

SLJ RESEARCH

Welcome to the 3rd edition of SLJ Research, the research newsletter of the School of Law and Justice. In preparing ourselves for a busy 2020, and welcoming in a new decade at Southern Cross, it is timely to reflect on the School's research successes, scholarly achievements, and keynote events over the last 12 months.

2019 was an extremely busy research year for our School. On the public front, we hosted three public lectures, ran three scholarly conferences at the Gold Coast, welcomed internationally distinguished visitors in residence, and consolidated our popular Research Seminar Series with seven standout speakers.

We also launched our new journal, *Pólemos: Journal of Law, Literature and Culture*, and began planning another, *Legalities*, the Journal of the Law & Society Association of Australia and NZ. Our public events and launches, large and small, helped put the School on the (national and global) map - as a vibrant centre for critical, contextual, and cultural legal scholarship. In fields as diverse as the narratives of climate change, environmental justice, ecological jurisprudence, critical theory, law and society, and law, culture and the humanities, the SLJ continues to lead, and leave its mark.

In this environment, the School's scholars continued to achieve research impact beyond our numbers, punching above our collective weight with publishing outputs, innovative collaborations - interdisciplinary, as well as across and beyond the University - and an emerging grants strategy and success.

As always, I trust you enjoy reading Volume 3 of SLJ Research.

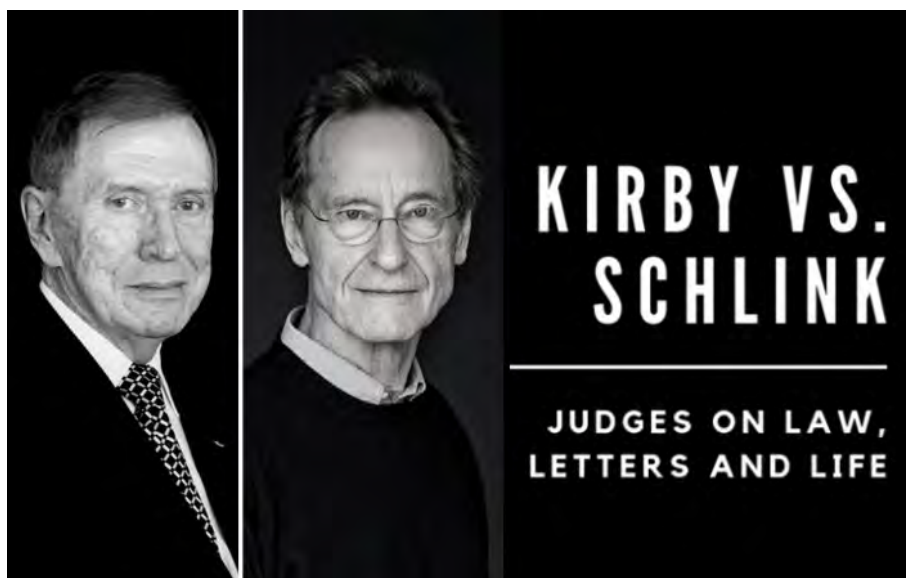
Kind regards,

Associate Professor John Page
Deputy Head of School (Research)



**Southern Cross
University**

School of Law & Justice



2019 Kirby Lecture a sell-out success

In a sold-out Byron Community Theatre in November 2019, the SLJ in collaboration with our friends at the Byron Writers Festival, hosted a public lecture plus Q and A with two giants of the legal and literary world. The Hon. Mr. Michael Kirby AO, QC and German author, professor, and former constitutional court judge, Bernhard Schlink.

Under the aegis of the long-standing **Michael Kirby Lecture Series**, the packed Byron audience enjoyed a spirited evening with two world-renowned judges - who robustly debated the riches of law, letters and life. Mr. Kirby is of course well known - and loved - as a former justice of the High Court of Australia and indefatigable human rights campaigner. He was joined by his European judicial counterpart, Professor Bernhard Schlink of Humboldt University, Berlin, and bestselling author of *The Reader* (adapted to an Oscar award-winning film starring Kate Winslet and Ralph Fiennes). SLJ Dean and law-and-literature scholar, Professor William MacNeil, chaired the lively and engaged discussion in what was a hugely successful evening, and one of the School's premier research events of the year.



L-R: Professor William MacNeil, Mr Michael Kirby AO, QC, and Professor Bernhard Schlink.

Conferences

Australasian Law Academics Association (ALAA), July 2019

Last year's ALAA (formerly known as ALTA, the Australian Law Teachers Association) conference was hosted by the SLJ at our Gold Coast campus on 4-5 July. We welcomed legal academics and scholars from Australia, New Zealand and the South Pacific.

The conference theme "Real' Laws in the Post-Truth World", engaged and questioned emerging dialogues on 'post-truth' – their influence on policy and social debate, and how post-truth practices are shaping laws and how truth is and is not part of legal and socio-legal dialogues.

