

**BARBARA LEHTNA**

**NEGOTIABLE CONSENT**

**A CARE-MECHANISM IN  
PARTICIPATORY PERFORMANCE**

**HOME OF  
PERFORMANCE  
PRACTICES**

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**NEGOTIABLE  
CONSENT**  
A CARE-MECHANISM IN  
PARTICIPATORY PERFORMANCE

**BARBARA LEHTNA**  
MA PERFORMANCE PRACTICES

A Thesis presented by Barbara Lehtna to Master Performance Practices,  
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**HOME OF  
PERFORMANCE  
PRACTICES**

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## SYNOPSIS

NEGOTIABLE CONSENT AS A CARE-MECHANISM IN PARTICIPATORY PERFORMANCE is an artistic research project which is examining how to use manipulative methods in a participatory performance in an ethical and moral way without harming the chosen aesthetics of the work. More specifically, it concentrates on reworking the 1980s discourse of feminist care ethics through the notion of genuine agency in order to build up a method of negotiable consent. The project employs different research methods such as literary review, case studies, action research, comparative analysis, reflection, and feedback in order to incorporate and evaluate a vicissitude of critical information about the main notions of the research which are ethics, morals, manipulation, aesthetics, care, and consent.

The need for such a research project arose from my own personal interest in developing a practical method that would provide support as a structured model of decision making not only for myself but also for other artists working with manipulative methods within participatory performances. I believe that the method of negotiable consent helps to fill the gap between ethical and moral conduct and risk-taking deriving from using manipulative methods on stage.

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Last but not least, I would like to express my esteem to ArtEZ University of the Arts, who provided me with the necessary resources to finish my studies regardless of everything that was happening in the world during the two years of my studies.

## DECLARATION

I, Barbara Lehtna, hereby certify that i have personally carried out the work depicted in the thesis entitled, 'NEGOTIABLE CONSENT: A CARE-MECHANISM IN PARTICIPATORY PERFORMANCE'.

No part of the thesis has been submitted for the award of any other degree or diploma prior to this date.

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# INTRODUCTION

## INTERTWINING MANIPULATION, CARE AND NEGOTIABLE CONSENT

The research, which started to form during my first year in the Master Performance Programme, took an important turn in 2020 when an interest in different discourses of care emerged as a response to criticism I received from my peers. Around the time I was developing my first year's final work, which was built upon using manipulation as one of the artistic and aesthetic tools. For example, I had manipulated the audience's emotions by putting them into the spotlight or by applying time limits for certain actions. In one of the closed sharing sessions, I was confronted with the question of whether my work actually cares for the participating audience members or is the manipulation that I employ just unethical and immoral? I had been interested in manipulation as an artistic tool for the majority of my career, believing that manipulation can help the audience see themselves differently in participatory performances<sup>1</sup>. However, the received critique caused me to ask if what I had believed was indeed true, or was I just harming my audience due to not being aware of the ramifications of manipulation?

<sup>1</sup> Participatory performance is defined within this thesis as a performance where the audience has the ability to change the course of the work as they are proposed with a certain level of agency to be creatively involved in the work. During the participatory processes, the audience member might be asked to share personal and biographical material which would be used only as a part of that particular performance of the artwork (Bree, 2015, 44-46).



The question prompted this research project, which concentrates on reworking the 1980s discourse of feminist care ethics through the notion of genuine agency<sup>2</sup> in order to create a method of negotiable consent. I claim that the named method could support performance makers like myself to make rational and well-considered decisions when using manipulation as one of the creative tools but also to take into account how could their choices influence their chosen aesthetics<sup>3</sup>. The aesthetics, I as an artist, strive for is characterized by empowering the audience members to see themselves as proprietors of their own agency. I find that such aesthetics nourishes from respect given by the artist towards the audience. Whereas, I don't think that respect can rely only on protecting the audience from harm but trusting them to be able to decide for themselves how much of hardship and in which ways are they willing to meet. Hence, the second aim of this research is to expand upon how could forming human relationships within the context of artmaking underscore the heterogeneous ways of how we carry responsibilities towards others also daily. Therefore, the given ambition to recognize the lived experience of performance making tries to also shift the understanding of what it means to care for, care about and care with.

<sup>2</sup> Genuine agency is perceived from here onwards as agency that is proposed to the audience member in order to give them a possibility to cause perceptible change to the performance while being aware of the correlation between their actions and the consequences of those actions within the performative space (Breel, 2015, 44-46).

<sup>3</sup> Aesthetics is understood within this thesis as an outcome of a dialogue between agency and ethics. The task of aesthetics is to bridge the experiences deriving from art with the experiences acquired from everyday life (Leddy, 2013).

I believe that exploring performance ethics in such a manner could bring different makers closer to developing a sensitive and tender practice that could simultaneously trigger honest responses to complicated questions with possibly painful answers. Furthermore, what is explored broadens the understanding of the impact which these artistic encounters could have in terms of our relationships inside and outside performance settings due to the dynamic nature of ethics. The research has let me excavate different perspectives on when, if and how should anyone take responsibility for themselves or others but it has also allowed me to recognize the entangled parts of the experience which create worry and concern about the ethical and moral implications which the described conduct could cause. However, after a thorough investigation of the topic, I discovered that there are very few published research articles and case studies of artists employing the type of manipulative yet ethical approach that I have been interested in researching further. This meant that on the one hand, I was met with a great opportunity to create new knowledge for a discourse that lacks input from the field of performance art. On the other hand, I faced the challenge of not having enough support from my own field. The lack of input from performance practices has allowed me to burrow in joint experiences of different practitioners and theorists from other fields, such as law or philosophy, and to experiment with a multitude of mechanisms that in turn could advantage forward the ethos of a discourse of practice which I feel a part of.

