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## SEX AND EQUALITY

KATHARINE K. BAKER\*

INTRODUCTION .....	11
I. HOOKUPS AND SEXUAL ASSAULT .....	12
II. THE (ENDURING) SEXUAL DOUBLE STANDARD .....	15
III. THE CLASSES AFFECTED .....	17
IV. MEN.....	18
V. DELAYING FOR WHAT? .....	22
CONCLUSION.....	25

### INTRODUCTION

Hanna Rosin devotes the first substantive chapter of *The End of Men* to heterosexual sex.<sup>1</sup> It is a poignant beginning. As Rosin so ably demonstrates throughout the rest of the book, most of what women do now – work, play, study, parent, run multinational corporations – can be done very well without men. But heterosexual sex, by definition, does not appear on the long list of activities for which men are not required. No matter how slow, lazy, and inadaptable men may be, if women are going to continue having heterosexual sex, they need men. This, I will suggest, should give us pause before acquiescing to Rosin’s acceptance of the contemporary status quo in sexual relations.

Rosin’s chapter on sex, entitled “Hearts of Steel,” examines contemporary sexual norms, specifically the hookup culture among young women.<sup>2</sup> Rosin explores the ease and desire with which many young women today jump from one sexual encounter to another, without romance, love, or the angst of a relationship. She suggests that it is women, not men, who perpetuate this culture because women understand that “a heart of steel [is] a fair price to pay for their new high ranking in th[e] social hierarchy.”<sup>3</sup>

Relationships bog women down, and given all the opportunities now open to them in the world after college, women do not want to be constrained by connection to a man. Rosin asserts that “women benefit greatly from living in a world where they can have sexual adventure without commitment or all that

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\* Professor of Law, IIT Chicago-Kent College of Law. Thanks to Michelle Oberman for her thoughts and suggestions.

<sup>1</sup> HANNA ROSIN, *THE END OF MEN: AND THE RISE OF WOMEN* 17-46 (2012).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 29.

much shame.”<sup>4</sup> Rosin does not suggest that we would *all* be better off living with the sexual norms of today’s twenty-somethings. She hedges that “[u]ltimately the desire for a deeper human connection wins out, for both men and women.”<sup>5</sup> But still, she dismisses as “misleading” the data of those who have criticized the hookup culture for the way in which it objectifies and demeans women.<sup>6</sup> Hookups she says, are “like an island” women visit for a while in college and then move on.<sup>7</sup> They are an appropriate cultural response to today’s gender dynamics.

In this Essay I want to delve a bit deeper into the hookup studies that Rosin dismisses and question her suggestion that it is relatively costless to accept the objectification and power dynamics that permeate the world of the hookup today. The data show that parts of hookup culture are far more dangerous for women than Rosin acknowledges. And even when not dangerous, the culture is often still demeaning and hurtful. Just as important are the consequences of hookup culture for men. Moreover, hookup culture does not necessarily solve the problems that women encounter in romantic relationships; it just delays these issues until a later, but not necessarily more optimal, time.

#### I. HOOKUPS AND SEXUAL ASSAULT

Any critique of Rosin’s acceptance of the hookup culture should start by evaluating her assessment of the dangers of sexual assault. Very early in the chapter she cites the “dramatic decline of sexual assault” and emphasizes that “[t]he most dramatic declines occurred in acquaintance rape.”<sup>8</sup> Rosin is right that the overall incidence of rape has declined in the last twenty years,<sup>9</sup> but more specific data on the population Rosin is writing about reveals a different reality. Department of Justice data from 2007 indicate that one in four women are victims of completed or attempted sexual assault while in college.<sup>10</sup> Data collected in 2009 under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,<sup>11</sup> reported 3284 forcible sex

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<sup>4</sup> *Id.* at 21.

<sup>5</sup> *Id.* at 45.

<sup>6</sup> *Id.* at 21.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 19-20.

<sup>9</sup> See *Crime in the United States Table 1: Volume and Rate per 100,000 Inhabitants, 1991-2010*, FBI, <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/tables/10tbl01.xls> (last visited Feb. 28, 2013). The National Crime Victimization Survey, conducted by the Department of Justice, also shows a significant decline in the incidence of rape between 2001 and 2010. JENNIFER L. TRUMAN, BUREAU OF JUSTICE STATISTICS, BULLETIN NO. NCJ 235508, CRIMINAL VICTIMIZATION, 2010, at 2 tbl.1 (2011), available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/cv10.pdf>.

<sup>10</sup> CHRISTOPHER P. KREBS ET AL., NAT’L INST. OF JUSTICE, DOC. NO. 221153, THE CAMPUS SEXUAL ASSAULT (CSA) STUDY 6-1 (2007).

