

Romanticisation of Non-consensual Sex: Reevaluating Cinema's Responsibility in Rape Culture in the Case of 365 Days

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Abstract: *365 Days* was directed by Polish directors Barbara Bialowas and Tomasz Mandes in 2020. It describes how a woman, Laura, was abducted by mafia boss Massimo when on a trip to Sicily. More specifically, films such as *365 Days* include scenes where the existence of mutual consent is either ambiguous or lacking. We aim to criticize this construction of a problematic fantasy where the lack of sexual autonomy is romanticized because of its social implications, especially for spectators lacking sexual education. In doing so, we start with an analysis of scenes in the movie *365 Days* and an exploration of the extent to which romanticisation of ambiguous sexual consent exists in the scenes. A literature review of topics surrounding our debate precludes our discussion. We scaffold our argument by exploring topics including legal consent, fantasies, sublimation, and social science experiments on the implications of fantasies. This paper shows awareness of the argument on the accountability of fantasies and thoughts by exploring relevant literature and, ultimately, a discussion surrounding the topic. In our discussion, there is not only an exploration of the responsibility of cinema and fantasies, as previously stated, but also how the romanticisation of ambiguous or non-consensual sex is problematic in the context of *365 Days* and the industrialization of sex in cinema, media, and culture. This paper uses cinematic techniques to analyze sex scenes in the film, feminist ideals, psychodynamic theories, legal definitions, and social science experiments to construct an argument condemning the romanticisation of non-consensual and vague sex in cinema and the perpetuation of rape culture.

Keywords: consent, romanticize, porn, rape myths

1. Introduction

Recently, there has been a rise in the cinema containing sex scenes where consent is lacking or ambiguous. This phenomenon is observed through cases like *365 Days* and short films that also utilize the male boss story trope, where the heroine is dominated by a powerful male protagonist. However, ordinary spectators of these films do not realize the implications of such scenes and troupes on society and how they can potentially harm a progressive society.

365 Days is a Netflix adaptation directed by Barbara Bialowas and Tomasz Mandes in 2020 of the book *365 Dni* written by Blanka Lipinska. As *365 Days* is a more recent film and strikingly similar to *Fifty Shades of Grey*, there is currently a lack of analysis and criticism of the film. The problem with the romanticisation of sex is discussed on rare occasions within the literature, along with the implications of cinema on societies due to the focus on pornography. The current network literature is focused more on affirmative consent in teen movies and the effects of consuming pornography with choking.

This research aims to criticize the romanticisation of sex with ambiguous or the lack of consent in *365 Days* and then explore the impacts of *365 Days* on society. We aim to argue that the lack of consent in sexual activity is romanticized and then to study how the representation of sexual intercourse may be harmful to society. With the relationship between other forms of media like pornography established with variables like rape myths and rape, this paper aims to explore how cinema can affect rape myths and sexual perpetration.

2. Lack of consent

The concept of “consent” varies widely from individual perspectives, and there is no definitive answer regarding its application between people or between people and objects, rendering its definition somewhat ambiguous. According to the dictionary, “agreement to sexual activity, given by someone free to choose (because of being old enough, being able to think or communicate clearly, etc.).”[1] From a legal standpoint, “consent” signifies that an individual of legal age voluntarily and willingly agrees to a proposition made by another person. The consenting individual must possess adequate mental capacity. In cases of rape and sexual assault, if an individual’s consent is obtained under duress or fear, it does not reflect their true intent. In the movie *365 Days*, through the portrayal of the female protagonist in certain shots, it is evident that she holds an unconsented attitude towards the intimate relationship imposed on her by the male lead. Here are two brief examples, and the detailed analysis will be mentioned later in section 4. In the early part of the film, when the male character Massimo kidnaps the female character Laura, there is a scene where Laura, enraged and attempting to escape, is roughly thrown onto a couch by Massimo. The expressions on her face and her reluctant action further convey her evident discomfort. Another example is in the middle segment of the film. Massimo, unwilling to endure prolonged waiting, confines Laura upon her entry into his room. In this scene, Laura does not express any part of consent, both explicitly and implicitly. Massimo’s almost coercive intimate actions only serve to provoke her resistance, as they are not born out of love and affection.

