

## ON SADOMASOCHISM: TAXONOMIES AND LANGUAGE

Governments try to regulate sadomasochistic activities (S/M). Curiously, though, no common definition of S/M exists and there is a dearth of statistically valid social science research on who engages in S/M or how participants define the practice. This makes it hard to answer even the most basic questions shaping state laws and policies with respect to S/M. This paper begins to develop a richer definition of sadomasochistic activities based on the reported common practices of those engaging in S/M. The larger question it asks, though, is why so little effort has been made by social scientists in general and sex researchers in particular to understand the practice and those who participate in it. As many social scientists correctly observe, sadomasochism has its “basis in the culture of the larger society.”<sup>1</sup> Rethinking sadomasochism in this way may shed some light on the present age.

### A DEFINITIONAL QUAGMIRE

In Montana, sadomasochistic abuse includes the depiction of a person clad in undergarments or in a revealing or bizarre costume.<sup>2</sup> In Illinois, it is illegal to distribute or sell obscene material—defined in part as “sado-masochistic sexual acts, whether normal or perverted, actual or simulated.”<sup>3</sup> The lack of a clear definition of what constitutes S/M is one major difficulty in developing appropriate policies with respect to S/M activities.

Clearly, S/M means different things to different people, and there is a wide range of possible S/M activities—from light spanking or biting, to

practices such as hanging and electrocution.<sup>4</sup> In one of the most shocking cases of consensual sadomasochistic behavior, a German court convicted a man of manslaughter in 2003 for carving up and eating a man he met on the internet even though the defendant maintained the activity was consensual, and video footage of the incident even led prosecutors to concede that the act was consensual.<sup>5</sup> But this is obviously an extreme case: most studies have shown that individuals participating in S/M are much more likely to engage in relatively harmless activities such as light spanking or biting.<sup>6</sup> Definitions of S/M have evolved over time, but no standard definition has emerged among social scientists, psychologists and psychiatrists, or for that matter among S/M participants.

Sadism and masochism were first used in a scientific way by the psychoanalyst Richard von Krafft-Ebing. In his article, “*Psychopathia Sexualis*”, which first appeared in 1885, Krafft-Ebing defined sadism as “the experience of sexual pleasurable sensations (including orgasm) produced by acts of cruelty, bodily punishment afflicted on one’s own person or when witnessed by others, be they animals or human beings”.<sup>7</sup> Later, in 1969, anthropologist Paul Gebhard published his article, “*Fetishism and Sadomasochism*”, in which he emphasized the cultural context surrounding S/M behavior, rather than its biological roots. Gebhard wrote:

“Sadomasochism is embedded in our culture since our culture operates on the basis of dominance-submission relationships and aggression is socially valued. Even our gender relationships have been formulated in a framework conducive to sadomasochism: the male is supposed to be dominant and aggressive sexually and the female reluctant or submissive.”<sup>8</sup>

Indeed the characterization of S/M sex as representative of female submission and male dominance is why many feminist scholars decry the practice as perpetuating social violence against women.<sup>9</sup> However, men and women involved in S/M maintain that their participation is consensual and pleasurable. Given this assertion, governments should attempt to understand what constitutes S/M before determining if or what type of regulation is appropriate. The difficulty that policy makers have in finding a workable definition of S/M is not surprising given the fact that many social scientists struggle to define or understand the practice.

Thomas S. Weinberg, Professor of Sociology at Buffalo State College explains:

One would assume that by now there would be a fair standard definition of S&M and that all conceptual differences concerning its essential nature would have long since been resolved. This is not, however, the case...<sup>10</sup>

Weinberg has identified three major characteristics of S/M behavior as a sociological phenomenon. He states that it is erotic, consensual, and recreational. Further, all participants in the activity must mutually define the act as sexual and S/M.<sup>11</sup> Other researchers have expanded this criteria to include dominance and submission and role playing.<sup>12</sup>

Other researchers, however, have very different ideas about what constitutes S/M behavior. For example, Edward Laumann, the George Herbert Mead Distinguished Service Professor of Sociology at the University of Chicago, and one of the foremost researchers on sexual behavior, does not ask questions in his research regarding S/M activities. In 1994, he published *The Social Organization of Sexuality*, which summarized the findings of what *The New York Times Book Review* called “the most important study of American sexual behavior since the Kinsey reports of 1948 and 1953.”<sup>13</sup> The book is based upon the National Health and Social Life Survey, a 1992 nationwide survey of 3,432 American men and women between the ages of 18 and 59. However, information on S/M sex is not included in the volume.