<sup>11</sup> 20 U.S.C. § 1092(f) (2006).

offenses.<sup>12</sup> Moreover, these 3284 reported cases are highly unlikely to represent the totality of rapes, particularly acquaintance rapes, on college campuses. Rape is a notoriously underreported crime.<sup>13</sup>

One study, conducted at a major Midwestern university, found that on just one floor of one dorm, in the first week of college, one woman was sexually assaulted and another raped.<sup>14</sup> Another woman on that floor was raped later in the year.<sup>15</sup> The authors of that study conclude that colleges are “dangerous places for women.”<sup>16</sup> Rosin cites this study, conducted by Elizabeth Armstrong and Laura Hamilton,<sup>17</sup> as “the most patient and thorough” research done on hookup culture.<sup>18</sup> What Armstrong and Hamilton found, in their own words, is a college campus marked by a “sexualized peer culture[] organized around status.”<sup>19</sup> Men secure status by getting sex from high-status women. Women secure status by getting attention (the sex may be less important) from high-status men.<sup>20</sup> Through resource-rich fraternities, which are sanctioned by many universities, men control access to party space and alcohol. This means that fraternity men dictate the terms of most heterosexual encounters; “men structure parties in ways that control the appearance, movement, and behavior of female guests.”<sup>21</sup> Sororities do not offer tamer, less drunk alternatives because sororities, possibly aware of the importance of a safe space for women, routinely have rules against parties.<sup>22</sup>

Armstrong and Hamilton describe a world in which “women cede control of turf, transportation, and liquor.”<sup>23</sup> For sexual interactions, women must enter the men’s world, where “virtually *all* men’s methods of extracting sex are defined as legitimate” by both men and women.<sup>24</sup> The women from whom sex

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<sup>12</sup> *Summary Crime Statistics for 2007-2009, Criminal Offenses*, U.S. DEP’T EDUC. 6, <http://www2.ed.gov/admins/lead/safety/criminal2007-09.pdf> (last visited Feb. 28, 2013).

<sup>13</sup> The Rape, Abuse and Incest National Network (RAINN) reports that for every 100 rapes, only forty-six get reported to the police. *See Reporting Rates*, RAINN, <http://www.rainn.org/get-information/statistics/reporting-rates> (last visited Feb. 28, 2013).

<sup>14</sup> Elizabeth A. Armstrong et al., *Sexual Assault on Campus: A Multilevel, Integrative Approach to Party Rape*, 53 SOC. PROBS. 483, 492 (2006).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* at 484.

<sup>17</sup> Brian Sweeney is also listed as a coauthor on one of the articles written based on the data collected by Armstrong and Hamilton. *See id.* at 483.

<sup>18</sup> ROSIN, *supra* note 1, at 21-24 (referencing the work of Armstrong and Hamilton as a means of illustrating that less in-depth research focused on “spotlight interviews” presents an overly negative view of the impact of the hookup culture).

<sup>19</sup> Armstrong et al., *supra* note 14, at 484.

<sup>20</sup> *Id.* at 488.

<sup>21</sup> *Id.* at 495.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.* at 490.

<sup>24</sup> *Id.* at 495.

is non-consensually extracted are seen as “stupid” either for getting too drunk or for not knowing how to behave when drunk.<sup>25</sup>

In fairness, not all hookups are horrendous or dangerous. Over eighty percent of women report enjoying the sexual activity in a hookup, at least somewhat.<sup>26</sup> Studies also suggest that women do not hook up all the time. In one of the most comprehensive studies of hookup culture, only twenty percent of women had ten or more hookup partners in college.<sup>27</sup> Forty percent of women had three or fewer hookup partners,<sup>28</sup> and sixty-nine percent of heterosexual students had been in a romantic relationship of at least six months while in college.<sup>29</sup> What probably marks the difference between today’s sexual norms and the sexual norms of twenty to thirty years ago is the extent to which sex can happen without any assumption of an ongoing relationship. Rosin understandably wants to highlight how liberating it can be to have sex without having to worry about such a commitment. She is absolutely right to point out that romantic relationships can be just as gendered and more stifling than hookups.<sup>30</sup> As reported by the women involved, the sex is better in relationships than hookups,<sup>31</sup> but the time and energy it takes to appease needy men and the emotional pain of extracting oneself from a relationship take their toll.<sup>32</sup>

The benefits of hookup culture, however, may be disproportionately enjoyed by the kinds of women Rosin profiles. That is, very elite women. She interviewed Tali, a Yale junior with “a beautiful tan, long dark hair, and a great figure,”<sup>33</sup> and Sabrina, an Ivy League business school graduate with “effortless, natural beauty.”<sup>34</sup> Armstrong and Hamilton’s work, and the work of many other researchers who have examined hookup culture,<sup>35</sup> focused on

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<sup>25</sup> *Id.* at 493.

<sup>26</sup> Elizabeth A. Armstrong et al., *Accounting for Women’s Orgasm and Sexual Enjoyment in College Hookups and Relationships*, 77 AM. SOC. REV. 435, 442 (2012).

<sup>27</sup> Elizabeth A. Armstrong et al., *Is Hooking Up Bad for Young Women?*, CONTEXTS, Summer 2010, at 22, 24.

<sup>28</sup> *Id.*

<sup>29</sup> Laura Hamilton & Elizabeth A. Armstrong, *Gendered Sexuality in Young Adulthood: Double Binds and Flawed Options*, 23 GENDER & SOC’Y 589, 591 (2009).