I acknowledged at the start of the project that I should restrain myself to certain ethical and moral standpoints to establish a secure footing in the multiplicity of cognitive and intellectual understandings of contemporary philosophy. Morals is seen throughout the next pages as a code that deciphers actions into the categories of right and wrong while placing care into the center of the trials of decision making. Ethics are seen as a set of dictums that border the aforementioned code through the Kantian values of a person "never being means to an end but an end itself (Kant, 1996)", which breaks down to not treating people as means for getting to a valuable goal but as humans who are already valuable. The research has helped me to recognize different ways of observing, reviewing, and contextualizing care in manipulative participatory performances, and to assess whether the manipulation has been moral and ethical. This could hopefully be used not only as fuel for different artistic ventures but also as something that could bleed into researching the everyday processes of dialogue which I see as a constant interdependent negotiation of our differences and similarities while keeping the common good in mind.

The research has led me to understand how care could be given through taking responsibility for what might emerge during and after using manipulation within participatory performances. Assessing the morality and ethics of using different manipulative operations has built up a possibility to

claim that a way to give care in a respectful way is to propose the audience with genuine agency. However, as I find that genuine agency should be always determined within the specific context where it's offered, I have created a method of negotiable consent that helps to operationalize the agency in question. The main feature of negotiable consent is that it alters moral relationships between the partners making impermissible permissive. Whereas, negotiable consent is not seen as something fixed but as a continuous discussion that allows the audience members to regulate the degree that they are interested in participating in the manipulative participatory performance. I find that the method grants a possibility for the artist to open their work for manipulation in an ethical and moral way, as the control of the situation is equally in the hands of the audience who is aware of the correlation of their actions and the consequences of those actions.

With this thesis, I aim to create a simpler road to forming a relationship with such concepts as manipulation, care, ethics, and morals. In the core of the research project is the question: how can I use manipulative methods in participatory performance in an ethical way? Subsequently, I have put forward the following objectives:

- 1) to deepen my knowledge on ethics and morals connected to manipulation through critically reviewing

the literature, and evaluating the already offered definitions through carrying out a case study on a manipulative participatory performance by Dries Verhoeven; implementing a comparative analysis between the findings and my own experiments executed for the research;

2) to create a better understanding of different discourses and methodologies on care ethics through critically reviewing the literature, and evaluating the benefits and limitations of the existing methodology of care applied in participatory performance through carrying out a case study on a manipulative participatory performance by Daniel Kok and Luke George; implementing a comparative analysis between the findings and my own experiments executed for the research;

3) to propose a first variant of the method of negotiable consent as a care-mechanism in participatory performance;

4) to set up a practical performative experiment with the method of negotiable consent in mind; performing the experiment, receiving and analyzing feedback;

5) to propose the final variant of the method of negotiable consent;

6) to set up a practical performative experiment implementing the method of negotiable consent, performing the experiment, analyzing the experiment, evaluating the findings.

This thesis consists of three chapters. The first chapter of the thesis presents a manifold of ways on how to contextualize and assess manipulation not only within the frame of art but also of philosophy. It is my endeavor to deliberately start from a wider context and to later focus on theatre, performance, and installation art, giving examples from works I have experienced myself and where I have detected the use of manipulation as a core operation. This chapter allows me to claim that manipulation is not always mercenary and can be carried out to someone else's advantage. Also, a possibility on how to assess manipulation both morally and ethically is proposed in the chapter. This results in naming care as one of the main factors of assessing the manipulation.

The second chapter introduces the discourse of care deriving from the 1980s feminist care ethics. The introduction is followed by a suggestion to implement care through proposing genuine agency to audience. I propose a method of negotiable consent in order to achieve a state where the audience has and uses their agency to change the events of a participatory performance.

In the third chapter I analyze my final performance where I implement the method of negotiable consent for the Master Performance Practices programme. The chapter summarizes my experience with devising and applying this method to practice and suggests further steps for the continuation of developing negotiable consent as a method.

## **CHAPTER ONE: FROM MANIPULATION TO CARE**

Manipulation has almost always been a part of my artistic toolbox when creating participatory performances. My performance scores have consisted of using such manipulative methods as applying pressure through setting a time limit for certain actions or placing an audience member into the spotlight, but also creating characters who seem to be genuine and honest in their responses whereas they are actually following exactly pre-established decisions. I've never uttered the word "manipulation" in a performative setting, but it has been present in my decision making in order to trigger different responses from an audience for example offered to share their own autobiographical stories in return for my own ("Virgin Suicides", 2020)<sup>4</sup>. Although using the aforementioned methods has created a possibility to excavate different perspectives on individual and collective agency, it has also allowed me to recognize the entangled parts of a manipulative experience, which could trigger not only worry and concern about the ethical ramifications of manipulation in participatory works but also about the morality of the conduct.

