

Sexual Consent

by the Consent Academy



What is Sexual Consent*?

CON-SENT
=
"to feel together"

The word 'consent' comes from the Latin 'consentire', meaning "to feel together."

Consent is a shared feeling, created together through a process of constant, collaborative discovery. It's a feeling that comes from **voluntary agreement (made without coercion) between those with decision-making capacity, knowledge, understanding, and autonomy**. "Sexual consent" describes the process of co-creating the feeling of consent between all parties involved in a sexual situation, which may include people who are not physically present during a sexual act.

How Do You Practice Sexual Consent?

There are many ways to practice sexual consent. Below are 4 pillars to guide your process:

1) Capacity

Capacity is about how able you are to both give *and* receive consent. How much ability do you have to describe exactly how you feel and make decisions that are right for you? And how much ability do you have to listen to the feelings and decisions of others? Sex is a type of physical communication, so listening and emotional awareness are some of the most important sexual skills. Slow down, pause, and take the time to check in with yourself and others on how you are really feeling, emotionally, physically, and mentally.

If someone's capacity is lowered in some way, there's more **risk** of a consent violation, so try and find out if there's anything you can do to help boost each other's capacity. Below are some questions to ask yourself and others to help you check in (ideally before arousal starts to seriously impair everyone's capacity):

- How does your body feel?
 - Is there anything I can do to help you take care of your body?
 - Do you need food, water, a bathroom, a walk, a nap, some space, a break, etc.?
- How are you feeling in general?
 - Is there anything you want to say out loud or process?
 - How's your stress level? Has anything big happened in your life lately?
 - Have you been getting enough human contact, emotional support, and/or touch?

Asking questions like the ones above help you start to assess whether it's appropriate to engage with someone in a sexual manner in this moment. Sex is an intense activity – it's ok if now is not the right moment. Usually there's opportunity for a next time and waiting until everyone has capacity can build both trust and anticipation.

Recognize that alcohol and other substances can lower your capacity a lot, if not entirely - if someone is asleep or unconscious, unable to remember what's happening, or otherwise incapacitated, then the risk of consent violations is essentially guaranteed for most activities, but especially intense ones like driving or sex. People who are incapacitated need help to prevent harm occurring, so try to give the care they need, even as a bystander.

Power imbalances can also lower capacity. People who feel like they have less power in a situation may feel pressured to make decisions based on how others feel, rather than what's best for them. People with more power may be used to hearing others say 'yes' to them, which can lower their ability to truly listen. If you notice a power imbalance, draw attention to it and try to mitigate it – for example, you might say:

- I'm aware that I'm older/more experienced/bigger/stronger/etc. than you and that creates a power dynamic between us. I want you to feel capable of asking for what you want and saying 'no' to what you don't want. How can I help with that? For starters, I'm committed to listening to you as best I can.
- You're a lot older/more experienced/bigger/stronger/etc. than me. How can we make things feel more even between us?

Some options for mitigating power imbalances include:

- Let the person with less power:
 - Speak first, especially when discussing desires and wants.
 - Initiate touch or physically guide you to touch them.
 - Decide the location you meet and where they want you to be situated in a room while you talk about sex:
 - They may ask to meet in a neutral place rather than either of your homes.
 - They may ask you to sit while they stand, or that you both sit back-to-back.
 - In general, never block someone's exit (for example, by standing between them and the door).
- Get comfortable talking to each other about sex over the phone, text, or email first, rather than in-person.
- Have an accountability buddy or pod (someone people can go to if they want to give you feedback but don't want to tell you directly).

Some power imbalances are too large to minimize the risk of consent violation for any kind of sexual activity to take place. This always includes the power imbalance between adults and children, but can also include those between bosses and employees, landlords and tenants, and teachers and students. For those with more power, even bringing up the possibility of having sex in these imbalanced pairings can be harmful or experienced as coercive. More power comes with more responsibility, especially the responsibility to set and honor appropriate boundaries.

2) Information

Informed consent is about **knowing** and **understanding** exactly what you're being asked to consent to. Is everyone answering questions honestly? Is everyone sharing and being open with the information they have? Does everyone understand what the words being used actually mean?

Going through the "who, what, where, when, why, and how" is a good way to share and gather information. Pay special attention to the 'what', 'why', and 'how'. For example, you could ask:

- What does 'having sex' mean to you? What kinds of activities are you interested in exactly?
- Why do you want to have sex with me? What are you expecting this to do to our relationship?
- How do you want to feel? What does "good sex" mean to you?
- How are we going to prevent pregnancy? What are we going to do if that method fails?
- How are we going to protect each other's sexual health? What are we going to do if that method fails?
- How do you like to be treated after sex?

The more you share honestly and check for understanding, the less risk there will be of consent violation and the likelier it will be that everyone fully enjoys themselves. Being clear about what you're asking for is super important if you want to avoid misunderstandings and unintentional consent violations. And if someone asks you to do something, and you're not sure exactly what they mean or want, ask for clarification. You don't have to agree to something you don't fully understand.

3) Agreement or Boundary Setting

Once you have checked in on capacity and shared the information you need, the next step in the ongoing process of consent includes asking questions, making agreements, and setting boundaries.