<sup>30</sup> See Armstrong et al., *supra* note 27, at 26 (“Subjects told us that relationships were not only time-consuming, but also marked by power inequalities and abuse.”).

<sup>31</sup> *Id.* at 25 (“The most commonly encountered disadvantage of hook-ups [] is that sex in relationships is far better for women.”).

<sup>32</sup> *Id.* at 25-26; Hamilton & Armstrong, *supra* note 29, at 602.

<sup>33</sup> ROSIN, *supra* note 1, at 17.

<sup>34</sup> *Id.* at 33-34.

<sup>35</sup> See generally Paula England et al., *Hooking Up and Forming Romantic Relationships on Today’s College Campuses*, in THE GENDERED SOCIETY READER 531 (Michael Kimmel & Amy Aronson eds., 3d ed. 2008) (analyzing data about the hookup culture from more than 4000 online surveys completed by undergraduate students from seven universities,

large state universities. Perhaps the hookup culture is more dangerous in less elite places. It is hardly surprising that very smart, very beautiful, very educated young women are doing just fine with contemporary sexual norms. Very smart, very beautiful, very educated women have always had a comparatively easy path.

To condone and at times celebrate hookup norms everywhere, though, to opine that “feminist progress is largely dependent on hook-up culture,”<sup>36</sup> is to assent to a sexual double standard which no woman, in virtually any of the research, views as fair. It is to endanger and write off as apparently unimportant the vast number of non-elite women for whom the hookup culture may well carry too many risks. And it is to condone the perpetuation of deplorable male behavior. I turn to those issues now.

## II. THE (ENDURING) SEXUAL DOUBLE STANDARD

Rosin champions the hookup scene as the consequence of women’s greater equality, but women’s sexual behavior is judged differently than men’s. Women are called sluts far more often than men are called “man whores.”<sup>37</sup> Substantially all of the research confirms this.<sup>38</sup> Women interviewed by Armstrong and Hamilton lamented that “[g]uys can have sex with all the girls and it makes them more of a man, but if a girl does then all of a sudden she’s a ho, and she’s not as quality of a person.”<sup>39</sup> Women who hook up just a few times too many, or perhaps a bit too eagerly, are not treated with respect by either women or men.<sup>40</sup> Hookup culture simply cannot provide the freedom that Rosin suggests that it does for women if women are punished for engaging in it too much. A few elite women may transcend the stigma assigned to repeat

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including five public, state schools); Jesse J. Owen et al., “Hooking Up” Among College Students: Demographic and Psychosocial Correlates, 39 ARCHIVES OF SEXUAL BEHAV. 653 (2010) (studying the hookup culture among 832 undergraduate students at two large public universities, one in the southeastern United States and the other in the western part of the country); Elizabeth L. Paul, *Beer Goggles, Catching Feelings, and the Walk of Shame: The Myths and Realities of the Hookup Experience*, in RELATING DIFFICULTY: THE PROCESS OF CONSTRUCTING AND MANAGING DIFFICULT INTERACTION 141 (D. Charles Kirkpatrick et al. eds., 2006) (evaluating the hookup experiences of eight student focus groups at a mid-sized four-year state college in the northeastern United States); Elizabeth L. Paul & Kristen A. Hayes, *The Casualties of ‘Casual’ Sex: A Qualitative Exploration of the Phenomenology of College Students’ Hookups*, 19 J. SOC. & PERS. RELATIONSHIPS 639 (2002) (summarizing findings from a study of 178 college students attending a public college in the northeastern United States regarding their experience with hookups).

<sup>36</sup> ROSIN, *supra* note 1, at 21.

<sup>37</sup> England et al., *supra* note 35, at 538-39.

<sup>38</sup> See, e.g., *id.*; Hamilton & Armstrong, *supra* note 29, at 598; Paul & Hayes, *supra* note 35, at 655.

<sup>39</sup> Hamilton & Armstrong, *supra* note 29, at 598 (quoting a study participant’s views on the sexual double standard implicit in hookups).

<sup>40</sup> See *id.*

players, but other women are stuck in a bind that only women face. They cannot hook up anymore because they are teetering on the edge of the slut label, but it is especially hard to find a relationship because so many men just hook up. What Rosin calls the “most patient and thorough research”<sup>41</sup> concludes that “[w]hile hookups protected privileged women from relationships that could derail their ambitions, the double standard gave men greater control over the terms of hooking up, justified the disrespectful treatment of women, supported sexual stigma, and produced feelings of shame.”<sup>42</sup>

Rosin quotes a Yale graduate who recognizes, but accepts, the double standard. This former student acknowledges that hookup culture falls short of an “egalitarian sexual wonderland” but asserts that “compared to when girls [were] punished for any sexual experience before marriage, it’s much better.”<sup>43</sup> It is not clear what era this highly educated woman is using as a referent. The 1980s and 1990s are not generally known as a repressive period during which women were “punished for any sexual experience before marriage.” And even the 1950s and early 1960s, which are known as such a period, are probably remembered incorrectly. The most careful and thorough research on the 1950s suggests that women were not usually punished for engaging in *any* sexual activity.<sup>44</sup> Indeed, they did it all the time. Historian Stephanie Coontz suggests that our image of the 1950s is strongly shaped by rerun television shows,<sup>45</sup> none of which reflect what the data reveal, which is plenty of premarital sexual activity.<sup>46</sup> Premarital sexual activity climbed throughout the 1950s, just as it had been climbing steadily through the twentieth century.<sup>47</sup> It leveled off before the end of the century, so that the percent of women who had premarital sex before age twenty is approximately the same for all women born after 1948.<sup>48</sup> Women born between 1979 and 1984 may have actually been less likely to have premarital sex than women born in the twenty years before them.<sup>49</sup>

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<sup>41</sup> ROSIN, *supra* note 1, at 21.

