and consent, run advisory centres that give advice and contraceptive care to young people, and campaign on issues pertaining to young people's health (Brook, 2011).

**Table 1.** Sources of consent guidance for young people and professionals.

Target audience	Sector	Source	Number of texts	Word count
<b>Young people</b>	National Health Service/Local government	CHYPS Plus	6	12,575
	NGO	Brook	19	9,463
	National Government	This is ABUSE	12	9,294
	National Health Service	NHS Choices	5	5,258
<i>Subtotal</i>			55	36,590
<b>Professionals</b>	NGO	Brook	17	17,112
<i>Subtotal</i>			17	17,112
<b>Total</b>			<b>72</b>	<b>53,702</b>

The texts for young people come from a broader range of sources, with the majority being from sexual health service providers: Brook, NHS Choices, and CHYPS Plus. NHS Choices was launched in 2008 by the National Health Service (NHS). At the time of data collection, it included approximately 20,000 articles that provide information to the public on a range of health topics and services available in England, making it the UK's largest health website (NHS Choices, 2011). Texts are taken from the 'Sexuality and Young People' directory of the site.

CHYPS (City and Hackney Young People's Service) Plus is a joint project of the NHS and the City and Hackney local authority. They provide health services to young people aged 11–19 in the London borough of Hackney, and was one of the first NHS trusts nationally to be certified with 'You're Welcome' status – an accreditation scheme introduced by the UK Department of Health in 2011 for making health services 'young people friendly' (CHYPS Plus, 2012). Texts are taken from the sexual health directory of the CHYPS Plus site.

Data also comes from the UK Government's This is ABUSE campaign website – an online campaign launched by the UK Home Office in 2010. The campaign targets teenagers aged 13–18, with the aims of challenging partner-violence accepting attitudes, signposting young people to support resources, and helping perpetrators change their own abusive behaviour (Home Office, 2015).

## Methodology

To enable the researcher to track quantitative patterns and identify areas for further analysis, texts were tagged using the automated CLAWS part-of-speech tagger implemented in Wmatrix3 (Rayson, 2003). Lexical items tagged as modal auxiliary verbs were then extracted and coded for modal force. After preliminary analysis, it was observed that some modals categorically express certain meanings and consequently were excluded from further statistical analysis. MAY and MIGHT categorically express epistemicity, NEED TO categorically expresses deontic modality, and WILL, WOULD, and COULD indicate temporal sequencing. Some modals such as SHALL or OUGHT TO do not occur in this corpus. The remaining statistical analysis of this paper therefore focuses on the resulting tagged set of 838 modals which express more than one type of modal force, namely CAN, SHOULD, HAVE TO, and MUST, which can express epistemic, bouletic, or deontic modality.

Collocation analysis of modal auxiliaries was carried out using AntConc (Anthony, 2014). Collocation is the co-occurrence of lexical items as observed in corpus data which, in patterning together, imbue each other with shades of meaning (McEnery & Hardie, 2012, p. 123). In this paper collocation is measured using mutual information (MI), which is a measure of association, or the amount of information two variables provide about each other (Evert, 2005, pp. 88–89). To ensure that the strength of collocations are not due solely to a one-off or atypical collocation, the analysis focuses on collocates which have a minimum mutual information value of  $3.00^2$  and which occur at least 5 times within the L3-R3 search window (that is, three places to the left or right of the search term).

Critical discourse analysis (CDA) examines how discourse perspectively constructs certain phenomena or experiences, and in so doing, reinscribes power differentials (Fairclough, 2001). In this paper I use a feminist critical lens, to examine how modals can be

perspectival resources, expressing deonticity and epistemicity in ways that construct certain experiences as consensual or coerced. By combining qualitative and quantitative approaches, each approach acts as a check on and complement to the other: quantitative methods are used to check for patterns that may be below the level of conscious awareness, and to check the consistency of patterns throughout the corpus; while feminist critical discourse analysis is used to evaluate the effects of linguistic forms in context.

### **Modals in consent guidance**

The most frequently expressed type of modal force in the corpus is deonticity, which accounts for 497 of the 838 modal tokens, or 59.3% of modal tokens in the corpus (Table 2).

Of the modals which express deonticity (CAN, HAVE TO, MUST, NEED TO, and SHOULD), MUST most strongly favours a deontic reading, with 98.8% of MUST tokens expressing deontic obligation or necessity. I therefore begin with an examination of MUST and the contexts in which it occurs.