3. Fantasy satisfying male pleasure

Cinema, in one way or another, is both a construction and a reflection of society, which makes it inescapable to the gender inequality that plagues us. Spectators are looking into “a private world” where there only exists them and the character and projecting their “repressed desires onto the performer”.[2] There is a dichotomy in receiving pleasure from Cinema in Freud’s Scopophilia, actively observing and identifying with the subject’s erotic identity. The first is received by looking at the characters on the screen as objects, as the nature of films is a fictional fantasy separated from the individual, allowing them to be sexually stimulated visually while inhibiting their exhibitionism. This can be analogous to observing a painting or other art forms where the subject of the view is objectified. Simply put, scopophilia is receiving pleasure by viewing other people as objects. In other words, spectators of cinematic fantasies receive pleasure from objectifying characters with their gaze. The similarities of the screen and mirror complicate our process of receiving pleasure from cinema by introducing the conflict between our ego and our ideal ego. Our ego represents our sense of self

and mediates between our desires, morals, and the external world. We perceive what we see in the mirror as us and similarly with the screen, which at most times misaligns with our ideal selves. Consequently, this similarity unconsciously brings about an erotic identification with the object of the sight with the subject. Fantasies provide viewers with pleasure, but the creation of cinema is heavily commercialized. Under a heavy heterocentric society, it cannot help but become an instrument for the stimulation of the penis. Women become the object of Male pleasure. It is such that scenes lacking sexual autonomy can be romanticized by the spectator; the ego identifies itself with Oman and objectifies the woman. Scopophilia under the context of an unequal society is split between the two sexes, “active male” and “passive female”.[2] The male character is manipulative of his surroundings and progresses the plot.

365 Days represents this divide of scopophilia between the two sexes perfectly. The male character, Massimo, initiates the plot or the “hero’s journey” that the heroin, Laura, goes through. He also controls what Laura does and where she goes through force. During the sex scenes, Laura is always passive to the point where her resistance seems perverse because it’s so ineffective, which is exemplified in scenes where she remains mute and still when being perpetrated, but at specific moments, makes futile resistances. She is primarily mute during the sex scenes, even when rape is being attempted and she is uncomfortable. The heroin is further objected to through shots that satisfy the spectator’s scopophilia, for example, a bird’s eye view of Laura during Massimo’s first attempt at making love with her after her abduction. The Cinematic lens also reduces her to her body parts, specifically in the shower scene, where the camera focuses on her feet and legs and then centers her bottom in a wide shot. In this scene, the spectator is also made to identify with Massimo through a POV shot of Laura’s bottom, strengthening the connection between the spectator’s ego and Massimo’s eyes. This paper looks at the film *365 Days* as a pure male fantasy constructed for the pleasure of its spectators. A reduction of the film would mean ignorance towards other possibilities of it serving to mock the gender presentations in the film by criticizing the film purely on its presentations of the characters and methods of shooting. This results in omitting possible criticisms achieved through the presentations and shots under the directors’s intentions. However, this reduction is justified by the myriad of attempts in which this film tries to objectify this already artificial “heroin” and shots satisfying the pleasure of primarily male spectators.

4. Analysis of romanticized scenes

Romanticisation means to gloss over the horror of an action or event when describing. In other words, to idealize a flawed event. However, in the case of this paper, we rephrase the term “romanticized” to give it the literal purpose of justifying something through making it romantic or happen with a romantic intention. Romanticisation is displayed through the plot of *365 Days*. Though the creators of the movie claim their work to be a love story, what they have created is a plot that continues to try to neglect how violating and unrealistic their idea, a female character able to ignore the damage of abduction and sexual assault brought by a male and fall in love with the male, is.

The movie is based on the premise that the female protagonist, Laura, was abducted. Laura at first rebelled against the male antagonist Massimo but failed. Later on, as she spends more time with her abductor, she undergoes stages of change and eventually grows an affection towards Massimo that results in marriage. The plot regulates the actions of the protagonist to defend herself less and less at each stage, blurring her intentions so that her attitude towards Massimo’s violations appears self-contradictory and ambiguous. Finally, the female character falls in love and voluntarily assimilates into the male fantasy, going from being an independent woman with a successful career to being the trophy wife of a big, strong bossman.