A special thanks to the conference organiser, Associate Professor Jennifer Nielsen, for her leadership in bringing this significant conference to the SLJ and in re-energising this important annual gathering of Australian and New Zealand legal academics.



Conferences

Law in End Times: LLHAA and LSAANZ, December 2019

The SLJ, together with the Law, Literature and the Humanities Association of Australasia (LLHAA), and the Law and Society Association of Australia and New Zealand (LSAANZ), convened and hosted the 2019 LLHAA conference, and the 2019 LSAANZ conference, respectively titled "Juris Apocalypse Now! Law in End Times", and "Survive. Thrive. Die. Law in End Times" from 2-7 December 2019.

These two conferences, held at the Gold Coast campus, attracted 250 attendees with presenters hailing from Australia, New Zealand, North America, the UK, Europe and South Africa. Although distinct and separate, the two conferences were nonetheless connected by a shared overarching theme, and a shared joint Postgraduate Day.

The conference featured 191 papers representing 56 universities from around the world; 201 attendees including 45 postgrad students; 16 keynote speakers presenting in 13 plenary sessions, and 94 individual sessions in which two or four papers were presented.

We also hosted 4 publication prizes including the Penny Pether Prize, 4 book launches, 6 artists in conference, and the 2019 *Greta Bird Lecture in Legal Theory and Critique*.

A special thanks to lead conference organiser, Dr Alessandro Pelizzon, who put together an amazing and unforgettable program that well and truly put the SLJ on the Law & Society and Law & Humanities maps.

The conference website will continue to be available at sljresearch.net.au/lawinendtimes.

Pictured at right are the conference organising committee members from L-R: Associate Professor John Page, Dr Alessandro Pelizzon, and Professor William MacNeil at the LSAANZ conference opening.







Conference lead organiser Dr Alessandro Pelizzon and SLJ Dean of Law and Head of School, Professor William MacNeil.



LSAANZ President, Dr Trish Luker, UTS.



Professor William MacNeil toasting the launch of *Pólemos: Journal of Law, Literature and Culture*.



Conference attendees including LLHAA President, Dr Timothy Peters, University of the Sunshine Coast (centre).

Book Launches

Towards a Theatrical Jurisprudence (Routledge, 2019), Dr Marett Leiboff, University of Wollongong

Law, Fiction and Activism in a Time of Climate Change (Routledge, 2019), Associate Professor Nicole Rogers, Southern Cross University

The Constitution of the Environmental Emergency (Hart Publishing, 2018), Dr Jocelyn Stacey, Peter A. Allard School of Law, University of British Columbia

Indigenous Water Rights in Law and Regulation: Lessons from Comparative Experience (Cambridge University Press, 2019), Dr Elizabeth Macpherson, University of Canterbury

Publication Prizes

Law, Literature and the Humanities Association of Australasia Penny Pether Prize: lawlithum.org.au/penny-pether-prize

Law and Society Association of Australia and New Zealand Annual Publication Awards

Book Prize award

Law and the Dead: Technology, Relations and Institutions (Routledge, 2019)

Author: Dr Marc Trabsky, La Trobe University

Published scholarly article or book chapter Award

"Of protest, the commons, and customary rights: an ancient tale of the lawful forest" (2019) 42(1) *University of NSW Law Journal* 26-59.

Authors: Dr Cristy Clark and Associate Professor John Page, Southern Cross University

Early Career Researcher Award

Place-based income management legislation: impacts on food security (2018) 20(1) *Flinders Law Journal* 1-54.

Author: Dr Liesel Spencer, Western Sydney University

Public Lectures

The Andrew Rogers Lecture in Private Law and Legal Practice

The Inaugural Andrew Rogers Lecture in Private Law and Legal Practice was launched at the Fountain Room, Lismore City Hall on 2 May 2019. The new lecture series, named in honour of the Hon. Andrew Rogers QC, former NSW Supreme Court judge and first Chancellor of Southern Cross University, focuses on the jurisprudence of the private law, and the academy's relationships with the legal profession.

The Hon. François Kunc, SC, Justice of the NSW Supreme Court, Equity Division, launched the series with aplomb. His paper, 'Courage as a Legal Virtue' explored how, across history and geography, members of the judiciary have, at critical junctures, taken moral stands against prevailing political orthodoxy. The Hon. Justice Kunc is amongst other distinguished roles, the General Editor of the *Australian Law Journal*, and a director of the Opera Australia Capital Fund.