The American philosopher Felicia Ackerman has expressed that manipulation is a concept ambiguous in nature and,

<sup>4</sup> Description for "Virgin Suicides" will follow later in this chapter

therefore, it is not only hard to detect but even harder to define. According to Ackerman manipulation is generally understood as an action which results in influencing someone to behave differently than they would without the manipulator's intervention and, therefore, it is mostly seen as negative behaviour conducted to one's own advantage (Ackerman, 1995, 335). Although I agree with Ackerman that manipulation changes the course of the events, I argue that it is not always loaded with self-interest, and even if it indeed does carry a degree of selfishness, this does not necessarily exclude an interest towards someone else's advantage. For example, my own artistic work might give me emotional and financial rewards, but that does not immediately cancel the possibility of the audience still benefitting from the work. Similarly, the American ethicist Anne Barnhill agrees that manipulating someone for your own gain does not rule out being interested in the gain of others. However, she adds that even if the manipulation is not only mercenary, it is still mostly accompanied with worry for the ethical implications it might pose, for example, falling short of the person's own ideals (Barnhill, 2014, 50-54). I could also add the worry about an audience member becoming a part of the performative art piece without realising it themselves and therefore misusing their trust. Therefore, it can be suggested that in terms of ethics and morals, evaluating manipulation taking place in a performative setting is connected not only to the manipulative act itself but also to the potential consequences of the act.

Although manipulation has been researched a lot by philosophers and ethicists, surprisingly there is not a lot written about it within the different discourses of performance studies. If at all, it is used as a term in Lighting Design (Carter, 2014) or for marking certain operations in the world of Puppet-theatre (Miles, 2011), but in both cases the word is connected to different ways of manoeuvring the technological aspects of theatre production. Perhaps, the valuable discussion is either dismissed due to what Barnhill calls the over-inclusive understanding of manipulation (Barnhill, 2014, 62) where everything besides rational persuasion is seen as manipulation, or it might be connected to the negative connotation that the word "manipulation" carries. Either way, I believe that an open conversation about the topic could not only help artists like myself make better choices in artistic processes but also create a wider discussion around the ramifications of those choices.

The conversation does exist, although partially, in visual arts, namely around creating and performing (participatory) installation art. The American art historian Roann Barris has concentrated some of her writing on installations which, in her words, "trap" the audience. In such works the audience is invited into gallery spaces loaded with certain cultural expectations and is then asked to actively research how to break those expectations employing the rights given by the artist. Barris brings forth an example of installation art where

audience members are offered to take a spectator's position while they are actually part of the installation and placed in a position where they are spectated by other members of the audience. For Barris, blurring the lines between reality and art serves the belief that the spectator can be empowered through experiencing art which makes him gaze at himself with the help of a manipulative setting. However, it makes her ask if such artworks empower the audience through the risk of manipulation and if this is indeed true, would that imply that the artwork has betrayed its audience? I feel the answer to these questions could be found in Kantian ethics according to which a person should never be a means to an end but an end itself meaning that the inherent value of a person is not dependant on something else besides being human (Kant, 1996, 37-108). Therefore, I would like to further the discussion by saying that art can betray the audience through treating them as objects and, therefore, as means to get to a higher goal, whereas the opposite could be treating the audience as subjects with their own individual thoughts, wants and needs.

Questions of whether the audience is betrayed by the artwork might come to mind when thinking of the work of Dutch theatre maker and visual artist Dries Verhoeven. Verhoeven often fluctuates between theatre and visual arts and a large part of his work is considered as performative installations. According to Dutch theatre researcher Maaïke Bleeker, Verhoeven's works are put together in a way which makes

the audience see themselves in settings of privilege, distress and apathy (Bleeker, 2020). For example, the apparatus of Verhoeven's "Guilty landscapes" (2016) asks the audience member to visit a room with a single video screen through which they meet a person from somewhere in a troubled zone of the world (in episode I, which I experienced, I met a factory worker from a textile-factory based in Hangzhou, China), and while the audience member moves in the space, the person they meet mimics their movements and gazes back at them. The work, which focuses on spectating and the gaze, problematizes the apathy of the West towards the pain experienced in the East (Verhoeven, 2016). When examining "Guilty Landscapes" through Anne Barnhills' writings, it becomes apparent that the artist is manipulating not only the situation but also the audience member directly. First, Verhoeven limits the person's possibilities of changing the situation they are in: the audience member can either stay and gaze back at the performer who is mimicking their movements, or they can leave as no other options such as talking to the performer have been given. Second, Verhoeven has set up a continuously developing relationship between the audience member and the performer: the performer follows a score of inviting the audience member closer and letting them know that they are seen and heard, and only after creating contact the performer starts to mimic the movements of the audience member. The relationship building can be seen as directly manipulating the audience member to feel

more empathy towards the factory worker and therefore arguably more guilty. Third, it can also be noted that the artist manipulates the spectator's emotions through the settings of both the performers' and the audience member's space: the factory is empty, yet dirty and dark, made to feel like the place a person (In Verhoeven's case, the privileged audience member) would never want to be, and the audience member's space is empty, but yet warm and comfortable, and therefore a certain hierarchy is created. However, although the artist has disclaimed manipulating the audience member's beliefs, I felt that as an audience member I was put into a position where I was framed as the apathic Westerner and, therefore, sometimes as an object who does not have a standpoint or a backstory before entering the installation (Barnhill, 2014, 53-59). This makes me question the ethics behind the work and wonder if giving more agency to the audience member could have made me feel differently.