Figure 1: Stage 0-realization of the abduction [3]

When Laura first woke up after being suddenly abducted, she was not tied up or chained. But wearing her clothes and lying on a soft bed. The full shot, taken from a high-security camera-like angle, shows a well-designed bedroom setting with morning sunlight peering out of the windows and birds chirping in the background. The setting sends signals of comfort, privacy, and welcome, which is paradoxical to the fact of imprisonment by helping to romanticize the mental stress, wrongfulness, and, most importantly, illegality of abduction.

As she woke up, Laura was not portrayed to display emotions such as fear, anxiety, anger and actions such as searching the room for teleportation devices. This indifference may be used to blur her consent.



Figure 2: Stage 1-strong indications of resistance [3]

In the initial scene following SCENE 1, at nighttime Laura heard the door unlock and went outside. When she stumbled upon a spacious living room she came in face-to-face with her self- portrait and fainted right into the arms of the Antagonist Massimo, who made a sudden appearance behind her as the camera circled Laura in a 360-degree long shot. Notably, the lighting in this scene is notably dark, creating an oppressive atmosphere. When she woke up, she was settled in on a sofa with Massimo feeding her ice. Massimo's attempt to display himself as a detailed admirer failed as Laura spit out the ice. The mellow background music that played when Massimo talked also came to an abrupt stop as Laura slashed open Massimo's self-moved bubble of romance and announced that she chose not to be part of it. Later on, as Laura struggled to get up and confront Massimo, the male displayed physical abuse by throwing her back to the sofa and carrying on informing her about his reasons for abducting her. Towards Laura's reply of stating she is not his belonging, Massimo then announces to Laura that he will give her a chance to fall in love with him. Though it may appear as if Massimo gave Laura full rights to choose, Massimo's condescending attitude indicates that he is endowing the capability of love to Laura, neglecting the fact that love is a right that any solo person inherently owns. When showing how Massimo pressed Laura down shots are taken from a high angle akin to the "birds-eye view" which amplifies the helplessness and objectifies the subject of the shot. Laura is rendered helpless and prey to the gaze of the spectator, satisfying desires for scopophilia. Laura's expressions further convey her evidence of discomfort. When showing how Laura tries to escape the camera initially employs a full shot to display their full-body movements, clearly illustrating Massimo's brutality and Laura's intense resistance, characterized by her thrashing limbs.

Ironically, as Massimo caresses her breasts with no consent, he is saying the lines “I won’t do anything without your permission.” This irony exemplifies the absurd attempts at how the film tries to diminish the disgust that perpetration brings to the audience, and in this case, by establishing it on “respectful grounds.”



Figure 3: Stage 2-protagonist displays preliminary signs of initiative [3]

After being held hostage for a short period, Laura still has a solid opposing attitude towards Massimo as he forces his will upon Laura. Despite being imprisoned, Laura is visibly in a good state.

When Massimo once again violated Laura by walking into the fitting room when she was half-naked and trying on underwear. Laura’s initial response was to protect herself by ordering Massimo to leave in a stern tone. However, as Massimo refused to leave and gazed at Laura’s barely covered body, Laura did not firmly restate her rejection of letting Massimo view her body without consent but approached him. This is the first time Laura has shown initiative in interacting with Massimo. Even though her intent was to refuse the antagonist, her actions were contrary, blurring her consent. Even though, at this stage, Laura’s determination to escape was still staunch, her attempt still failed.

