Call for Submissions to the University of New South Wales Law Journal Issue 38(4)

‘Enacting Stigma’

The UNSW Law Journal is currently welcoming submissions for Issue 38(4). The Issue will comprise both a thematic component and a general component. The topic for the thematic component is ‘Enacting Stigma’.

The thematic component will explore the concept of stigma, a ‘negative mark’ associated with deviation from the norm, and its relationship with the law. The law arguably operates in a way that enacts, counteracts and codifies stigma. Contemporary society provides new frontiers for legislating around categories of people, and these frontiers present an increasingly blurred line between the stigmatised and the normalised.

The thematic component of this Issue invites submissions that are:

- theoretical reflections on the discourse of stigma – exploring how the language of current legal scholarship conceptualises the relationship between law and stigma;
- critical analyses of the sites of stigma – exploring these contemporary frontiers where the law is changing, or requires reform, to enact, counteract or codify stigma.

Given the theoretical and socio-legal focus of the thematic component, interdisciplinary approaches are welcome, provided they adopt a primarily legal focus. Submissions should focus on the Australian context or draw comparisons with developments in other jurisdictions or in the international context unless they take a jurisdictionally non-specific theoretical approach.

Authors may consider, but are not limited to, issues such as:

- theoretical reflections on performativity and law – how law enacts, counteracts or codifies stigma;
- theoretical reflections on linguistics and discourse – analyses of how current legal language addresses the concept of stigma;
- theoretical and historical reflections on the role of stigma as an organising concept in the function of law;
- constructions of morality in the law;
- stigma and its relationship with the rule of law;
- stigma associated with mental health and mental illness in legal contexts;
- stigma associated with disability in legal contexts, and recent recommendations for law reform;
- public health perspectives on legal stigma, including regulation of persons with blood-borne viruses;
sites of legal stigma arising from developments in science and technology, such as genetic discrimination and criminal liability attaching to ‘sexting’;
- regulation of sexual deviancy;
- the role of gender as a stigmatising factor in private law doctrine, such as psychological injury in tort and undue influence in equity;
- stigma attaching to indeterminate legal status, including foetal personhood and gender diverse identities;
- how the law enacts, counteracts or codifies stigma in relation to Indigenous identities;
- the role of law in producing stigmatised minority identities as a reflection of current legal and political discourse;
- homelessness, social housing and the interaction with access to legal or social services; and
- stigma associated with social and geographical inequality and its relationship with legal institutions and law enforcement.

In addition to submissions for the thematic component, authors are welcome to submit on any topic for the general component. The submission deadline for both the thematic component and general component of Issue 38(4) is 1 June 2015. Publication is set for late November 2015. Any changes to these deadlines will be indicated on the Journal’s website at http://www.unswlawjournal.unsw.edu.au.


The Journal is an independent, peer reviewed publication. Although all submissions received are subject to peer review, decisions as to publication remain at the discretion of the Editor, in council with the Executive Committee of the Journal.

The Journal does not accept articles that have been, or will be, published elsewhere, either in identical or substantially similar form. If articles are posted on online repositories, such as SSRN, they should be removed at the time of submission to ensure the anonymity of the peer review process.

If you are interested in, or have any queries about, submitting for Issue 38(4), please contact the Journal at law.journal@unsw.edu.au. If you intend to submit an article, it would be greatly appreciated if you could give some early indication of your proposed topic or area of research. If you are aware of a colleague who may be interested in making a submission, please pass on this call for submissions.

Yours sincerely,

Amila Perera
Editor, Issue 38(4)

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