Being **explicit** is the least risky way to make an ask and set an agreement or boundary. Being explicit means being as clear and specific as possible. This includes:

- *Saying the words!* Accurately describe the activity, how you feel about it, and name the body parts involved. If it's too difficult for you to say out loud, it's too risky to do! For example, you might say:
 - Can I kiss you? Can I touch your ___? Can I take this piece of clothing off?
 - I really want you to kiss me / touch my ___ / to get naked.
 - Don't kiss my ___ / touch my ___. I don't like it.
- *Setting time limits:* Maybe you want to try something for a certain amount of time, or maybe you only have enough capacity for a limited amount of time. Setting a time limit is a good way to combine agreements and boundaries. For example, you might say, "I'm willing to try this, but if I don't like it after 5 minutes, I want to stop."

Some people say consensual agreements should be enthusiastic - enthusiasm is great, but sometimes people can seem enthusiastic when they're actually nervous or scared. Judging someone's body language can give you helpful information, but always ask how someone is feeling rather than assume. The way someone's body is responding is not always representative of how they feel. For example, lubrication, erections, flushed skin, heavy breathing, etc. are all things that can happen during arousal as well as during a stress response.

Again, agreement and boundary setting is part of an ongoing process. Take lots of breaks to check in on sensations specifically - how does your stomach feel? Is it tense or relaxed? Are your hands and feet warm or cold? How is your heart rate? Do you need a bathroom break? Asking questions like this gives someone the chance to figure out how they're feeling by letting their mind and body catch up to each other. It also lets that person know you care about them as a whole person, and you understand that sometimes what we imagine something will feel like isn't always the reality. Some other questions you might ask to check in on agreements and boundaries include:

- Do you like this? How much?
- How does this feel?
- Do you want me to keep going?
- Do you want me to slow down or speed up?

Remember that just because someone said 'yes' to something before, they don't have to say 'yes' again. And if someone changes their mind in the middle of an activity - that's ok! Stop and ask if there's something else they'd rather do. Give people lots of time and space to answer honestly. Lastly, remind people often that saying 'no' is ok. It's easy to forget, especially if we don't feel powerful in a situation, or get overwhelmed by sensations.

Some quick tips around sexual agreement and boundary setting:

- The first time you have sex with someone, it's far less risky to move slow, ask a lot of questions, double check your understanding of body language, and take breaks.
- The more you know someone and the longer you have a sexual relationship with them, the less risk there is. At some point, you may even be able to do a lot of your communication nonverbally. Until then, be prepared to talk a lot - before, during, and after.
- Try using a safeword (a word you wouldn't normally say during sex that stops all activity as soon as someone uses it). You can also use nonverbal safewords, like a double tap with your hand.
- Try practicing inclusive rather than exclusive consent - instead of listing everything you don't want to do and saying everything else is ok, try finding 3-5 things you both want to do and do nothing else until the next time. Especially in new sexual relationships, this is a great way to demonstrate your ability to honor boundaries, including your own.
- Recognize there's greater risk in doing more intense activities than you agreed to do before you got started. Arousal can impair capacity, so it's less risky to wait until next time to do more.

- Try debriefing soon after every sexual encounter to review how people were feeling and if they need any support. Here are some questions to ask to help you debrief:
 - How did this start?
 - What was your favorite part?
 - Was there anything weird? Or something you want to give me feedback on?
 - Ask about nonverbal signs you noticed.
 - If it's too awkward to talk about this now, can you text me?
 - Check back in again over time – let them know you're always open to talking about it and any new feelings that come up.

4) Autonomy

Autonomy is *why* we practice consent at all. Autonomy is everyone's inherent right to decide what's best for their own body, mind, spirit, and story. Here are some things you can say to show you respect someone's sexual autonomy:

- It's not my place to judge what you're into sexually - you do you!
- I only want to do what you want to do.
- You don't have to do anything - it's ok if we don't do anything sexual right now.
- It's totally ok to say no - I won't bother you about it/shame you/talk badly about you to other people.

If anyone wants to do something that involves other people's bodies, minds, spirits, or stories, they have a responsibility to communicate and help create the feeling of consent between everyone involved. If they don't, everyone gets to decide for themselves if they feel a consent violation has happened to them (this is when your boundaries have been crossed and you feel harmed). We all violate consent at some point, even if unintentionally, so we should practice taking **accountability** for our actions, as we would want others to do.

Accountability can be difficult but respecting someone's 'no' is one of the easiest ways to honor autonomy. Don't try to convince people to change their mind. Making someone feel afraid or unable to say 'no' is coercion, and a guaranteed way to violate consent. Also recognize that the absence of a 'no' is not a 'yes'. Don't assume that the way someone is dressed or behaving means they really want to say 'yes'. Just don't assume - it's way too risky. Ask questions, listen carefully, and respect how people respond. Despite how complicated things can get, practicing consent can also be this simple.

Want to Learn More about Consent?

Check out the Consent Academy's website for upcoming workshops and ways to get involved in building consent culture:

www.consent.academy

* **“Consent”** is a word that is used in many different contexts and for many different purposes. Often, it's used in a legalistic way, describing what is and is not a crime. We at the Consent Academy are not lawyers or legal professionals, so we can't teach about consent in terms of the law with any authority. So, keeping in mind that consent may have a legal definition where you live, in this handout we provide our collective's definition of sexual consent and tips for practicing it.