In an e-mail exchange, Professor Laumann stated that as close as his survey gets to understanding S/M activity, is asking questions about incidence of unwanted sex.<sup>14</sup> Professor Laumann stated that general cross-section samples don’t have a sufficient incidence of S/M to warrant including S/M questions in his survey instrument, and suggested being “somewhat imaginative in making some leaps between reports of forced sex and admission of having forced someone to get brief glimpses of the [S/M] phenomenon.”<sup>15</sup> One of the key components of S/M activities, however, is the consent of both parties. Violent sex is not the same as forced sex, and a distinction needs to be made between the two practices in order to develop a better understanding of consensual S/M sex.

Another aspect of the definition of S/M involves its cultural context, and depictions within mainstream society. For example, an episode of “The Surreal Life — 4”, a show which appears during prime time on the basic cable network, VH1, featured one cast member acting as a dominatrix and instructing the other cast members on how to engage in dominance and submission. Another prime time television show, “House”, aired an

episode about a hospital patient who became sexually aroused when strangled. The NBC reality television show, "Fear Factor", has asked contestants to eat road kill, navigate through an electrically charged maze, and get locked in a cage while rats and toads are dumped on them.<sup>16</sup> Further, a search of Yahoo.com's "groups" revealed 28 groups related to the practice of S/M with approximately 6,750 registered members, and an additional 32 groups devoted to fetishism, including bondage and leather-play. The web directory on Yahoo.com lists 289 websites devoted to bondage, discipline, and sadomasochism (BDSM ). A "Google" search of sadomasochism resulted in 183,000 hits.<sup>17</sup>

Lynn S. Chancer, an assistant professor of Sociology at Barnard College states that sadomasochism has come to permeate everyday life, and discusses the numerous ways in which S/M is portrayed in movies, books, television commercials, and even found in government policies. Chancer believes that it is necessary to understand the sadomasochistic tendencies of society as a whole, and not just individuals who use whips or chains during a sexual encounter.<sup>18</sup> Indeed, research on S/M activity since the mid-1970s has focused on the importance of culturally produced meanings that are reinforced by participation in S/M subculture.<sup>19</sup> Knowledge of the power dynamics present in modern society is an interesting framework from which to try to comprehend S/M sex acts; it does not, however, provide us with a workable definition for policy purposes.

## A LACK OF SOCIAL SCIENCE DATA

A second major obstacle in deriving an appropriate role for the state in regulating S/M activities is that there is very little information available about the individuals engaged in the practice. General population studies have not adequately established the proportion of the general population identifying S/M as part of their sexual pattern.<sup>20</sup> For example, as noted above, the prominent sex researcher, Edward Laumann, uses the National Health and Social Life Survey as the basis for much of his work. The stated goals of this comprehensive study are "to describe the distribution of sexual practices in the general population, and to examine the changes in these practices under current conditions."<sup>21</sup> The survey asks no questions about S/M behavior or the lifestyles of those who participate in S/M.

Similarly, the General Social Survey, which has been administered twenty-four times since 1975, is a comprehensive survey of Americans' preferences and behaviors. The initial survey was reviewed by approximately 150 social scientists, and survey topics include "national spending priorities, drinking behavior, marijuana use, crime and punishment, race

relations, quality of life, confidence in institutions, and membership in voluntary associations".<sup>22</sup> The GSS has been a part of the International Social Survey Program (ISSP), a consortium of social scientists from 39 countries around the world. The ISSP survey questions are incorporated into the GSS. The GSS has collected data on sexual behavior since 1998. Topics include the number of sex partners, frequency of intercourse, extramarital relationships, and sex with prostitutes, however neither the GSS nor the ISSP survey respondents regarding S/M activity.<sup>23</sup>

The Berlin Archive for Sexology, maintained by Humboldt University – Berlin, maintains the world's largest website on human sexuality. A search of their website revealed 33 articles, entries, or glossaries related to sadomasochism. There were no statistical surveys contained in the database.<sup>24</sup>

The Kinsey Institute, arguably the most famous sexual research organization in the United States, maintains an extensive database of national and international surveys related to sexual behavior, yet none of the forty-nine surveys contained in the Kinsey database, "*Reference Resources for Sexology*" collect information on S/M. (See Appendix A for a listing of all surveys contained in the Kinsey database.) Dr. Alfred Kinsey himself, along with his colleagues at the Institute, conducted interviews dealing with people's sexuality between 1938 and 1977. When Kinsey first published the results of his survey in 1948, "*The Sexual Behavior of the Human Male*", it was considered the most comprehensive sexual study ever undertaken. He followed-up his first publication with "*The Sexual Behavior of the Human Female*" in 1953, a similarly ground-breaking piece of research.