The Hon. Andrew Rogers QC was a Judge of the Supreme Court of New South Wales from 1979 to 1993. From 1987 to 1992, he was the Chief Judge of the Court's commercial division, in which role he introduced innovative procedural changes in the conduct of commercial cases. One of his best-known judgments concerns the piercing of the corporate veil in a case involving an indigenous man who had contracted asbestosis while working for a subsidiary of James Hardie Pty Ltd: *Briggs v James Hardie & Co Pty Ltd* (1989) 16 NSWLR 549, 567 (Rogers AJA). From 1992, he oversaw the establishment of the School of Law and Justice at Southern Cross University (then University of New England - Northern Rivers), in his role as chair of the University's Law Advisory Committee. In 1995, Mr Rogers was installed as the first Chancellor of the newly formed Southern Cross University by the Governor of New South Wales, a position he held from 1995 to 1997.



L-R: Associate Professor Nicole Rogers, SCU Vice Chancellor and President Professor Adam Shoemaker, former NSW Senator Helen Coonan, The Hon. Andrew Rogers QC, The Hon François Kunc SC, and Professor William MacNeil, Dean and Head of the School of Law and Justice.

The Greta Bird Lecture in Legal Theory and Critique

The 2019 lecture (the third in this Series) was held in conjunction with the LSAANZ Law in End Times Conference at the Gold Coast campus in early December. Our speaker was the noted South African legal philosopher Professor Karin van Marle from the University of the Free State in Bloemfontein, (pictured). Karin's research engages with the crisis of modernity and a rethinking of the law along the lines of fragility, finitude and a giving up of 'certitudes'.

In front of a large and appreciative audience, Karen spoke to the topic "Thoughts on a jurisprudence of doubt". By viewing the South African Constitution as a living document, the Lecture focused on the concept of 'resistability', a theory that could keep potential for politics, community and open worldmaking.



L-R: Professor Karin van Marle speaks with Dr Alessandro Pelizzon.

This lecture series is named in honour of Adjunct Professor Greta Bird who is a founding member of the SLJ, and scholar in the fields of multiculturalism and the law, Indigenous studies, law and society, feminist critique, and law and society.

Research Seminar Series

Now in its 3rd year, the SLJ's Research Seminar Series invites leading scholars from Australia and overseas to present their current scholarship, as well as showcasing our own distinguished researchers. In 2019, the Series featured key environmental, theoretical, and critical property themes.

In September, the Matthews Flinders Distinguished Professor of Law at Flinders University, South Australia, **Professor Margaret Davies** gave a world premiere of her latest work 'Eco-legality, or Putting Nature into Natural Law'. Margaret, the author of five monographs, six edited books, numerous journal articles/book chapters, and the recipient of four ARC grants, is a global thought leader in critical legal theory, feminist jurisprudence, legal pluralism, and the philosophy of property.



Margaret also joined us afterwards at the School's Town vs Gown' croquet match at the historic Lismore Croquet Club (pictured above with Professor William MacNeil).

In August, UNSW's **Associate Professor Amelia Thorpe** gave a fascinating paper on 'Parking Day', a global social movement where inner-city residents transform neighbourhood parking spaces into temporary green spaces – all for the cost of several hours of a paid parking meter. Amelia is an architect, planner and lawyer. Her research explores the governance of cities, from the writ small - the deeply contextual fabric of DIY urbanism and the imaginings of property theory - to the writ large, of institutional frameworks for decision-making in city planning and development.



Associate Professor Amelia Thorpe, UNSW.

In June, **Professor Afshin Akhtar-Khavari** from the Faculty of Law at QUT, explored the social life of plants and trees as the basis for a new theory of ecological recovery law.

In November, UNSW's **Professor Brendan Edgeworth** analysed the 2019 High Court decision of *Northern Territory v Griffiths*. Arguably the court's most important native title pronouncement since *Wik Peoples v Queensland*, *Griffiths* established for the first time clear criteria for quantifying the compensation payable where native title is subject to "loss, diminution, impairment or other effects".

And in October, the cutting edge and provocative ethos of this Series was highlighted with **Associate Professor Kate Galloway's** paper, 'Our Data Ourselves: A Case Study of Spem.' Kate is one of Australia's leading scholars in property law, native title and legal education.



More than 40 people attended Dr Alessandro Pelizzon's seminar in March 2019 (pictured above). "Neither natural nor posited: a contemporary journey towards an Ecological Jurisprudence".

2019 Speakers and their topics:

Dr Alessandro Pelizzon, School of Law and Justice, Southern Cross University. "Neither natural nor posited: a contemporary journey towards an Ecological Jurisprudence".

Professor Afshin Akhtar-Khavari, Faculty of Law, QUT. "The Social Life of Plants and Trees and Ecological Recovery Law".

Dr Edwin Bikundo, Senior Lecturer, Griffith Law School, Griffith University. "Enslavement as a Crime against Humanity: Some Doctrinal, Historical and Theoretical Considerations".

Associate Professor Amelia Thorpe, Faculty of Law, University of NSW. "Pop-Up Property: Enacting Ownership from San Francisco to Sydney".

Professor Margaret Davies, Matthews Flinders Distinguished Professor of Law, Flinders University. "Eco-legality or, Putting Nature into Natural Law".