### ***Modals of obligation/necessity in affirmative agreement discourse***

A key strategy employed by the texts for professionals is to define consent in terms of free, affirmative, and informed agreement. As shown in Table 2, MUST is used almost exclusively in texts for professionals – only 3 MUST tokens (3.7%) occur in texts for young people. While MUST is used predominantly as a deontic modal of obligation or necessity, the only token of epistemic MUST in the corpus occurs in texts for young people.

A collocation analysis of MUST (Table 3) reveals that, in the texts for professionals, MUST frequently collocates with *organisational*, *professionals*, and *guidelines* in discussions of *professionals'* responsibilities. Of the 12 collocates listed in Table 3, 10 are seen in the recurring instructions quoted in Examples 1-2, which each occur 24 times through the text. These two repeated sentences therefore account for 48 of the 78 MUST tokens (61.5%) in the texts for professionals. These sentences occur in advice on the specific issues that professionals should consider when evaluating a young person's sexual behaviour for safeguarding concerns.

- (1) In each scenario professionals must ask themselves a number of questions before deciding (Brook for Professionals).
- (2) Professionals must consider organisational guidelines including protocols on underage sex before taking action.

In the texts for professionals, MUST therefore seems to occur primarily in contexts where professionals are instructed to *consider* whether a young person's sexual *behaviour* raises safeguarding concerns. The two remaining collocates from Table 3, *be* and *the*, commonly occur in the n-gram *must be*, indicating that MUST is frequently used in contexts where professionals are advised to evaluate courses of safeguarding action in light of certain considerations. This is illustrated in Example 3, where professionals are instructed to consider the young person's *best interests*.

**Table 2.** Frequency of modal auxiliaries.

Modal	Young people						Professionals						Total	
	<i>Epistemic</i>		<i>Bouletic</i>		<i>Deontic</i>		<i>Epistemic</i>		<i>Bouletic</i>		<i>Deontic</i>			
	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in subcorpus	<i>n</i>	per 10,000 words in corpus
CAN	197	5.4	0	0.0	127	3.5	4	2.3	0	0.0	162	94.7	490	91.2
MAY	40	1.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	40	7.5
MIGHT	70	1.9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	70	13.0
SHOULD	1	0.03	19	0.5	20	0.5	0	0.0	6	3.5	32	5.18.0	78	14.5
NEED TO HAVE TO	0	0.0	2	0.1	32	0.9	0	0.0	0	0.0	0	0.0	34	6.3
MUST TO	1	0.03	0	0.0	2	0.1	0	0.0	0	0.0	78	45.6	81	15.1
<i>Subtotal</i>	309	8.45	22	0.60	219	5.99	4	0.74	6	3.51	278	162.46		
<b>Total</b>	<i>n</i> = 550, 15.0 per 10,000 words in subcorpus						<i>n</i> = 288, 168.3 per 10,000 words in subcorpus						<i>n</i> = 838, 156.1 per 10,000 words in corpus	

**Table 3.** L3-R3 collocates of MUST.

Young people				Professionals			
Collocate	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information	Collocate	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information
they	5	1.4	4.11	scenario	12	7.0	8.42
				themselves	12	7.0	8.30
				each	12	7.0	8.30
				organisational	12	7.0	8.10
				ask	12	7.0	7.61
				professionals	24	14.0	7.15
				guidelines	12	7.0	7.10
				consider	12	7.0	6.87
				behaviour	16	9.4	5.13
				be	12	7.0	5.11
				a	14	8.2	3.95
				the	13	7.6	3.21

- (3) The guidance states that in making decisions about whether to share information about a young person with children's social care the child's best interests must be the overriding consideration. (Brook for Professionals)

Example 3 positions professionals as experts who know what a young person's *best interests* are, and who have the authority and ability to act on them. The use of MUST to discuss individuals' safeguarding responsibilities is further evidenced by the fact that sentences containing MUST most often have animate subjects (Table 4), and when MUST does occur with inanimate subjects, the subject most often relates to consent.

As shown by Table 4, professionals (*health professionals, school nurses, and doctors*) are sentence subjects for 58 out of 78 tokens, or 74.4% of MUST tokens in the texts for professionals. A young person's *best interests* (Example 3) constitutes the subject in a further 10 sentences containing MUST in the texts for professionals (12.8%), and *ability to consent* is the subject in a further 2 instances of MUST in the texts for professionals (2.6%). Advice on safeguarding therefore accounts for 70 of 78 (90.0%) MUST tokens in texts for professionals.

As illustrated in Example 4, valid consent is presented in terms of *understanding* the *implications of sex* and *unconstrained agreement*.