Kinsey's general sample consists of 4,694 white males with a college education, 766 white males with less than college education, 4,358 white females with a college education, 1,028 white females with less than college education, 177 black males with a college education and 223 black females with a college education.<sup>25</sup> This survey contains four limited questions on the topic of S/M, although Kinsey did not expressly define S/M in his study.<sup>26</sup> The initial publications of the Kinsey data showed that between 4.5% and 34% of male respondents and between 5.5% and 18% of female respondents currently engaged in S/M behavior at least occasionally.<sup>27</sup> Further, between 0.1% and 10.5% of males and between 0.2% and 4.3% of females fantasized about pain during sexual encounters either in dreams or during masturbation.<sup>28</sup> In 1990, a re-analysis of the Kinsey data concluded that between 5% and 10% of the American population engages in sadomasochism for sexual pleasure on at least an occasional basis.<sup>29</sup>

Kinsey also found that 24% of men and 12% of women surveyed had “at least some erotic response to sadomasochistic stories.”<sup>30</sup>

Unfortunately, in the decades since Kinsey first published his groundbreaking studies on sexual behavior, criticism of the statistical validity of Kinsey’s samples, and hence the accuracy of his analyses, has emerged.<sup>31</sup> For example, some have claimed that Kinsey’s samples included too many prisoners, including sex offenders, while others have maintained that Kinsey and his colleagues used too many college students and college educated people, predominantly from the Northeast.<sup>32</sup> Further, because of the way in which data was collected and stored, regression analyses on S/M activity cannot be conducted on the information collected by Kinsey, thus making any claims of causality based on his data dubious.<sup>33</sup>

Finally, in a detailed literature review, I was unable to find any studies of the incidence of S/M activity among the general population, nor any randomized study exploring the characteristics of S/M participants, despite the fact that much has been written on the treatment of S/M by the criminal law, possible psychological reasons for seeking pleasure in S/M, and speculation about the meaning of gender roles and “scenes” in S/M culture.<sup>34</sup>

For example, Thomas S. Weinberg has written extensively on S/M activities. In a 1987 article, he describes his 1978 paper explaining why, given the societal expectation that men are dominant and women are submissive in their sexual and cultural relationships, most men involved in S/M are submissive. Weinberg states that his “conclusions were based upon a handful of interviews with submissive men and with prostitutes specializing in ‘female domination.’”<sup>35</sup> Although this research poses an interesting cultural question and illustrates the importance of context in S/M encounters, it is hardly scientifically rigorous in its approach. Weinberg recognizes the shortcomings of his research and notes that most other S/M scholarship during the 1970s and 1980s suffers from the same faults. Much of it involves small samples, individuals who attend S/M clubs or subscribe to S/M magazines, and focuses primarily on homosexual S/M.

Weinberg conducted a review of the S/M literature in 1983 and updated the review in 1995 in his book, *S&M: Studies in Dominance and Submission*. Eighteen essays are presented in the book, yet none contain comprehensive statistical data on the incidence of S/M activities or participants in the general population. The limited studies of those actively involved in S/M culture provide the best, albeit flawed, estimates of the characteristics of individuals participating in S/M, although there is no way

to extrapolate from them to determine the prevalence of S/M activity in the general population, nor the characteristics of those in the general population engaging in S/M, but who do not belong to an S/M club or subscribe to S/M magazines.

Nonetheless, in one of the first studies of its kind, Hamilton interviewed 100 married men and 100 married women, 55 of whom were couples. The study, published in 1929, found that 51% of the men and 32% of the women derived “pleasant thrills” from inflicting pain on either humans or animals. Additionally, 28% of the men and 29% of the women derived “pleasant thrills” from pain inflicted upon them by others.<sup>36</sup> A 1974 survey of 2,026 individuals conducted by Hunt found that 4.8% of males and 2.1% of females obtained sexual pleasure from inflicting pain, while a 1976 *Playboy* study of 3,700 college students established 12% of women and 18% of men in a random sample of college students either tried and liked inflicting or receiving pain during sex, or wanted to try this behavior.<sup>37</sup> As discussed previously in this paper, the definition of S/M activity is quite inexact, thus making it difficult to accurately ascertain the true occurrence of S/M in the population. Nevertheless, based on the data available, participation in behaviors that would likely be classified as S/M is not uncommon.

