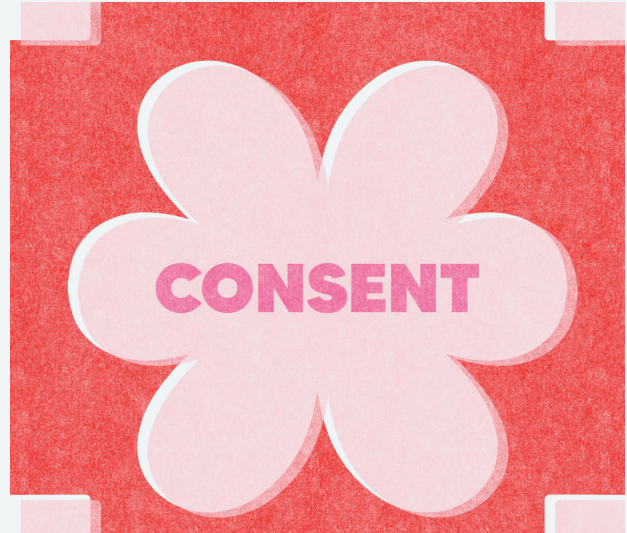


CONSENT UNPACKED: REFRAMING THE CONVERSATION

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This edition of the CMGI newsletter focuses on understanding consent—what it truly means and what it doesn't. We explore the evolving conversation around consent, moving beyond simplistic analogies to address its complexities in a modern context. We examine how consent is often misinterpreted and oversimplified, and how recent cultural shifts are pushing for a more nuanced, comprehensive understanding. This edition emphasizes that consent is not just about verbal agreements, but an ongoing, active process shaped by factors such as agency, power dynamics, and accountability.



SHIFTING PERSPECTIVES ON CONSENT: TOWARDS A CULTURE OF RESPECT

In 2015, an awareness video from Thames Valley Police in the UK captured the public's attention, igniting discussions around sexual consent in a way that had never been done before. The "Tea and Consent" video, part of an awareness campaign, used the analogy of offering someone a cup of tea to educate people about sexual consent. By the end of the three-minute video, viewers are asked: "If you can understand how completely ludicrous it is to force people to have tea when they don't want tea, and you can understand when people don't want tea, then how hard is it to understand when it comes to sex?"

Other lines in the video include: "If someone is unconscious, don't give them tea. They can't want it, nor can they answer 'Do you want tea?' because they are unconscious."

Times have changed drastically since 2015. Nearly a decade later, in a post-#MeToo world, conversations around consent have matured, pushing beyond surface-level analogies to address the complexities of power, agency, and accountability.

While the cup of tea served its purpose at the time, its simplistic metaphor feels outdated in today's context. Moreover, it doesn't account for the complexities surrounding consent and gender, sexuality, age, race, or other power dynamics that people constantly navigate in real life.

As per the law, consent must be freely given; it cannot be coerced or forced, and a victim does not need to physically or verbally resist to disprove consent. Yet, in the courtroom, and often in public opinion, a skewed understanding of consent and persistent rape myths continue to exist, with the Chhattisgarh High Court's recent controversial ruling on marital sexual violence serving as a case in point.

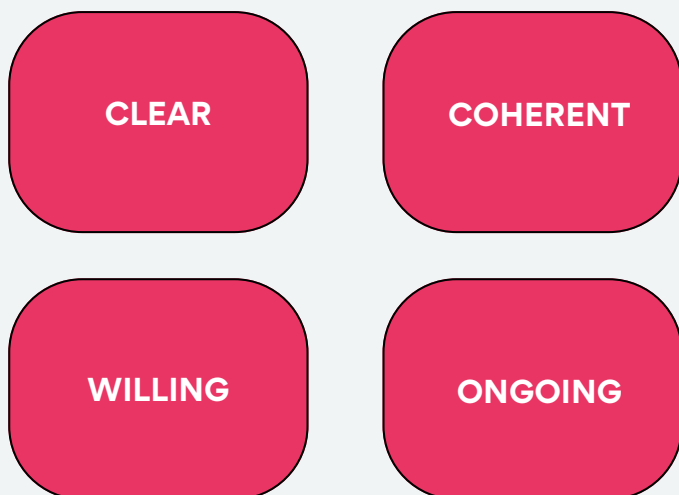
As noted by Lisa Featherstone, emerging from activist groups on university campuses, affirmative consent has been seen as a solution to the ambiguity surrounding consent laws.