Associate Professor Kate Galloway, Faculty of Law, Bond University. "Our Data Ourselves: A Case Study of Spem".

Professor Brendan Edgeworth, Faculty of Law, University of NSW. "Economic Value, Surplus Value, Cultural Value: Native Title after *Northern Territory v Griffiths* [2019] HCA 7".

Research Highlights

Associate Professor Nicole Rogers

August 2019 saw the publication of Nicole's scholarly monograph *Law, Fiction and Activism in a Time of Climate Change* (Routledge). Widely acclaimed, this highly topical book has now been shortlisted for the prestigious UK Socio-Legal Studies Association Book Prize for 2020.

In the words of the SLJ's Distinguished Visitor, Professor Bernhard Schlink:

I learned a lot from it [Law, Fiction and Activism in a Time of Climate Change], and enjoyed it very much. Being of a generation that smoked innocently, celebrated nuclear energy, admired the romanticism of industrial landscapes with smoking chimneys, and seeing the Club of Rome's prophecies fail, I didn't find my way easily into taking the threats of climate change seriously. Even now I see that the young generation has an emotional response to climate change that I lack; I understand the necessity of fighting climate change with my mind, not with my heart. And precisely because of that I enjoyed your book. The way it blends legal discourse, reflexions on fiction and reporting on activism, has spoken to me in a way other books on climate change hadn't. The way it blends was also a good experience, because the generation I come from learned not to mix genres, and your book shows how well it can work.

Assoc. Professor Rogers is pictured above at the official launch of her book at the Law in End Times conferences in December.

Other recent publications by Nicole include book chapters, Brendan Mackey and Nicole Rogers, 'Promising the Earth: the need for Engelian Covenant-making in the Anthropocene' in *The Crisis in Global Ethics and the Future of Global Governance* (Edward Elgar, 2019); and Nicole Rogers, Greta Bird, Jo Bird and Michelle Maloney, 'Re-imagining the Common Law: the Wild Law Judgment Project and Rights of Nature and People's Tribunals' in *Representations and Rights of the Environment: Conceptual Foundations* (Cambridge University Press, in press).



Journal articles in the pipeline include 'Climate Activism and the Extraordinary Emergency Defence', in the March 2020 issue of the *Australian Law Journal*, and an invitation to contribute an article to a 2020 special issue of the *Journal of Human Rights and the Environment*, on 'From Student Strikes to the Extinction Rebellion'.

Nicole's research into the use of Queensland's 'extraordinary emergency' defence for climate activists was used in a May 2019 trial, where she played an advisory role and appeared as an expert witness. And again in October, Nicole advised the legal defence team in the trials of four Extinction Rebellion activists. This attracted national and international media attention with articles appearing in Al Jazeera ([aljazeera.com/news/2019/12/australia-state-governments-tough-climate-protesters-191216040814607.html](https://www.aljazeera.com/news/2019/12/australia-state-governments-tough-climate-protesters-191216040814607.html)), an ABC podcast ([abc.net.au/radio/programs/the-signal/the-extraordinary-emergency-defence/11468976](https://www.abc.net.au/radio/programs/the-signal/the-extraordinary-emergency-defence/11468976)), an interview on Melbourne radio 3AW, and articles appearing on the Sydney Defence Lawyers website, and in the Green Left Weekly ([sydneycriminallawyers.com.au/blog/extraordinary-emergency-justifies-breaking-the-law](https://www.sydneycriminallawyers.com.au/blog/extraordinary-emergency-justifies-breaking-the-law)) and ([greenleft.org.au/content/extinction-rebellion-activists-climate-crisis-extraordinary-emergency-warrants-breaking](https://www.greenleft.org.au/content/extinction-rebellion-activists-climate-crisis-extraordinary-emergency-warrants-breaking)).

Other speaker engagements in a busy 2019 calendar included Melbourne Law School, QUT, an Australian Conservation Foundation community forum at the Gold Coast, a NSW Environmental Defenders Office panel session at the Environmental and Planning Law Association in Sydney, and giving evidence before the Senate Environment and Communications Committee Inquiry into the Faunal Extinction Crisis in Tasmania.



Research Highlights

Professor William MacNeil

As a global thought-leader in law, literature and the humanities, our Dean of Law and Head of School is a key figure in the School's research culture. His scholarly outputs in 2019 included:

Journal articles

- » 'Boundary, Crossing, Pathway: Margaret Davies' Province of Jurisprudence Un-Determined', Book Symposium on Margaret Davies' *Law UnLimited: Materialism, Pluralism and Legal Theory* (2018) 43 *Australian Journal of Legal Philosophy*, 135-140.
- » 'Lacanian ink and leather "down under": Queensland's "bikie" legislation and its crimes of fashion' (2017 26(4), *Griffith Law Review*, 615-631, published on-line, January 2019 and in print March 2019.

