

# AUSTRALIAN FEMINIST LAW JOURNAL

A Critical Legal Journal



## CALL FOR PAPERS FOR SPECIAL ISSUE

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### *Positioning the Politics of Consent in Law and History*

Special Issue Editor: Nan Seuffert

Recent 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 in distinguishing 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 special issue of the AFLJ reconsiders and reformulates feminist and other critiques of consent. Widening the debate beyond sex and sexual assault, it questions consent as the solution and asks us to imagine beyond its boundaries. Consent operates as a conceptual pivot between the legitimate and the illegitimate beyond intimacy: 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.' Drawing on the work of theorists such as Carole Pateman, Linda Alcoff, Judith Butler and Wendy Brown, this special issue will unpack the theoretical origins of consent, its historical uses and its contemporary application in a range of legal and non-legal fora, including by asking:

- 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 consent 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 enable medical interventions in non-normative bodies and minds?

This Special Issue of the AFLJ builds on a successful symposium of the same title held jointly by the Legal Intersections Research Centre at the University of Wollongong and the Feminist Legal Research Groups at UTS:Law. Just a few additional proposals are sought to add to the collection from the symposium. As an international Critical Legal Journal the AFLJ publishes research informed by critical theory, cultural and literary theory, jurisprudential, postcolonial and psychoanalytic approaches, amongst other critical research practices.

### **Deadline for Submissions**

**Abstracts** of no more than 300 words should be submitted to the Editor, Nan Seuffert [nseuffer@uow.edu.au](mailto:nseuffer@uow.edu.au), by **15 April**. **Manuscripts will be due by 15 June 2020**. Earlier submissions are welcomed.

### **Refereeing of Articles**

The *Australian Feminist Law Journal* referees all manuscripts submitted for publication and follows the double-blind refereeing procedure. Referees will be selected with expertise in the author's area of scholarship. Authors are requested to place their name and affiliation on a separate page, and eliminate any self-identifying citation of one's own work. This can be done by leaving such citations or reference material blank or otherwise referring to the work in a way that disguises the name of the author. The journal will not accept manuscripts for consideration that are already under consideration by another journal.

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