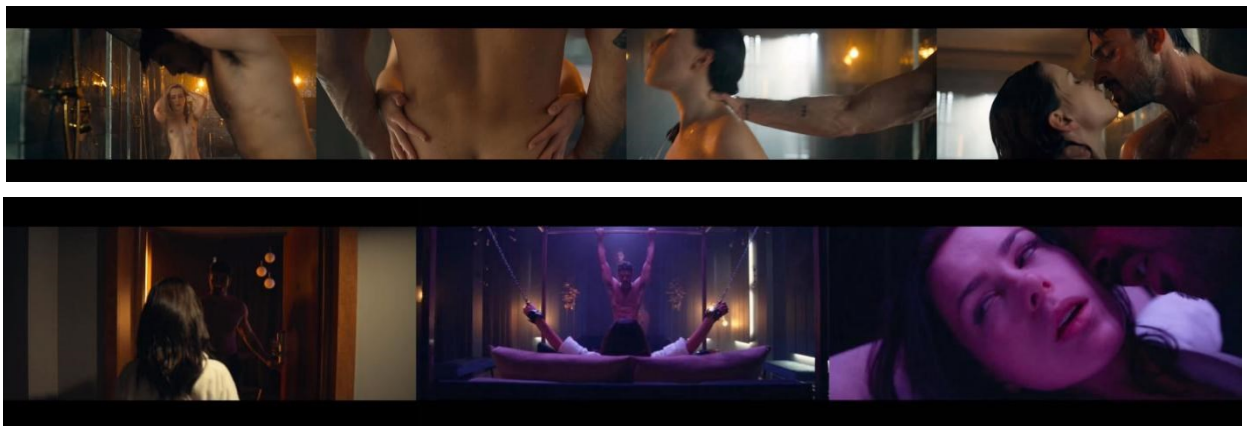


Figure 4: Stage 4-more physical initiation is displayed by the protagonist and romanticisation of more physical sexual assault [3]

Two scenes display this stage. One occurred in the morning after Laura received her electronic devices, woke up, and headed to the shower. Later on, as Massimo joined her, both characters addressed each other naked. Staring directly at Massimo’s penis, Laura became the initiative and touched Massimo’s body, sending a message of consent for further sexual interaction.

The drive for Laura to pay attention and reach out to the man is solely because of the man’s sexual organ, matching how, according to the plot, the male in altitude dominates the whole relationship, even the female character’s right to love, and everything sexual related to the male is meant to be worshiped and admired so much that the female character would volunteer to romanticize her abduction trauma. Later on Laura tried to walked away, breaking the romance trap that had been set for her (disobeying male fantasy and how the male character anticipated that she would perform).

However, she faced physical abuse from the male as Massimo yanked her on the neck and forced her to kiss him and feel him stroking her naked body.

Another scene took place another night. Massimo, unwilling to endure prolonged waiting, confines Laura upon her entry into his room.

The scene and the settings show his attempting to assert dominance over her. The film maintains its characteristic red-purple color palette and is imbued with elements of sensuality and provocative undertones. The soundtrack also incorporates relentless sighs, symbolizing desire. Massimo advances towards Laura step by step until she sits on the bed. She immediately moves backward to distance herself from him but fails. Massimo restrains her limbs with iron chains attached to the bed frame.

Throughout this ordeal, Laura struggles vigorously, but their positions and the power disparity between them render her unable to move. In a close-up shot, as Massimo touches her cheek, Laura frowns in disgust, turning her head away to avoid his touch, all the while continuing to struggle forcefully with her limbs. After struggling, the shot transforms to a medium close-up one, revealing Laura's disheveled attire. When Massimo moves forward to kiss her body, she almost immediately vocalizes her refusal, which is then understood as an invitation to continue sex. Her turned-away cheek and evasive gaze further indicate her profound dissatisfaction. From the various indications represented by these two examples, it is evident that Laura harbors intense feelings of resistance. Both explicitly and implicitly, she does not express any part of consent. Massimo's almost coercive intimate actions only serve to provoke her resistance, as they are not born out of love and affection.

