Dissents and Dispositions

Conference of the Law, Literature and Humanities Association of Australasia

City of Melbourne: La Trobe Law School and Melbourne Law School

Tom Nicholson, "Towards a Monument to Batman's Treaty" (2013)

101 A0 printed sheets, pasted to the wall of the museum, and 3,520 bricks collected from citizens in and around Healesville. Exh.: Future memorials, TarraWarra Museum of Art, 19 October 2013 – 9 February 2014. Photograph Christian Capurro. Courtesy of the artist and Milani Gallery

Abstracts

Arranged by author surname, in alphabetical order
(This document is available online at http://lawlithum.org/conferences/)

LA TROBE UNIVERSITY

THE UNIVERSITY OF MELBOURNE

Melbourne Law School

ALTMAN, Jon

Jon Altman is a research professor at the Alfred Deakin Institute for Citizenship and Globalisation at Deakin University and an emeritus professor at the School of Regulation and Global Governance at the ANU. He has an academic background in economics and anthropology and was the Director of the Centre for Aboriginal Economic Policy at ANU 1990–2010.

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Invasion by human and non-human species onto Aboriginal country and the right to proper compensation

In my expert evidence in the Timber Creek compensation case (Griffiths v NT of Australia FCA 900) I looked to build an argument for how loss of lifeways, including hunting, fishing and gathering for food, could be monetarily compensated. Mansfield J in his judgment did not find my argument that loss of non-market livelihood possibilities required compensation particularly helpful in his determination.

This rejection has reignited my long-term interest in the question of compensation in cases where Indigenous peoples have successfully claimed land or native title rights, but subsequently found that the condition of their environmental and cultural assets is vastly degraded.

In this paper I want to explore this issue, drawing on research I have undertaken with Kuninjku- people in western Arnhem Land since 1979. Today it is striking that the range of resources available on Kuninjku land is dramatically reduced, owing to the impacts of invasive species, but also that these losses are impacting on dietary intake, social wellbeing and ceremonial life.

While the Indigenous Protected Areas and Working on Country programs and the Emissions Reduction Fund provide some financial assistance to manage threats, these are treated as forms of market transaction and government subsidy. There is currently no legal, political or policy recognition that such support is compensatory. Nor are the terms of transaction designed to adequately assess loss and costs of restoration. Thinking towards the next frontier of legislative or constitutional recognition, what legal mechanisms might be mobilised in support of compensation for Aboriginal land owners to assist the restoration and/or maintenance of their degraded lands?

ANDREWS, Tom

Tom is finishing a PhD that looks at the emergence of criminal procedure in the eighteenth and nineteenth centuries. This work re-appraises criminal procedure by seeking to locate its reforms in a broader economic, urban and imperial context of governing populations and things. He also writes on the politics of road cycling, as well as on photography.

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Bentham's Dispossessions: A Vignette On Loss and the Emergence of Criminal Procedure

At first gloss, disposition and dissent seem to be themselves problems of human conduct to be governed by procedure. After all, contemporary or modernist claims of procedure involve structuring particular understandings of conduct that are designed to insulate professionalism and legal practice from the vagaries of personality or whim and structure the modes of dissent. Significant moments in the reform of procedure offer an optics through which to see fissures in the ascetic and political demands asked of procedure in the shaping of conduct.

This paper delves into an example from my doctoral research into the emergence of the procedural form of law. 1802 was an annus horribilis in the life of Jeremy Bentham. The panopticon prison reform had been formally rejected by the Home Office. His polemical essays against the colonial situation in New South Wales saw is concerns about the propriety of penal transportation fall deafly. Seeking repose, his response to the heartbreak of dealing with the rejection of over a decade and a half's labours in favour of penal transportation, he writes a now obscure book on procedure. In Bentham's understanding, procedure provides a hitching of the operation of ends to their means as a sort of rationality for and of administration in pursuit of legitimate, "rational", ends. The paper offers a description of Bentham's important intervention in procedural governmentality that foreshadowed what form the administration of justice might take after the formal abolition of writs. A work of dissent, his procedure scholarship provides a template for isomorphic governance that we still live with.

BARDOLIA, Meleesha Meleesha Bardolia is a PhD candidate in English Literature at Macquarie University as part of the ARC-funded 'Transnational Coetzee' international project with supervision from Prof Elleke Boehemer (Oxford University), Associate Professor Paul Sheehan (Macquarie University) and Dr Lynda Ng (UWS). Meleesha completed her Masters of World Literatures in English from Oxford University in 2015 and her honours in English Literature from Melbourne University in 2012. Meleesha's work looks at the intersections between property law and postcolonial literature in South Africa and Australia. Her cross-cultural thesis looks at how post-Mabo and post-apartheid literature engage with the notion of 'rightful dwelling' in an attempt to interrogate the law's narrow definition of rightful ownership in post-restitution landscapes. Her paper will look at the relationship between literary texts and property law through an analysis of Disgrace' by J.M Coetzee and 'Remembering Babylon' by David Malouf.	**The Postcolonial Paradox of 'Rightful Dwelling' in selected works of post-Mabo and post-apartheid fiction** This paper will look at how post-Mabo and post-apartheid literature deals with the notion of 'rightful dwelling' in post-restitution legal landscapes. The politics of land rights law in Australia, and the problematic execution of land redistribution policies in South Africa, "pitch indigenous and non-indigenous histories of place, and relationships to country, into new kinds of conflict and dialogue" (Mullaney 4). As I will argue, following the implementation of restitution laws in both countries, one of the tensions haunting non-indigenous relationships to country in Australia and South Africa is the bifurcation between the right to own and the right to dwell. Post-Apartheid and Post-Mabo white writing, particularly the writing of David Malouf and J.M Coetzee, appear to be preoccupied with the vexed question of 'rightful dwelling' for postcolonial settler cultures questions of complicity, responsibility and restorative justice take centre stage. This paper will examine the ways in which both texts interact with the different impulses of property law in South Africa and Australia in their quest to articulate what meaningful reconciliation should entail in post-settler societies.
BARR, Olivia Dr. Olivia Barr is a Senior Lecturer at Melbourne Law School and a Managing Editor of the Australian Feminist Law Journal. She has previously worked in law reform, as a government solicitor, and for the United Nations Permanent Forum on Indigenous Issues. Olivia writes in jurisprudence, and her cross-disciplinary work engages with geography, anthropology, architecture and contemporary public art practices, as well as an increasing fascination with geology. She recently published A	**An opening pathway: public art is public law** Public art can be seen as a representation of prevailing political narratives, and there are increasing (and often justified) calls for the removal of monuments, objects and other artworks which commemorate dark legal histories. However, offered as a beginning discussion to the stream papers, this presentation aims to challenge and problematise the relationship between public art and public law, moving it beyond a conception of public art as representation or public law as governance or mere regulation. We question the question mark of our stream title 'Public Art, Public Law?' by

Jurisprudence of Movement: Common Law, Walking, Unsettling Place (Routledge, 2016). olivia.barr@unimelb.edu.au **PETERSEN, Laura** Laura Petersen is a PhD candidate at the Institute for International Law and the Humanities at Melbourne Law School. Her research is cross-disciplinary, combining approaches to jurisprudence and legal theory with literature and visual and public art. Laura's PhD project has the working title of 'Making Good Again? Practices of aesthetics and justice after the Holocaust'. She reads examples from legal and literary writing, and public and visual art as objects which can help us understand the dynamics of attempting Wiedergutmachung /'restitution' in Germany. She looks at the way writers/artists take on responsibilities regarding the aftermath of the Holocaust, articulating the modes of practice and reception undertaken by the texts. Laura's thesis argues that these sites of taking responsibility and undertaking attempts at restitution after the Holocaust are fragmented, tentative and unresolved, crossing disciplinary, generational and territorial borders. l.petersen@student.unimelb.edu.au	together offering some thoughts on their related vocabularies, methods and techniques. By way of example, Laura will talk about her work on the memorial landscape of Berlin. She will focus on the way public art has been used to remind residents of their everyday legal responsibilities in the 'Places of Remembrance' project. Olivia will talk about her current project on the cohabitation of public art and law stories. She will contemplate ways public artists in Australia are using city spaces to make visible, and potentially restore, the ongoing life of 'public' Aboriginal law. In so doing, our contention that public art is public law is an attempt to offer an opening pathway, which is one we hope might be crossed, re-routed, back-tracked or otherwise creatively explored.

BASKIN, Jeremy Jeremy Baskin is Senior Research Fellow at the Melbourne School of Government, University of Melbourne where he is working on a project examining the crisis of expertise and trust in experts. He has recently completed a thesis on imagining geoengineering. jeremybaskin2004@yahoo.co.uk	**The sound of extinction: affect and expertise in an age of risk management** The Christmas Island pipistrelle is a small species of bat endemic to that island. It was listed as 'endangered' in 2001, as 'critically endangered' in 2006, and became extinct in 2009. I trace the scientific expertise mobilised in an effort to alleviate this grim outcome, and share the recording of the last call of the last individual. I reflect on the feelings elicited by the recording in the context in which I heard it, and on extinction more broadly. From this, I will draw out the difficulties traditional expert forms of knowledge have with accommodating affect, and what might be at stake.
BEAUPERT, Fleur Fleur Beaupert is an independent researcher with a background in law and arts. She has worked as a lecturer in law, legal policy researcher and solicitor. Her research addresses mental health law and disability law and associated ethical and human rights issues. fbeaupert@gmail.com	**Silencing Prote(x)t: Disrupting the scripts of mental health (law)** The exercise of social control over individuals seen as disruptive through pathologisation and psychiatrisation ranges from the institutionalisation of political dissidents to the operation of psychiatric diagnostic processes in concert with systems of oppression (such as patriarchy, colonialism, racism, heterosexism and classism) to confine and constrain marginalised individuals. The Protest Psychosis: How Schizophrenia Became a Black Disease by Jonathan Metzl provides a compelling account of the politicised process by which black American men increasingly became recipients of diagnoses of schizophrenia during the civil rights movement. This paper reflects on the ongoing reconfiguration of dissent as mental 'illness' by mental health (law), from the standpoint of Mad studies. In particular, I argue that the legal 'diagnoses' made by mental health laws may codify micro-level acts of protest in everyday social and clinical encounters as symptoms or 'non-compliance', so as to render individual and collective dispositions intelligible almost solely through the mental health schema. I suggest that mental health (law) predisposes its subjects to sanist interpretations of their/our actions, attitudes and behaviour at an intrinsic

	level and that this prior positioning may then impact upon particular social groups in distinct and more intense ways, as evidenced, for example, by the racial biases inherent in clinical interactions uncovered by Metzl. My analysis explores the interplay of silence and text in the realms of mental health (law), juxtaposing its suppressing effect with the transformative potential of 'storying' disability and madness embraced by Eli Clare, Jennifer Poole and Jennifer Ward. I also consider how silence and acts of 'sly normality', a concept developed by China Mills, can make meaning in powerful ways alongside explicit textual resistance.
BERGELSON, Vera Vera Bergelson is a Professor of Law and Robert E. Knowlton Scholar at Rutgers University School of Law, USA. Vera Bergelson specializes in criminal law theory. She has written widely about consent, provocation, self-defense, necessity, duress, strict liability, and victimless crime. Her book *Victims' Rights and Victims' Wrongs: A Theory of Comparative Criminal Liability* (SUP 2009) raises questions about comparative liability in criminal law. Vera Bergelson has served as a chair of the Association of American Law Schools' Section on Jurisprudence. She is on the editorial boards of *BdeF* and *Edisofer* (Buenos Aires and Madrid) and *Law and Philosophy*. verber@law.rutgers.edu	**Does Fault Matter?** Public welfare strict liability offenses have been firmly established in American criminal law. Only a few weeks ago, the United States Supreme Court reaffirmed the existing law by denying certiorari in an important case, United States v. DeCoster, which challenged the permissibility of punishment in the absence of culpability. Traditionally, such punishment has been justified by the need to provide effective protection to public health and safety and by the relatively low price paid by the defendants who have "assumed the risk" by choosing to go into a highly regulated industry. This paper presents a dissenting view. It criticizes the current state of the law and demands its change. In my critique, I try to go beyond the orthodox debate for and against strict liability and confront certain moral and legal arguments that have not been explored before. Among those are the following: - Penalties for public welfare offenses are punishment only by name, thus traditional justifications for punishment are not needed;