In 1975 and 1977, Spengler studied 245 West German men by sending a questionnaire to advertisers in S/M contact magazines and to members of S/M clubs.<sup>38</sup> Respondents roughly evenly categorized themselves as heterosexual, bisexual, or homosexual. Spengler’s sample revealed that 25% of respondents were college graduates, while 15% had attended at least some college. Respondents made more money than the population at large.<sup>39</sup> Spengler had difficulty obtaining a female sample from the S/M population he studied and concluded that women were not involved in the S/M subculture.

Moser and Levitt conducted a similar study in 1978 by administering a questionnaire to a New York City S/M support group, and placing a survey in an S/M-oriented magazine. They received responses from 266 men and 54 women. Like Spengler, Moser and Levitt found those engaged in the S/M lifestyle to be better educated than the population at large.<sup>40</sup> Approximately 95% of this sample was white, and 43% did not indicate a religious preference.<sup>41</sup> Moser and Levitt took the unique approach of trying to operationalize the definition of S/M sex by grouping behavior into three different categories: specific S/M behaviors, S/M role-playing behaviors, and sexual behaviors not specifically S/M. The following table

represents the percentage of respondents reporting that they tried and enjoyed various activities—some specifically sadomasochistic in nature, some involving sadomasochistic role playing, and other sexual behaviors that are not related to S/M:<sup>42</sup>

**Table: Percentage of Total Sample Participating in Various Sexual Behaviors**

<b>Behavior</b>	<b>Tried and Enjoyed</b>
Homosexual Acts	26.0
Group Sex	29.4
Swinging	17.5
Cross Dressing	29.4
Fetish Behavior	51.4
Incest	5.1
Bestiality	4.5
Humiliation	55.9
Branding	7.3
Tattoos	5.1
Enemas	29.9
Dildoes	48.0
Cock Bindings	35.6
Leather	42.4
Mask	20.3
Piercing	11.3
Pins	13.6
Bondage	65.0
Boxing	5.1
Hot Wax	24.3
Ice	26.6
Spanking	66.1

<b>Behavior</b>	<b>Tried and Enjoyed</b>
Whipping	49.7
Wrestling	22.0
Chains	40.7
Rubber	19.8
Hood	19.8
Biting	31.6
Face Slapping	30.5
Gag	36.2
Rope	54.2
Handcuffs	44.6
Blindfold	42.4
Teacher/student role playing	25.4
Guardian/child role playing	16.4
House servant role playing	25.4
Master/slave role playing (mental trip)	57.6
Master/slave role playing (physical trip)	52.0
Master/slave role playing (combination)	38.4

The authors deliberately left the term “humiliation” broad and unspecified, and concluded that the large percentage of respondents indicating they have engaged in this behavior shows that emotional pain is as much a part of S/M as physical pain.<sup>43</sup> Unlike Spengler, Moser and Levitt found evidence of a large number of women in the S/M subculture.<sup>44</sup> They noted that at many S/M parties men must attend with a woman, and large numbers of women do attend these functions.

## RETHINKING S/M

Given the broad range of S/M activities, and the diversity of opinions about what constitutes S/M among its practitioners, how should S/M be defined? When beginning their 1978 study of S/M constituents, Charles Moser, Associate Professor of Sexology at the Institute for Advanced Study of Human Sexuality, and Eugene Levitt, Professor of Clinical Psychology,

Indiana University School of Medicine, decided that, “The range of behaviors and the paucity of previous research led us to decide on self-definition as an S/M participant as the least biased criterion for inclusion in the [S/M] study.<sup>45</sup>” Although this is not an unreasonable place to begin a sociological survey about S/M, it provides little guidance to policy makers about how best to regulate the practice, and it possibly excludes a large number of individuals who engage in bondage or humiliation (common S/M themes), but either do not wish to identify themselves with the S/M community, or do not feel that the type or frequency of S/M activities they engage in rise to the level of identification as “S/M”. For instance, interviews with homosexual males involved in the “leather” scene, which involves the use of leather, chains, and bondage, revealed that individuals participating in this scene did not consider it to be sadomasochistic.<sup>46</sup>

Another complication in developing a definition of S/M, is that physical pain is not always required for participants to feel pleasure. Psychological pain and humiliation, including subservience and degradation are often central aspects of an S/M encounter.<sup>47</sup> Moser and Levitt’s study of self-proclaimed S/M constituents found that 67.2% of respondents engaged in humiliation, while 68.3% had tried a “master/servant” role playing game where only psychological manifestations of this relationship occurred.