During the research process for this thesis, I arranged a performative experiment titled "Virgin Suicides" (2020) that demonstrated a manipulative approach similar to Verhoeven's. The work started with me entering the space, introducing myself and inviting an audience member to join me on stage without informing them what was going to take place; however, it was stated that nothing that the person was not interested in would happen on stage and that they would have a right to stop the action at any moment. The

audience member agreed to join me on stage and I led them deeper into the room to meet a third person who was holding a camera that was transmitting the live video image on the wall behind us, magnifying, amplifying and pointing out details from our actions. I sat down and my partner followed suit. I told them that I was very interested in the story of their first sexual encounter and that if they would agree to share their memories, I would respond by sharing my own. I also proposed that we tell our stories through pointing at the places on our bodies that were touched back then, and the other partner could respond with touching the very same places again as a response. I asked if my partner would want to go first. They agreed and proceeded with showing me the first place on their body that I was allowed to touch in order to hopefully activate intimate physical memories. After showing about six places on their body, they said that they were done and that they would not want to share more. I responded with my story and they touched the areas of my body that I pointed at. After, I thanked them and guided them back to their place before leaving the room. If I analyse this performance in a similar way, I analysed Verhoeven's work, it can be said that in my work I focused on manipulating the audience member directly, through a similar relationship building as Verhoeven, but I chose to not manipulate the situation and to give the audience member more agency to practically change their conditions even if it would mean them retrieving their consent and leaving. I also manipulated the audience member's



emotions through using the camera transmitting a live video of our actions on the wall, and therefore making them feel that each part of them is more visible than usually, especially as we were performing in front of an audience. However, I did not treat the audience member as an object put on display, but a subject selectively sharing their process of meaning-making through concentrating on certain aspects of their lives.

Although determining the different operations of manipulation written into the grammar of both works could help to begin probing the pieces through Kantian values mentioned earlier, and therefore, deeming them ethically permissible or not, I suggest that it is needed to also decide if they were concurrently morally right. The American medical ethics scholar Jenny Blumenthal-Barby has provided a system of assessing the morality of manipulation through evaluating if the morally relevant benefits of the manipulation outweigh the possible negative connotations. She explains that it should be evaluated if the manipulation threatened or advanced someone's autonomy to make decisions which then could be followed by assessing if the manipulator was having good aims over bad ones, and to finally understand if the manipulator took responsibility for duties, agreements and liabilities which could have emerged from the relationship between the manipulator and the manipulated (Blumenthal-Barby, 2014, 121-123). I believe that neither Verhoeven's nor

my work threatened or promoted autonomy: no audience member was kept in the space against their will, nor was anyone promised any goods or profits if they stayed and participated. According to Verhoeven's comments on his work we can also assume that his aims for creating the work were ethically good: he has repeatedly expressed that for him the work is there to invite the audience to question their own role in the neo-liberal world of media consumption, while hoping to empower people to take control of their agency (Tzanetoulakou, 2018). Similarly, my aim with "Virgin Suicides" was to invite people to examine their own relationship with their memory and sexuality in order to empower them to take control of their agency. I find that the most difficult is to evaluate whether either of us took accountability for the obligations and expectations that might have risen out of the relationship between the artworks and the audience members. There was a volunteer present when I experienced "Guilty Landscapes" in Latvia in 2016, who I saw asking an audience member who was clearly in distress, if they could support them in any way or if they needed anything. This allows me to claim that at least some kind of a support grid was provided by Verhoeven, however, it was dependant on the skills and abilities of the volunteer. In hindsight I think that my work lacked the after-care which was provided in "Guilty Landscapes" through the volunteer who seemed to have the tools to act responsibly when the need emerged. Moreover, I feel it is important to note that the level of care made Verhoeven's work possibly



more moral. As an audience member I felt empowered to try to cultivate change in my attitude also after the performance which is the aesthetics that Verhoeven has said to be seeking (Tzanetoulakou, 2018). Therefore, Verhoeven's choice to give the audience members just enough care to manage to participate similarly to the factory workers who are given just enough care to sustain their ability to work, could be seen also as an aesthetically pleasing one. I, however, missed an opportunity to develop the morality of my work through expanding the level of after care provided, which possibly also influenced the aesthetics of the work.

In conclusion, it can be said that although the ethical implications and the morality of a manipulative work are connected, they can be assessed somewhat differently. If the ethical evaluation of manipulation is in this thesis dependant on valuing people just because they are people, the most important part of judging the morality comes down to the level of care the audience members were given throughout the manipulation. Whereas I find it important to mark that even though the manipulation carried out in an artwork can be moral, it isn't automatically ethical: even though Verhoeven gave care to the audience member, it is questionable whether the audience member was treated as an object or a subject. Or inversely, although the manipulation can be done ethically, it doesn't mean it is necessarily moral. For example, I treated the audience member in "Virgin Suicides" as a subject, but I

did not manage to be there for them after the performance to provide support if it would be needed and therefore take responsibility for what emerged through the manipulation. What became the most interesting part in the process of the appraisal of both works was to investigate the level of care given both during and after the performance. I found that the different choices on if and how to give care had an enormous impact on not only the appraisal of the performances from an ethical and moral standpoint but also on the chosen aesthetics of the works.