	- Even if those penalties are punishment, punishing those who produce or threaten significant harm to others is not necessarily unjust; and - Even if such punishment is not entirely just, it is consistent with other widely accepted criminal law doctrines. Upon critically analyzing these arguments, I conclude that strict liability public welfare offenses are fundamentally unjust and, therefore, are both morally and politically unacceptable in a liberal society.
BIBER, Katherine Katherine Biber is a legal scholar, criminologist and historian in the Faculty of Law at the University of Technology Sydney. Her work examines laws of evidence, criminal procedure, visual culture and documentation. She is author of Captive Images: Race, Crime, Photography (Routledge, 2007) and is working on a new book titled In Crime's Archive: The afterlife of evidence (Routledge, forthcoming). She is co-editor of The Lindy Chamberlain Case: Nation, law, memory (ASP, 2009, with D. Staines and M. Arrow) and Evidence and the Archive (Routledge, 2007, with T. Luker). Her next project is a legal history of the outlaw, Jimmy Governor. katherine.biber@uts.edu.au	**Viewing the evidence: The Lindy Chamberlain Collection at the National Museum of Australia** Criminal evidence often survives beyond the conclusion of criminal proceedings. In its afterlife, criminal evidence is preserved in various locations; this paper explores the museum as a repository for evidentiary exhibits. It examines the case of Lindy Chamberlain, the victim of Australia's most notorious miscarriage of justice, and the evidence that has survived since her exoneration. It describes my experience of viewing the surviving evidence in the museum repository, including all of the clothing in which Azaria Chamberlain died. It also draws upon my interviews with Lindy Chamberlain, and also the curator of the Chamberlain collections at the National Museum of Australia. It seeks to understanding the significance of visuality in an evidentiary context, and also the manner in which visibility exceeds the probative.
BIKUNDO, Edwin Edwin Bikundo is a Senior Lecturer at the Griffith University School of Law. He has teaching and research interests in International and Comparative Law as well as Legal Theory. The most relevant recent aspect of this research is: Carl Schmitt	**The Use of Irony in Carl Schmitt's The Buribunks** Carl Schmitt the man of many ironies had already turned irony into an art form in one of his earliest works when he was barely 30 years old. Die Buribunken translated as 'The Buribunks' is a satirical work from Schmitt who is better known as a legal and political philosopher as well as

as a Subject and Object of International Criminal Law: Ethical Judgment in Extremis' published in The International Criminal Law Review (2016) pp 216-236. Before joining Griffith University he was a doctoral student and then a sessional member of the Law Faculty at the University of Sydney. Prior to that he studied at the University of Pune in India, Utrecht University in the Netherlands and at the Kenya School of Law. Edwin also practiced as an Advocate of the High Court of Kenya and taught at the Faculty of Law at the University of Nairobi and the Faculty of Arts at Egerton University in Kenya. e.bikundo@griffith.edu.au	constitutional and international law theorist than fiction author. A Buribunk – a word of Schmitt's coinage – keeps a compulsory diary compulsively. In Die Buribunken Schmitt satirizes 'a self-referential scholarly machinery in which everything and everyone is researched'. The 'realm of Buribunkerism' is an institution inspired by Schmitt's wartime bureaucratic experience in the Army General Command in Munich. The philosophical tenets of the Buribunks include 'I write, therefore I am'. A Buribunk is consequently his 'own master' through the continual process of self-archiving. The work crams references to such disparate themes as Goethe's Faust, the scientific method, reflexivity, technology, the world court and many others. Has the time come for legal scholars in the humanities to also give Carl Schmitt his due?
BIRRELL, Kathleen Dr Kathleen Birrell is a McKenzie Postdoctoral Fellow at Melbourne Law School. Her research is strongly interdisciplinary, encompassing critical legal theory, philosophy of law, and law and literature, as well as environmental and climate change law, human rights law, Indigenous peoples and the law, property law, and native title. Her postdoctoral project investigates intersections between the global imperatives of climate change governance, human rights, and the resistant narratives of Indigenous peoples. She completed a PhD (Law) at Birkbeck, University of London, and has taught at Birkbeck and The University of Melbourne. Her recently published book is entitled *Indigeneity: Before and Beyond the Law* (Routledge, 2016). kbirrell@unimelb.edu.au	**Narrating Climate Change: Resilient Subjects, Resistant Storytelling** The 'climate crisis', suggests Amitav Ghosh, 'is also a crisis of culture, and thus of the imagination.' Further, it is argued elsewhere, 'imagination is not external to … climate change … but actively produces it *as an event*.' The impending 'catastrophe' of climate change is conceived as global and local, present and future, its uncertainty rendering it both possible and impossible – in Derridean terms, as an event that 'punctures the horizon'. In this paper, I am concerned with literary and juridical narratives of climate change, imagined as an *event*, and the creation of global and local subjectivities, both resilient and resistant. I will examine the universalising imperatives of international climate change law and an associated 'ideal of resilience', and through a reading of Alexis Wright's novel, *The Swan Book*, I will reveal the resistant capacity of imaginative interventions and the role of literature as a strategy of rupture.

BLACK, C.F. Dr C.F. Black is a descendant of the Kombumerri/Munaljahlai clans of South East Queensland and received her doctorate from Griffith Law School. She is the author of two books published in the 'Discourses in Law' Series, Routledge: *A Mosaic of Indigenous Legal Thought: Legendary Tales and Other Writings and The Land is the Source of the Law: A Dialogic Encounter with an Indigenous Jurisprudence*. She has just spent the last six months completing her first fantasy novel about artificial intelligence. She has also been invited to be a guest editor for Tabula Rasa Academic Journal based in Colombia. This is part of an ongoing process to translate her works into Spanish for a South American Indigenous readership. The journal edition will become the topic of discussion for an international workshop at UC Davis, USA. Dr Black is now moving into a new area of research - spatialization. She has been invited to Germany to start to explore "Land Imaginations: The Repositioning of Farming, Productivity and Sovereignty in Australia". This will open her work to a German speaking audience. Her presentation at the LLHAA conference responds to an invitation by Peter Goodrich and Thanos Zartaloudis to contribute to an exploratory volume in which he calls upon artists, jurists, poets to 'imagine' new laws and myths. c.black@griffith.edu.au	**A Contribution to *A Cabinet of Imaginary Laws*** Greetings arrived from 'a desultory USA'. Peter Goodrich and Thanos Zartaloudis felt it was time for a volume that in its very content is an act of dissent in response to the Trumpian regime. The request responds to the conference question: how might dissents manifest or incite dispositions, including dispositions towards and within law, whether hopeful, nervous, antagonistic or anarchic? Goodrich's request is as follows: *I am intruding in the cause of soliciting a short piece for a volume that I am editing with the Greaco-British philosopher and gentleman of ease, Thanos Zartaloudis under the rubric A Cabinet of Imaginary Laws.* *The Cabinet aims to collect 'imaginary laws' from artists, jurists, scientists and poets inviting short contributions of up to 2000 words. The collection is open to a variety of genres of writing so do not feel constrained by the juristic style. It can be a story, a fairy tale, an imaginary legal document of a variety of forms, a fusion of styles and so forth.* My contribution is a prose that tells the tale of a dystopian Britain which calls up the bones of Merlin to find an answer, but is highjacked by the data bots of the AI Dreaming, which only an Indigenous law can respond to.
BOLTON, Rachel	**The disposition of law's categories: a history of protected tree proclamations in the NSW Government Gazette** Throughout New South Wales' legal history (and in current practice), various types of trees have been protected by law from being cleared.

Rachel Bolton is a PhD Candidate at the UTS: Faculty of Law. Her thesis investigates how law classifies nature, in the context of tree protection laws in New South Wales. rachel.bolton@student.uts.edu.au	Timber trees, riverside trees and native vegetation are all examples of law's categories of protected trees. Despite reflecting varied values about trees, these categories have one thing in common: all were given the force of law by the act of proclaiming. By writing these categories in the government gazette, the NSW governor proclaimed each of these categories as categories of law. In this paper, I trace a history of protected tree proclamations in the NSW gazette. The argument is that the disposition (the arrangement, tendency and character) of law's tree protection categories is influenced by the technologies of writing that underpin their proclamation. Up until the early 2000s, categories of tree protection were proclaimed by writing with ink on paper. Now, the government gazette is published online and the categories are proclaimed by writing with pixels displayed on an electronic screen. I therefore investigate the qualities of these two technologies, in relation to the work of writing proclamations, as devices that makes law's categories. Such analysis is useful because it offers a way of thinking about law's relationship with nature that is not premised on modern categories, such as environmental and property law, or private and public rights. Rather, this analysis leads to the understanding that the technologies of law matter, because these technologies stricture and structure the arrangement, tendency and character of the categories they make.
BOND, Catherine Dr Catherine Bond is a Senior Lecturer in the Faculty of Law, UNSW Sydney. She completed her PhD in Law at UNSW and became an academic member of the faculty in July 2009. Catherine teaches and researches in intellectual property law, with a focus on historical IP issues. She has published widely in leading Australian and international law journals, on issues ranging from Crown copyright to the introduction of a patent system in the Game of Thrones world of Westeros. Catherine's	**A Statement Worth £100: The High Price of Dissent in WWI Australia** While few areas of the Australian home front were left untouched by law over the course of World War I, one of the most insidious regulations introduced during this period regulated words spoken in dissent of Australia's involvement in that conflict. Pursuant to regulation 28 of the War Precautions Regulations 1915 (Cth), created under the infamous War Precautions Act 1914 (Cth), it was an offence to speak or publish words, or to 'spread reports or make statements' that could possibly 'prejudice the recruiting …of any of His Majesty's Forces.' Those who fell foul of this

first book, Anzac: The Landing, The Legend, The Law, which explores the hundred-year history of the regulation of the word 'Anzac' in Australia and internationally, was published by Australian Scholarly Publishing in 2016. catherine.bond@unsw.edu.au	provision faced significant fines or jailtime for speaking out – and the courts were willing to both interpret this regulation broadly and impose the maximum penalties available, generally £100 and periods of 3 or 6 months imprisonment. This paper maps the price of dissent in Australia across the course of World War I. It utilises records from the National Archives of Australia to examine specific examples of words spoken and printed in dissent during the war, and the legal consequences of those words. This paper further provides a case study on the experiences of one individual responsible for enforcing these laws: Detective Frederick Sickerdick, a Victorian police officer who appeared before the High Court of Australia in two matters involving dissenting speech and was responsible for the prosecution of many others. The research presented here reveals the high cost – literally and metaphorically – of dissent during this challenging period of Australian legal history.
BRAGDON, Thomas Thomas Bragdon (Leiden University Center for the Arts in Society) teaches Philosophy at the Royal Academy of Art in The Hague and is writing his PhD dissertation on political activist groups of undocumented refugees who protest against the rejection of their requests for asylum, such as We Are Here in the Netherlands, Freedom Movement in Germany and Sans Papiers in France, with a focus on human rights and democratic citizenship. The purpose of this research is to explore the idea of asylum as the one fundamental political right so that fundamental political terms such as "the people" and "human rights" attain new meaning, opening up alternative possibilities	**A monument for refugees** For several months since April 2017, posters of portraits of undocumented refugees have been pasted to walls, lampposts and electricity boxes in different parts of Amsterdam. These posters were part of the artwork titled A Paper Monument for the Paperless (by Domenique Himmelsbach de Vries). The portrayed refugees are members of We Are Here, a group of political dissenters protesting against the decision of the Dutch State to reject their requests for asylum. The word "monument" in the title is ironic. The collection of posters, secretively placarded in the night, pertains to everything but a monument: a heavy construction that re-structures the environing public space so that it suggests to stand at the center of the world, calling its spectators upon the commemoration of their collective identity.