Book chapters

- » 'Promethean Longing: Ridley Scott's Speculative Legalism', in *Law and the Humanities: Cultural Perspectives*, C. Battisti and S. Fiorato (eds), (DeGruyter, Berlin, 2019), 523-36.
- » 'The Litigating Dead: Zombie Jurisprudence in The Walking Dead, World War Z and The Rising', in *Law and the New Media: West of Everything*, C. Delage, P. Goodrich & M. Wan (eds), (EUP, Edinburgh, 2019) 138-155.

Edited volumes

- » Series Editor, Edinburgh Critical Studies in Law, Literature and Humanities: K.I. Baxter, *Imagined States: Law and Literature in Nigeria* (Edinburgh: EUP, 2019).
- » Series Editor, Edinburgh Critical Studies in Law, Literature and Humanities: J. Gaakeer, *Judging from Experience: Law, Praxis, Humanities* (Edinburgh: EUP, 2019).

Bill has four journal articles in progress, together with a new monograph, *Speculative Legalism: The Philosophy of Law in Horror, Science Fiction and Fantasy*.



Professor Bee Chen Goh

Professor Goh's 2019 research calendar included:

March: Submitted the final seed grant funding report, 'Food Security in China' to the Centre for Organics Research at SCU.

May: Convened the visit of Justice Francois Kunc, Supreme Court of NSW, as part of the SLJ's Judge-in-Residence Program.

August: Published a book chapter, 'Forewarned is Forearmed: Sino-Western Negotiation Pitfalls and Tactics' in *Negotiation Essentials for Lawyers* (American Bar Association).

October: Publication of the co-edited book *Scholarship, Practice and Education in Comparative Law: A Festschrift in Honour of Mary Hiscock* (Springer), together with two book chapters, 'An Idea for a Better World: Human Rightsponsibility', and a joint chapter with John Farrar on 'Introduction: Comparative Dimensions of Law in Context'.



October: Commenced Visiting Professorship at the Faculty of Law, Chiang Mai University, Thailand that explored future research collaboration on ADR, Organics, and Social Justice issues, plus fostering collaborative relations with the National Economics University in Hanoi, and discussions with Peking University School of Transnational Law. The Visiting Professorship also included the presentation of the paper, 'Negotiating in the Asian Century' at the 1st International Conference on 'Law, Legality and Legitimacy in Asia, Faculty of Law, Chiang Mai University on 1 November.

December: Submitted Organics Manuscript (co-edited with Dr Rohan Price) to Springer.

Research Highlights

Associate Professor Jennifer Nielsen



Jennifer is a scholar of critical race and whiteness theory. Her research reflects her commitment to social justice and inclusion especially for rural communities.

As the SLJ's Deputy Dean (Teaching and Learning) Jennifer's research outputs in 2019 included:

January: Publication of book chapter, 'The Problem with Research', in Dorota Gozdecka and Anne Macduff (eds), *Feminism, Postfeminism and Legal Theory: Beyond the Gendered Subject* (Routledge, 2019).

February: Invited to present paper to the Indigenous Judgments Project workshop, Faculty of Law, University of Queensland, "Bringing Indigenous Voices into Judicial Decision Making: *Commissioner of Corrective Services v Aldridge* (No. 2) [2002] NSWADTAP 6 (25 March 2002)"

June: Chair of Conference Organising Committee, Australasian Legal Academics Association, Southern Cross University, Gold Coast.

August: Paper presented to the 2019 National Indigenous Legal Conference, 'Moving Beyond Indigenous Deficit in the Model Admission Rules for Legal Practitioners' with Marcelle Burns, Charles Darwin University, Darwin.

November: PhD graduation of Dr Kirste Pavlovic (as Principal Supervisor).

Associate Professor John Page



The School's Deputy Dean (Research) had a busy year of collaborations and quality publications in 2019 – that began with the publication of 'Property, Values and the Empirics of Place' in the *Griffith Law Review*, a critical property/legal geographic critique of three very different communities in the Northern Rivers.

In March, the co-authored article, 'Of protest, the commons, and customary public rights: an ancient tale of the lawful forest' appeared in the *UNSW Law Journal*, written with former SLJ colleague, Dr. Cristy Clark.

In April, another SLJ collaboration, 'Can You hear the rivers sing' (Clark, Emmanouil, Page & Pelizzon), appeared in *Ecology Law Quarterly*, widely regarded as in the top 5 of US environmental law reviews.

In May, John signed a book contract with Routledge for his second monograph 'Property and the Public Realm: owning, belonging, connecting' - due out in late 2020/early 2021. Also in May, John was appointed an Editor at the *Journal of Law, Property & Society* (Fordham Law School, New York), and along with Dr. Clark, finalised the last volume 19 of the *Southern Cross University Law Review*. To finish the month off, John was awarded a travelling scholarship to visit the archives of the Communal Studies Center in Indiana, slated for May 2020.