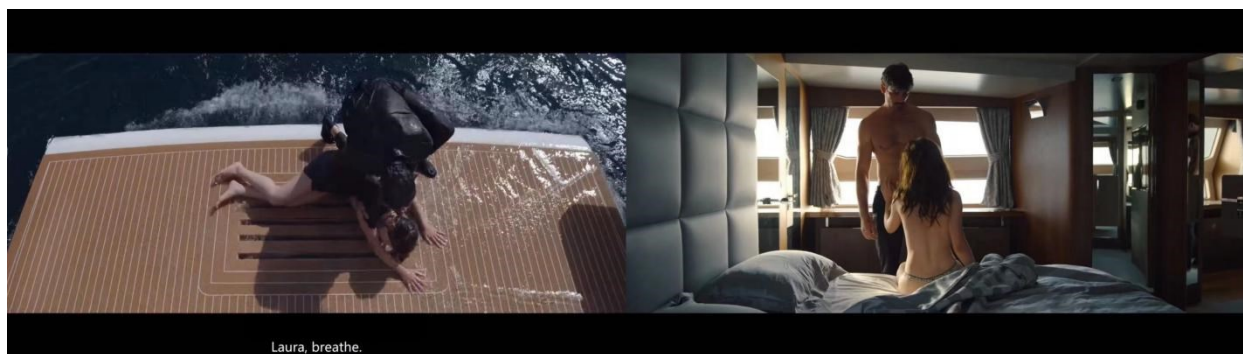


Figure 5: Stage 5-entrance of emotional affection and voluntary penetrative sex

As Laura spends more time with Massimo, she gains more freedom, but she is designed to ignore the chances to take her own life back into her hands, like seeking more chances to leave or continue her work. Thus, she focuses more on drawing Massimo's attention by going against and enraging him. The increasing centering on Massimo meant that every little movement of Massimo could cause an emotional shift in Laura. When Massimo saved Laura after she accidentally fell overboard on a small yacht, Massimo's place in her heart elevated to such a remarkable place that she invited Massimo to engage in their first fully penetrated sex.

In the plot in which the female becomes a victim of unconsented physical sex, turning the position so that the female, Laura, becomes the initiative one in their first penetrative sex is sufficient to claim the movie as a love story.

When analyzing the movie, the abuse and oppression the male character displayed towards the female character, including such as commanding, imprisoning, and physical abuse, was explicit at the start. Incoherence, the female character's rebellion and resistance towards the male character, including rejecting his orders and several attempts to escape, was also explicit. At this stage, the toxicity of the male character and the romanticisation effort could be easily detected. However, as the attitude both characters have towards each other inclines to normalize and the confrontation becomes more implicit and cannot be detected in lines or body language, it seems as if Laura's growth of love

and decline of hatred towards Massimo was reasonable. This results from how the antagonist, Massimo, keeps breaking his regulations for Laura, like handing over her electronic device when he initially confiscated them. His remediation drew our focus away and the comfort displayed by Laura while living under his control, but made us forget the precondition of how he forced the meeting with Laura.

5. Cinema's effects in perpetuating rape culture

Cinema's popularity is known to all; almost none can escape the influence of recent movies and TV shows in an age where spending most of the day online is normalized. Your family, friends, coworkers, and strangers you converse with at the coffee shop while waiting for your espresso mostly follow up on the latest movies or shows. The assumption that is being attempted here may be relatively hyperbolic, but the influence of cinema is never trivial and rather substantial to the construction of internet cultures that especially the young delve into every day. As a medium for relaxation and entertainment and as a bridge between reality and fantasy, film profoundly reflects the prevailing social trends significantly. In the context of rapid technological advancements in modern society, films can be disseminated more swiftly and conveniently through the Internet. Consequently, the types of entertainment that people currently enjoy, the artistic expressions esteemed in society, and the themes favored by different groups are all mirrored in cinema.

Societies offer mediums for the spread of thoughts and beliefs between individuals, and with this comes a phenomenon where ideas and beliefs spread spontaneously within a group.[4] Nowadays, social contagion is further facilitated by social media and an environment where communication has minimal cost individually. Through this, behaviors can be socially reinforced in online communities, whether moral or not. Hence, a hypothesis can be made about the impacts of Cinema; it can directly influence the spectator and create a community or fanbase that reinforces behaviors. Spectators are influenced through modeling and social reinforcement, which is strongly likely to teach them behaviors and adopt thoughts. In cases like *365 Days*, the influence on spectators may be malignant.