Affirmative consent requires an active, explicit agreement at every stage of a sexual relationship and for each encounter. Often called the "enthusiastic yes," it must be freely and meaningfully given, either verbally or non-verbally. Silence or passivity does not count as consent. A person under the influence of alcohol or drugs, or someone unable to respond due to trauma, cannot give valid consent.

Although not without its imperfections, affirmative consent is considered by scholars to be a better alternative to other options.

Feminists are also reimagining consent, expanding it beyond legalistic definitions to a more liberated understanding of sexual autonomy. Tina Sikka, for example, argues that pleasure should also be central to the conversation around consent and that it must be intertwined with an ethics of care that nurtures and protects bodily autonomy in all its forms.

Consent must be...



Sexual assault is any sexual contact or behavior without affirmative consent.

In this ongoing shift, it becomes clear that the conversation around consent is as much about reshaping cultural norms as it is about legal definitions. It's no longer enough to ask for permission; we must reframe the conversation around shared pleasure, and active participation, all while acknowledging the diverse ways in which identity, caste, class, gender, disability, and other power relations shape our experiences of consent. Within this new vision, consent becomes a cornerstone, extending beyond sexual encounters to shape a broader culture of mutual respect and care.

Consent For Sexual Activity



Jessica Valenti's *Yes Means Yes*, similarly, calls for a paradigm shift in how we view consent, urging that it should not merely be about compliance or avoiding harm. Rather, it should be seen as an active and ongoing process, where partners are fully engaged in the experience, sharing in the pleasure and intention behind their actions. As Valenti and her co-author Jaclyn Friedman explain, this expanded notion of consent is about more than mutual agreement; it is about cultivating a culture where individuals, especially women, are empowered to define and assert their sexuality on their terms—without the looming threat of judgment, shame, or violence.

Consent is:

- ✓ Mutual: everyone wants what is happening.
- ✓ Continuous: it is a process and can be withdrawn at any time; consent to one form of activity does not imply consent to other forms of sexual activity.
- ✓ Clear: it is clear what activity a person is consenting to.
- ✓ Voluntary: it is given freely, not under pressure, threats, or coercion.

Consent is Not:

- ✗ Assumed: it cannot be implied from silence, passivity, or lack of physical resistance.
- ✗ Automatic: the existence of a current or previous dating, marital, or sexual relationship does not constitute consent to additional sexual activity, it has to be negotiated each time.
- ✗ Impaired: it cannot be gained if the individual(s) is incapacitated by alcohol, drugs, and/or prescription medication, or is unconscious or asleep.
- ✗ Coerced: it cannot be gained through intimidation, manipulation, blackmail, force, or the abuse of a position of trust, power, or authority.

The best way to know if consent is present is to ASK. After asking, it is imperative to LISTEN to the response of the person(s) and RESPECT their choice.

Substances, Medication and Consent:

Many people engage in sexual activity when they have used alcohol and/or drugs. These substances and certain medications can change the way a person makes decisions and will affect their ability to **ASK**, **LISTEN** and **RESPECT**. A person is still responsible for gaining consent, even when intoxicated.

It is the responsibility of anyone initiating an action to gain the consent of the other(s) involved before moving forward (even when substances have been used).

Non-Verbal Cues:

Generally known as body language, this includes facial expressions, gestures, posture, and body movements. If a person is verbally saying “Yes,” but their body language is indicating “No,” or discomfort, it is imperative to **STOP** and **CHECK IN** with them.

Source: https://www.mcgill.ca/ovrse/files/ovrse/5x7_handout_-_consent_1.pdf

The monthly newsletter from the [Committee for Managing Gender Issues \(CMGI\)](#) is an attempt to initiate conversations on discrimination, gender bias, sexual harassment, and related issues. We would love to have the community participate. [Please reach out to Geetika Sharma at geetikas@iima.ac.in for queries, submissions, and/or feedback.](#)

If you feel you have been subjected to sexual harassment or if you would like to make any suggestions regarding curbing sexual harassment or gender bias on campus, please reach out to us at: Email: chr-cmgi@iima.ac.in Phone: 97129 15533 Please note that any communication with the CMGI is strictly confidential.