<sup>42</sup> Hamilton & Armstrong, *supra* note 29, at 606.

<sup>43</sup> ROSIN, *supra* note 1, at 18.

<sup>44</sup> STEPHANIE COONTZ, *THE WAY WE NEVER WERE: AMERICAN FAMILIES AND THE NOSTALGIA TRAP* 38-40 (1992).

<sup>45</sup> *Id.* 23-25.

<sup>46</sup> *Id.* at 38-40, 185.

<sup>47</sup> *Id.* at 192-199 (summarizing the progression of sexual mores and occurrence of premarital sex throughout the twentieth century); *see also* THEODORE CAPLOW ET AL., *THE FIRST MEASURED CENTURY: AN ILLUSTRATED GUIDE TO TRENDS IN AMERICA, 1900-2000*, at 71 (2001) (showing, graphically, the steady increase of premarital sex in America).

<sup>48</sup> *See* Armstrong et al., *supra* note 27, at 24 (citing Lawrence B. Finer, *Trends in Premarital Sex in the United States, 1954-2003*, 122 *PUB. HEALTH REP.* 73, 76 tbl. (2007)).

<sup>49</sup> *Id.* The reported decrease in premarital sex is not statistically significant. Nonetheless, Rosin’s subject’s apparent belief that hookups allow women to have *more* sex than the generations of women before them is wholly unsupported by the data.

What women were punished for before the late 1960s was not for having sex but rather for getting pregnant. Abortions were often illegal. Adoptions were emotionally wrenching. Wedding rings were often demanded.<sup>50</sup> As sexual activity continued to increase, these punishments proliferated as an inevitable consequence. But that problem has been solved, at least for most of the women who go to college, through greater legal access to birth control and abortion.<sup>51</sup> The perception, by people like Rosin's Yale graduate, that the pervasive double standard of hookup culture is a reasonable price to pay for the freedom to engage in sexual behavior is based on bad historical data. The sexual double standard has remained constant. It should not be any more appropriate today to punish women more than men for sexual activity just because most sexually active women are no longer also punished with unwanted pregnancies.

### III. THE CLASSES AFFECTED

As Rosin acknowledges, hookup norms may have a disproportionately negative impact on lower-middle and working-class women. She describes less privileged women with sympathy and some paternalism as "conservative" and naïve.<sup>52</sup> These women are often attached to hometown values, hometown men, or both, and hookup norms do not sit well with either the values or the men.<sup>53</sup> As Rosin describes it, these women either have to give into their cultural biases and give up on their educational aspirations or embrace the hookup for the potential it offers, to "study and work and date and live off temporary intimacy for a few years before getting married."<sup>54</sup>

A closer look at Armstrong and Hamilton's data, however, suggests a harsher reality about which less privileged women may not be at all naïve. A full forty percent of the less privileged women studied dropped out of college.<sup>55</sup> Only five percent of the privileged women left.<sup>56</sup> If less privileged women know, consciously or unconsciously, that there is a forty-percent chance that they will return home, it might be fully rational and appropriately self-protective for them to avoid having to return home as a "slut." The hookup norms themselves may also help push these women out of college because those norms feel so alien to them. As one of the women who dropped out

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<sup>50</sup> COONTZ, *supra* note 44, at 39; *see also* JUNE CARBONE, FROM PARTNERS TO PARENTS: THE SECOND REVOLUTION IN FAMILY LAW 89 (2000).

<sup>51</sup> Less privileged women still have a great deal of difficulty securing reproductive health services, effectively meaning that these women are still punished for getting pregnant in a way other women are not. *See* HEATHER D. BOONSTRA ET AL., GUTTMACHER INST., ABORTION IN WOMEN'S LIVES 26 (2006), *available at* <http://www.guttmacher.org/pubs/2006/05/04/AiWL.pdf>.

<sup>52</sup> ROSIN, *supra* note 1, at 23.

<sup>53</sup> *Id.* at 23-24.

<sup>54</sup> *Id.* at 24.

<sup>55</sup> Hamilton & Armstrong, *supra* note 29, at 607.

<sup>56</sup> *Id.*

commented, “[g]rowing up to me isn’t going out and getting smashed and sleeping around. . . . That to me is immature.”<sup>57</sup> Is she wrong?