## CHAPTER TWO:

### FROM CARE TO NEGOTIABLE CONSENT

Care became situated within feminist ethics in the 1980s, when the American psychologist and researcher Carol Gilligan raised attention to the fact that boys and girls solve problems differently. Gilligan voiced that if boys manage problems through the concept of justice, girls tend to concentrate more on human connection, relationships, and caring for others. However, it was the male perspective of problem-solving that was still seen as prevalent (Gilligan, 1982). A generation of feminist care ethicists formed in the next 20 years, concentrating on proposing care-based morality as a possible alternative for a justice-based morality. During these two decades, care started to develop from a concept into a practice with certain values and skillsets which are mostly based on the competencies of a mothering person. For example, Nel Nodding, one of the most influential care ethicists, has proposed that giving care should be based on empathy, responsiveness, and on displacing selfish motives which are something that a mother would do (Nodding, 1984, 2). Only later other care ethicists, for example, Fiona Robinson, started to express that care should not only be thought about in the context of private relationships but on all levels of social conduct, and therefore the key principles should not be extracted from a relationship between a mother and a child due to them not translating well enough into the relationships between two adults (Robinson, 2011, 2).

The later developments have served me well as a performance maker, as I have felt that care deriving from mothering is something that cannot serve manipulative participatory performances. For example, care mechanisms like disclaimers could potentially protect the audience from harm. Yet, they could also ruin manipulation due to giving too much information to the audience member about the character of the manipulation beforehand, making the possibility to manipulate obsolete. However, I do not imply that care should not be given in performative situations but simply that it should be given differently. British theatre scholar Astrid Breel has expressed that a possible way to reconcile ethics and morals with manipulative aesthetics is to examine the agency offered to the audience during a participatory performance. For Breel, that means an opportunity to move past from simply protecting the audience from harm to offering a possibility to the audience members to decide for themselves if and in which ways do they want to face risk or challenging situations before but also during the performance. She also proposes that offering genuine agency could help the artist open the artwork to manipulation, as the situation could be then equally controlled by the audience member's awareness of the relation between their actions and the result (Breel, 2015, 39-49).

A performance piece during which I felt as an audience member that even though I was manipulated, the agency

given to me made me feel in control, was Daniel Kok's and Luke George's "Bunny" (2016). The performance started with the audience entering a space where Kok was hoisted up in the air as a submissive partner to George who had used Japanese bondage Shibari to hang him from the ceiling. The bondage style, which is mostly used in BDSM<sup>5</sup>, allowed George to take full control of Kok's movements while he was preparing other ropes for further bondage. After setting the colorful Shibari ropes all over the floor, George played with Kok's body by swinging it around until seemingly getting bored from the action and letting Kok's body down to ground level slowly and carefully. Soon, the two joined to demonstrate the intricate procedure of tying Shibari knots, and perhaps five minutes later, George took the first step towards the audience, asking an audience member if they would like to have their hands bound. They agreed and George took time to tie ropes around their hands decreasing the possibilities for them to move. While the tying was going on, Kok approached another audience member asking if they would like him to tie their right arm to their right thigh. However, the audience member declined and without any judgement Kok moved on to an audience member who seemed to be more interested in the proposal. The binding and unbinding went on for approximately half an hour, and what I found the most interesting in this performance were

<sup>5</sup> BDSM is an acronym for a variety of sexual practices that involve bondage, dominance, and submission/sadomasochism (Bauer, 2014, 1-2)

the moments when someone agreed to something but still managed to keep their full agency by regulating how much bondage and in which way were they willing to try it. After about additional 30 minutes of tying and untying, George returned to bind Kok who returned to the position of the submissive partner. George then bounded Kok completely, also covering his eyes and gagging his mouth, leaving him vulnerable. He then offered three audience members to hoist Kok up in the air with the end of the rope remaining in the hands of the audience members. In comparison to the first time when George hoisted Kok in the air at the beginning of the performance, this time he was hoisted up in the air at least ten meters high substantially raising the stakes of the situation. Only after a signal was given from Kok, who was still blinded and gagged, George proposed to the audience members to let him down again as safely as possible ending the work. The performance was then followed by an after-talk where the performers made sure to thank the people who agreed to be bounded, and only then they started a conversation with the rest of the audience.

If assessed through the writings of Barnhill, it can be said that "Bunny" was filled with manipulation. The artists created relationships with audience members which could be seen as directly manipulating them to be arguably more willing to participate in the bondage. Likewise, the audience members' emotions were manipulated through for example light design

which created a safe atmosphere filled with possibilities of hiding into the darkness if need be. I also believe that the audience's beliefs were manipulated through presenting bondage not as a sexual practice but a discipline of trust and control which made participating in the performance conceivably more attainable (Barnhill, 2014, 53-59). However, as the agency proposed to the audience members had an actual effect on the on the course of the performance, I find that the audience members were involved in the performance as independent subjects which made the manipulation ethical through proposing genuine agency. Furthermore, the performers did not threaten nor advance anyone's autonomy to make independent decisions and took responsibility for whatever emerged by offering mental or physical support and acted, therefore, morally. Another positive aspect of such a setup was the specific aesthetic impact that proposing genuine agency had on the work. Kok and George implied in the after talk of the performance that they wanted their chosen aesthetic to empower people to discover their own desires and boundaries and I have no reason to doubt that the performance complied with their ambitions, while making the audience feel cared for.

The analysis of "Bunny" allows me to argue that proposing genuine agency does not only influence the ethics and morals behind manipulation for the better, but could be also be seen as a care mechanism which does not ruin the

manipulation nor mother the audience. However, I claim that genuine agency is not present on itself and it's nothing that the artist can give without clear parameters. Therefore, I suggest the method of negotiable consent as a possible tool for artists interested in offering genuine agency as a care mechanism. In the field of criminal law, consent is seen as a transaction between two imputable adults, which alters moral relations making what is prohibited permissible as expressed by criminal law researchers Deryck Beyleweld and Roger Brownsword. According to Beyleweld and Brownsword, consent can be given and withdrawn but not used to regulate the situation to a certain extent (Beyleweld & Brownsword, 2007, 24-25). Therefore, I suggest to couple the notion of „consent“ with the notion of „negotiation“ in order to create a flexible mechanism of care, opening up a an in-between space amidst „yes“ and „no“.