and opportunities in political practice for refugees who act and speak as political dissenters. thomasbragdon@googlemail.com	This provokes a thought-experiment: What would it mean for refugees to have a monument erected in their honor as refugees? In this presentation, it is argued that the very meaning of the term "refugee" defies any collective identity because it is conflictual in essence: the term discloses the political conflict between nationalism and globalism. More than any other global issue, the refugee contests the core of the sovereign power of the nation-state. To erect a monument for the refugee would mean to eradicate the conflict from national memory, thus to abolish the term it were dedicated to. The purpose of this presentation is to articulate alternative ways of calling upon (monēre) the conflict on national identity between the State and the refugee.
BRAUN, Kerstin Dr. Kerstin Braun is a lecturer at the School of Law and Justice at the University of Southern Queensland where she is involved in the teaching of criminal law and procedure and criminology. Kerstin completed her Ph.D. and LL.M at The University of Queensland. Her research interests lie in the area of criminal law and procedure, comparative law, human rights law, foreign law and criminology. In her PhD research Kerstin focused on the role of victims in criminal procedure in Germany and Australia. She has published widely in Australian and international journals on issues relating to human rights law as well as German and Australian criminal law. Prior to commencing work as a lecturer Kerstin practiced law as an Associate at the Berlin office of Baker & McKenzie Germany. Kerstin has guest-lectured in constitutional history at the University of Reggio Calabria in Italy (2006) and is a visiting lecturer in the foreign law program at the University of Bonn, Germany.	**'You Wanna Call it Rape, Call it Rape - Same Difference' – A Legal and Literary Analysis of 'Thirteen Reasons Why'** This paper presents a legal and literary reading of the young adult book 'Thirteen Reasons Why' written by Jay Asher in 2007 and the Netflix Original Series released under the same name in 2017. Asher's story revolves around a teenage girl, Hannah Baker, a US high school student, who leaves 13 cassette tapes behind when she commits suicide. The tapes are left to 13 pre-designated persons forcing them to listen to the description of their role in her death. The events ultimately leading to Hannah's suicide include (cyber) bullying, stalking, sexual assault and rape. The paper takes a criminal law perspective and analyses the aspects of the book and series relating to sexual offences and the responses (or lack thereof) of the different characters. The analysis focuses on rape culture, victim blaming, consent, objectification and the normalisation of sexual violence against girls and women. It argues that 'Thirteen Reasons Why' frequently framed and criticised as a teen suicide story can equally be read as a swansong for rape culture. The paper concludes that the story highlights the importance and

kerstin.braun@usq.edu.au	the power of dissent. Dissent from the unlawful, the undignified and the disrespectful treatment of others, especially girls and women, and dissent from ingrained societal attitudes towards the acceptability of certain behaviour, especially behaviour objectifying women, as ultimately "[E]verything. . . affects everything."
BUCHANAN, Ruth Dr. Ruth Buchanan is Professor of Law at Osgoode Hall Law School in Toronto. An interdisciplinary legal scholar whose work spans critical legal theory, sociology of law and cultural legal studies, Dr. Buchanan's scholarship has engaged with a wide range of topics including NAFTA and labour rights, the WTO and global constitutionalism, social movements and resistance to globalization, indigenous law and legal pluralism, law and film. She collaborates frequently with legal scholars in Canada and internationally. Professor Buchanan co-edited the collections Law in Transition: Human Rights, Development and Transitional Justice (2014) with Peer Zumbansen and Reading Modern Law: Critical Methodologies and Sovereign Formations (2012) with Sundhya Pahuja and Stewart Motha. She has published widely, including in the Journal of Law, Culture and Humanities; Miami Law Review; Leiden Journal of International Law; Law,Text,Culture; Journal of Legal Education, Nordic Journal of International Law; Osgoode Hall Law Journal, and the Journal of Law and Society. She has been involved in the editorial boards or editorial advisory boards of the Canadian Journal of Women and Law, Journal of Law, Culture and Humanities, Transnational Legal Theory. In 2015/16, Professor Buchanan was awarded an Osgoode Hall Research Fellowship for her ongoing project, "Visualizing Developments", which considers the variety of visual mechanisms through which	**Seeing the Whole City?** This paper is situated within a broader investigation of the ways in which the international community and its institutions have come to see, and how they purport to address, the issue of urban poverty in the developing world. Drawing on recent scholarly efforts to track more closely the entanglements of aesthetics and politics in the work performed by international law and international institutions in the world, I examine the visual economy of the 'slum' as a way of seeing and making sense of urban poverty in the global South. Drawing on both cinematic and photographic depictions of 'slums' from popular media, international institutions, and NGO's, the paper will offer an account of two contrasting 'aesthetics' of the city — from the 'air' and 'on the ground'.

knowledge about development is produced and disseminated by international institutions. Prof. Buchanan is also currently writing a book on International Development with Sundhya Pahuja and Luis Eslava as part of the Routledge-Cavendish Critical Approaches to Law series. rbuchanan@osgoode.yorku.ca	
CHALMERS, Shane Shane is currently a Teaching Fellow at Melbourne Law School as well as a Visiting Fellow in the School of Regulation and Global Governance (RegNet) at The Australian National University, where he also undertook his PhD between 2012-2016. His doctoral project, titled "Liberia and the Rule of Law", combined an historical study of the colonial origins and making of Liberia with an empirical study of the everyday life of law in Liberia and law's role in remaking the nation-state post-war. His current research projects focus on (1) the socio-cultural life of the rule of law; (2) law and the economy of appearances; and (3) the logic of capital and the forms of law. shane.chalmers@anu.edu.au	**Law and the Economy of Appearances** My concern in this paper is with the regulation of the "symbolic" – "the place where the fact of our internal, most 'sincere' and 'intimate' beliefs is in advance staged and decided".1 More specifically, the paper is concerned with the relation between "the visual" (the objective field of things we encounter in everyday life) and "the imaginary" (how we imagine this world subjectively, our place in it, and how it might be otherwise), and how this relation between the visual and the imaginary is regulated through control of the symbolic machinery, or what I am calling here the "economy of appearances". My particular interest in this is two-fold. On one side, I focus on how law operates as a mode of governance, providing a means of regulating the economy of appearances (and by extension how we imagine the world and how we might imagine it differently). And on the other (critical) side, I focus on how law is a social-cultural mode of expression that provides a medium for subjects to participate in a radically democratic way in the production of the economy of appearances (and again, by extension, in the social imaginary). In this I am bringing together the work of three scholars in particular: Jacques Rancière's work on the "distribution of the sensible"; Desmond Manderson's work on a critical visual literacy in his study of law; and Roderick Macdonald's work on a critical legal pluralism, which reorients the problem of law to an enquiry into how subjects "customise"

	the law at the same time as law gives form to the world. The paper's critical agenda is to theorise the relation of law to the economy of appearances in a way that opens law to its pluralistic-democratic potential, and through this, that makes the symbolic a space of dissensus (to use Rancière's term). 1. Slavoj Žižek, The Sublime Object of Ideology (London: Verso, 2008 [1989]), 42.
COATES, Erin Erin Coates is a Perth-based artist and creative producer working across video, installation and drawing. Focusing on our interactions with the spaces we build and inhabit, Coates' work amplifies this relationship to examine the limits of our bodies and the potential of physical interaction with an environment. Her work is influenced by her interests in architecture and film, particularly the genres of body horror and b-grade science fiction. The artist's screen-based works include protagonists who find ways to physically interact with everyday spaces, by using utopic, absurdist and guerrilla strategies. erin.coates@gmail.com	**Ascent as Dissent: The Absurd and Subversive Act of Climbing Public Art** In 2012 Perth's skyline was dominated by steel cranes, in a flurry of civic and corporate construction in the waning days of Western Australia's mining-boom. For every new development, a public artwork was delivered via the Percent for Art Scheme, and a mushrooming of shiny, new, computer-aided-design sculptures appeared throughout the city. It was during the accelerating change in the urban landscape of these late-boom times that a group of local rock climbers–myself included–began systematically scaling every climbable public artwork in greater-Perth. This paper examines the motivations behind these actions, which ran through until late 2014. While it is difficult to pin down exact legislation banning this activity, climbing public artworks is without a doubt an unsanctioned act, and one that deliberately misinterprets and misappropriates public space and the built environment. It sits somewhere on the spectrum between felonious and delinquent, to constituting a subversive and anarchic act that seriously challenges the codes of normative behaviour in public space. This paper looks at the strategies and outcomes of the public art climbing campaign we undertook across our city. It considers a number of cultural, historical and political perspectives, including a consideration of this activity in relation to the rise of urban sports like parkour, the historical

	interventions of the Situationists and the specific conditions of urban public space in Australia today.
CONTI, Christopher Dr. Chris Conti is a Lecturer in Literary Studies in the School of Humanities and Communication Arts and member of the Writing and Society Research Centre. His primary research interests and teaching experience are in the field of modernist and contemporary literature and philosophy and literature. He has written articles on Theodor Adorno, John Barth, Samuel Beckett, Franz Kafka, and Patrick White. He is currently working on a monograph that explores the relevance of Hans Blumenberg's metaphorology to modernist and contemporary literature. He is also the author of *Proofs: 104 short stories* (Puncher & Wattmann, 2012). c.e.conti@westernsydney.edu.au	**Prometheus Unbound: Hans Blumenberg's anatomy of law and literature** In The Structures of Law and Literature,[1] Jeffrey Miller offers a program for securing the interdisciplinary status of law and literature in a discourse that focuses on law as an anthropological construct; as a narrative or cultural construct; and as an imaginative quest to understand the gulf between law and justice. Miller's quasi-anthropological approach, inspired by Northrop Frye's Anatomy of Literature, is offered in an ecumenical spirit that invites contributions from—rather than competes with—the diverse range of critical theoretical approaches that has characterised the field of law and literature studies since its inception. In the spirit of Miller's ecumenical impulse, I propose to flesh out his program not with Northrop's Frye's anatomy but Hans Blumenberg's theory of myth. Blumenberg's theory centres on the evolving figure of Prometheus—the archetypal dissenter and justice-seeker—in western culture. I suggest that the anthropological and political implications of Blumenberg's theory are better suited to a defence of western jurisprudential traditions than Frye's, which assumes the secularisation thesis whose full implications are revealed in Carl Schmitt's political theology. 1 Jeffrey Miller, The Structures of Law and Literature: Duty, Justice, and Evil in the Cultural Imagination (Montreal & Kingston: McGill-Queen's University Press, 2013), 9.
CORCORAN, Amy Amy is a PhD student within the International State Crime Initiative (ISCI) at Queen Mary, University of London. Her	**Protesting the Borders but on the Borders of Protest** Within European liberal democracies, civil society groups increasingly embrace a variety of methods in the pursuit of social, policy, and legislative

doctoral research investigates public art interventions, as facets of civil society action, which contribute to the censure of aspects of border control policy considered deviant, within the current EU context. This is considered under the state crime framework furthered by Professor Penny Green, Amy's supervisor. Amy has published work in both academic, independent and media publications, primarily centring on the policing of protest and her experiences and reflections on the unfolding situation in Calais, France. Amy is involved with groups campaigning around human rights issues, and supporting those involved in protest. Her interest in art is longstanding, having exhibited in numerous galleries and completed professional illustration and installation work. Currently, she is part of a creative project, Art the Arms Fair, which opposes the DSEI arms fair in London. a.f.w.corcoran@qmul.ac.uk	change. One of the ways in which civil society seeks reform and enacts political censure is through the employment of creative and artistic techniques. This thesis questions the mechanisms through which activist art interventions relate to and support civil society movements – as well as how they work in themselves – in attempts to create a more effective challenge to state deviance. The research concentrates on interventions that highlight and critique the effects of border controls and migration restrictions in the EU, particularly within the current context of the 'migration crisis'. This is particularly pertinent given the systematic violence currently occurring, and the project targets a hitherto understudied aspect of civil society resistance to state criminality. In seeking to address this question, case studies, which represent different political and artistic traditions, have been selected for detailed study. Analysis will be conducted on a variety of measures related to the 'interventionist' artworks themselves, and their positioning within the movements they hope to advance. As part of this analysis, interviews will be conducted with artists, activists, art critics, academics, and those for whom the actions seek to support. This is in order to fully comprehend the intimate reflections of those involved, and situate them within their broader context. The research focuses on the theme of 'migration'. Analysis questions the methods through which art interventions attempt to censure aspects of European border enforcement considered deviant, and whether this can be achieved through activist-art instead of via traditional protest and 'awareness raising'. Success will be determined by criteria generated by the artists themselves, due to difficulties inherent in judging the 'success' of artworks. Additionally, the study will consider whether art interventions are able to bring certain realities of national borders into those countries'

	city spaces, and bring the voices of refugees (and other migrants) into the public arena. The research will explore the interventions as both artistic acts and political protest. This will include the effect of art interventions in public locations, in terms of e.g. audience reached, how they are received and understood and any interaction between the artist and the audience; how public art interventions manipulate and use space to present their ideas; and how they use such techniques as humour and empathy. Lastly, the research will consider how these artistic actions relate to the wider social movement's challenge of deviant state practice in this case, issues around representation, and to what extent the artist, activist-artist or artist collective be considered part of civil society. The issues will be examined theoretically with a state crime lens, and through the consideration of Foucault's theory of power and Deleuze's understanding of affect, along with Rancière's writings on politics and aesthetics, and critical geography's discussions on interventions within public space.
CROFTS, Penny Penny Crofts is an Associate Professor at the Faculty of Law, University of Technology Sydney, Australia. She is an international expert on criminal law, models of culpability and the legal regulation of the sex industry. Penny is currently researching legal constructions of culpability of systemic failures by institutions. penny.crofts@uts.edu.au	**Stranger Things and Evil Corporations** Classic legal accounts of corporate liability such as vicarious principles and identification theory reflect a nominalist theory of corporations, viewing corporations as nothing more than a collectivity of individuals, that is, that corporations can only act through individuals. These accounts regard corporate responsibility as derivative – it must be located through the responsibility of an individual actor. In contrast, realist theories assert that corporations have an existence that is, to some extent, independent of the existence of their members. Corporations can act and be at fault in ways that are different from the ways in which their members can act and be at fault. This paper will focus on the portrayal of corporate culpability in the