Far from being naïve, these less privileged women may be more in touch with reality. They know that they cannot afford to buy the clothes or shape their bodies in the ways that status-conscious hookup-power women can.<sup>58</sup> As Armstrong and Hamilton repeatedly emphasize, hookup culture is a status game,<sup>59</sup> and working-class women are not likely to place well. If they even try to hook up, they will be labeled as sluts early and discarded or continually used. Unlike their more privileged peers, these women will not be able to depend on parents after college to get them started or keep them afloat as they begin their working lives. They may recognize that once they have a job in which they want to advance, they will have to work just as hard, or harder, than they ever had to work in college. They know that they do not have the luxury of the plans that their more-privileged peers describe, of waiting until after graduation to find the men with “greater earnings” who could then take care of them.<sup>60</sup> They know that privileged men mostly marry privileged women<sup>61</sup> and the social polyglot that college admissions offices try so hard to cultivate is probably their best shot at breaking the class barrier for relationships. The sexual norms that Rosin argues serve the interests of elites so well may make life harder than it has ever been for less elite women trying to secure the education that they need to advance.

#### IV. MEN

As suggested at the outset, men are necessary for heterosexual sex. Accordingly, it probably makes sense to think about not just how hookup culture affects women, but how it affects men. These are the themes of the parties at the fraternities in Armstrong and Hamilton’s study: “Pimps and Hos,” “Victoria’s Secret,” “Playboy Mansion,” “CEO/Secretary Ho,” “School Teacher/Sexy Student,” and “Golf Pro/Tennis Ho.”<sup>62</sup> Again, this was the study that Rosin argued showed that women “benefit[ed] greatly” from hookup norms.<sup>63</sup> Presumably, the benefits she is referring to stem from women’s ability to experiment sexually without being tied to a relationship. But if sexual experimentation is pursued in the context of objectifying, subordinating, and

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<sup>57</sup> *Id.*

<sup>58</sup> See Armstrong et al., *supra* note 14, at 488 (describing the demands that women, though not men, dress up to look hot, but not “slutty,” unless the party theme, such as “Pimps and Hos,” requires a slutty look).

<sup>59</sup> See, e.g., *id.* at 487-88.

<sup>60</sup> Hamilton & Armstrong, *supra* note 29, at 603.

<sup>61</sup> See Sara McLanahan, *Diverging Destinies: How Children are Faring Under the Second Demographic Transition*, 41 *DEMOGRAPHY* 607, 614 (2004).

<sup>62</sup> Armstrong et al., *supra* note 14, at 489 (internal quotation marks omitted).

<sup>63</sup> ROSIN, *supra* note 1, at 21-24 (discussing Armstrong and Hamilton’s study as proof of the positive impact of the hookup culture for women).

profoundly gendered role playing, women may be better off not experimenting. If the price of having sex or making out is assuming the role of someone whose job it is to service men's sexual needs, what are women learning from the experience?

Other hookup research, some of which Rosin criticizes for being "misleading" and falling victim to the "nineteen-year-old woman [who] give[s] you an earful of girl trouble,"<sup>64</sup> suggests behavior that is often worse than that documented by Armstrong and Hamilton. "Many males defined good hookups as those that earn you 'bragging rights,' especially when the hookup partner was . . . a 'trophy.'"<sup>65</sup> Men approach hookups as transactional affairs in which the primary goal is to secure their own orgasm. There is a significant orgasm gap: according to Stanford sociologist Paula England's study, men who engaged in intercourse without oral sex had an orgasm seventy percent of the time, while women who engaged in intercourse without oral sex had an orgasm only thirty-four percent of the time.<sup>66</sup> Rosin suggests that this may be because college men are inexperienced or because women do not insist on getting their sexual needs met.<sup>67</sup> But are "hos" and "bunnies" supposed to insist on getting their sexual needs met?

Hookup culture glorifies men's selfishness. As some men honestly explain: "[I]f you're just [] hooking up with someone . . . it's more of a selfish thing."<sup>68</sup> If "'it's just a random hook up . . . I don't think [the woman's orgasm] is going to matter [to men] as much."<sup>69</sup> The focus on their own desires is consistent with men's general view of the women with whom they hook up. Men prize their trophy hookups as trophies, but not as people: "'I got oral sex without putting much effort forth. It felt good but I'm glad that I'm not going out with a girl who is slutty like that."<sup>70</sup> And then there are the women who are not trophies: "'[B]eer goggles made me pick a dog."<sup>71</sup> Most sobering, though, is the recognition that what many women describe as their "worst hookups" actually meet the legal definition of rape in many states.<sup>72</sup> The

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<sup>64</sup> *Id.* at 21.

<sup>65</sup> Paul, *supra* note 35, at 146.

<sup>66</sup> England et al., *supra* note 35, at 535.

<sup>67</sup> ROSIN, *supra* note 1, at 25.

<sup>68</sup> England et al., *supra* note 35, at 538 (reprinting the comments of male study participants).

<sup>69</sup> *Id.*

<sup>70</sup> Paul & Hayes, *supra* note 35, at 653 (publishing comments made during study interviews).

<sup>71</sup> *Id.* at 655.

