Do we have a shared understanding of consent?

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1 Introduction

There is near-universal agreement on the *importance* of consent *and* on the observation that our existing consent processes and mechanisms are not working well [7, 11]. We argue that successfully addressing problems with consent – now and in the age of AI – will be greatly aided by establishing a shared foundation regarding the meaning of the term consent, its purpose, the core challenges or problems, and/or what an ideal consent future would entail. We argue that differences in understanding – or, more importantly, the lack of recognition that there *are* differences in understanding – limits work geared toward improving consent practices. To this end, we outline a research agenda to surface experts' understandings of consent, conceptualize how these ideas can broaden our approaches to improving consent practices, and evaluate newly-conceptualized approaches in a variety of domains. We share preliminary results from an ongoing interview study, which demonstrate meaningful differences among experts, and we briefly discuss implications of our ongoing and proposed work.

We see our argument as most directly addressing two of the key questions posed by workshop organizers [12]:

- Under which circumstances can the necessity of active privacy decision-making be lifted from a legal, ethical, and human point of view? → *Our preliminary findings suggest that the answer is "it depends." Some experts perceive the core purpose of consent as autonomy and argue on this basis that it is* ***always*** *necessary. Others argue that we could or should reduce active consent decision-making due to problems like consent fatigue and/or because they view consent as a privacy or safety mechanism (i.e., it is less necessary when privacy/safety risks are lower).*
- How could consent and control evolve in a world without AI-driven personalization, where data collection is limited to what is strictly necessary for service functionality? → *In a sense, this question implies that without AI-driven personalization, we would or could have a world where data collection is limited to what is strictly necessary. We argue that these future worlds are not intrinsically linked (e.g., achieving the former is unlikely to lead to the latter). Existing consent practices suffer from systematic problems pertaining to power dynamics and social*

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norms. Existing consent challenges would remain even without AI personalization and/or even if only necessary data were collected. To meaningfully improve consent in any future, we must address the root of the problems.

The authors' position is directly informed by their prior work and expertise:

- **Dr. Camille Cobb** is an assistant professor at University of Illinois. Her research area is usable security and privacy. Her work has addressed user experiences with online dating [5], smart home [3, 4], and more [2, 9]. Dr. Cobb participated in the Future of Human-centered Privacy seminar at Dagstuhl in July 2025, which informs our position [1].
- **Yi-Shyuan Chiang** is a computer science Ph.D candidate at University of Illinois. Yi-Shyuan has a masters in Law which brings in a unique perspective to examining and re-imagining how to design for human-centered regulation [2]. She led multiple research projects on consent in smart homes with Dr. Cobb [3].

2 Research Agenda

Our proposed agenda starts with inquiry into what experts believe about consent, including aspects of their views that are consistent or divergent. We will conduct interviews with a variety of experts [8]: CS researchers who design new consent mechanisms, researchers from a verity of fields for whom consent is a core focus, consent activists, and tech-policy experts working in academia and industry. This first study is underway; in interviews, we asked participants their understandings of consent, including definitions, requirements, and barriers. Preliminary qualitative analysis has identified key themes. For example, we found differences in what experts see as the central purpose of consent. We are planning a series of follow-up surveys with these experts designed to determine if experts will move toward a consensus view, or if their perspectives are more fundamentally divergent.

For the next phase in the proposed agenda, we will produce an expanded design space for consent, incorporating our findings, prominent theoretical frameworks for consent, and relevant existing design spaces (e.g., pertaining to consent notices [10] and privacy choices [6]). This design space will help researchers and designers navigate opportunities and challenges related to designing novel consent mechanisms. Finally, we will prototype systems that use particularly compelling and/or novel consent procedures and conduct user studies so that we can compare them and assess their adherence to evaluation criteria.

3 Preliminary Findings

One key consistency among experts in our ongoing interview study was an acknowledgment that existing consent practices are broken.

Experts' views on why consent is important varied: autonomy (P7, P9), respect to people (P5), or safety & protection (P10). The view that consent is needed to honor people's autonomy suggests that alternative solutions or lifting of consent expectations would be unacceptable, because the opportunity to practice autonomy via the consent decision is the core goal of consent. On the other hand, if one views the purpose of obtaining consent to be providing a mechanism through which users can protect their own safety or privacy, then alternative ways of protecting users could be adequate (or even preferable) replacements for consent procedures.

Experts were not unified on requirements of ideal consent. Most experts tended to agree that consent should be *informed*, but there was less consensus about the importance of consent being *enthusiastic*. *"What does it mean for it to be enthusiastic?"* asked P7. P4, on the other hand argued that, *"Oh, no, no! I think enthusiastic is the right word. I think that they [data collectors] should have to make a compelling case [for data collection]."* We also found inconsistencies in operationalizable definitions of common consent requirement terminology. For example, P4 and P8 disagreed on the revertability of data collection consent. For P4, revertability *"means not just can I now reverse my consent going forward,*

but I can then delete the data that you collected about me so far." However, P8 believed it only means stopping future data collection as *"the ability to revoke the consent [...] is not about the right to [...], you know, to delete the data."*

Experts held similar perspectives on core problems with consent but different ideas about paths forward and possible futures. *Power dynamics* and *social norms* commonly surfaced as hard problems impeding improved consent practices. For example, P4 drew attention the inherent power dynamics people have within our technology infrastructure: *"To live your daily life, to live in today's society, you [...] are forced in a situation where you're constantly pressed and accepting all these things."* Despite having similar views of the challenges, there was not consensus about promising approaches to address these (or other, more tangible) problems with consent. Experts proposed technical, regulatory, or regulation-enforcement strategies for improving consent. Some emphasized the need to simultaneously address related problems, e.g., P6, *"The difficulty of thinking about what consent might mean in the context of surveillance technology is a problem with the technology."* P9 suggested, *"more radical kind of reframing that I would love to see in the world is like questioning why we need to collect data and like questioning what data is doing for us. "*

4 Implications

Expert interviews: Our interviews suggest that not only do experts use consent-related terminology somewhat inconsistently, some also have divergent perspectives. While striving to form a shared foundation of understanding and improve consent practices, experts will need to ask themselves which perspectives we can or must reach consensus about and where we can agree to disagree.

Design space analysis: Our design space analysis will enable us to identify underexplored design areas and to more systematically understand how designs relate to each other. By doing so, we can identify novel design opportunities that are immediately recognizable and ones that require technical advancements or other forms of progress.

Rapid prototyping and user studies: In-depth insights about how users perceive various design prototypes should drive technology designers' priorities for which ones to pursue and deploy at scale.

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