The year ended with the news, announced at LSAANZ's Law in End Times conference in December, that the jointly authored article 'The Lawful Forest' (Clark & Page) won the LSAANZ Journal Publication Prize for Outstanding Scholarship in the field of law and society.

THE CONVERSATION

Mr Aidan Ricketts, Associate Professor John Page and Associate Professor Nicole Rogers all had articles appear in The Conversation in the latter part of 2019.

From activists using the climate emergency as a new legal defence [theconversation.com/activists-are-using-the-climate-emergency-as-a-new-legal-defence-to-justify-law-breaking-122949], to lock-on devices as a symbol of

non-violent protest [theconversation.com/lock-on-devices-are-a-symbol-of-non-violent-protest-but-they-might-soon-be-banned-in-queensland-122472] and ending with the need to protect public spaces [theconversation.com/explainer-what-is-public-space-and-why-does-it-need-protecting-121692], the SLJ has well and truly matched journalistic style with academic rigor in 2019.

Research Highlights

Dr Rohan Price



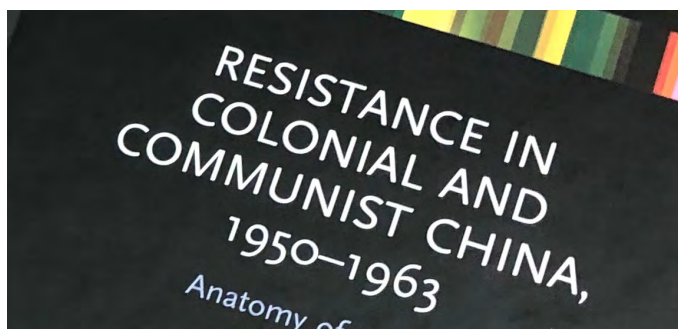
Adopted by the reference collections of Stanford, Princeton, the Library of Congress, the CIA and the School of Oriental and African Studies, London, Rohan's international standing continues to grow.

Highlights include:

August: published *Violence and Emancipation in Colonial Ideology* with City University Press (HK) which continues his exploration of colonial compensation systems and the timing of decolonisation.

December: Submitted Organics Manuscript (co-edited with Professor Bee Chen Goh) to Springer.

January: published *Resistance in Colonial and Communist China (1950-1963)* with Routledge.



Dr Alessandro Pelizzon



Alessandro's global reputation in Ecological Jurisprudence and his role as a founding member of the Global Alliance for the Rights of Nature, was recognised with the prestigious honour of chairing the 'Harmony with Nature' panel at the United Nations General Assembly in New York in April (pictured below, left). The panel is an annual dialogue between the General

Assembly, members of the judiciary, government leaders, academics and activists from across the world.

Alessandro has also led exciting cross-institutional collaborations and colloquia: the Ecological Justice Colloquia, and the Martuwarra Project. The latter is a collaboration with academics at Melbourne University, QUT, University of Canterbury NZ, and the University of Canberra, along with SCU colleagues and the Fitzroy River Land Council - exploring the implications of environmental personhood for the Martuwarra (Fitzroy River, WA).

Other scholarly research-related achievements for the year include:

February: Invited speaker, 'The Law is the Land' symposium, Sydney Environment Institute, University of Sydney.

March: Publication of the co-authored journal article (Clark, Emmanouil, Page & Pelizzon), 'Can you hear the rivers sing: legal personhood, ontology, and the nitty-gritty of governance' (2019) 45 *Ecology Law Quarterly* 787.

June: Conference presentation, 'The intergenerational force and culture of things', Instituto de Sociologia Juridica, Onati, Spain.

July: Publication of the journal article (with J Kennedy), 'Welcome to Country and Acknowledgement of Country: (Re)Conciliatory Protest' (2019) 7(1) *Contention* 13.

August: with Associate Professor John Page, 'The river and the law', Inter-disciplinary Rivers Symposium, Southern Cross University, Lismore.

December: Chair of Conference Organising Committee – Law in End Times conferences, Association of Law, Literature & the Humanities, and LSAANZ, Southern Cross University, Gold Coast.

A book chapter written with Dr Erin O'Donnell has also been accepted for publication in 2020.

Research Highlights

Dr Evgeny Guglyvatyy



Evgeny is a scholar of environmental taxation, forest policy, climate change law and commercial law. His research outputs in 2019 included:

May: Conference presentation – ‘Land clearing and deforestation: assessing the effectiveness of Qld’s VMA’ – Asian Conference on Sustainability, Energy and

the Environment, Tokyo, Japan.

Journal article: Cassandra Pickering and Evgeny Guglyvatyy, ‘Negative Impact of Land Clearing and Deforestation on the Great Barrier Reef: Assessing the Effectiveness of Queensland’s Vegetation Management Act 1999 (Qld)’ (2019) 3 *Carbon and Climate Law Review* 1.