- (4) The ability to consent to sex must include a clear understanding of the nature and implications of what is being agreed to (both positive and negative) and unconstrained agreement to sexual activity. Without this, there can be no consent. (Brook for Professionals)

The repetition of epistemic attitude words *understanding* and *agreement* suggests that being able to give *unconstrained agreement* is contingent on particular knowledge states that professionals have and young people need to acquire. This in turn constructs the implied author as being in a position to inform the implied reader of what their responsibilities or obligations are, thereby also representing the implied author as an expert authority on the subject of those professional responsibilities and obligations.

In contrast to MUST, which expresses strong obligation/necessity, SHOULD is traditionally regarded as a weaker modal of obligation/necessity. While MUST is used primarily in

**Table 4.** Subject types in sentences containing MUST.

	Young people		Professionals						
	<i>Animate</i>	<i>Inanimate</i>	<i>Animate</i>		<i>Inanimate</i>				
	<i>you</i>	[none]	<i>professionals</i>	<i>their parents</i>	<i>best interests</i>	Text-internal resources	<i>ability to consent</i>	<i>sexual behaviours</i>	
<i>n</i>	3	0	58	2	10	4	2	2	
<i>Subtotal</i>	3	0	60			18			
<b>Total</b>	3				<b>81</b>	78			

	Young people		Professionals						
	<i>Animate</i>	<i>Inanimate</i>	<i>Animate</i>		<i>Inanimate</i>				
	<i>you</i>	[none]	<i>professionals</i>	<i>their parents</i>	<i>best interests</i>	Text-internal resources	<i>ability to consent</i>	<i>sexual behaviours</i>	
	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	<i>per 10,000 words in subcorpus</i>	
<i>n</i>	3	0	58	2	10	4	2	2	
<i>Sub-total</i>	<i>n = 3, 0.8 per 10,000 words in subcorpus</i>	<i>n = 0, 0.00 per 10,000 words in subcorpus</i>	<i>n = 60, 46.8 per 10,000 words in subcorpus</i>			<i>n = 18, 10.5 per 10,000 words in subcorpus</i>			
<b>Total</b>					<i>n = 78, 45.6 per 10,000 words in subcorpus</i>				<b>N = 81,15.1 per 10,000 words in corpus</b>

**Table 5.** L3 to R3 collocates of SHOULD.

Young people				Professionals			
Collocate	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information	Collocate	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information
police	5	1.4	6.06	provided	5	2.9	7.75
pregnant	5	1.4	5.15	used	5	2.9	7.46
do	11	3.0	4.79	be	21	12.3	6.01
i	9	2.5	4.31	not	7	4.1	5.05
be	14	3.8	4.22	and	13	7.6	3.45
sex	12	3.3	3.95				
what	7	1.9	3.74				
that	9	2.5	3.66				
you	39	10.7	3.62				
not	6	1.6	3.55				
about	5	1.4	3.19				

the texts for professionals, the texts for young people use weaker modals to express obligation/necessity.

As can be seen from Table 2, SHOULD primarily expresses bouleticity and deonticity, which account for 32.1% and 66.7% of SHOULD tokens respectively. A collocation analysis (Table 5) reveals that target audience is an important factor in this distribution.

Like the texts for professionals, the texts for young people embed consent talk within a broader discourse about healthy relationships, defining consent in terms of agentive, affirmative, and informed agreement. Collocates *you* and *be* occur in contexts in which the text discusses relational ideals and knowledge states that a young person SHOULD have in order to consent to sex, as illustrated in Examples 5–6.

(5) - Consent is someone giving permission or agreeing to something, after they have thought carefully about whether or not they want to do something.

- To be able to give your consent you should be sure that it is your decision and not one you have been pressured to make (This is ABUSE).

(6) More things to look out for to make sure you have consent

- When it comes to sex or physical closeness you should feel safe with your partner, be able to trust them and feel that they would respect you whatever your decision. (This is ABUSE)

Example 5 sets out preconditions for valid consent: consent is *agreeing after careful[]* consideration. In presenting consent as requiring one to have *thought carefully* and *be sure* about, consent is associated with epistemic status of knowledge and certainty. *You should be sure that it is your decision and not one you have been pressured to make* also implies that young people might acquiesce under pressure. While Example 5 lists criteria associated with an individual's knowledge, Example 6 frames consent as being characterised by relational ideals, namely a context of *safe[ty]* and *trust*, in which boundaries are *respect[ed]*.