	television series Stranger Things (Netflix 2016) and film Ghost in the Shell (Dreamworks; Sanders, 2017) in terms of whether their portrayals of corporations are nominalist and/or realist as a way to critique and analyse contemporary legal responses to organisational culpability. How does the organisation cause/respond to harms? Does malfeasance and culpability end with the death of the CEO?
CROFTS, Penny Penny Crofts is an Associate Professor at the Faculty of Law, University of Technology Sydney, Australia. She is an international expert on criminal law, models of culpability and the legal regulation of the sex industry. Penny is currently researching legal constructions of culpability of systemic failures by institutions. penny.crofts@uts.edu.au **VOGL, Anthea** Dr Anthea Vogl is a lecturer in law at the University of Technology Sydney. Her research addresses irregular and forced migration, with a particular focus on the social and legal categories of the refugee and irregular migrant. She holds a doctorate in law from the University of British Columbia and the University of Technology Sydney (jointly awarded). anthea.vogl@uts.edu.au	**Refugees, Zombies and World War Z** Refugees, particularly those crossing borders without authority, are frequently presented as threats to the security and safety of nations and their citizens. National borders are fortified and militarised to stop 'flows' or 'floods' of potential arrivals. Those seeking entry are interdicted and redirected or imprisoned and encamped, often in liminal zones, held at all costs outside of the formal territory of the state. In justifying violent and militarised responses to refugees, governments and anti-refugee groups are criticised for de-humanising asylum seekers. In turn, these strategies also have the potential to de-humanise those implementing them. This paper explores inhuman/human constructions that feature in state responses to refugees. It analyses state responses to refugee populations seeking protection through the 2013 film World War Z (dir. Marc Foster). In World War Z, the United Nations, World Health Organisation, US Navy and Gerry Lane (a former UN employee) combine to fight a global zombie pandemic. The zombies in World War Z are presented as a seething mass that transgress the borders of humanity. The film portrays the zombies as untrammelled consumers breaching literal and symbolic walls in their quest to feed. The film also highlights the extent to which becoming a zombie is a lottery, undermining a clear and easy boundary between them and us. We will draw upon the film to gain insight into the implications of the dehumanisation of people seeking refuge and the underlying assumptions by the state that refugees will contaminate systems of order.

DAVIS, Dylan Amy Dylan Amy Davis is a PhD candidate in the School of Law at the University of Wollongong. Dylan's thesis research examines the erasure of bisexuality as a category within contemporary Western social, cultural and legal discourses with a focus on the life narratives of bisexual individuals, same-sex marriage debates and LGBT refugee claims. Dylan has also published on the legal recognition of non-binary transgender individuals. ad495@uowmail.edu.au	**Temporality and narrative in Australian bisexual refugee claims** Legal scholarship and advocacy addressing the rights of gay men and lesbians has proliferated in recent decades, with attention increasingly being directed towards transgender people as well. Yet bisexuality continues to be virtually invisible in both legal scholarship and public discourse more generally, manifesting as the widespread assumption that bisexuality does not exist or that the signifiers 'gay/lesbian' and 'straight' are sufficient to describe the entire population. In this paper I will explore the underlying logics of bisexual erasure in contemporary Western social, cultural and legal discourses, focussing in particular on how bisexuality is constructed in refugee claims and why bisexuals are significantly less likely than other sexual minorities to successfully obtain refugee status in Australia. The small amount of research on bisexuality has primarily focused on the problem of categorisation and the hetero/homo binary as the root causes of bisexual erasure. I suggest, instead, that it is necessary to consider the ways in which bisexuality is ordered across time and within narrative in order to understand the circumstances in which it is (or isn't) regarded as a legitimate sexual orientation, and one to which Australia owes protection obligations. By focusing on bisexuality in the refugee case law I aim to develop new ways of thinking critically about how Australian law and culture is predisposed to think about bisexuals and to present bisexuality as an important site of intervention for LGBT rights advocacy and queer legal scholarship.
DEHM, Julia Julia Dehm is a Lecturer at the La Trobe Law School. Her research addresses international climate change law and regulation, transnational carbon markets and the governance of natural resources as well as human rights issues. Prior to	**"Not yet / under water" : Climate science, climate justice, poetry and protest** In 2014 at the United Nations Climate Summit held in New York City, the Marshellese poet, Kathy Jetñil-Kijiner performed a poem, "Dear Matefele Peinam," written for her seven-month year old daughter to the assembled

coming to La Trobe Julia was a Postdoctoral Fellow at the Rapoport Center for Human Rights and Justice at the University of Texas in Austin working on a multi-year project rethinking human rights for the 21st century. She was also a Resident Fellow at the Harvard Law School Institute for Global Law and Policy Workshop and is a regular member of the faculty for the Institute's Global Workshop (Doha 2015; Cape Town 2016; Bangkok 2017). She is the Managing Editor of the Journal of Human Rights and the Environment and a member of the Global Network for the Study of Human Rights and the Environment. julia.s.dehm@gmail.com	head of state and other officials. She referenced the Peoples' Climate March in the streets outside, "they're marching for us / because we deserve to do more than just survive". A little over a year later, when the international community met at in Paris for the 21th Conference of the Parties (COP 21) to the United Nations Framework Convention on Climate Change, she was protesting outside, again performing a poem, 'Tell Them" in support of fossil fuel divestment: "tell them / we are afraid / tell them we don't know / of the politics / of the science / but tell them we see / what's in our own backyard". This paper explores the dynamics of climate politics and protest, and examines how literary production and performance can operate to unsettle and disrupt the legal consensus around "green capitalism" and global environmentality, reminding us incessantly about the too often ignored, urgent necessary of forging dispositions of climate justice. 1 Kathy Jetñil-Kijiner, "2 Degrees" available at https://www.kathyjetnilkijiner.com/poem-2-degrees/
DENT, Chris Chris Dent is an Associate Professor at Murdoch University School of Law. Prior to that, he was in a research-focused position at Melbourne Law School – mostly at the Intellectual Property Research Institute of Australia. Much of his work focuses on the history and theory of intellectual property. This work that has been developed recently to include the application of regulatory theory – allowing a more nuanced understanding of the role of creativity. c.dent@murdoch.edu.au	**'Creativity for the Bad' and Resistance: The Case of 'Fake News'** For about a century, there has been a tradition of individuals producing artefacts that "resist" the status quo. This resistance may be seen in terms of creativity for the (possibly short-term) "bad" – as opposed to the assumption that innovation is a public "good". This paper will consider the examples of Dada art, punk music and video pornography in order to probe the nature of "fake news" as a category of expression. Each form of expression can be seen to operate within a particular and different discourse or discipline; and, therefore, each was created in the context of distinct set of practices and a distinct set of consumers of the creations. Dada was, for example, created in response to the state of "art" in the early twentieth century. As such, the Dadaists were creating for themselves and their discipline. Punk musicians, in turn, also had the music

	buyer in mind. There are, therefore, three key "spaces", each with their attendant practices, in which the creators work: self-expression, their discipline, and their consumers. In addition, there is the broader society that may impact on the specific practices of the creator. The ability to shock public mores seems to be a key factor in both punk and porn. These practices, however, may by tangential to, rather than constitutive of, the content of the creations. Understanding the value of any creative act, therefore, may only be effective when the impact on all four audiences are assessed – this includes the current bête-noire "fake news".
DE VILLIERS, Isolde Ms Isolde de Villiers was appointed as a lecturer in the Department of Legal History, Comparative Law and Legal Philosophy (now known as the Department of Jurisprudence) since February 2011. She obtained her LLB degree (cum laude) in 2006 and an LLM in 2009. Prior to her appointment in the Department she completed her articles at Bowman Gilfillan Attorneys in Cape Town. She was a tutor in the Department from 2004, an academic associate during 2007 and a temporary part-time Junior Lecturer in 2008. Isolde's main area of research lies in jurisprudence. She is currently busy with doctoral study in the field of spatial justice. The proposed title of her LLD thesis is 'Law, Spatiality and the Tshwane Urban Space'. isolde.devilliers@up.ac.za	**"I lived in a city of rock": time, space and monuments in the lawscape** South African author Ivan Vladislavić is perhaps best known for his city short stories and in particular his depictions of Johannesburg. Some of his earlier work however is also set in the administrative capital: the city of Tshwane/ Pretoria. Flashback Hotel: Early Stories (2010) contains two Pretoria short stories. In "Propaganda by monuments" an Atteridgeville restaurant owner orders a demolished bust of Lenin that is shipped from Moscow through the course of the short story. "We came to the monument" sketches a post-apocalyptic picture of Pretoria where a statue shifts his position from a busy city square to the corner of the monstrosity of an architectural structure, the Voortrekker Monument, as a sentinel. From this position overlooking the city, the statue again breaks loose and shifts to the inside of the Monument as part of the frieze depicting the scene where Zulu king Dingane signs a treaty with Voortrekker leader Piet Retief in 1838 for large portions of land in Natal. The call for papers opens with Tom Nicholson's Towards a monument for Batman's treaty, which treaty was signed only a few years before the one between Retief and Dingane for land on a different continent, but under similar conditions. In this paper I am interested in this intersection between tentative and shifting monuments

	and cities built on (failed) settlers' treaties. Against the theoretical backdrop of Massey's "space/time" and Valverde's "chronotopes of law" I look at the links between time and space and how time is set in stone in the cityscape. The short stories of Vladislavić present the possibility for dissent and shifting dispositions towards and within the law and the city.
DRAKOPOULOU, Maria Maria Drakopoulou is a Professor at Kent University Law School. She is author of publications on feminist jurisprudence, law and history, and roman law. She is currently writing a book on the genealogy of feminist critique in law. m.drakopoulou@kent.ac.uk **GENOVESE, Ann** Ann Genovese is an Australian historian of jurisprudence whose projects aim to bring to life stories of how Australians have lived, practiced and experienced their law since 1950. Her publications include *The Court As Archive* (with Kim Rubenstein and Trish Luker eds., ANU epress, forthcoming 2018); *Australian Critical Decisions: Remembering the Koowarta and Tasmanian Dam Case,*(Abingdon, UK: Routledge, 2017); *Sovereignty: Frontiers of Possibility.* (with Julie Evans , Alex Reilly and Patrick Wolfe eds., Hawaii, United States: University of Hawaii Press, 2013) and *Rights and Redemption: History, Law, Indigenous People* (with Ann Curthoys and Alex Reilly, UNSW Press, 2008). She is currently trying to finish writing two books: *Feminist Jurisography: Notes on the Conditions of Life*; and (with Shaun Mcveigh and Peter	**PANEL: In Dialogue: Difference and Defiance** As scholars of feminist knowledge, and its relationship to jurisprudence, we have long been in dialogue with each other about the past and present practices of difference. This includes dialogue through text- our own, and those of the scholars we think with. Our work, we would argue, is in continuous formation of what it means to conduct scholarly feminist life, as matters of politics and technique as dissent, and our own disposition toward 'legal knowledge' of the contemporary academy. This includes not only what we write about, but how; and why it might be the case that the projects that are most important to the comportment of our scholarly lives are produced in fragments, remain incomplete, or hide in plain sight. Part of our dialogue is how we think with Italian feminisms of difference: in particular, the possibility of *affidamento:* (a symbolic practice of mutual recognition, among women.) In this session we will give examples of our relationship to this practice from our current writing projects - different kinds of histories of feminist jurisprudential knowledge- that remain (almost) defiantly unfinished.