A final complication concerns the slippage in the public imagination from S/M to physical abuse and forced sex. *Conversio Virium*, a BDSM (bondage and discipline S/M) support group at Columbia University, has developed a policy statement outlining the differences between S/M and abuse. According to the group, “S/M includes intimate activities within the scope of consent that is freely given”, while abuse is defined as “acts inflicted on a person without their freely given consent.”<sup>48</sup> A popular phrase among the S/M and fetish communities is that all sexual encounters should be “safe, sane, and consensual.”<sup>49</sup> The limits of S/M encounters are mutually agreed upon by both participants, and a safe word that when uttered means the scene must end immediately, is arranged. The “safe, sane, consensual” benchmark is also adopted by the National Coalition for Sexual Freedom (NCSF), an advocacy group supporting the rights of sexual minorities, specifically practitioners of S/M,<sup>50</sup> although some in these communities question the applicability of this slogan to all who practice BDSM. One S/M participant noted that, “Sane is so close to meaningless for me that I find it useless. Who is to say what is sane? Shall we pass judgment on each other, as to whether people and/or activities are sane?”<sup>51</sup> Such individuals do not question the propriety of the standard of

consent, but do raise an interesting issue of how safety and sanity are determined, and by whom. Even the S/M guidelines published by *Conversio Virium* highlight consent as the most essential aspect of S/M, and stress the importance of mutual pleasure and respect in the S/M relationship.<sup>52</sup>

Given the broad and diverse range of S/M practices uncovered by social scientists and medical professionals, a valid definition of S/M for purposes of developing policy and ascertaining the incidence of S/M activities in the general population must include the following elements:

1. S/M describes an intimate relationship between consenting adults who derive sexual pleasure from an encounter which may include the receipt or distribution of psychological or physical pain, role playing, or dominance and submission;
2. Practitioners of S/M may or may not identify their relationships as such, and it is therefore important for researchers to ask questions about specific components S/M behavior, rather than about participation in S/M generally in order to obtain accurate estimates of participation rates;
3. Complex power relations in S/M encounters are generally present, whereby the masochist, or “bottom” appears to be at the mercy of the sadist, or “top”. However, the sadist and masochist have set pre-arranged limits, usually determined by the masochist and enforced by the use of a “safe” or “stop” word.

## CONCLUSION

There are serious consequences to society’s lack of understanding about what constitutes S/M and what drives its participants. Consent is not allowed as a defense in S/M cases, and practitioners have been prosecuted for assault, rape, kidnapping, and manslaughter in Europe and the United States.<sup>53</sup> S/M sex clubs have been raided by police, shut down, and their occupants charged with assault.<sup>54</sup> Greater insight about S/M and the S/M community will allow for more appropriate government policies.

Clearly those who engage in S/M sex are not in the majority in this country. With so many individuals engaging in the practice, however, society must consider the particular characteristics of S/M behavior to determine

appropriate ways to regulate it, if at all. Some have proposed that those engaging in S/M sex should obtain “ongoing consent” throughout every phase of the encounter,<sup>55</sup> while many others have suggested that one should not be allowed to consent to S/M sex.<sup>56</sup> Still others have argued for a new crime in the form of “reckless sex” that could be applied to S/M activities.<sup>57</sup>

The state surely has an interest in minimizing the incidence of violence and risky behavior in society at large, as well as an interest in protecting its citizens. Under the common law violence was illegal even if it was consensual. Thus, consent was no defense when one engaged in an activity that could cause physical injury or death, even if the “victim” did not complain.<sup>58</sup> Citizens are not unlimited in the harm they can inflict on others or even themselves.

In considering the issue of sadomasochistic sex then, how should the activity be classified? Is it like a sport with legitimate social value where society and the courts allow individuals to consent to the inherent violence, or is it merely violence for the sake of violence, having no legitimate social value? In the case of sexual relationships, where do the rights of individuals to engage in private sexual activity end and the state’s interest in preventing harm to its citizens begin?