The tendency of SHOULD to occur in relational discourse is demonstrated by the sentence subjects it occurs with. When inanimate subjects occur with SHOULD, the subject is most commonly *sex*, *having sex*, or *being with someone*, which jointly comprise 80% of inanimate subjects of SHOULD in the texts for young people, and 20% of all subjects of SHOULD in the texts for young people (Table 6). The most frequent animate subject

**Table 6.** Subject types in sentences containing SHOULD.

	Young people					Professionals										
	Animate			Inanimate		Animate					Inanimate					Existential
	you	I/we	other	sex	other	professionals/schools	young people	Brook	society	policy/guidance	sexual behaviour	decisions	other			
<i>Sub-total</i>	26	3	1	8	2	13	7	1	1	6	5	3	1	1		
<i>Sub-total</i>	30			10		22					38					1
<b>Total</b>	<b>78</b>															

  

	Young people					Professionals																								
	Animate			Inanimate		Animate					Inanimate					Existential														
	you	I/we	other	sex	other	professionals/ schools	young people	Brook	society	policy/ guidance	sexual behaviour	decisions	other																	
	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>	<i>per 10,000</i>																
	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>	<i>n</i>	<i>words</i>																
<i>Subtotal</i>	26	7.1	3	0.8	1	0.3	8	2.2	2	0.6	13	7.6	7	4.1	1	0.6	1	0.6	1	0.6	1	0.6								
	<i>n = 30, 8.2 per 10,000 words in subcorpus</i>					<i>n = 10, 2.7 per 10,000 words in subcorpus</i>					<i>n = 22, 12.9 per 10,000 words in subcorpus</i>					<i>n = 15, 8.8 per 10,000 words in subcorpus</i>					<i>n = 1, 0.6 per 10,000 words in subcorpus</i>									
<b>Total</b>	<i>n = 40, 10.9 words in subcorpus</i>															<i>n = 38, 22.2 per 10,000 words in subcorpus</i>										<b>N = 78, 15.5 per 10,000 words in corpus</b>				

occurring with SHOULD in the texts for young people is the second person pronoun *you*, which occurs 26 times (65.0% of SHOULD tokens), directly addressing the implied readership of young people in advice about sex and relationships.

By contrast, all collocates of SHOULD from the texts for professionals occur in the context of guidance about safeguarding procedures (Table 5). An example of this usage can be seen in the recurring sentence in Example 7, which occurs 4 times in the corpus, and accounts for 4 of the 5 concordance lines in which SHOULD appears with its two strongest collocates, *provided* and *used*:

- (7) This tool must be used within the context of the guidance provided and should not be used in isolation. (Brook for Professionals)

In this example SHOULD expresses deonticity. Deontic usage in the texts for professionals therefore contrasts with bouletic SHOULD in the texts for young people, where SHOULD is used in discourse which sets out knowledge states and relational values and ideals, as contexts for affirmative consent to take place in.

### **Modals of obligation/necessity in resistance discourse**

In contrast to MUST and SHOULD which are used to present consent in terms of free informed choice, HAVE TO is used in discussing contexts which are *not* free. A collocation analysis (Table 7) reveals that HAVE TO commonly collocates with *doesn*, demonstrating that it frequently occurs within the scope of negation.

In fact, as shown in Figure 1, every concordance line in the texts for young people in which *mean* and *doesn* collocate with HAVE TO occurs when advising the implied reader that they are not obligated to have sex.

Advising the reader that they are not obligated to have sex is a common strategy used by the texts to encourage abstinence, as in Example 8, where HAVE TO occurs in the

**Table 7.** L3-R3 Collocates of HAVE TO.

Collocate	Young people			Professionals			
	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information	Collocate	Frequency	Relative frequency per 10,000 words in subcorpus	Mutual information
mean	7	1.9	4.59	[none]			
doesn	9	2.5	4.40				

KWIC	File
much longer - Being in love doesn't mean you have to have sex, and having , even with the same person, doesn't mean that you have to do it again. partner? Being in a relationship doesn't mean you have to have sex. Even if 've had sex before, this doesn't mean you have to do it again. It' :/ "Just because it's legal doesn't mean I have to. I'll decide when you want to know more doesn't mean that you have to rush into anything. in love or fancying someone doesn't mean that you have to have sex - not 've had sex before it doesn't mean you have to rush into doing it	youngpeople- youngpeople- youngpeople- youngpeople- youngpeople- youngpeople- youngpeople-

**Figure 1.** Concordance lines in which *doesn't* and *mean* collocate with HAVE TO.



negation confirms that this difference is statistically significant at  $p < 0.00001$ . The fact that the majority of negated HAVE TO tokens occur in sentences telling young people that they don't have to have sex, even if they are pressured, demonstrates that negated deontic HAVE TO is an important way that pressure is both acknowledged and critiqued. Example 12 provides an example of negated HAVE TO, in which *doesn't mean I have to* is embedded within sample refusals.