<sup>72</sup> The following statements are examples drawn from Paul and Hayes' study. "He forced sex on me when I was obviously disinterested. I just wanted it to be over." *Id.* "He just mauled me in my drunken stupor. I wanted to cry and throw up. I felt used." *Id.* "The guy took advantage [of the fact] that I was wasted. I passed out. I did not want it. I felt horrible and used and experienced physical pain for days." *Id.* at 653.

women do not usually report them as such. They blame themselves for getting into a situation in which men could take advantage of them.<sup>73</sup>

In their fascinating comparison of white and black fraternity life on a predominantly white, and very “Greek” campus, Rashawn Ray and Jason Rosow describe white male attitudes and behaviors that are hardly surprising given what other research on hooking up has shown.<sup>74</sup> At certain white fraternity parties, sex happens in “cold dorms”: filthy, cavernous, non-private rooms containing dozens of bunk beds.<sup>75</sup> The white fraternity brothers brag to each other about their Thursday night exploits at lunch on Fridays.<sup>76</sup> Romanticism is mocked. “Pretty much you do not need to do all that wine and dine them and all that. You can skip all that and just bring them back to the house and do what’s important to you.”<sup>77</sup> “If they [are] decent or just okay, I’ll just mess around with them[,] . . . [g]et head.”<sup>78</sup>

Roy and Rosow show a marked contrast in the black community.<sup>79</sup> “I definitely think my fraternity brothers do a lot of stuff that make [women] feel appreciated like getting them flowers; whether write them a poem, whether it’s just tell them they look beautiful.”<sup>80</sup> “I think you have to treat women with respect.”<sup>81</sup> When the black men they surveyed spoke of the benefits of a relationship they spoke of having someone “to ‘share’ and do ‘special’ things with.”<sup>82</sup> The white men they surveyed liked that relationships allowed them to have sex “everyday without having to go out and get it” and said that “[t]he best thing [about relationships] is you don’t have to use a condom.”<sup>83</sup> In summarizing their data, Roy and Rosow suggest that “[c]ollectively Black

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<sup>73</sup> See Katharine K. Baker & Michelle Oberman, “My Milkshake Brings All the Boys to the Yard”: Women’s Sexual Agency and the Law of Rape 46 (Feb. 27, 2013) (unpublished manuscript) (on file with author) (exploring how women do not describe incidents in which they clearly did not consent to sex as rape).

<sup>74</sup> See generally Rashawn Ray & Jason Rosow, *Getting Off and Getting Intimate: How Normative Institutional Arrangements Structure Black and White Fraternity Men’s Approaches Toward Women*, 12 MEN & MASCULINITIES 523 (2010) (investigating presumed racial differences in attitudes towards women).

<sup>75</sup> *Id.* at 536-37 (describing communal rooms where up to fifty fraternity members sleep and finding that the “lack of privacy facilitates [sexually objectifying] approaches [to hooking up] by preventing intimacy”).

<sup>76</sup> One white fraternity member conveyed this story: “Lunch on Fridays are the best. It’s like all the stories from Thursday night. . . . For instance, Tom came into the cold dorm and he was with his girlfriend and they were really drunk. And he’s like, “We’re having sex.” I was like, “You should have heard him. He punished her.”” *Id.* at 537.

<sup>77</sup> *Id.* at 530 (recounting the comments of white fraternity members).

<sup>78</sup> *Id.*

<sup>79</sup> *Id.* at 531.

<sup>80</sup> *Id.* (contrasting the responses of black fraternity members to their white counterparts).

<sup>81</sup> *Id.*

<sup>82</sup> *Id.* at 532.

<sup>83</sup> *Id.*

excerpts normally acknowledge women's agency, whereas the White accounts typically display the use of the passive voice, whereby a woman is always acted on and never acting."<sup>84</sup>

Roy and Rosow do not suggest that the racial differences they unearth are a function of anything other than the social conditions in which the white and black fraternities exist at the particular university they studied. They theorize that the institutional arrangements in which these men interact with women are critical to shaping the observed results.<sup>85</sup> The black fraternities did not have access to the housing spaces or resources that better-funded white fraternities do.<sup>86</sup> More important, the authors suggest that the black fraternity members viewed themselves as part of DuBois' "Talented Tenth,"<sup>87</sup> elite, successful black men whose lives are scrutinized heavily by both blacks and whites. They were seen by others as leaders and they felt it was their responsibility to conduct themselves accordingly.<sup>88</sup>

The contrasting fraternity norms revealed by Roy and Rosow undermine any suggestion that white fraternity culture is an inevitable part of modern college life. "Boys" will not necessarily "be boys" if they do not have the opportunity or if enough people are watching. Just as important, the women who date black men are just as likely as women who date white men to compete with men professionally and see their own academic success as crucial to their future.<sup>89</sup> The hook-up culture does not seem essential to *their* feminist progress.

It may be that women who become involved with members of black fraternities experience the relationship problems that Rosin highlights. Maybe

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<sup>84</sup> *Id.* at 533.

<sup>85</sup> *Id.* at 525-26, 534.

<sup>86</sup> *Id.* at 526.