Rush) *Jurisography: Writing With Law and Humanities in Australia.* She works at Melbourne Law School. a.genovese@unimelb.edu.au **VAN MARLE, Karin** Karin van Marle works in the Department of Jurisprudence, University of Pretoria. Her teaching, postgraduate supervision and research falls within the broad field of law and the humanities and involves critical theory, legal philosophy and jurisprudence. The main focus of her research for the past two decades has been on the thinking of a post-apartheid jurisprudence, situated in themes of transformation, memory, reconciliation and reparation. Her work on post-apartheid jurisprudence engages with the crisis of modernity and a rethinking of law and legal theory along the lines of fragility, finitude and a 'giving up of certitudes'. She is an ethical feminist and her research and writing are inspired by and embedded in feminist theory. karin.vanmarle@up.ac.za	
ELANDER, Maria Maria Elander is a lecturer in Criminology at La Trobe Law School. Her research is in the broader field of international criminal justice, and engages with theories in cultural and feminist legal studies. Her monograph *Figures of the Victim in*	**Images of the Khmer Rouge Tribunal** The photographs taken as mugshots of prisoners entering the Khmer Rouge security centre S-21 are iconic. The young women, men, the woman cradling her baby and with a tear under her eye have all come to represent the atrocities committed under the regime. At the Khmer Rouge Tribunal in Cambodia – an internationalised court operating within the Cambodian judiciary but with significant 'international' presence – the photographs have

International Criminal Justice, the Case of the Khmer Rouge Tribunal (Routledge) is forthcoming in 2018. m.elander@latrobe.edu.au	been used as evidence in the trials against first the chairman of S-21 and later the former leaders of the regime. Together with some hundred other photographs, they are taken to evidence the crimes committed. This paper is the first in a new project on the images and imagining of justice at the Khmer Rouge Tribunal. There has in later years been significant work on the images in/of law, some of which critically examines the operation of photographs as evidence. This paper examines the role and use of photos as evidence at the KRT in relation to some of that scholarship, sparked by a hunch that the Tribunal often takes the photos as self-evident.
ETXABE, Julen Julen Etxabe LLM/SJD Michigan; Docent in Legal Theory University of Helsinki. Author of The Experience of Tragic Judgement (2013); editor of Cultural History of Law in Antiquity (Bloomsbury) and co-editor of Rancière and Law (forthcoming). Chief-co-editor of No Foundations: An Interdisciplinary Journal of Law and Justice. julen.etxabe@helsinki.fi	**The politics of dialogue** The term "judicial dialogues" (i.e., cross-fertilization, judicial borrowing, uses of comparative and foreign sources) has come to the forefront in recent years. Departing from authors who have analyzed this phenomenon in an international context (Slaughter, Jackson, Tushnet, Choudry, Bobek), I rely on a rather specific notion of dialogue borrowed from philosopher and literary theorist Mikhail Bakhtin. Whereas Bakhtin famously presented the dialogical against a monological style of discourse—in the arts, sciences, religion, philosophy, and the law—I adopt a narrower definition of dialogism, as the kind of utterance internally constituted by many and opposing voices. Dialogism is thus a form of authority that opens itself up to the other as constitutive of the self. I will elaborate on examples taken from the European Court of Human Rights, where the dialogical ushers new forms of authority and legitimacy. Unlike the principle of deference, based on the idea of autonomous and clearly demarcated spheres of action, the dialogical is profoundly inter- (as well as intra-) penetrated. Most importantly, and contrary to the communicative ideal of dialogue, dialogism is characteristically confrontational and polemic, which is to say, political.

FENNER, Felicity Felicity Fenner is Director of UNSW Galleries, a lead researcher on the Curating Cities database of eco-sustainable public art, and a member of the City of Sydney Public Art Advisory Panel. Her research as a curator focuses on aspects of place and place-making, encapsulated in exhibitions such as Handle with care: 2008 Adelaide Biennial of Australian Art, Once Removed, Australia's group exhibition at the 2009 Venice Biennale, and Running the City, curated for the International Symposium of Electronic Arts, 2013. f.fenner@unsw.edu.au	**Running the City: art as agency** This paper surveys recent art projects across the world that utilise the city both as subject matter and as a site for art. It demonstrates how public art can inspire, provoke and bring people together to create a sense of agency over city spaces. The paper also explores the shift in the last decade from 'plonk' art towards art projects that are embedded in the community and integrated into the urban structure. Case studies include art projects that involve running and other forms of activity-based intervention such as walking, cycling and football. Participatory, temporary and more permanent community-driven art projects, such as agricultural and architectural projects, reveal how public space can be activated in ways that are original and sometimes subversive, fun and unexpected. The word "running" in the title refers both to athletics and power structures: the paper considers recent art projects that involve activity-based intervention and participation that temporarily or permanently occupy city spaces. More than just site-specific public art, the art projects discussed in the paper are catalysts for changing our understanding and inhabitation of the cities in which we live.
GEVERS, Chris Christopher Gevers is a lecturer in the School of Law, University of KwaZulu-Natal and a PhD Candidate at Melbourne Law School. In 2017-2018 he was a Residential Fellow at the Institute for Global Law and Policy at Harvard Law School. His research interests include international legal theory and	**The African Queen, World War I and unthinkable histories of international criminal law** In 1935 C.S. Forrester published The African Queen, a colonial romance set in 'German Central Africa' at the outbreak of World War I. The novel opens in the aftermath of a raid on a mission station, in which the German army 'swept off the entire village, converts and heathens alike, to be soldiers in the Army of German Central Africa'; the raid sets the novel's heroine on a quest to 'strike a blow for England'. The novel was made into a film in 1951,

history, postcolonial studies, critical race theory and law and literature. chrisgevers@gmail.com	starring Katharine Hepburn and Humphrey Bogart (for which Bogart won an Oscar); the two (still) form the basis of public knowledge in the West of the 'African theatre' during World War I. Forester's novel rehearsed the weathered and widespread literary convention of 'reducing Africa to the role of props'; using 'Africa as setting and backdrop', 'a metaphysical battlefield devoid of all recognizable humanity, into which the wandering European enters at his peril' (Achebe, 'An Image of Africa'). What sets it apart is that, in a novel set entirely in Africa, there is not a single African character; neither in the 'stock figures' of the 'naked warrior', 'loyal servant', 'ancient wiseman', nor even Conrad's 'black and incomprehensible frenzy' of 'black limbs, a mass of hands clapping, of feet stamping, of bodies swaying, of eyes rolling' (Conrad Heart of Darkness). It is the epitome of the '[Africa] as metaphysical battlefield devoid of all recognizable humanity' that Achebe derides; the proverbial 'Africa without Africans'. This 'present absence' of African subjects in The African Queen makes it a useful text to consider alongside the story of the erasure of African subjects (and their suffering) from international criminal law's founding moment at Versailles in 1919. Like in Forester's novel, this story begins with German raids on African homes, set out in florid detail in a 1916 'Atrocity Blue Book' published by the British government (a second African 'Atrocity Blue Book' was published in 1918). However, while these 'atrocity stories' were central to the call for criminal prosecutions of Germans at Versailles, the two African subjects were a 'present absence' from the report of the Commission on the Responsibility for the Authors of the War and on Enforcement of Penalties; which inexplicably excluded the atrocities contained in the 'Africa Blue Books' from its report (whilst relying extensively on the other 'Atrocity Blue Books'). The African victims of the atrocities alleged in the 'Africa Blue Books' were not absent from Versailles altogether, however, re-appearing (as an 'absent presence', perhaps) in the debates over the future of German colonies.

	After recounting the story of the erasure of the 'Africa Blue Books' from international criminal law's founding moment at Versailles, this Chapter will explore the conditions of their erasure from the historiography and what might happen if they were included. In both endeavors The African Queen and its myriad afterlives (in fiction, non-fiction and film) prove a productive analogue as these texts intersect in interesting ways, both in content and form.
GIBLETT, Rod Rod Giblett is the author of many books including: People and Places of Nature and Culture (Intellect Books, 2011); Black Swan Lake: Life of a Wetland (Intellect Books, 2013); and Canadian Wetlands: Places and People (Intellect Books, 2014). His latest book is Cities and Wetlands: The Return of the Repressed in Nature and Culture (Bloomsbury Press, 2016). He has recently completed writing a book entitled Modern Melbourne: City and Site of Nature and Culture. For more information go to: https://muriuniversity.academia.edu/RodGiblett rod.giblett@gmail.com	**Walking in the Wasteland of the Docklands: A Flaneur Crosses the Frontier of the Un-Paris End of Collins St** The Docklands in Melbourne at the other end of Collins St from the famous, upper and swank so-called 'Paris end' are a current showcase of urban renewal. The city and its spaces are arranged hierarchically with the Docklands as the nouveau riche cousin of the old money of the upper end of Collins St. In the lower, what was the swampy end of the street, public art, the Yarra 'River,' indigenous culture, and traces of the lost and largely forgotten wetlands of Batman's Swamp intersect in the liminal zone where land and water once met. Arts manager and consultant Sue Clarke has endeavoured to shift the paradigm for the design of landscape architecture in this area of the Docklands towards acknowledging and celebrating the indigenous and environmental history of the site, not just as a static artefact of the past, but in a living, cultural place in the present. In an act of environmental dissension against the destruction of wetlands in Melbourne and against the dominant paradigm in landscape architecture of aestheticising wetlands and forgetting this history predicated on a hard and fast divide between land and water, this paper forges and enables ecological dispositions of Melbourne as a city of former wetlands by developing the alternative paradigm of wetlandscape architecture engaged with the liminal zone between land and water and by honouring the indigenous and pre-

	contact wetland and riverine history and heritage of the site as Batman's Swamp and of other swamps and lost wetlands around the Melbourne CBD.
GIBSON, Ross Ross Gibson is Centenary Professor of Creative & Cultural Research at the University of Canberra. In this role he works collaboratively to produce books, films and artworks and he supervises postgraduate students in similar pursuits. During the early 2000s he was Creative Director for the establishment of the Australian Centre for the Moving Image at Federation Square in Melbourne. Prior to that, while working at the University of Technology in Sydney, he was a Senior Consultant Producer during the development and inaugural years of the Museum of Sydney. Over the past twelve years he has held Professorial posts at UTS and the University of Sydney. Recent works include: the books 26 Views of the Starburst World (2012), Changescapes (2015), Memoryscopes (2015), Stone Grown Cold (2015) and The Criminal Re-Register (2017); the ABC Radio National feature Green Love (2016); the public artwork Bluster Town, commissioned for Wynyard railway station by Transport NSW. A member of the Australian Academy of Humanities, he has been on the Boards of Directors for several public agencies and has served on working parties for the Prime Minister's Science, Engineering and Innovation Council. ross.gibson@canberra.edu.au	**Walking through Words** In early 2016 a call went out, seeking Expressions of Interest in a new segment of government infrastructure: 'Transport for NSW is interested in commissioning moving image art for the "Wynyard Walk" between Wynyard Station and Barangaroo in Sydney'. I was one of a small group selected to offer prototypes and, eventually, to generate a complete artwork. The official brief explained the context: > From the early stages of planning for the pedestrian linkage between Wynyard Station and its reconfigured connections to and from the Barangaroo development on Sydney Harbour's western foreshore, TfNSW decided that a large LED screen be installed within Wynyard Walk as an integral part of commuter travel routes for the primary purpose of captivating viewers with screen-based art in a public space. And set the parameters: > Wynscreen is a distinctively shaped LED screen, Width 22.75 metres (W22.75m) x Height 2.75 metres (H2.75m), installed at the mezzanine level of Wynyard Walk's Clarence St Entrance. It is anticipated that more than 30,000 commuters and visitors will pass through this location every day, viewing the screen as they move along Wynyard Walk. TfNSW intends that Wynscreen will be solely for the presentation of commissioned works by mainly Australian artists, designers, animators, choreographers and other performers working with moving image whose diverse content – ranging from video art and animation to data visualisation and heritage interpretation – will continuously enliven and enrich the

	space. Essentially, Wynscreen will reflect the complexity of contemporary culture in Sydney and Australia by conveying how our histories have shaped 'who we are', 'where we are' and 'what we may become' in this country in the 21st century. One telling detail: in planning meetings, the project managers were careful to refer to the project not so much as 'public art' but as 'urban design enhancement'. At first, this prompted some wry looks and wise-cracks from the artists, but it was clear that the project managers believed in 'art' and would perform all the shielding and shepherding necessary to allow the commissioned artists to get on with their work. Good faith prevailed and was greatly appreciated. The repeated utterance of 'urban design enhancement' was partly a strategic gambit. As I understood it, the imperative was to avoid the histrionics that often surround the expenditure of public-infrastructural funds on something as useless and occasionally disruptive as 'art'. 'Urban design enhancement'. In fact I came to treasure the term because it clarified some defining features of the project. The artwork on the large screen really was meant to make the Wynyard Walk more functional, partly by making it more delightful and surprising -- a place that people were keen to encounter -- but partly also to aid in the process of *flow* that is the function of the walkway. The commissioned artwork was not meant to stop people in their tracks or make them behave, spatially and ergonomically, as if they were in an art gallery. Such traditional art-behaviour would clog up the walkway. Therefore a traditional art-attitude could not inform the production of site-specifically effective work. The artists had to enhance the design, to help flow happen and to draw pedestrians through and back to the concourse in ways that made the infrastructure a boon to everyday life rather than yet some other impediment or abrasion thrown into the diurnal toil of the workers and city-fossickers who must negotiate this part of town routinely. The artwork had to boost the dynamics of the walkway.

GIDDENS, Thomas

Thomas Giddens is Senior Lecturer in Law at St Mary's University, Twickenham. He researches critical, comics, and cultural legal studies. He founded the Graphic Justice Research Alliance in 2013 and edited the collection Graphic Justice: Intersections of Comics and Law (Routledge 2015). His monograph On Comics and Legal Aesthetics: Multimodality and the Haunted Mask of Knowing is forthcoming in Routledge's 'Discourses of Law' series.