(12) How to say no

People who want to have sex might say things to try to get you into bed. Here are some ideas of what you can say in return:

\*They say:\* "Don't you fancy me?"

\*You say:\* "Yes, but I respect you too," or "You're gorgeous but I want to know you better."

\*They say:\* "My friends think we should have done it by now."

\*You say:\* "They don't know what's best for us," or "You should care more about what I think."

\*They say:\* "We don't need to use a condom."

\*You say:\* "I'm not ready to be a parent and I don't want to risk getting an infection."

\*They say:\* "Let's just get it over with."

\*You say:\* "If we wait until we're ready it'll be much better."

\*They say:\* "If you loved me you'd want to do it."

\*You say:\* "It's because I love you that I want to wait," or \*\*\*"If you loved me you wouldn't say that."

\*They say:\* "If we don't do it soon, I'll explode!"

\*You say:\* "You need biology lessons ... it's not bad for you to wait."

\*They say:\* "But you're 16."

\*You say:\* "Just because it's legal doesn't mean I have to. I'll decide when I'm ready." (NHS Choices)

The WH-clause *how to say no* (Example 12) triggers a presupposition that young people are *say[ing] no* (or want to), and position refusals as a communicative skill that young people need to acquire. The provision of numerous sample refusals reinforces the positioning of refusals as difficult or troublesome to communicate. This acknowledgment of pressure juxtaposed with representations of pressure as able to be resisted through personal choice could be seen as presenting sexual pressure as fundamentally non-coercive.

While some texts do advise young people to attend to non-verbal ways that non-consent might be conveyed, as in Example 13.

(13) - Someone doesn't have to say the word 'NO' to withhold their permission, there are lots of ways they might say they don't want to do something or have sex.

- Sometimes people might find it hard to say anything at all if they don't want to have sex, so you should always look out for other signs that they might not be comfortable and might not be giving their consent. (This is ABUSE)

The advice these examples provide about eliciting, recognising, and respecting a partner's boundaries and refusals is certainly positive in its challenge to the idea that a refusal must be articulated explicitly. However, these texts do not give examples of what *[g]ood communication* or *other signs that they might not be comfortable and might not be giving their consent* might look like, and the advice to potential victims to give an explicit refusal is more extensive than the relatively brief discussions of recognising and respecting a partner's boundaries.

### **Modals of possibility in risk reduction discourse**

CAN expresses both epistemic and deontic possibility, though deontic possibility is more common (Table 2). In fact, CAN is the most common way for deonticity to be expressed, accounting for 58.1% of all deontic tokens. This seems to be due in part to a target audience effect. In the texts for professionals, CAN much more strongly favours a deontic reading, with deontic uses accounting for 96.5% of CAN tokens in the texts for professionals. In contrast, in the texts for young people, CAN is more likely to express epistemicity (60.8% of the CAN tokens in the texts for young people). The texts for professionals seem to use CAN for deontic possibility almost to the exclusion of epistemic possibility, while in the texts for young people CAN expresses both kinds of modality. A collocation analysis of CAN (Table 9) shows that CAN often occurs in discussions of perceived risk.

The strongest collocate, *lead*, as well as collocates *get* and *be*, occur in the context of perceived risk factors such as *alcohol*. Examples 14–16 show concordance lines in which CAN occurs.

(14) Like with alcohol, using drugs and having sex can lead you to take risks that you wouldn't otherwise take, either because you are less sensitive to pain, or your inhibitions have been reduced, or because you are not able to take control of a situation. So, you are more likely to:

- have sex that you did not consent to;
- have unprotected sex and put yourself at risk of pregnancy or an STI;
- have sex that hurts you;
- not be able to remember the sex that you had.