<sup>87</sup> *Id.*

<sup>88</sup> Roy and Rosow conclude that these societal and cultural pressures impact the black men's behavior in sexual relationships: "The small, highly visible and insular black communities normally force black fraternity men to be conscious about their positions as leaders and role models, thus affecting their experience with and treatment of women." *Id.* at 538.

<sup>89</sup> In a small, racially stratified, and insular community such as the one studied by Roy and Rosow, it would seem a reasonable presumption that rates of interracial dating are relatively low. Over the last three years, black college-graduate women have earned between 84% and 89% of what black college-graduate men have earned. White college-graduate women have earned only between 72% and 74% of what white college-graduate men have earned. See *Weekly and Hourly Earnings Data from the Current Population Survey*, BUREAU LAB. STAT., <http://data.bls.gov/pdq/querytool.jsp?survey=le> (last visited Feb. 28, 2013) (this data is accessible by selecting the relevant racial, gender, and educational criteria from the provided menus and analyzing compiled results). *But see* CTR. FOR AM. PROGRESS, *THE WAGE GAP FOR WOMEN: THE CONSEQUENCES OF WORKPLACE PAY INEQUITY FOR WOMEN IN AMERICA 2* (2012) (emphasizing that there is an overall racial disparity in pay and explaining that the comparatively narrower wage gap between black men and women is largely the impact of these generally lower wages).

these women feel caught and a bit smothered. Maybe their partners are too needy and the time the women have to devote to a relationship interferes with other things they may want to do. All of that may be true. Rosin seems to assume that therefore the world of the white fraternities is somehow better. I, for one, have a hard time believing that it is better for the women involved. I have an even harder time believing that it is better for the men.

#### V. DELAYING FOR WHAT?

Rosin suggests that women are purposefully delaying romantic commitment so that they can pursue their career goals before being bound to a relationship.<sup>90</sup> Apparently, Rosin thinks that women, and perhaps men as well, will be better able to negotiate the burdens of a relationship once they are older and have achieved some measure of financial independence. Rosin visits an “Ivy League business school party” in which the behavior of the men is just as raunchy, if slightly higher class, than the behavior of the men at the college fraternity parties.<sup>91</sup> “The ambiance was frat party, only a frat party for students . . . who had already tasted the work world and were happy to regress for a couple of hours.”<sup>92</sup> What this meant for women was: looking on as men circulated pictures of a woman “[s]nowblowing,”<sup>93</sup> acting the role of an Asian prostitute stereotype as a crowd of men looked on,<sup>94</sup> and generally indulging the vulgar behavior of the men. Just as fraternities are sanctioned by their universities, this was a semi-official party, sponsored by the school and potential employers of these highly marketable future business school graduates.<sup>95</sup> Rosin “barely found anyone who even *noticed* the vulgarity.”<sup>96</sup>

This business school party suggests that it is not graduating from college, working, or entering graduate school that somehow impresses upon men the need or propriety of abandoning the hookup culture. Indeed, one wonders whether these men will ever see the need to abandon their raunchy ways. And therein lies the problem that Rosin never addresses. Why are women going to be any better off trying to enter into relationships with these men at thirty than they were at twenty? The women may have jobs and careers and be perfectly capable of taking care of themselves, but that is not all they want.

Rosin notes, again with sympathy, the business school students who are in relationships and trying to negotiate which jobs to take given that their partners

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<sup>90</sup> See ROSIN, *supra* note 1, at 21 (“Today’s college girl likens a serious suitor to an accidental pregnancy in the nineteenth century: a danger to be avoided at all costs, lest it thwart a promising future.”).

<sup>91</sup> *Id.* at 26.

<sup>92</sup> *Id.* at 27.

<sup>93</sup> *Id.* at 26. Rosin defines “snowblowing” as the act of fellating a “snow penis” on a snowman.

<sup>94</sup> *Id.* at 28.

<sup>95</sup> *Id.* at 27.

<sup>96</sup> *Id.* at 28.

might be elsewhere.<sup>97</sup> She opines that these women are trying “to hang on to their hearts of steel for long enough that they seemed invulnerable, but not for so long that they missed their chance at happiness.”<sup>98</sup> Rosin seems to assume that an internal sense of invulnerability is desirable, or else that the projection of invulnerability is desirable. If what these women eventually want is a relationship, why is even playing at invulnerability a good idea? Invulnerability and relationships do not mix well.

That Rosin seems so indifferent to these women’s potential difficulties in finding and building a lasting relationship is particularly striking given that one of the heroines she profiles in her book, Sheryl Sandberg, gained instant fame by saying: “The most important career choice you’ll make is who you marry.”<sup>99</sup> Hookup culture creates an entire class of bad career choices for women.