Guglyvatyy, Evgeny, (2019), Failing to See the Wood for the Trees? A Critical Analysis of Australia’s Tax Provisions for Land and Forest Conservation, Austaxpolicy: Tax and Transfer Policy Blog, 19 February 2019 (at austaxpolicy.com/critical-analysis-australias-tax-provisions-land-forest-conservation).

Evgeny has a further journal article, ‘GST treatment of electronic commerce: Comparing the Singaporean and Australian approaches’, currently under review, along with a grant proposal with the CPA, the accounting profession’s peak industry body for the project, ‘Cryptocurrencies in Australia, Singapore, China and Hong Kong: Preventing double taxation and non-taxation’.

Mr Aidan Ricketts



Aidan enjoys a high-profile national reputation as climate activist, social movement organiser, advocate and scholar. Invitations to conferences, keynote presentations, guest lectures, together with traditional scholarly outputs are listed below:

February: Invited panelist, Ngara Institute Lismore

Politics in Pub: ‘Compassion and Politics’.

July: Presented a paper at the Australian Law Academics Association Conference entitled: ‘Framing the law question, the history of law in Australia’, which critically examined the treatment of prior Indigenous occupation and legal systems in first year law textbooks.

September: Invited guest lecture to international US students as part of SIT program.

October: Guest speaker at “Reforming our drug laws” event hosted by Ballina MP Tamara Smith and NSW MLC Cate Faehrmann.

December: Chaired the Opening Plenary Panel, ‘Climate emergency and the problem of democracy’, and presented the paper “Disruptive protest the climate emergency and anti-protest laws in Australia” at the LSAANZ conference.

In the pipeline, Aidan has had the journal article, ‘We have the right to be arrested: The power of police liaison at the Bentley blockade’, accepted for publication in *Journal of Australian Studies* for 2020 and he will speak as an invited keynote and panelist at the 2020 Newkind conference in Tasmania.

Scholarship of Teaching and Learning Reading Group

In 2019, the School’s Scholarship of Teaching and Learning Reading Group spread its wings and embarked into writing and conference presentations. The Group’s paper, ‘Student evaluations: pedagogical tools, or weapons of choice?’ was presented at the ALAA Conference held at the Gold Coast in July, and has now been submitted to the *Legal Education Review*.

The group meets monthly in the Lismore boardroom to read, discuss and critique the scholarship of legal education.

Law and the Humanities Artists in Residence

In May and August, visiting Law and Humanities Artist in residence **John Reid** engaged with students, staff and members of the public as he worked on his extraordinary, Amnesty-themed, collaged murals in the public space outside the School of Law and Justice at the Gold Coast campus.

The subject of John's artwork is political or enforced disappearances. This work was initiated in 1982 in response to Amnesty International's 'Disappearance Campaign', triggered by the criminal political climate in Central and South America; and the Australian government's relationship with Indonesia and policy on East Timor.

The intent of the artwork is to appeal for ethical vigilance against Australian government foreign policies that are fuelled by greed. The conceptual relationship between the artwork's focus on economic exploitation and its medium of money serves to visually dramatise the intent; and to attract scrutiny of it by the State and subsequently the media. From 1984 to 1987, the artwork was legally contested which enhanced the impact of the work.

'Untitled' is a process artwork. Its exhibition is performative and, in addition to the presentation of the collage, includes the creative procedures of its production in the gallery space. During his visit, he was interviewed by Channel 9, with the footage attracting over 150,000 views on their website.



Law and Humanities Artist in Residence with his work, 'Untitled (Collage of Australian banknotes)', Detail, 1982 –.



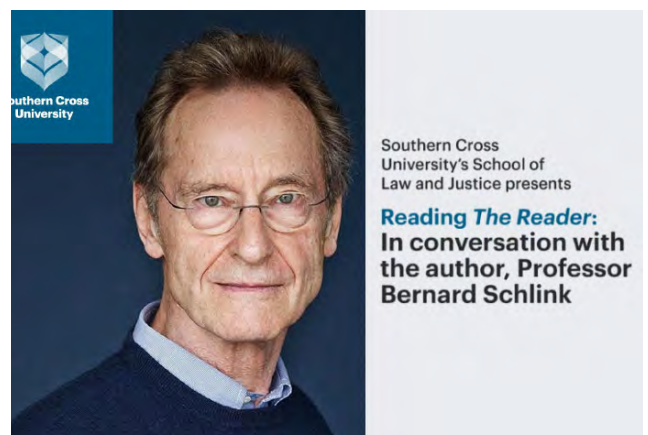
Fleur Kilpatrick, an award-winning playwright and director, visited the SLJ during August and spoke about her play 'Whale'.