(15) But the reality is that sometimes people drink so much that they can't remember whether they have had sex (even if they did want to) and, in some cases, people are unsure whether they consented to sex because they can not remember. In really serious cases, people can get into unsafe situations and are sexually assaulted or raped. (Brook)

(16) Sometimes, the way other people behave can put us in danger - for example if someone is attacking you or forcing you to do something you don't want to. Other times, it can be our own behaviour which is risky - for example if we get very drunk or use drugs. (Brook)

Although Examples 14 and 16 do not explicitly advise young people not to drink, the use of epistemic CAN implies a causal connection between alcohol consumption and sexual victimisation. In Example 15 the definite noun phrase *the reality* presupposes that there is exactly one reality of the situation: that *sometimes people drink so much that they can't remember whether they have had sex*. This presupposition implies that there are no other realities to consider, such as that someone who is so intoxicated as to have memory gaps is not able to validly consent, and a sexual act with someone who is too intoxicated to validly consent constitutes sexual violence. The use of *and* is also noteworthy here as it appears to be implying a temporal or causal relationship between drinking and sexual victimisation. By attributing the risk to one's *own* behaviour, rather than to the person who does the *attacking* or *forcing* (Example 16), the responsibility is shifted onto potential survivors to prevent assaults by not consuming alcohol.

Some texts do advise young people not to engage in sexual contact with another person who is too intoxicated to consent meaningfully, as in Example 17:

**Table 9.** L3-R3 collocates of CAN.

Young people				Professionals			
<i>Collocate</i>	<i>Frequency</i>	<i>Relative frequency per 10,000 words in subcorpus</i>	<i>Mutual information</i>	<i>Collocate</i>	<i>Frequency</i>	<i>Relative frequency per 10,000 words in subcorpus</i>	<i>Mutual information</i>
lead	11	3.0	9.07	organisation	25	14.6	10.89
cannot	20	5.5	8.93	action	13	7.6	9.94
use	51	13.9	7.70	advise	13	7.6	8.36
relationship	10	2.7	7.61	specialist	13	7.6	7.94
get	57	15.6	6.89	children	12	7.0	7.02
anyone	26	7.1	6.61	support	12	7.0	4.51
relationships	12	3.3	6.29	who	14	8.2	3.59
up	16	4.4	6.15	need	12	7.0	3.01
find	11	3.0	5.82				
alcohol	12	3.3	5.80				
make	22	6.0	5.55				
it	126	34.4	5.54				
so	15	4.1	5.31				
how	16	4.4	5.29				
take	13	3.6	5.27				
some	14	3.8	5.17				
be	70	19.1	5.12				
which	11	3.0	4.90				
you	183	50.0	4.71				
but	13	3.6	4.70				
also	11	3.0	4.55				
information	10	2.7	4.51				
help	20	5.5	4.51				
out	10	2.7	4.44				
this	27	7.4	4.43				
abuse	18	4.9	4.14				
sex	26	7.1	4.11				
t	20	5.5	3.92				
someone	11	3.0	3.77				
for	28	7.7	3.70				
they	12	3.3	3.61				
have	18	4.92	3.60				
on	13	3.6	3.54				
that	25	6.8	3.53				
your	24	6.6	3.45				
a	51	13.9	3.42				
people	12	3.3	3.35				
in	32	8.8	3.25				
do	10	2.7	3.23				
we	10	2.7	3.20				
if	25	6.8	3.20				
and	60	16.4	3.17				

(17) If a girl is drunk, she can't give consent - that's the law. It means even if she says yes in the moment, the boy is still putting himself at risk of committing a rape.

If the boy is drunk, it would make no difference in the eyes of the law - if there are any signs of a girl not wanting to have sex, it could be rape. (This is ABUSE)

This example does explicitly link intoxication to rape, but does so in terms of epistemic possibility: it *could* be rape. Presenting sexual violence in terms of epistemicity could be read as mitigating the message, implying that there is merely a possibility of rape, rather than necessarily constituting rape.

In addition to encouraging young people to *say no* to sex, another common strategy employed by these texts is to discuss risks associated with sex, as in Examples 18–19, present sex as something young people might want to *take [...] back or have regrets* (Example 19) about.

(18) You should know and trust your partner and yourself because once you have sex you can't take it back. Be smart, be sure and be ready if you want to have sex with no regrets. (CHYPS Plus)

(19) During the teen years things like illness and disease don't seem real so they are not considered important. This can be a life altering, even fatal, mistake. The fact is teens do have to worry. You should have this covered before having sex. (CHYPS Plus)

Unlike Example 4, which presented consensual sex as a potential component of a respectful relationship, Examples 18–19 present sex as likely to have extremely negative, *even fatal* consequences such as STI (sexually transmitted infection) transmission. Presenting STI transmission as *fatal* is also noteworthy, since with access to appropriate medical care, STIs can usually be treated and managed. While the texts for young people do not explicitly link risk with culpability, this example could be read as implying a relationship between risk and responsibility.