The current state of the fan base renders the movie romantic, and the relationship between the two characters, Laura and Massimo, is mostly amorous. Fan edits and posts surrounding the film are centered around the film's end and sequels, where Laura has already fallen in love, and the sexual interactions become consensual. There seems to be an ignorance of the scenes at the beginning where consent is ambiguous, and the scenes are erotic and kinky. The fan bases of this film and similar ones all show a preference for a story trope where the male protagonist is a powerful Mafia or CEO and forces the heroine to fall in love with him. In these communities, it is observable that the attitude towards forced interactions and intercourse is already grey and not negative, with uncountable comments fantasizing about themselves as the heroin. For instance, @Rachelsmith369 comments on X "Booked a flight to Sicily leaves tomorrow. I'm on my way Massimo ●+." However, whether they truly desire the interactions within these movies is still of question.

It is difficult to conclude film's direct influence on the spectator in the current literature. Still, the similarities between *365 Days* and misogynistic pornography that anti-pornography feminists oppose are countless. Thus the perpetuation of Rape culture, a culture that justifies rape and perpetration and often blames the crime on the victim, through *365 Days* is argued through the film's connections with misogynistic porn, as extensive research has already proven porn's impact. The definition of misogynistic or anti-porn feminist pornography needs to be elucidated as it strays from the traditional definition that is learned through the internet. To be classified as pornography in Morgan's sense, the film sexualizes the explicit subordination of women through dehumanizing or objectifying them, portraying them as sexual objects who enjoy pain, humiliation, and being raped, showing them as objects tied or mutilated, reducing them their body parts and depicting them as penetrated by objects or animals. It is oddly surprising enough that *365 Days* satisfies all these aspects and sexualizes the

explicit subordination of women. Throughout the film, Laura is objectified by a scopophilic lens, which sometimes reduces her to her bottom or chest. She is tied on the airplane and onto a bed, where she is humiliated by being forced to engage in adultery, where she displays slight pleasure similar to the other scenes lacking consent.

Misogynistic porn is malignant to society as it backtracks societal progress. "Pornography is a means by which power and control are exercised through the medium of sexuality." [5] Misogynistic porn's sexualization of the explicit subordination of women causes its spectators to normalize the artificial power dynamic between the man and the woman, as typically in pornography, the man dominates and acts while the woman is a passive receiver. More grotesque porn characterizing the female as a "slut" depicts the woman as a sex slave to satisfy the man's sexual needs. "The essence of pornography is the idea that women exist to serve men." [5] *365 Days* utilizes the traditional separation of scopophilia based on the sexes where the male is active and progresses the plot while the woman is passive and objectified, which already reinforces a traditional and sexist power dynamic that the spectators can normalize. Despite her social successes as a sales director, Laura is still forced by the plot to rely on a rich male and become passive in the presence of the male protagonist. Furthermore, her lack of control in the sex scenes further perpetuates this unequal power dynamic.

The plot of the story deconstructed can be viewed as a woman abducted to satisfy the pleasure of the man, in which Laura's existence can be reduced to satisfying Massimo's sexual pleasure. Storywise, the importance of Laura to Massimo is no more than an object that he holds sexual desire.

Pornography is a social practice and affects how women are treated and perceived in society. [5] With regard to the social learning theory, spectators of pornography may perceive the activities as normal, even when the content contains themes of aggression, impulse gratification, and objectification. [6] Malamuth's meta-analysis of the 15 research concludes the average weighted relationship between Porn and Sexual perpetration to be .46 and Porn and Rape myths to be .64. Highlighting a clear positive correlation where Pornography consumption increases sexual perpetration and perpetuated Rape myths. Through more theoretical hypotheses and utilizing mechanisms, there seems to be a more intricate relationship between the three variables. Consumption of pornography perpetuates myths that lead to more sexual perpetrations because they are justified. [7] With a recent focus on sexual choking in the literature, Paul J. Wright and Debby Herbenick constructed a model hypothesizing that exposure to pornography containing choking predicts the likelihood of the consumer assuming it to be pleasurable and it to be not requiring consent. Pornography perpetuates myths and, as a result, predicts sexual perpetration due to a downgrade of consent being a requirement to initiate sexual activities.

