

Lesson 3

Consent

Activity 2

Discussion: Boundaries of Consent

To what can a person consent? Is anything okay? As long as two people consent to something, this consent is not coerced, they have adequate information about the consequences, and they are of sound mind, is it fine to consent to whatever they want? For example, if one person asked another person to murder her would it be fine as long as both consented? The philosopher Onora O’Neill (1985) asks if surgery between two consenting adults morally right. You would probably say that it is not.

So what about sex? Are there any acts that are potentially so harmful that no one should be able to consent to them? Who can consent? Later we will discuss why children can’t consent to sex, but for now, let’s consider what is it about a person that makes him or her able to consent. We assume that some sort of competence is necessary to consent—a competence that comes with age, mental ability, soundness of mind, and more. We clearly understand that certain people have questionable ability to consent. So, how competent is competent? Does having knowledge make consent valid? For medical procedures we are given something to read that tells us what the procedure entails and what the risks are. But are any of us all that knowledgeable to really consent to a medical procedure? How much do you have to understand before your consent is valid?

What about in matters of sex? How much sexual knowledge do you need to know to make consent valid? What if a teen believes that a girl can’t get pregnant if she’s on top? Does that make her consent to have sex invalid? She clearly does not have enough information to make sensible decisions. So, picture a teen who isn’t developmentally disabled, who isn’t consenting to sex with a 50-year-old teacher or her soccer coach, who isn’t drunk, BUT who simply doesn’t have a lot of information about sex—maybe her school didn’t have a good sex ed course, maybe she doesn’t read much on the internet, maybe she got bad information from a cousin. Is her consent valid?

Discuss some of these considerations in small groups or as a class.