Fleur's work is a response to the climate crisis. She says, *"In a rising ocean of dire facts, there is an urgent need for performative fiction about our present that confronts climate crisis with irreverence, humour and absurdity. To write about climate change in a way that empowers audiences and inspires action is to find a balance between hope and despair: too much or too little of either can paralyse."*

In reference to her play "Whale", Fleur explains, *"Through the lens of the 2017 Max Award-winning play, Whale, I argue for making entertainment out of something as dire as climate emergency. My work uses comedic tactics and absurdist structures to examine Australia's relationship with nature and our global responsibility from new narrative viewpoints. Whale embraces this moment in time, in its banality, silliness, humour and terror. In a rising ocean of dire facts, there is an urgent need for performative fiction about our present that confronts climate crisis with irreverence, humour and absurdity. To write about climate change in a way that empowers audiences and inspires action is to find a balance between hope and despair: too much or too little of either can paralyse."*

Distinguished European novelist and short story writer, **Professor Bernhard Schlink** is best known for his international bestseller, *The Reader*, which became an Oscar-winning film starring Kate Winslet and Ralph Fiennes.

As the School of Law & Justice's Law and the Humanities Artist in Residence, Professor Schlink treated a packed house at the Lismore Regional Gallery to a short reading from his novel, *The Reader*, followed by a discussion of the novel and its themes of desire, memory and guilt with Professor William MacNeil, Dean of Law and Head of School of the School of Law & Justice, in November 2019.



Higher Degrees Student Update

In 2019, our HDR students celebrated an array of doctoral study success. From graduations - **Dr Kirste Pavlovic** for her thesis 'Taking Exception to the Rule: A Poststructural Analysis of Legitimacy in Fiji's New Legal Order', to confirmations, **Emma Babbage** 'Wellbeing, Work and Law', **Tran Nguyen**, 'Corporate Personality in Vietnamese Law: A Comparative Approach', and **Jonathan Harlen**, 'The Law of the Serpent: Te Nakahi, and the Re-Storying of Sovereignty in Aotearoa/New Zealand. As well, **James Moylan** satisfactorily passed his In-candidature review ('A semiotic interrogation of "the history" of the law and economics movement').



Ms Emma Babbage

Emma (above, at ALAA and LSAANZ) and Tran (right, at the Asian Conference on Business and Economic Studies), gave presentations to scholarly conferences in Australia and Vietnam respectively. Tran had six papers published in the Vietnamese-



Mr Tran Nguyen

language business monthly, *The Saigon Times*, while Emma has submitted a journal article - currently under review with the *Journal of ALAA*.

Emma also represented the SLJ in the annual 3MT competition and performed splendidly!

And last but not least, **Kay Danes**, ('Professionalisation: A qualitative inquiry of the Australian Humanitarian Sector') attended the 2019 Asian Pacific Leadership Conference in Melbourne.

Congratulations to all our HDR students for all their hard work, and with special congratulations to **Dr Kirste Pavlovic** and her SLJ Principal Supervisor, Associate Professor Jennifer Nielsen, pictured below with SLJ Dean of Law and Head of School, Professor William MacNeil.



New Law Journals added to the SLJ 'Portfolio'

'Pólemos: Journal of Law, Literature and Culture'

In February 2019, Dean of Law and Head of the School of Law and Justice Professor William MacNeil, along with Associate Professor John Page, travelled to Berlin to meet with DeGruyter, the Berlin-based publisher of the journal 'Pólemos', to cement a collaboration with the University of Verona to sponsor this internationally known peer-refereed journal.

Professor MacNeil said "it is an exciting opportunity for the SLJ to position itself internationally as a leading centre for law, literature and humanities scholarship."



L-R (from front): Prof William MacNeil (SLJ), Manuela Gerlof (de Gruyter), Associate Prof John Page (SLJ), Sidia Fiorato (de Gruyter), Lydia White (de Gruyter), Stella Diedrich (de Gruyter), and Prof Dr Daniela Carpi (Managing Editor of the journal Pólemos), in Berlin in February.

"The journal 'Pólemos: Journal of Law, Literature and Culture' is now sponsored by the SLJ with co-Managing Editors, myself as Dean of Law and Head of School Professor, and Professor Daniela Carpi (English, UVerona)," Professor MacNeil said.

Pólemos' appears twice per year, and is an internationally peer-refereed journal devoted to the interdisciplinary study of law and culture, broadly construed, including (but not limited to), law and literature, law and film, law and performance, law and art, law and language, law and popular culture, legal and literary history, literary/cultural theory and critical jurisprudence.

It's next volume, the first for 2021, will be themed 'Juris Apocalypse Now! Law in End Times' and will seek submissions around the 2019 LLHAA and LSAANZ conferences.

Legalities: The Australian and New Zealand Journal of Law and Society

Meanwhile, the SLJ is close to finalising a publishing contract with a major international publishing house to publish Legalities in late 2020, the official journal of the Law & Society Association of Australia and New Zealand, and the only dedicated socio-legal journal in the Antipodes.

Legalities will be the successor to the long-running Southern Cross University Law Review, first published in 1997, with its final Volume, #19, appearing in February 2019.





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