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Dissenting with a Violent Disposition: Critique as 'the destructive interim formation'

'Everything thou hast set up shall be torn down'

Violent and graceful, John Hicklenton's 100 Months tears down the world. Created in Hicklenton's final moments before ending his own life at Dignitas, his masterwork attacks a dehumanised, commodified, and godless world. Narratively, 100 Months follows Mara—'the end of all things', '100 months', the 'soul of the Earth', the 'most brutal of daughters'—as she aims her critical violence at those who abuse and exploit the Earth, battling to bring down the Pig, the soulless god of 'the longpig paradise'—the human world devoid of any worth beyond meat, commodity. In her relentless attack, the destructive violence of criticism can be encountered. Hicklenton's use of comics form challenges boundaries and dominant orders, eschewing borders and speech bubbles. Mara is always richly rendered, encountering outline forms in dehumanised bodies; where Mara goes there is depth, detail, texture, the intricacies of critique that challenge simplistic and superficial thinking. She is the 'feminine destructive principle', the 'end of all things', 'the destroyer'—but amidst the blood and horror, the splatter and sinew, a change emerges. Mara is destructive, but also temporary: 'You may call me … the destructive interim formation'. Her violence thus signals the transient constructs of critique that tear down what has come before in order to rebuild a better world. Ultimately, through her world-destroying ferocity and devastation, Mara—like all progressive critique—brings forth the birth of a new order.

'Hush little one… Shh… I am a harsh midwife.'

GODDEN, Lee Professor Lee Godden is the Director of the Centre for Resources, Energy and Environmental Law, at the University of Melbourne. Her research interests include environmental law, natural resources law (especially water) property law and indigenous peoples' land rights. The impact of her work extends beyond Australia with comparative research on environmental law and sustainability, property law and resource trading regimes, water law resources and Indigenous land rights issues, in countries as diverse as Canada, New Zealand, UK, South Africa, and the Pacific. Interdisciplinary engagement with the theoretical and the grounded aspects of law is a hallmark of her scholarship. She maintains a focus on legal theory, drawing on her background in law and geography. Recent publications include Environmental Law: Scientific, Policy and Regulatory Dimensions 2010 (with J. Peel), Comparative Perspectives on Communal Lands and Individual Ownership: Sustainable Futures 2010 (with M. Tehan) and Australian Climate Law in Global Context 2013 (with A. Zahar and J. Peel). l.godden@unimelb.edu.au	**Can you step in the same river twice? Cultural Flows for Rivers** Wurundjeri elders were invited to speak at a second reading speech for the very first time in the history of the Victorian Parliament in respect of the Yarra River Protection (Wilip-gin Birrarung murron) Bill 2017. The Bill identifies, 'the Yarra River and the many hundreds of parcels of public land it flows through as one living, integrated natural entity for protection and improvement'. Legal models that seek to imagine rivers through the lens of legal personality draw heavily on indigenous conceptions of 'country' and reflect similar developments in a growing number of countries, such as the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 in New Zealand. In this context, the paper considers efforts to accord rivers legal status and to return rivers to what is variously termed cultural and/or environmental flows. Such 'rights for rivers' while often categorised as part of a revitalised natural law tradition, also have synergies with broader environmental movements such as ecological restoration. Embedded within these trends but rarely made explicit are particular conceptions of time (and conceptions of immanence and representation). Drawing upon narrative and story-telling traditions this paper explores the ramifications of seeking to step in the same river twice.
GOODING, Piers Piers Gooding is a Postdoctoral Research Fellow at the Melbourne Social Equity Institute and Melbourne Law School, University of Melbourne. He is a socio-legal researcher with a background in law and humanities. Dr Gooding's work concerns disability-related law, policy and practice. His particular research interests include legal capacity, decision-making,	**Narrative Agency as a Tool for Advancing Relational and Embodied Accounts of Personhood and Legal Capacity** This paper focuses on the potential contribution of 'narrative agency' in disrupting notions of an independent and sovereign subject, and promoting relational and embodied understandings of personhood and legal capacity. Naffine argues that the idealised figure at the heart of Western law is the 'responsible subject'. In practice, the boundaries of responsibility of this 'classic contractor' are limited by 'cognitive thresholds' (Bach), typically in

mental health policy, access to justice, citizenship, and the UN Convention on the Rights of Persons with Disabilities. p.gooding@unimelb.edu.au	the form of designations of mental incompetence. Efforts to unsettle the link between certain forms of cognition and legal agency have come from multiple angles, including feminist moral philosophy, behavioural economics and disability-related human rights law. This presentation will examine the potential contribution to this effort from another angle: a movement of literature at the intersection of post-structuralism and Anglo-American feminism. It considers notions of 'narrative agency' (Lucas) which acknowledge the extent to which the subject is shaped by power relations, but which remains invested in the subject's 'unlimited emancipatory potential' to confront and challenge those imbalances, and the myths that feed them. This inter-relational view of self and agency holds particular promise in securing equal recognition before the law for people with disabilities.
GREEN, Michael Michael Green is a journalist in Melbourne, and the coordinator of *Behind the Wire*, an oral history project about Australian immigration detention. He is the host and producer of *The Messenger* podcast, about Abdul Aziz Muhamat and his life inside detention on Manus Island. He is the co-editor of the book *They Cannot Take the Sky*. As a feature writer, Michael has covered environmental and social issues for The Age, Sydney Morning Herald, Nature, Harper's Magazine, Nautilus, Right Now and Overland, among others. m@michaelbgreen.com.au **DAO, André**	**After the facts: a literary oral history of immigration detention** The legal system requires asylum seekers to tell their stories to lodge a protection claim. So why did we and they think it was worthwhile to do so again, in an oral history form? We will discuss some risks, limitations and outcomes of our kind of storytelling, against the legal format of the refugee process. What kind of advice did Behind the Wire receive, and why did we choose to proceed?

André Dao is a lawyer and writer. He has worked as an associate at the Federal Court of Australia, and is currently completing a Masters of Law at the University of Cambridge. He is the co-founder of Behind the Wire, an oral history project documenting people's experience of immigration detention, and the deputy editor of the New Philosopher. andre.huy.dao@gmail.com	
HARROP, Lee I am a visual artist currently residing in Darwin, NT and commenced my practice led PhD in May this year. I received my Master of Fine Arts with first class honours from Whitecliffe College of Arts and Design, New Zealand, on how violence is perpetrated through the structure of language. I have a Diploma of Policing and was awarded a 15 year Long Service and Good Conduct Medal by the New Zealand Police Force. I spent the last five years of my police career as a forensic photographer; an experience that has significantly contributed to my current art practice. I have developed and shown my text based artwork in restricted areas of a Police Station in Auckland, New Zealand, and in the past have used site specific works that encourage multiple readings. My current art practice is about acknowledging multiple voices and perspectives, and encourages people to engage and enquire in the process of interpreting my works. My artwork is held in public and private collections, both nationally and internationally. lee.harrop@cdu.edu.au	**SACRED SCARED SCARRED / Art v Law: A case study** The stream, Public Art, Public Law, is a proclamation of Art and Laws interrelationship. I suggest that Art and Law are inextricably linked via language, and my paper, SACRED SCARED SCARRED / Art v Law, will specifically address this connection. The relationship between art and law is often discussed hypothetically. In my paper I will use a personal case study of a 2015 site-specific public commissioned artwork, I See Red, that because of external forces could not be realised. Using examples of my previous work, I will attempt to highlight the ethical, political and legal forces at play in an innocent art project. I will argue that the art project was a site of numerous contestations, where the first casualty was the art project, and the second, the artist. In my work I examine how violence is perpetrated through the structure of language. Language is used as both a means of interpreting art and as the medium for the artwork itself. In addition, the site-specific context, crucial to my artwork, will be discussed in terms of amplifying the meaning to the artwork. In the case study in question, the chosen historic site [Old Court House] and chosen words, SACRED SCARED SCARRED, proved to be an insurmountable obstacle to gaining permission for installation.

	I conclude, by raising the question of the inappropriate use of two of the three words in my 2015-commissioned artwork, namely SACRED SCARRED, as the title for a subsequent exhibition by the commissioning authority the following year.
HEMPEL, Daniel Daniel Hempel is a recent PhD graduate from the University of New South Wales, Australia, and holds an MA in European Literature from the Humboldt University of Berlin. His main research interests are: Solar Punk; Science Fiction; Australian literature; European literatures; utopian studies and the work of Ernst Bloch. c.d.hempel@unsw.edu.au	**Solar Punk: Visions of a Sustainable Future** Ranging from Atwood to Zamyatin, many of the dystopias envisioned by writers in the last century ring eerily true today as media control, authoritarian strongmanship and a world on the brink of environmental apocalypse have become staple news items. Enter Solar Punk, a nascent subgenre of Science Fiction that dissents from the dystopian despair that characterises today and offers instead a pronouncedly utopian disposition. Solar Punk's vision of a sustainable future is driven by renewable energy, micro grids, guerrilla gardening and cosmopolitan diversity. Drawing on a conceptual framework inspired by the work of utopian philosopher Ernst Bloch, my paper surveys this burgeoning genre. I want to assess how Solarpunk's future diverges from today in its ecological, technological, economic and social orderings of society, and test its concrete-utopian potential as a counter narrative to today's crises.
HOHMANN, Jessie Dr. Jessie Hohmann is Lecturer in Law at Queen Mary, University of London. In 2017/18 she will hold an Independent Social Research Foundation (ISRF) Early Career Fellowship to advance a research agenda on the materiality and objects of international law. Her main research interests are in international law and human rights. Her monograph The Right to Housing: Law, Concepts, Possibilities (Hart, 2013) was shortlisted for the Society of Legal	**The Lives of Objects** Things. Objects. These aspects of the world have long been positioned as simply there, the background against which human action unfolds, on which humans exert their wills, against which the human, the subject, the conscious, is defined. Objects remain at the service of the human, without agency, life or will. However, the attempt to draw a bright line with the passive object on the one side and the active human subject, bursting with will and intention, on the other, soon breaks down. First, analytical categories are soon unmasked as just categories, and at times break down 'spectacularly.' Second, objects resist, and remain always in some sense

Scholars Peter Birks' Prize for outstanding legal scholarship. Current research initiatives on the materiality and 'objects' of international law engage new theoretical methodologies to understand international law's operation in the world. She also continues to further her expertise on the right to housing, and the rights of indigenous peoples. Dr. Hohmann teaches in international human rights law, law as performance, and indigenous peoples in international law. She is the Editor of the Queen Mary Human Rights Law Review, and co-director of the Queen Mary Centre for European and International Legal Affairs (CEILA). j.hohmann@qmul.ac.uk	unknowable. Objects have their own dispositions, and offer their own dissents. In this paper, I offer three ways that we might consider the lives, the dispositions and the agency of the objects of international law. I start with everyday lives, drawing on ethnographic conceptions of the lived experience of law. Second, I consider the social lives of objects, and biographical approaches to the lives of things. Third, I consider objects as vibrant, agentive actants, drawing on ideas from Actor-Network-Theory, thing theory, and a long legal history of objects as agents. The aim in paying attention to the lives, dispositions and dissents of objects is to enliven international law, and to allow us to consider the voices and agency of aspects of the world which law normally renders silent and passive. 1 See eg Elizabeth Grosz, 'The Thing' in Fiona Candlin and Raiford Guins (eds) The Object Reader (Routledge 2010) 167 – 184; Margaret Davies 'Material Subjects and Vital Objects: Prefiguring Property and Rights for an Entangled World' (2016) 22(2) AJHR. 2 Davies (n 1) 6. 3 See for instance, Heidegger, 'The Thing' in Poetry, Language, Thought, tran Albert Jofstadter (1971) 174 – 82; Bill Brown 'Thing Theory' in Bill Brown (ed) Things (Chicago UP 2004), Chris Witmore in AHR Conversation: Historians and the Study of Material Culture, (2009) 50 AHR 1355, 1383.
HOOK, Sarah Sarah Hook is a Lecturer at Western Sydney University who is graduating with a PhD in September 2017. Researching at the intersections of law and literature, her research centres on	**Dissent into Laughter: Judicial Dispositions of Parody** If the law is unversed in literary theory as to what defines a parody, then how can a judge make the decision whether a transformative text is or is not under such a definition? This paper will look at the gap between literary

authors, artists and creative freedom. Her PhD thesis looked at restrictions placed on transformative authors and artists due to the moral rights provisions in the Copyright Act. Her research looks at romanticism, postmodernism and contemporary modes of textual production and how these ideologies intersect with legal contexts such as copyright, regulation of the press, and other impediments to the free exchange of ideas and expression.