## Discussion

In texts for professionals, MUST is used to present preconditions for valid consent, inform professionals about their safeguarding responsibilities, and position them as experts on young people's experiences and best interests. In contrast to the use of MUST for professionals, the texts for young people primarily use the weaker modals SHOULD and HAVE TO. SHOULD is used to set out relational preconditions for consent and healthy relationships. HAVE TO is used to encourage young people to resist sexual pressure by telling young people that they 'don't have to' do things that they are coerced into, thereby critiquing young people's situated knowledge about the pressure or coercion they may be experiencing.

CAN appears not to show as strong a partitioning of forms as other modal auxiliaries, allowing a greater degree of ambiguity between epistemic and deontic readings (Coates, 1983). It is precisely this slipperiness between deonticity and epistemicity that makes CAN available for discursive and ideological work. This modal of possibility appears to be used to present risks and to encourage risk-reduction action, implying a shift in responsibility from perpetrators to individual victims/survivors.

Echoing Tagliamonte and D'Arcy (2007), the distribution of modal forms does show 'a strong partitioning of the forms according to function' (Tagliamonte & D'Arcy, 2007, p. 55), particularly for the modals of obligation and necessity. However, Tagliamonte and D'Arcy (2007) found that MUST seems to be 'entrenched in particular contexts or constructions, especially epistemic uses' (Tagliamonte & D'Arcy, 2007, p. 55). By contrast, in this study, the opposite trend is found – MUST is near-categorically used for deontic meanings. This may be attributable to the genre of the texts: the texts explored here are especially focused on issues of obligations, rules, and values which is the deontic and bouletic sphere.<sup>3</sup>

The data also shows a partitioning of modal form by discursive context and target audience. Although MUST, HAVE TO, and SHOULD can all express obligation and necessity,

there is little overlap in their respective sets of L3-R3 collocates, which suggests that they tend to occur in distinct discursive contexts. Target audience also appears to play a role in the distribution of modals MUST and HAVE TO, as shown by the fact that MUST occurs almost exclusively in the texts for professionals, while HAVE TO shows the opposite trend, occurring almost exclusively in the texts for young people. Deonticity is therefore expressed differently for each target audience: for professionals, deonticity is expressed using MUST in discussions of professionals' legal and procedural responsibilities. By contrast, for young people, deonticity is used to position norms for comment and critique.

Since this paper focuses on modality, there is some consent guidance in the texts that is not explored here because it does not use modals. Nevertheless the data explored here present important implications for violence prevention and survivor support. I therefore now turn to an examination of the juxtaposition of, and tensions between, the three discursive strategies explored in the previous sections, which present consent firstly as free agreement to a potentially positive sexual experience in the context of a healthy relationship, secondly as a site of sexual pressure to which direct resistance is encouraged, and thirdly as a locus of risk for which risk reduction is recommended as a rape prevention strategy. On the one hand, consent is presented as unpressured, *unconstrained* (Example 4), and fully informed agreement. This view of consent presents consensual sex as a potentially positive form of interaction that young people are able to enjoy safely as part of a healthy relationship. However, when talking about abuse, the texts use a range of strategies to discourage young people from sex, including an admirable effort to equip young people with a range of discursive strategies for expressing refusals (Examples 10 and 12).

Young people are also instructed to listen to their partner's boundaries, and the guidance expressly states that non-consent might be expressed in non-verbal and inexplicit ways, which has potential to challenge the idea that a refusal must be explicitly articulated. That said, focusing on how to communicate non-consent implies that it is the communicative style which is problematic, rather than pressure or coercion. The greater emphasis given to advice about expressing non-consent might be perceived as implying a greater responsibility on a potential victim to try to prevent rape by adopting a certain communication style.

In addition to explicitly advising young people to [*say* 'no', the texts also use subtler strategies to discourage young people from sexual activity, namely, framing resistance to sexual pressure in terms of positive relational values. Indeed, abstinence is the only context in which loving or respectful relationships are represented, associating positive affect and values with not having sex. Young people who resist sexual pressure are also presented as *smart* (Example 18). Projecting positive epistemic and relational values seems to align more closely to the 'softening' strategies that young adults report using to communicate non-consent (Kitzinger and Frith 1999), providing a potentially helpful counterpoint to the 'say no' message.