While these scientific studies's classification of pornography is more universal, a linkage between *365 Days* and the pornography studied can still be found. Most pornography involving sexual choking can also be classified as misogynistic pornography, as it portrays women as sexual objects who enjoy being in pain. So a similar relationship between porn consumption and rape myths may exist between myths and consumption *365 Days*. Evidence within the fanbases suggests the existence of the relationship already as they ignore the clear lack of consent within this content while finding it romantic. The fantasies becoming the heroin assume the situation to be pleasurable, while in reality, there's no joy in being kidnapped. The romanticized and erotic sex scenes change the spectator's perception of sexual situations where consent is ambiguous. The scenes make sexual perpetration and borderline rape seem pleasurable, romantic, and sexy when in reality, sexual perpetration is traumatizing and demoralizing. Under the context of a news report of a 22-year-old woman being taken against her will where she was assaulted and threatened with violence by a 50-year-old man, @Caitlin_roper expresses their concern over the influence of the sex scenes in *365 Days* on X. "This is what #365days looks like in reality. Can we please get over this idea that there is something sexy or romantic about men preying on and abusing women?"

It can be hypothesized that movies like *365 Days* or similar to its nature of resembling misogynistic pornography may have similar effects: perpetuating rape myths and increasing the likelihood of sexual perpetrations. These films cause their spectators to normalize unhealthy and toxic themes presented, for example, sexist power dynamics. Normalizing traditional power dynamics devalues women and leads to overlooking the feminine will and desire in sexual intercourse, reducing the woman to be a breeder.

6. Conclusion

In conclusion, this research first criticized the romanticisation of sex with ambiguous or the lack of consent and then at how *365 days* may affect society in connection with pornography. By analyzing the film, it is clear that the film successfully portrays sex with ambiguity or the lack of consent as romantic and sexy. *365 Days* fulfills all the aspects of misogynistic pornography, so the relationships between pornography consumption and other variables may very well exist when looking at *365 Days* and similar content. Its effects on perpetrating rape myths are already observable through online interactions where fans fantasize about a romantic love story where a powerful man abducts them and assumes that it's love. There already seems to be an assumption that this situation would be pleasurable and a perception where affirmative consent is deemed less necessary because the relationship is romanticized.

Limitations regarding our study would mostly resolve our choice of conducting a case study of a film. Although attempts were made to specify and narrow the conclusions and hypotheses, a lack of knowledge of whether other films would satisfy misogynistic porn hinders the research to make larger conclusions on the whole genre or story trope. Also, since there's no control experiment conducted, the relationship between consumption of *365 days* and rape myths/ sexual perpetration is merely hypothesized. Other notable limitations would be that the perception of film is unique to each individual in how they absorb information and understand it, so there may be an individual difference in how behaviors are reinforced through film consumption and whether one will normalize themes.

Our study raises questions on the legal and policy reforms if films do in fact have a relationship with sexual perpetration. However, we hope to avoid censorship, as repeating the haze code would be unwanted. (The early 20th century saw the rise of Hollywood as a major cultural force and, with it, concerns about the moral implications of film content. Themes involving sexual content, criminal violence, and religion were limited. The restriction limited artistic creation, and directors had to imply these "taboo" themes subtly or vaguely through innuendos.) Government control was the greatest disaster threatening Hollywood.

Simultaneously, due to its extensive reach, the film also serves as a potent educational tool. Adolescents and young adults, in particular, might use films to explore and understand legal boundaries, and those dissatisfied with their real life may seek solace or escapism through cinematic narratives. Concerns should be raised about its potential negative effects. Overly idealized and romanticized portrayals in films can mislead some viewers into accepting unrealistic or unethical behaviors as normative. For instance, the romanticisation of rape in "*365 Days*" might encourage some individuals to overlook moral and legal standards, emulating the problematic scenarios depicted in the film. So, there should be more disclaimers or material within these films and content that pulls the spectator back to reality and explains the potential harm of these actions on the other party in sexual activities.

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