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theory and legal definitions of parody to show how the artistic dissenting voice remains unprotected despite the Fair Dealing regime. This paper seeks to advocate for a flexible interpretation of purpose when it comes to parody, moving away from mere mockery of texts and incorporating modern literary theory into judicial reasoning.

If disposition is seen as the power to dispose or control, the Copyright Act in its orderings of dispositions can be seen as strangulating literary modes of dissent. Although appearing to support parodists, the Fair Dealing provisions within the Copyright Act do more to resist and subdue transformative authors wishing to critique and subvert our cultural capital. This is accomplished by rendering the judiciary arbiters of taste. Without a definition of parody that looks to literary theory a parody may come down to what makes a judge laugh. Parody within this arrangement is at risk of being diluted to a mere mockery of texts 'poking fun at itself and others ' while the more contemporary understanding of parody 'critical ironic distance ' 'refunctioned ', 'decoding and encoding ' of texts is ignored.

1. Chris Ellison, Minister for Justice and Customs in 2nd Reading Speech (Commonwealth of Australia, Parliamentary Debates, 29 November 2006) 112.

2. Linda Hutcheon, A Theory of Parody: The Teachings of Twentieth-Century Art forms (Methuen, 1985) 34.

3. Margaret Rose, Parody/Meta-Fiction: An Analysis of Parody as a Critical Mirror to the Writing and Reception of Fiction (Croom Helm, 1979) 84.

4. Note 2 at 34

HOURIGAN, Daniel Dr Daniel Hourigan researches the intersections of law, literature and European philosophy. He is a Lecturer in English Literature at the University of Southern Queensland and an Adjunct Research Fellow of the Law Futures Centre at Griffith University. His latest work forthcoming in Law & Literature investigates the philosophical assumptions behind the turn to affect in law and literature. His monograph Law and Enjoyment: Power, Pleasure and Psychoanalysis recently went to paperback with Routledge. daniel.hourigan@usq.edu.au	**Dial H, Jordskott, and the Disposition of Spinoza's Out-Law** In his political writings, Baruch Spinoza confronted the conditions of the victimless crime in the way that they affect the dispositions of legal subjects. To wit: "To prevent these evils, many attempts have been made to establish sumptuary laws, but in vain, for all laws that can be broken without injury to another become a laughing stock, and far from restraining the desires and lusts of men, they even stimulate them… things which cannot be absolutely forbidden… which are bad only when excessive… cannot be the subject of general laws." (A Political Treatise, X, Ex 5) This dynamic has recently been given a speculative airing by two very different texts: China Miéville's reboot of the Dial H comic and the Nordic crime drama Jordskott. This paper critically examines the ways that these speculative fictions renovate the conditions under which a disposition to follow the law in general leads to a dissent from laws in particular. By tracing these 'weirdings' of the Spinozist limit in these speculative fictions, it will be shown how the outside-of-the-law returns in the self-justifying structure of legal fictions that takes itself as the measure of itself and what is false. The two texts will thus be shown to be not that far apart after all when considered for their delimiting of the dissenting dispositions of Spinozist out-laws.
IHAR, Zsuzsanna Dominika Zsuzsanna Dominika Ihar is a student within the School of Sociology and Social Policy, at the University of Sydney, Australia. She is currently completing a thesis concerning the bio-exposure of migrant workers to zoonotic infections within the Australian Meatworks Industry. With experience as a research assistant at the Center for Eating Disorders and Dieting, as well as in various youth-policy sectors, she is	**Off-Tempo, On Duty: Crip Work, Non-Compliant Temporalities, and the Challenge of a Chrononormative NDIS** Invoking the concept of 'chrononormativity', or the binding of bodies within temporal trajectories (set according to the demands of capitalist production), this paper will argue that the National Disability Insurance Scheme Act 2013 utilises a narrative of maximised productivity and 'work-time'; legitimising some disabled subjects, and disregarding others. The rhetoric associated with 'self-management' within the scheme — including

interested in the governance of health and wellbeing, biopolitics of humanitarianism and crisis work, new materialist readings of workplace injury, affect theory, as well as Science and Technology studies. Being a spoonie herself, she is also interested in disability advocacy and chronic illness memoirs/life writing. ziha2281@uni.sydney.edu.au	responsibilisation, compliance, and appropriate performance — omits the material temporalities of disability, which may not align with productive futurities, nor capitalist imperatives. Through focusing on neuropathic pain, originating from spinal immobilisation, and dissociative symptomology linked to trauma, including hyper-vigilance and disorientations in time, an asynchronicity of lived experience will emerge; disruptive of the stricture of work schedules which require compulsory ablebodiness when it comes to time management and time relation. Furthermore, the paper will argue that the conditions of the work itself — with NDIA (National Disability Insurance Agency) data attesting to decreased opportunities for training, less well-paid work and increased turnover —, produces inhospitable and violent demands for individuals who may already experience pain incompatible with a 9-5 schedule; dissociative episodes capable of furthering trauma if experienced in public; or a general antagonism towards the curative workplace advice of 'feel better soon'. Instead of calibrating the disabled worker to their prescribed work, the potential for mad work-making will be suggested, altering the chronopolitics of work to be representative of those with different temporal materialities.
KAUFMANN, Hannes Hannes Kaufmann (Giessen International Graduate Center for the Study of Culture) is working on a PhD dissertation on early Critical Theory and law, that aims to show how current leftist critiques of law could be linked in their reference to figures of critique in early Critical Theory. With this, works that operate on different levels like normativity, effect and praxis of law are combined to a multilevel critique and theory of law. hannes.kaufmann@gcsc.uni-giessen.de	**"I fought the law and… the law won!" On law's alienating effects and the silencing of dissent** In late February 2017, in a school in Leipzig, Germany, an 18-year-old pupil from Kosovo, had his application for asylum rejected, which evoked a big public debate. While German administration wanted to deport the student back to Kosovo, many of his classmates solidarized with him and started a campaign, including a petition and a public call for solidarity. But there was one classmate, himself chairman of the Schüler Union Leipzig1 , who argued for deportation – despite liking his classmate personally – because, he argued, legal rules and decisions should not be abrogated for emotional

	reasons.2 This case provides a well-known argumentation, that runs along the lines of "that's how the rules are and we can't change anything", or "there is no alternative," and that is often heard on a bigger scale as well (from Margaret Thatcher to current European crisis- and asylum-politics). Such argumentation seems to direct political questions towards an allegedly independent – as I'd like to phrase it with Marx: alienated – sphere of law, that is seen as not created by political subjects, but that supposedly transcends subjective conjuncture. In this paper, I want to reconsider this alienating view of law, as well as countertendencies of re-politicizing law through public campaigns. To enhance this discussion, I will recall the literary example of Michael Kohlhaas, who on the one hand is a figure of public protest, but on the other hand is striving to restore the "given" law and not for a new, better law. Thus, this example explores the dialectics of public protest, legal transgression and instauration of the law.
KASKAMANIDIS, Zoe Zoe Kaskamanidis is a criminology student at the University of Melbourne. She is currently completing an honours year, writing her thesis on punishment practices within Australian youth detention titled Child detention and corporeal punishment: Analysing contemporary harm within Don Dale Youth Detention Centre. zoekaska@hotmail.com	**Child detention and corporeal punishment: Contemporary harm at Don Dale Youth Detention Centre** Current practices of physical punishment within Australian youth detention facilities have been regarded as 'cruel' and 'inhumane' by international standards. Within the past 11 months, there has been significant media attention focusing particularly on Don Dale Youth Detention Centre (of which approximately 94% of children detained are Indigenous), following a Four Corners report outlining incidents of violent punishment practices within the detention facility from 2010-2016. In response, the Australian Government launched a Royal Commission into the Protection and Detention of Children in the Northern Territory. However, despite the pre-existence of over fifty relevant reports and inquiries, these practices have continued to occur. My paper contributes to an understanding of how these practices have been sustained, enabled and justified within the current cultural, social and

	political environment in Australia despite persistent concerns. I have sampled narratives from 2010-2017 offered by actors within the criminal justice system to explain their actions and decisions in relation to the events within Don Dale. Through this analysis, I offer a contemporary perspective on Australian youth punishment practices, as the literature surrounding Don Dale currently includes very few scholarly analyses. My findings-to-date identify a number of 'narrative strands' (denial of responsibility and denial of intentions) that indicate the current neoliberal political structure as enabling physical punishment through a distribution of roles and the construction of punitive intentions within the criminal justice system. This data is currently being analysed in relation to literature concerning the New Penology paradigm, colonial punishment, neoliberalism and psychoanalytic theories of harm.
KEENAN, Sarah Sarah Keenan is Senior Lecturer at Birkbeck Law School, University of London and co-director of the Centre for Research on Race and Law. Her book 'Subversive Property: Law and the Production of Spaces of Belonging' was published by Routledge in 2015. s.keenan@bbk.ac.uk	**From Historical Chains to Derivative Futures: Land Title Registries as Time Machines** Land title registries are time machines. Like the time machine H.G Wells imagined, land title registries facilitate fantastical journeys which place subjects in unfamiliar and often dystopic landscapes in which they are radically out of place. The establishment of land title registries across most of the common law world over the past 150 years represents a fundamental change in the process for transferring ownership of land; a change which has accompanied and helped facilitate mass urbanisation. Previously, conveying land was a complex, slow and historically oriented process requiring the construction of a chain of paper title deeds evidencing multiple decades of prior possession. Titles were reliant for their legitimacy on their predecessors, so the transmission of title involved retrospection and was understood in genealogical terms (Pottage 1998). In 1858, colonist Robert Torrens developed a new system for the transfer of land in South Australia, where the land was understood by colonial powers as empty and without history. With the explicit intention of making land a liquid asset, the

	Torrens system of title registration shifted the legal basis of title from a history of prior possession to a singular act of registration. This system, which today serves as a legal model for jurisdictions across the globe, enables the production of 'clean', fresh titles that are independent of their predecessors, thus eliminating the need for retrospection. Analysing the structure and effect of title registration systems, and engaging with interdisciplinary work on time as a social tool (Bastian 2012; Mawani 2014), and with critical finance studies (Maurer 1999; Poovey 2008), I argue that title registries can usefully be understood as time machines. Operating on the fictional premise that land has no history or life other than what is represented on the registry, title registration systems enable the mass reformulation and temporal relocation of title into the future via derivatives markets. The spectacular journeys taken by registered titles in turn affect which subjects are deemed capable of ownership, and to what kinds of uses land is put.
KHA, Henry Henry Kha is a lecturer at the University of Auckland, Faculty of Law and is the course director for family law. His main area of research is in the field of family law and legal history. He is currently completing a PhD through the University of Queensland, which examines the legal history of divorce law in Victorian England. Henry graduated from the University of New South Wales with a Juris Doctor and was awarded the Dean's List for Excellence in Academic Performance. He has also graduated from the University of Sydney with a Bachelor of Arts (Advanced)(Honours). h.kha@auckland.ac.nz	**Transgender Marriage Cases in the Asia-Pacific** Scholarship on the subject of transgender marriage cases in the Asia-Pacific typically compares the local jurisdictional cases with the English case law, particularly the landmark decision of Corbett v Corbett (orse Ashley) [1971] P 83. This paper shall provide a comparative analysis of the legal recognition of transgender marriage between Australia, New Zealand and Hong Kong. These are the only jurisdictions in the Asia-Pacific to have legally recognised transgender marriage. The focus will be on how each of these legal jurisdictions have influenced each other in providing the jurisprudential framework of recognising transgender marriage. Therefore, the legal relationships among the peripheral jurisdictions of these current and former British Commonwealth territories will be the focus of the paper rather than the relationship between the metropole and the periphery. The landmark transgender marriage cases include the Family Court of Australia case of Re Kevin (Validity of Marriage of Transsexual) [2001] FamCA 1074,