Negotiable consent can be also found in BDSM practices according to queer studies researcher Robin Bauer who as expressed that consent is seen differently in BDSM practices than in criminal law. In BDSM practices, consent acts as a continuous negotiation allowing partners to probe their borders safely. Bauer adds that negotiable consent is difficult to reach as the emotional conditions of both partners might be everchanging. Yet, this kind of an endless process takes into account all of the unpredictable emotions which might emerge from an encounter between partners. In order to

establish the negotiation, a certain set of tools is encompassed into the procedure: safe words, non-verbal signals, and continuous check-ins between partners. According to Bauer, these tools allow the people involved to agree upon the frames of what are they consenting to, but not always on all the details of the conduct, in order to keep the excitement of the unknown alive (Bauer, 2014, 79-81). The excitement of the unknown was present also in “Bunny” as I was continuously let known of the frames of the action I was consenting do, however the control over the details remained in the hands of the performers. This made me feel that I was treated as an equal to the performers which allowed me to consent also to manipulation without worry about my wellbeing. As a performance maker I find that there is potential in adapting negotiable consent from BDSM practices for manipulative participatory performances as it allows makers to create manipulative setups while allowing the audience members to decide how much of the setup do they want to take part in.

I devised the second performative experiment for this research, titled “You jump, I jump, Jack” (2021), through the idea of examining further how could performing negotiable consent act as a possibility to give care. The work started with the audience entering a black box theatre space where I was already waiting for them sitting on a chair in the middle of the stage and holding a microphone. The audience was invited to sit on chairs opposite of me in a non-lighted area.

I started the conversation with introducing myself and telling the audience that whatever happens next is not only my responsibility but also theirs as we are equal in holding this space. I presented a possibility to modulate the performance through a traffic-light system borrowed from BDSM practices. The traffic-light was introduced through a system of regulating the situation based on colors: if the audience felt that they did not agree to what was happening and for them the situation was therefore “red”, they had the freedom to end the performance for themselves and leave the space; if the audience felt that they were interested to see what would happen next and the situation was for them “yellow”, they could just remain in their seats and watch the performance; however, if the audience liked the performance enough to greenlight it, they could come on stage and take my place to continue reading the script out loud. As a joker-move, an extra possibility was introduced to stop the performance for everyone by uttering a safe-word which was chosen together with the audience. After the introduction, I started telling inappropriate jokes that had been around me since my childhood. The first few jokes were quite innocent and they were met with sincere laughter from the audience. However, with time the jokes became more and more politically incorrect as they concentrated on nationality, race, religion, and violence. With each joke, more light was gradually put on the audience in order for them to have a better possibility to not only see themselves but also other audience members. I

stopped after twenty minutes and thanked the audience for their participation in the performance.

What became essential for me during this experiment was that nobody interfered with the show. None of the audience members left, took my place nor uttered the safe-word. In hindsight, it either meant that everybody in the audience felt that the situation was yellow and they were just interested to see how far would I go, or that the traffic-light system did not work for negotiating consent well enough. I also organized a Q&A round right after the show, and there the work was met mostly with irritation, anger, and resentment. Many people felt that the performance stepped over a lot of their personal moral boundaries through making fun of painful topics. I asked if the audience felt that they were given tools to regulate the situation and one audience member expressed angrily that they felt they were trapped. Although they were given a possibility to modulate what was going on, participation in this way would have made them betray their other values, such as being polite to me as a researcher. I decided to provoke them a bit further by asking if they chose to value politeness with the price of dismissing other values, but the person felt so angered by the question, that they chose not to answer. Another audience member declared that they felt empowered to use their agency as it was made clear that the performance was also their responsibility but, for one, they were just too curious to see how far would I go,

and two, the setting of the space made the negotiation of consent slightly uncomfortable as it would have meant them leaving the audience zone to enter a performance zone. In their opinion, this would have made them a co-performer, and they were not interested in that.

I analyzed again Barnhill's writings it can be said that manipulation was present in this work on all levels as in "Bunny". I was manipulating the audience member's emotions through the choices in lighting which were set up to make them feel pressured to carry out decisions or reversibly to decline while still feeling the gaze of the other audience members. I also manipulated the audience members directly by telling them that they did not only have power over their own agency but also a certain responsibility towards the collective to pressure them further (Barnhill, 2014, 53-59). However, people were treated as subjects with as much power over the course of the performance as I had making the manipulation ethical. I also took responsibility for the troubling content of the performance in the after-talk where the audience could voice their concerns and express their feelings. As within "Bunny", the content and form of this experiment were driven through negotiating consent. However, if I juxtapose the negotiation of consent in my work to how it was done in "Bunny", it can be said that my work was lacking the access to the negotiation that was present in Kok's and George's work. In "Bunny", I felt as an equal to the performers, although they had the upper

hand by knowing more about what was about to happen next or how could the work end. Kok and George presented reaching consent as a fluid negotiation which did not make me exchange the role of an audience member to the role of a performer. Yet, I was still given the opportunity to co-create the work through consenting to the manipulation which made me feel cared for. My work employed a similar setup to "Bunny" but I did not manage to reach the full potential of employing negotiable consent as a care mechanism, due to the limited accessibility to the negotiation. Likewise, I find that the agency on offer was too limited through the traffic-light system in order for the audience members to become co-creators of the piece, which also inhibited the feasibility of the mechanism. This analysis allows me to claim that although it is possible to employ negotiable consent as a care mechanism, there are factors around the process which must be taken into account: accessibility to the negotiation, continuous assessment of the genuineness of the agency offered and having skills to harness certain tools of negotiation such as verbal and non-verbal signs.