If women do not really care about marriage, if they find their independence, their self-sufficiency, and their bonds of female friendship sufficiently fulfilling, then hookup norms may not matter that much. This is especially true if these women take advantage of their independence and self-sufficiency in order to have children on their own, without men. Women who are willing to proceed on their own can make the raunchy male culture irrelevant. Women on college campuses will be vulnerable and perhaps should be counseled away from the worst male behavior, but older women can take the sex or not, and simply walk away from the men when they want to. As long as there is a robust sperm market, men are unnecessary.<sup>100</sup>

The problem is that women do not want to walk away from the men. They want those relationships and they want babies born into those relationships and by the time they hit their early thirties, if they do not have a relationship, they start readjusting expectations rapidly. “Invulnerable” is not the word most thirty-five year old single women who want a family would use to describe themselves. The cost of their earlier actual or perceived invulnerability is a drastically reduced BATNA<sup>101</sup> as they try to make what Sandberg calls their most important career choice. After years of shunning relationships and proving they can compete, these women will settle for the guy who would rather not have competition from a spouse. If he does not want to delay his

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<sup>97</sup> *Id.* at 31.

<sup>98</sup> *Id.*

<sup>99</sup> Aimee Groth, *Sheryl Sandberg: ‘The Most Important Career Choice You’ll Make is Who You Marry,’* BUS. INSIDER (Dec. 1, 2011, 3:36 PM), <http://www.businessinsider.com/sheryl-sandberg-career-advice-to-women-2011-12>; *see also* ROSIN, *supra* note 1, at 219, 224-25 (repeating Sandberg’s quote and describing her thoughts on workplace advancement).

<sup>100</sup> Although men must still be willing to donate or get paid to provide the sperm.

<sup>101</sup> The term BATNA stands for Best Alternative to a Negotiated Agreement. Roger Fisher and William Ury famously described it as “the standard against which any proposed agreement should be measured.” ROGER FISHER & WILLIAM URY, *GETTING TO YES: NEGOTIATING AGREEMENT WITHOUT GIVING IN* 104 (1981).

career progress in any way so that they can have children, she will. Who cares if he never does the dishes or takes the kids to school? At least she will have the family she wants. The empirical data on contribution to household income suggest that college-educated women who marry college-educated men reduce their expectations in just this way. Wives in college-educated couples contribute a lesser percentage of household income than wives in any other demographic group.<sup>102</sup> Women married to high-earning men, even if they can earn highly themselves, leave the workforce much more frequently than women from less-advantaged households.<sup>103</sup> That is, those elite women who may have tried so hard to be invulnerable depend *more* on their spouses than wives in any other group.

Implied but never explained in Rosin's defense of hookup culture is some belief that both men and women are hardwired to want sex. The thought is that if we keep women from getting sex in hookups, they will be compelled to get it in relationships and those relationships will be stifling. Much modern psychological theory, however, argues that both women and men are just as hardwired for relationships as they are for sex. Object-relations theory teaches that "[p]eople are constructed in such a fashion that they are inevitably and powerfully drawn together, . . . wired for intense and persistent involvements with one another."<sup>104</sup> As Ronald Fairbairn argued, "[t]he ultimate goal of libido is the object."<sup>105</sup> In other words, most people want sex because they want attachment, more than they want sex because sex feels good. Perhaps the emerging norms in hookup culture will constitute an empirical rejection of twentieth century object-relations theory, but that is not what the participants themselves express. Both men and women express a desire to be attached. Attachment is hard. It is particularly hard when two people feel equally entitled to the joys and benefits of paid work, help with family caretaking obligations, and a rich and meaningful love life.

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<sup>102</sup> Wives married to college-educated men contribute, on average, twenty-six percent of household income; wives married to husbands with less than a high school education contribute twenty-nine percent of household income; and wives of high school graduates or husbands with some tertiary education contribute thirty-three percent. See RICHARD FRY & D'VERA COHN, PEW RESEARCH CTR., WOMEN, MEN AND THE NEW ECONOMICS OF MARRIAGE 16 (2010), available at <http://pewsocialtrends.org/files/2010/11/new-economics-of-marriage.pdf>. This suggests that when men and women have the potential to earn the same, relatively decent salary, women are much more likely than men to cede the primary wage earner role.

<sup>103</sup> See generally Katharine K. Baker, *The Problem with Unpaid Work*, 4 U. ST. THOMAS L.J. 599, 607 (2007) (describing demographics of women most likely to leave the workforce).

<sup>104</sup> STEPHEN A. MITCHELL, *RELATIONAL CONCEPTS IN PSYCHOANALYSIS* 21 (1988).

<sup>105</sup> W. RONALD D. FAIRBAIRN, *AN OBJECT-RELATIONS THEORY OF THE PERSONALITY* 31 (1952) (emphasis omitted).

## CONCLUSION

If Rosin's primary purpose in writing this chapter was to suggest that hookup culture does not inevitably ruin women's lives, she does a convincing job. Women are not destroyed by the crass objectification that permeates much of college social life today. They survive and, as Rosin says, they move on. There is very little evidence, however, that the hookup world advances feminism in the manner Rosin suggests. Relationships may cause their own problems, but the leap that Rosin makes – that hookups are necessary so that women do not have to have relationships – is a leap that does not withstand analysis. Accepting the hookup culture and celebrating it as a manifestation of feminism accepts as legitimate enduring sexual double standards, downplays the class effects of the hookup status game, condones the cultivation of selfish male behavior, and ignores how hard it is going to eventually be for both men and women to construct relationships of equality.