The fact that our society allows individuals to engage in patently violent or risky behavior in so many contexts outside of sex indicates that it is notions of morality rather than concern for public health that is driving our unwillingness to recognize the ability of individuals to consent to violent sexual behavior. If this is the case, there are other, more appropriate, regulatory mechanisms for the state to engage that will further the state interest of protecting its citizens from violence, yet not intrude upon the private sexual matters of consenting adults. For example, in the case of violent sports, there are often trained arbitrators (referees) on the field with the participants. State licensing of S/M clubs could include provisions to require that trained individuals are present to supervise S/M activities. Even those individuals who do not participate in S/M clubs could become licensed to engage in S/M activities. Such licensure would include training in issues of consent, including how individuals use a “safe word” to indicate their consent has ended.

Similarly, individuals often sign contracts when they engage in risky behavior, absolving other participants of liability in the case of injury as long as everyone “plays by the rules”. Similar contracts could be used as evidence of consent in the S/M context. The state could set certain guide-

lines preventing individuals from engaging in conduct that results in permanent bodily harm, disability, or death. In these cases, the interest of the state can trump individual's rights to private sexual encounters.

If the state seeks to regulate private, consensual acts, policy makers must become better informed about S/M. Social scientists and physicians must aid this process by developing a robust, standardized definition of S/M and conducting serious, statistically valid research on the characteristics and behavior of individuals engaging in S/M. Drawing inferences from small, select samples, or extrapolating from data about forced sexual encounters to reach conclusions about individuals who practice S/M is no longer acceptable from a policy perspective, nor an academic one.

## APPENDIX A

### **Surveys Contained in the Kinsey Institute's Database of National and International Surveys of Sexual Behavior**

1. Adolescent Women's Contraceptive Decision-Making Project
2. American Couples, 1975-1981
3. American Fertility Surveys from 1955-1988
4. Archivos de Fecundidad y Salud, Programa Centroamericana de Poblacion, Universidad de Costa Rica
5. Behavior Risk Factor Surveillance System (BRFSS)
6. British Social Attitudes Survey, 1983-
7. The California Survey of AIDS Knowledge, Attitudes and Behavior: 1987 and 1988
8. Chinese Fertility Surveys, 1985 and 1987
9. Computer-Administered Panel Study, 1983-1988 (CAPS)
10. Demographic and Health Surveys
11. Detroit Minority Youth Behavior Study, 1991
12. Divorce Data Public-use Data Files
13. Family Life and Sexual Learning, 1976
14. General Social Survey, 1972- , National Opinion Research Center, U. of Chicago
15. Gynaecological and Sexuality Profile of Women Attending a

Family Planning Clinic, 1982

16. Kaiser Family Foundation/Glamour 1998 Survey of Men and Women on Sexually Transmitted Diseases (August 1998)
17. Los Angeles Women's Health Risk Study, 1990
18. National and State Data Files on Adolescent Fertility, 1960–1995 (DAAPPP Data Set No. 0809)
19. National College Health Risk Behavior Survey (NCHRBS) 1995
20. National Health and Social Life Survey, 1992
21. National Health Interview Survey
22. National Lesbian Health Care Survey, 1984–85
23. National Longitudinal Study of Adolescent Health
24. National Network of State Polls
25. National School-Based Youth Risk Behavior Study (YRBS), 1995
26. National Survey of Adolescent Males, 1988 & 1990-91  
Freya L. Sonenstein, Joseph H. Pleck & Leighton Ku
27. National Survey of Adolescent Males, New Cohort, 1995  
(DAAPPP Data Set No. 07)
28. National Survey of Contraceptive Use among Women Having Abortions, 1994-1995 (DAAPPP Data Set No. 06)
29. National Survey of Family Growth, Cycle V, 1995
30. National Survey of Sexuality Issues among Women with Physical Disabilities, 1994
31. National Survey of Australian Secondary Students HIV/AIDS, 1992
32. National Survey of Family Growth (NSFG)
33. National Survey of Men, 1991
34. National Survey of Sexual Attitudes and Lifestyles, 1990
35. National Survey of Women, 1991
36. National Youth Victimization Prevention Survey
37. Prospero Project Condom Study, San Francisco, 1989-1991
38. Psychological Aspects of Fertility Behavior in Women, 1972-75

