

# Positioning the Politics of Consent in Law and History

*Legal Intersections Research Centre, University of Wollongong*

*Feminist Legal Research Network, UTS:Law*

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## CALL FOR PAPERS

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The past few years have witnessed a global explosion of discourse around sexuality focusing on debate over the boundaries between legitimate and illegitimate sex under the banner of the #metoo campaign. In this context of genuine confusion about how to distinguish the benign from the violent, concepts of consent are taken to promise clear, fixed boundaries on the relationship between power and desire, distinguishing between good and bad sex, and making sexual behaviour and intention legible to both law and society. If consent is the problem, then it's also our only imaginable solution.

This symposium offers us a moment of pause to reconsider feminist and other critiques of consent and to widen the discussion beyond sex. Intimacy is not the only domain where consent operates as a conceptual pivot between the legitimate and the illegitimate: in imperial treaties, in doctor's surgeries, on social media and in the very act of a handshake we see consent working its 'moral magic.' What role did consent play in colonisation and in the formation of liberal democracies both theoretically and on the ground? How does consent constitute and legitimate authority? How does it inform ideas about the legal subject as split between body and mind, as capable of contracting out the use of the property in its person, as Locke argued? Was consent a language or gesture that was intelligible between indigenous people and colonisers – part of the permeable language of law understood on both sides of the frontier? Or did it simply authorise violence? How does consent operate in family law to justify the law's intrusion into the family, to intercede between parents in custody battles? How does consent enable medical interventions in non-normative bodies and minds? Drawing on the work of theorists such as Carole Pateman, Laura Alcoff and Wendy Brown, this symposium will unpack the theoretical origins of consent, its historical uses and its contemporary application in a range of legal and non-legal fora.

Scholars working in or around these areas who wish to participate are asked to submit a 200 word abstract by 6 September to Dr Linda Steele at UTS [Linda.Steele@uts.edu.au](mailto:Linda.Steele@uts.edu.au) or Professor Nan Seuffert at UOW [nseuffert@uow.edu.au](mailto:nseuffert@uow.edu.au).



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