## CHAPTER THREE:

### NEGOTIABLE CONSENT AS A METHOD

I devised my final work for this master's program, titled "The Keepers of me" (2021), in order to implement the method of negotiable consent. It is important to note that the method in the time of making this piece was still in a development stage, and that the method took a tangible form only after the performance and reflection was carried out.

The performance started with me greeting the audience members behind the door of the performance space. I informed them that the work is meant for everybody but asked for those of them who identify as women to join me in a circle marked on the ground with light and for those of them who identify as men to stay outside of the circle and to spectate from a distance. Also, a third possibility was given for those who don't identify as either to find a place most suitable for them in the in-between area. After entering the performance space, I joined the women in the circle and asked them to participate in the performance as active witnesses to me starting to say goodbye to my womanhood. I then told the women that I would soon start sharing my story and simultaneously making polaroid photos of my body and I ask them to take the photos representing parts of my womanhood with them when they leave. I also emphasized that if at any moment they feel like they don't want to consent



to this process or they want to modulate their consent, they can change place signifying their decisions. I also gave some time at that moment for the audience to assess their consent but nobody changed place. Then I started telling a semi-autobiographic coming-of-age story of a character who starts to doubt their gender. I took photos of my body during and between chapters and placed the photos on the ground in the middle of the circle. I also took off my shirt when telling the last chapter of the story, showing my bare skin and also scars on my breasts which are there due to an operation connected to my own struggles with my gender. After finishing the last chapter, I left the space giving room to the audience to decide if they consent to taking the photos or not.

The manipulation started already behind the door where I manipulated the audience's beliefs by dividing them by their genders. The same manipulation continued at the start of the performance when I asked the people who identified as women to become the active participants of the performance and left those who identified as men to take the role of the passive spectator. I also manipulated the audience's emotions by presenting a radically intimate story as it was fully my own, although it was actually constructed beforehand through a series of dramaturgical decisions to have a certain impact on the manipulation. Also, the choices of space design were a

part of the manipulation as I asked the men to take place in the outskirts of the performing hall proposing them to be aware of the male gaze and the women to take place in the centre of the hall to be spectated throughout the piece. However, I claim that by offering genuine agency to all audience members, I gave care by treating the audience members as subjects who were capable of facing difficult topics and deciding for themselves if and how much did they want to take part in the performance. All of the ten photos which I took during the performance, were taken with and two of the female audience members expressed after the performance that they felt fully empowered through the choices they were offered and it was their conscious decision to take the photos with them to participate in the performance. Both of them also claimed that they were aware of the importance of the gaze in the performative situation and although it first made them feel as they were manipulated into being objects, they started to soon feel like subjects as they felt that they could also change the situation but decided not to in order to overthrow the dynamic that they in their words usually meet in their everyday lives. I also had a talk with one of the male audience members who said that he felt trapped by the setup of the space and that if he would have changed his position it would have caused too many heads to turn, so he decided to stay although he wanted to move. At the same time, he expressed that for him it was clear that the artist's aims were good and therefore, he felt not bothered by the

artistic choices as they made him confront his own privileged position in the space empowering him to reassess his ideas about gender after the performance. I would also add that although indeed my aims were ethically good when creating the work, I still failed to make the negotiation process as accessible as I would have wanted to. The design of the setup allowed the audience members to take control of their participation in the manipulative performance, but not without them feeling trapped. I find that perhaps doubling the length of the performance (originally 45 minutes) or performing in a smaller hall (originally 250 square metres) with fewer participants (originally 30 participants) could have a positive impact on the accessibility of the negotiation process. Therefore, I claim that the method helped me to improve the ethics, morals, and aesthetics of the manipulative work as the proposed genuine agency helped people to feel empowered to take their agency into their own hands. However, I did not manage to employ the method to its full potential due to artistic choices which limited access to the process of negotiation.

In conclusion, I claim that negotiable consent could be seen as a method which could help artists give care during and after a manipulative participatory performance helping the artist to make the manipulation both more ethical and moral. However, the method comes with certain guidelines in order for it to have a full impact. First, the artist should take into

account how accessible is the process of negotiation. For example, the audience member should be able to access the process without becoming a performer. Second, the artist should be continuously aware of the genuineness of the agency that they want to offer to the audience members, making sure that the agency could have an actual impact on the work and that the audience member could comprehend the correlation between their actions and the consequences of the impact already before using their agency. Third, for this thesis I managed to test the method only in accordance with my own aesthetic aspirations of empowering the audience members to be aware of their own agency, and therefore, it should still be tested beforehand with a different aesthetic input in mind. Moreover, it's important to note that using the method might influence both the ethics and the morals of using manipulation in participatory performance but not equally and not relationally. In all of the experiments conducted for this research, I managed to either improve the ethics or morals but never the both at the same time. However, I admit that the experiments were all carried out in the specific ecology of my master's program so the results of the experiments are not to be taken as the only possible outcomes. I can speculate that outside of an ecology where the audience has personal relationships with me, both manipulation and the method of negotiable consent could be carried out differently, and therefore also the ethics and morals would act in another way. Furthermore, this makes

me express also how important is the role of the artist who's facilitating the process of negotiation. I did not concentrate on this aspect of employing the method in this research due to time resources in hand, however, I would like to concentrate on probing this factor in my future research.