39. Reiss, Ira L. National Opinion Research Center, Amalgam Survey, SRS 160 (1963)
40. Sex in the 90s: Kaiser Family Foundation/ABC National Survey of Americans on Sex and Sexual Health (September 1998)
41. Sex Industry Survey, 1994
42. Survey Studies from Latin American and Spain
43. Victimization and Other Risk Factors for Child Maltreatment Among School-Age Parents: A Longitudinal Study, 1988-1992
44. Victorian General Practitioners' Knowledge of Sexually Transmissible Diseases, 1995
45. World Fertility Survey
46. Young People's Social Attitudes Survey, 1994
47. Youth Risk Behavior Surveillance System (YRBSS)
48. Youth Risk Behavior Survey, 1990
49. Youth Risk Behavior Survey, 1993

NOTES

- 1 See, e.g., WEINBERG, THOMAS S. and KAMEL, G.W. LEVI, "*S&M: An Introduction to the Study of Sadomasochism*", *S&M: Studies in Dominance and Submission*, THOMAS S. WEINBERG, ed., Prometheus Books, Amherst, New York, 1995; See also, CHANCER, LYNN S., *Sadomasochism in Everyday Life*, Rutgers University Press, New Brunswick, New Jersey, 1992.
- 2 Montana Code 45-8-205 (8)(c).
- 3 720 ILCS 5/11-20 (b)(2).
- 4 Information on a wide range of S/M activities practiced within the S/M community was found at <http://alktsex.org/bdsm>, last visited on February 4, 2005.
- 5 *Prosecutors Plan Cannibal Appeal*, Friday, January 30, 2004, CNN.com. Found on the at: <http://www.cnn.com/2004/WORLD/europe/01/30/germany.cannibal/index.html>, last visited on March 20, 2005.
- 6 MOSER, CHARLES and LEVITT, EUGENE, "An Exploratory-Descriptive Study of a Sadomasochistically Oriented Sample", *The Journal of Sex Research* 23 (1987); SANDNABBA, N. KENNETH, ET. AL., "Sexual Behavior and Social Adaptation Among Sadomasochistically-Oriented Males", *Journal of Sex Research*, Vol. 36, No. 3, August 1999; pp. 273-282
- 7 *Studies in Dominance and Submission*, WEINBERG, THOMAS S., ed. Prometheus Books, Amherst, NY 1995.
- 8 GEBHARD, PAUL H., "Fetishism and Sadomasochism", *Science and Psychoanalysis*, Vol. XV (1969) 71-80, at 77.
- 9 See, e.g., HANNA, CHERYL, "Sex is Not a Sport", 42 *B.C.L. Rev.* 239, March, 2001, at 286 stating that, "If courts extended the consent doctrine to S/M, not only could this in practice be used to justify violence against women, but it could also, at a more theoretical and abstract level, reinforce oppressive cultural norms"; Hanna further discusses feminist scholars Andrea Dworkin and Catherine MacKinnon explaining that they believe there can be no consent in the context of S/M as long as we live in a male-dominated society.
- 10 WEINBERG, THOMAS S., "Sadomasochism in the United States: A Review of Recent Sociological Literature", *The Journal of Sex Research*, Vol. 23, No. 1, February 1987.
- 11 *Id.*
- 12 WEINBERG, MARTIN S., WILLIAMS, COLIN J., MOSER, CHARLES, "The Social Constituents of Sadomasochism", *Social Problems*, Vol. 31, No. 4, April 1984, pp. 379-389; PA, MONICA, "Beyond the Pleasure Principle", 11 *Tex J. Women & L.* 51, 2001.
- 13 *The New York Times Book Review*, reprinted at Amazon.com, found at: <http://www.amazon.com/exec/obidos/ASIN/0226469573/104-9426493-2694315>. Last visited on March 20, 2005.
- 14 E-mail correspondence between author and Edward Laumann, November 1, 2004.
- 15 *Id.*
- 16 *The Surreal Life* 4, "I'm With Cupid"; *House*, see "Episode Guide" found at: <http://www.fox.com/house>, last visited on June 20, 2005; *Fear Factor*, see "Gross Stunts", found at [http://www.nbc.com/Fear\\_Factor/gross/index.shtml](http://www.nbc.com/Fear_Factor/gross/index.shtml), last visited on July 26, 2005.

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