

TA TRVERSE AREA CK COMMUNITY OF KINKSTERS

Consent Complexities - A 4-Part Complex Model of Consent

1) Capacity

Consent is only valid when all people involved are capable of both giving and receiving consent. Each person must be able to both give and understand a clearheaded 'yes' or 'no'.

Some things that impair or diminish capability:

- Alcohol and other mind-altering substances (Know your limit. Recognize when someone is past theirs).
- Lack of sleep, lack of food, hypoglycemia, and other physical issues.
- Emotional vulnerability, significant grief or loss, mental health concerns, and other emotional/mental issues.
- Basically, anything that would prevent you from driving a car, paying your bills, or being honest.

If you are uncertain if someone is able to give you honest and open consent, ask them. If you're still uncertain for any reason, don't continue. The more diminished someone's capacity, the higher the risk of violating consent.

2) Informed Consent

For consent to be valid, all people involved need to know what is being asked of them. If you don't know what's being asked, there's no way for you to agree to it. Being clear about what you're asking for when you make a request is critical to avoiding misunderstandings and unintentional consent violations.

Do all sides have enough knowledge and/or information to make an informed decision? Is everyone being honest and open? Has everyone discussed the specific details surrounding the request?

As an example, when talking about sex, have you discussed: safer sex, safe words, relationship expectations, or potential risk factors including STIs, physical injuries, mental health concerns, emotional triggers, etc.? Do we all understand and agree to the boundaries discussed, set, and put in place?

If someone makes a request of you, and you're not sure what they're asking for, ask for clarification. Don't agree to something you don't understand.

3) Agreement or Boundary Setting

Once you have capacity and the information you need to know what you're agreeing to, the next step is to either give clear agreement, 'yes', or state a clear boundary, 'no'.

- When you say 'yes' to something you are affirming consent. When you say 'no', you are disaffirming consent, or dissenting.
- Both your 'yes' and your 'no' should be as explicit (clear, specific, and unambiguous) as possible. Explicit consent is the least risky form of consent.
- Both your 'yes' and 'no' should be as enthusiastic as possible. When you're not feeling enthusiastic, be explicit.
- Agreement or boundary-setting can be (in order of most to least risky) written, verbal, or nonverbal.
- Agreement should be authentic and willing. 'Yes' achieved by manipulation, coercion, or force is not consent.

Consider multiple ways to answer a request:

- Give a simple 'yes' or try an enthusiastic 'yes': "Woohoo!" "Hell yes!" "Yes, now!"
- Give a time frame to think about it: "Give me a minute." "I need 10 minutes." "I'm not ready to answer."
- Give a simple 'no' or try an enthusiastic 'no': "No!" "I refuse." "That would violate my boundaries."

4) Autonomy

Autonomy is the concept that everyone gets to say what happens to/with their own body, mind, and spirit, and for how long. It is an inherent right and cannot be taken or given away.

Autonomy is the cornerstone of consent. We need to understand the autonomy of others to understand why they have the right to affirm or withhold consent regardless of our own wants.

Someone can't ethically touch you, have sex with you, or use your body/mind/spirit in any way without your continuous consent.

Each person gets to say what is okay to do and gets to say when something is not okay anymore.

TA TRVERSE AREA CK COMMUNITY OF KINKSTERS

Additional Consent Complexities

Consent is a constant part of our day-to-day life. Anywhere we or someone else sets a boundary or makes a request, there is the opportunity for consent to come into play.

Consent covers all forms of interactions. While often focused around sex and sexuality, it includes any interaction where two or more people are involved in making requests and/or responding to those requests.

In the course of any given day, consent is confirmed and broken multiple times. People do it to us and we do it to other people.

Consent includes the ability to make an agreement, the conscious understanding of what is being requested or done, and the active willingness to engage.

It creates a space where the safety and agency of all parties is honored using healthy communication and negotiation to craft informed boundaries.

Whether explicit and implicit, it is dependent on the capacity of the parties involved. Reduced or diminished capacity creates significant risk that consent will be broken or violated.

It is also dependent on sufficient accurate information being given so everyone involved can understand what is being consented to. A lack of information, or dishonesty, creates significant risk that consent will be broken or violated.

Incapacitation, intentional reductions in capacity, or the withholding of important information automatically creates a nonconsensual interaction.

Consent is highly impacted by power and the perception of power.

Where there is a significant power differential, the capacity of the people involved is limited and consent becomes difficult to uphold/practice. This includes issues of privilege, oppression, and the perception of difference.

Consent is dependent on everyone involved being willing and able to affirm moving forward or set boundaries against it.

Affirming statements (verbal, written, or otherwise) may range from willing to highly enthusiastic and outline what is being agreed to, either in total or in part. They work best when they are clear and explicit. Any statement other than a clear and explicit affirmation should be taken as a denial and does not convey consent.

Boundary statements (verbal, written, or otherwise) may range from ambiguous to certain and outline what is forbidden, either in total or in part. They work best when they are clear and explicit. Any hint or suggestion of a boundary, no matter how unclear or ambiguous, should be taken as a denial and does not convey consent.

Consent is contextual. What is consensual in one situation, in a given context, or with a specific person may not be consensual in or with another.

It may be withdrawn at any point, by any individual involved, regardless of prior negotiations between participating parties.

Consent can take place between two individuals, a group of individuals, an individual and an organization, or an individual and a system (like government). It applies to all persons involved in an activity regardless of role.

Consent is complex and can't be approached in a linear way.

It often takes time to reach a consensual agreement, the same way our sensations and feelings take time to process as they cycle through the systems of the body and give us information about whether or not something feels consensual.

Consent requires praxis – combining theory and physical practice. It takes intellectual understanding and learning combined with the somatic (body) experience of working with it.

The understanding of Systems and Systemic Perspective is important to understanding how consent is both created and abused.

Honoring autonomy (the right each person has to do and say what happens to one's own body, mind, and spirit) is a defining feature of consent.

With autonomy comes agency, the ability to wield power or direct change in one's life and environment.

Boundaries are how we enforce our own autonomy and explore other's. Holding boundaries requires a person to have sufficient access to their own agency.

Autonomy exercised at the expense of others is an abuse of power.