## SUMMARY AND CONCLUSION

The main focus of this research has been to explore how could be manipulation used in a participatory performance ethically and morally. Generally, manipulation is understood as an action which results in influencing someone to behave differently than they would without the manipulator's intervention. For this reason, manipulation is seen as a mostly negative behavior which questions the manipulator's relationship to ethics and morals. When evaluating manipulation as an artistic tool in participatory performance, it is important to examine the manipulation from two aspects: how is the manipulation carried out, and what are the potential consequences of the manipulation. I claim that it is important to divorce ethics from morals when analyzing manipulation in participatory performance as each of them indicates different aspects of the conduct. The ethical evaluation of manipulation relies in this research on the idea that the spectator should be respected as a valuable human with their own maxims and therefore not be used for a higher goal. Accordingly, any decision and action coming from the audience member should be respected equally. However, when analyzing morality, the question of care and how much was it provided during and after the manipulation, should be considered. Interestingly, a manipulative work can be at the same time ethical and not moral, as well as vice versa. I propose to adapt Blumenthal-Barby's approach to evaluating manipulation

morally by assessing whether the manipulation employed by an artist in a participatory performance threatens or advances the autonomy of the spectator's decision-making, and by analyzing the intentions and aims of the artist of using any manipulative approaches. Most importantly, it is important to examine if the artist took responsibility for the duties, agreements, and troubles which might have emerged from the manipulation. When evaluating the level of care that was (or was not) provided to the audience, it became apparent that the presence (or lack) of care has a strong influence on the overall aesthetics of the whole work. For example, care which was built upon protecting the audience from harm could damage the manipulation by giving too much information about the manipulation to the audience, making the manipulation impossible. However, care given on the basis of respect and trust, could encourage the audience to take part in the performance as they are given tools to be equally in control of what is going to happen next.

When creating my own manipulatory participatory work, I have always tried to take ethics and morals into account. However, care as a concept came into my research after a few experiments I conducted. Care as a concept has a strong footing in feminist care ethics, which first appeared almost 40 years ago. When investigating feminist care ethics, I noticed that very little had changed in the discourse over the four decades. I found it problematic that in feminist care ethics

giving care is based on the relationship between a mother and child due to it not translating well into a performative situation where the participants are consenting adults. Moreover, I find that the mothering care could influence the aesthetics of the performance by taking away the necessary risk that needs to be present in a manipulative situation. Only from the 2010s onwards a few care ethicists have found the same setting problematic when applying care ethics to a wider sense of society. These latter developments of theory allowed me to base my theory of ethical and moral manipulation in participatory performance around the concept of genuine agency. Sharing agency allows the artist to move away from the idea of protecting the audience from harm and creates a possibility for the audience member to make a decision for themselves while being aware of the relation between their actions and the results of those actions. I find that proposing the audience members with genuine agency, creates a possibility for the audience be in control of how much manipulation they are willing to participate in. Therefore, I have identified sharing genuine agency as a possible care-mechanism which does not harm the manipulation nor the aesthetics of the work. However, for genuine agency to work, the artist should present clear parameters of how the agency works in the given situation. To achieve a genuine agency as a care mechanism in a manipulative participatory work, I propose using the method of negotiable consent. The method of negotiable consent can

be found in BDSM practices, and it allows partners to safely probe their borders through a continuous negotiation. What is similar in BDSM practices to participatory performance is that emotions, desires, and capabilities to participate might change throughout the process. Therefore, negotiable consent allows the audience member to check in with themselves and to decide whether they want to continue the process without feeling the pressure from the artist or other participants. BDSM practices have already an existing array of tools that can be used for negotiating consent (for example, safe-words and traffic lighting), however, it is important to understand that these tools cannot be employed in a performative situation without adaptation. Another important aspect that needs to be considered is the accessibility of the negotiable consent. The negotiation should be flexible without making the audience member take the role of the performer. A continuous assessment of the genuineness of the agency offered should be present throughout the process. Negotiable consent works as a care mechanism only at the moment where the audience member's agency allows the performance to be genuinely influenced by the actions and decisions the audience member takes.

To conclude, it is important to regard that using negotiable consent as a care mechanism in manipulative participatory performance might influence the morals and ethics of the work due to the agency that the audience member carries.

Employing negotiable consent allows the performance work to unfold in ways that neither the artist nor the audience might expect. Although this research project shows the results of utilizing negotiable consent in a specific aesthetical setting, the results of these experiments allow assessing the potential of this method being used in other performative settings. Firstly, this method allows the artist to become more aware of the morals and ethics behind the manipulation present in the work. Secondly, negotiable consent avoids objectification of the audience. Lastly, it provides a toolbox for the artist to provide genuine care to the audience without sacrificing the manipulation or the aesthetics of the work. The method presented in this research is not a completed and finalized formula, and it would need to be used in the works of other artists to be assessed fully. Therefore, further research on the applicability of the method in different participatory performances should be assessed.

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