A third strategy employed by the texts is persuading young people to avoid situations of perceived risk, such as consuming alcohol. While this discourse does not explicitly advise young people not to have sex, the texts motivate refusals by emphasising risks perceived to be associated with intoxication, such as sexual assault, STIs, and unwanted pregnancy, as can be seen in Examples 14–16 and 18–19. By contrasting *someone [...] attacking you or forcing you* (Example 16) with situations in which someone is unable

to consent due to intoxication and their intoxication is taken advantage of, the text sets up an implied contrast between *forc[e]* and other kinds of sexual coercion or abuse. Setting up this contrast fragments situations in which someone is too intoxicated to consent from other forms of sexual violence, and shifts responsibility from perpetrators to victims.

Similarly, by representing young people as able to advocate for barrier prophylaxis implies that such negotiations take place in contexts of relatively unconstrained agency. However, patterns of inconsistent prophylaxis use may be an indicator of what Miller et al. term 'reproductive coercion' – a form of intimate partner violence in which contraceptives are non-consensually removed, withheld, or tampered with (Miller et al., 2010). The mosaic of competing discourses about consent therefore has important implications for how sexual violence is constructed and understood. Although the texts acknowledge that many young people's sexual experiences are pressured, when they describe a young person *feel[ing] like [they] have to have sex*, young people's perceptions of the pressure they are under is contradicted: the implied reader is told that they *don't have to have sex*, should not *let anyone put you under pressure*, and should *Say 'no'* (Examples 9–12).

The juxtaposition of competing discourse also has important implications for the construction of young people's situated knowledge and agency. Resistance to sexual pressure is framed in epistemic terms, positioning a young person who resists sexual pressure as *sure* and *smart* (Example 18). This representation of young people's epistemic standpoints can be argued to lend weight to a young person's refusal, and challenge macro-discourses of interest in sex as indicating maturity among their peers (Eckert, 1996). However, by presenting resistance to sexual coercion as a matter of having the right quip or retort, the texts position young people who are experiencing pressure as being free to say no and be heard. This framing does not account for the fact that sexual violence might occur not because a young person lacks some communicative style or *smartness*, but rather because their non-consent, or incapacity to validly consent, is not respected. Furthermore, these texts seem to construct a hegemonic ontology of violence in which extrinsic violence such as *attacking or forcing* (Example 16) is presented as blameworthy, but other forms of pressure, such as threatening someone with the end of a relationship if they do not have sex (Example 12) are not represented as potentially coercive. One might query whether telling young people who are experiencing coercion that they can and should resist that coercion is an effective way of empowering young people to identify, name, or escape abuse.

## Implications and conclusions

The consent guidance for young people examined in this paper uses constellations of competing, and at times conflicting, discourses about consent. When giving definitions of consent, institutions use a discourse of free agreement, which presents consent as unpressured and fully informed, and as occurring within contexts of healthy, respectful, and trusting relationships. But when talking about abuse, the texts for professionals make extensive reference to safeguarding and safeguarding procedure, though say little about what this might or should consist of.

In the texts for young people much of the institutional guidance focuses on communicating refusals explicitly and directly, reducing or avoiding risk, and resisting pressure. While this sometimes co-occurs with advice about recognising and respecting a partner's boundaries, the greater emphasis on communicating directly focuses greater attention on a potential victim's communication style than on whether refusal is respected. Discourse that focuses on communicating refusals directly and explicitly provides the discursive scaffolding to understand sexual violence as misunderstandings, and could be perceived as unintentionally shifting responsibility from perpetrators to victims. The texts could be clarified and strengthened by shifting the focus away from advice about how to communicate non-consent, and instead placing greater emphasis on respecting a partner's choice and autonomy.

These tensions in the guidance for young people also undercut messages about sexual consent as needing to be free and unconstrained in order to be valid, and construct a constricted ontology of what 'counts' as violence. A clear priority to emerge, therefore, is discussion of normalised forms of coercive control, such as non-consensual non-use of prophylaxis. The texts' discussion of risk could be strengthened and clarified by shifting from a resistance-based or risk-based discourse to a discussion of power inequalities in order to help equip target audiences to recognise and name normalised forms of coercive control, and present consensual relationships as free, informed, mutual, and equal.

## Notes

1. Palmer (1979) also includes a third criterion – non-co-occurrence. However, modal co-occurrence is attested in some varieties of English (Fennell & Butters, 1996). I therefore respectfully decline to include the non-co-occurrence criterion.
2. Mutual information values are given to 2 decimal places, and percentages and relative frequency per 10,000 words are given to 1 decimal place.
3. I thank Sali Tagliamonte for helpful discussion on this point.

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## Notes on contributor

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