	the High Court of New Zealand case of Attorney-General v Family Court at Otahuhu (1994) 12 FRNZ 643, and the Hong Kong Court of Final Appeal case of W v Registrar of Marriages [2013] HKCFA 39. The Corbett case rejected the recognition of transgender marriage based on an endocrinological deterministic view of sex. Whereas the Australian, New Zealand and Hong Kong courts have rejected Corbett and accepted transgender marriage based on sociological criteria. The paper will argue that each of the above-mentioned Asia-Pacific cases on transgender marriage played a significant role in influencing the recognition of transgender marriage among Australia, New Zealand and Hong Kong.
LEIBOFF, Marett Marett Leiboff is Associate Professor at the School of Law, University of Wollongong Australia and a Vice President of LLHAA. Her research and scholarship centre on the legal theories of cultural legal studies, law and humanities and theatrical jurisprudence, with a particular focus on how the nonlegal formation of the lawyer affects and influences practices of legal interpretation. She works with history, biography, and different cultural forms, and how they are experienced and encountered, in order to understand how lawyers interpret legal texts through time, and how non-legal experience through generational change affects that interpretation, and what this means for legal integrity. marett@uow.edu.au	**To be disposed** The infelicitous misstep built into the title of this paper should raise eyebrows, but then again, it might not, constituting a meaning that is potentially vibrant, and, as it happens, of ancient lineage. How you, dear reader, respond, is inevitably shaped by your own dispositions, habituated or otherwise (disposed, or indisposed, ill-disposed, or well-disposed), as tiresome and tedious on the one hand, or lick-splittingly redolent of the linguistic excess of music hall and vaudeville of a kind inhabiting the 1960s Batman: “Catwoman, I find you to be odious, abhorrent, and insegrievious”; “Good grammar is essential, Robin”. This paper plays on and with sensibility as disposition and the shaping, reshaping and misshaping of law that challenges law’s ideal and the abstract as bound up in the eye of the beholder, who presupposes and presumes that meanings are clear and shared. Your Batman and your attitude or knowledge of grammar or my Batman and my grammar might be shared or might have nothing in common. In law, we expect that the reading of abstract concepts will be shared, and that we will all understand law’s dispositions implicitly. But the interventions of digital sharing are disrupting law through the dispositions of the crowd that create new

	meanings and new interpretations of law – regardless of lineage. Law shaped this way, however, breaks not only with convention but with the political compact, and the disposition of popularity as a determinate of legal verities, and the dangers that inhere within radically altered legal sensibilities.
LLOYD, Dana Dana Lloyd is a PhD candidate in the department of religion at Syracuse University and hold degrees in law (LLB, LLM) and philosophy (MA) from Tel Aviv University. Her dissertation project is entitled Between Law and Land: On Sovereignty, Indigeneity and Religious Freedom. dlloyd@syr.edu	**Indigenous Sovereignty, Religious Freedom, and Environmental Justice in Lyng v. Northwest** In this paper, I read the 1988 US Supreme Court case Lyng v. Northwest Indian Cemetery Protective Association, a landmark case in constitutional law that denies the right of three American Indian tribes to the free exercise of their religion for the sake of protecting property rights of the federal government. While the case is ostensibly about religious freedom and environmental justice, I argue that it should be read as a case about Indigenous sovereignty. In the US, we are witnessing now a growing awareness of the issues raised in this case: controversy over same-sex marriage and access to contraception has brought religious freedom to the center of public debate; extensive alternative media coverage of the Standing Rock protest, and universities investing more resources in environmental studies have attracted the attention of scholars and activists to the question of environmental justice. The Lyng story proves the pragmatic potential of alliances between Indigenous peoples and environmental organizations. But environmentalists have been criticized as remaining focused on ecological issues rather than on human issues, and as long as they remain oblivious to the religious significance of lands to the peoples who are indigenous to them, their ability to strive for social justice will be limited. In this paper, I explore the potential of Indigenous sovereignty discourses to complicate advocates' understanding of the relationship between religion,

	law, and land. I do it through a reading of the Lyng case, with a focus on trial transcripts and Justice Brennan's dissent.
LERMA, Mónica López Mónica López Lerma is a Visiting Associate Professor at Reed College (Portland, U.S.A). She is currently working on a monograph entitled Sensing Justice. Law, Politics and Aesthetics in Spanish Contemporary Cinema. She is the co-editor of Rancière and Law (forthcoming in Routledge). She is also the editor of No-Foundations: An Interdisciplinary Journal of Law and Justice. monlopez@reed.edu	**The Sound of Protest** Drawing on Jean Luc Nancy's work on listening and Davide Panagia's politics of the senses, this presentation explores a perceived tension in contemporary societies between the depoliticization of the public sphere (through mechanisms of surveillance by states, corporations, and the mass media) and the opposite call for its repoliticization (seen in the emergence of social movements such as Occupy Wall Street). The paper turns to Marcelo Piñeyro's El Método (The Method, 2005) which productively does this in two ways: first, by inviting viewers to participate in depoliticizing structures of power, and then by inviting them to question their role and responsibility in those structures. On the one hand, the film uses the cinematic split-screen technique to grant viewers a godlike perspective and ability to watch different actions and events synchronically, as if through a surveillance camera. Simultaneously, job candidates are scrutinized from the point of view of a multinational corporation, while the massive anti-globalization demonstrations in Madrid are seen through the dismissive eyes of the mass media. On the other hand, the film's subtle use of sound is able to disrupt the complicity of the viewer in these structures and provides possibilities for political subjectivation.
LOUGHNAN, Claire Claire Loughnan is a Teaching Fellow in the School of Social and Political Sciences at the University of Melbourne. Her research interests are in refugee protection and the punitive effects of immigration detention, and in thinking ethically with office and	**Dispositions and practices: ethical conduct as an orientation to the other** Conducting lawful relations is centrally a matter of how we live with others in the world, of how we orient ourselves to the many other others whose claims must be adjudicated, compared and judged, of how we are disposed towards others, in responsibility. This is a pressing concern in Australia, given the indigenous dispossession marking this country's settler colonial

institutional life as a concern about how we exercise responsibility towards others. clairebl@unimelb.edu.au	past/present, and the ongoing injustices within its immigration detention centres. In this paper, I propose that the ethical conduct of lawful relations is best understood as an orientation to the other, practised through service and respect for human dignity. Ethical conduct is shaped by what we do, by those daily practices and dispositions which concretely affirm the radical difference of the other. The ethical foundation of our occupation of place in Australia is inevitably conditioned by such conduct, as a responsibility to others: ignoring this responsibility is a negation of what it means to be in relation with others in the world. This paper brings together an ethical account of public office, with Mary Graham's discussion of lawful, indigenous relations in order to emphasise ethical conduct as a practice and a disposition, or orientation. 1 Here I implicitly refer to Levinas' ethic as an orientation to the other.
LOVELL, Judith Dr Judith Lovell is a Senior Research Fellow with the Northern Institute at the Alice Springs Campus of Charles Darwin University. Her areas of interest include the ways research is valued in diverse contexts and the polities that affect collaboration in marginalised geographic and social contexts, with arts-based research, learning and participation her sub-themes. She is experienced in the transdisciplinary and collaborative uses of research to enhance social, environmental, cultural and economic capabilities especially in remote inland Australian and comparative international societies. judith.lovell@cdu.edu.au	**The Statue, The Audience, The Man: social commentary and audience cognisance** If public art is 'the placed material objects that are designed to carry the stories of a city', what happens when the place isn't a city, the 'public' is not a monolithic audience, and for many, the stories carried are not those it was designed to carry? This paper describes an emergent social commentary prompted by a controversial public monument (Mark Egan, 2010) to John Mcdouell Stuart, who is credited with opening the way for the transcontinental telegraph line to link Australia via the world, to Britain (Hardman, MA., 1865). A limited edition of monoprints was created, titled 'The Statue, The Audience, The Man' and depicting minimalist outlines of the monumental figure as it stands in a council park in Alice Springs. The print was distributed to art makers and thinkers in Alice Springs and beyond, with an invitation to [co]respond. This paper explores how a range of members of

STRANGEWAYS, Al Dr Al Strangeways lectures in Education from the Alice Springs Campus of Charles Darwin University. Her areas of interest include arts-based research, including narrative inquiry and pedagogy, practitioner research, initial teacher education (especially remote Indigenous teacher preparation and non-linear approaches to reflective practice) and teacher identity. She is the Alice Springs Professional Experience co-ordinator and lecturer, and visiting lecturer for the 'Growing our Own' Indigenous Teacher Preparation programme at Ltyentye Apurte (Santa Teresa). al.strangeways@cdu.edu.au	the 'public', including visual artists, social commentators, politicians, educators and others from a variety of cultural backgrounds, re-worked the monoprint. In examining these visual arts-based responses from three different 'groups' of audience – Aboriginal, Anglo-Australian born and more recent migrants to Australia – the paper reveals the different cognisance of each audience, or the scope of what they 'see' and can make sense of. The paper also explores the interactions between the private and public in the contexts of art, audience and place. The suggestion is that the underlying narratives or landscapes which shape every public expression, of either art or law are often obscured. Finally, the paper raises the questions of how visual arts-based enquiry can map these public and private landscapes, give rise to meaningful social commentary amidst the echo of predecessors, and mark the geography and temporality of this place at this time.
MACNEIL, William Professor William MacNeil is a scholar of jurisprudence and cultural legal studies. He is The Honourable John Dowd Chair in Law, as well as Dean and Head of the School of Law and Justice, Southern Cross University, Australia. His most recent book, Novel Judgements: Legal Theory as Fiction (Routledge, 2013), won the Penny Pether Prize for Scholarship in Law, Literature and the Humanities. MacNeil is the editor of Edinburgh Critical Studies in Law, Literature and the Humanities and is, at present, working on a study of jurisprudence in science fiction, fantasy and horror. As of February 2017, Professor MacNeil is the Chair of the Council of Australian Law Deans. william.macneil@scu.edu.au	**Waldo's Beautiful Things: Possessing and Possession in Laura** Otto Preminger's 1940s noir classic, Laura, has been read by Lacanian cultural critic, Joan Copjec, as an allegory of "liberalist envy" with the character of Waldo Lydecker functioning as a critique of John Rawls' 'theory of justice' and its predication upon a subject redistributing resources under the neutral, and presumably, envy-free 'veil of ignorance'. Such a reading assumes that Laura's issues are, largely, legal, even jurisprudential—a position with which I have no quibble. But I want to depart from Copjec's reading in this paper, especially in her focus on the subject and its constitution, as well as combustion. For I propose to read Laura as a film not so much concerned with subjects as objects—or, more simply, things. And what spectacularly beautiful things Laura proffers: exquisite objets d'art, chic fashion, striking design. All of which points to a certain kind of psychic condition which, I will argue, underpins Laura: namely, fetishism. And the fetish nonpareil in the film is, of course, Laura herself. She is the not so 'obscure object of desire' for all and sundry, possessing everyone in the film,

	and, in turn, being treated by those possessed, as a possession herself—though the nature of these sorts of possessory regimes differ dramatically. I want to explore Laura's competing possessory regimes, utilising psychoanalytic concepts such as hysteria, repetition compulsion and the death drive, as well as fetishism and sado-masochism to unpack this vivid filmic representation of the 'Law of Desire' as a desire for what I take to be law's objet petit a—feminine sexuality itself.
MAHER, LJ LJ Maher was awarded a PhD by Monash University in 2016 for "99 Problems; An Exploration of Writerly Ontologies in Transmedial Life-Writing." She examined transmedial life-writing by musicians focusing on their explorations of self and otherness in relation to their creative output and their relationships with their audiences. She recently spoke at the International Association for Biography and Autobiography (IABA) conference on the question of reader agency in relation to transmedial life-writing. She is now bringing together her legal and literary backgrounds by examining law as literature. She teaches at both Monash and Deakin Universities, lecturing across supernatural literature, genre studies, narratology, and adaptation studies. maher.lj@gmail.com	**The biographical pact and Interpolation: Judgements as biographical writing with material effect** In his Editorial to a recent of Life Writing, David McCooey explored the limits of life writing. And argued that "a concern with limits brought the field of life-writing studies into being." (277) He draws attention to the legalistic metaphors utilised by Philippe Lejeune in his construction of autobiography as a mode of reading that was reliant on a "pact" or "contractual effect" (30) between the author and the reader. McCooey goes on to note that scholars of life writing "see limits constantly coming into conceptual play" (277). These limits are also at work in judgement writing when readers—whether they are researchers, practitioners, but especially the persons subjected to the determinations articulated in these documents—are faced with life-writing that makes visible determinations about a subject's lived experiences and that can also have a material impact on the bodies of both themselves and others. This paper will consider judgement writing as biographical, or 'life', writing that has regulatory force. I contend that, as life-writing, judgements stand apart from other modes of writing that explore subjectivity insofar as their determinations have a material impact on the bodies they purport to regulate. I argue that there is therefore an ethical imperative to read judgements as more than mere statements of law, and to consider the function of visibility in terms of identities that are so regulated. I elaborate

	on Julie Rak's assertion that life-writing is discursive (rather than genre-based), and I consider the implications of an overlap between life-writing and legal discourses as ways of constituting knowledge derived from social practices, forms of subjectivity, and power relations.
MAKER, Yvette Yvette Maker is a Senior Research Associate at the Melbourne Social Equity Institute and Research Fellow of the Disability Research Initiative at the University of Melbourne. She recently submitted her doctoral thesis, proposing a set of principles for designing care and support policy that addresses both feminist and disability rights claims. She has a particular interest in the implementation of the United Nations Convention on the Rights of Persons with Disabilities, the impacts of Australian social policy (especially income support policy) on women and persons with disabilities, and the role of law and policy in the provision of support and/or care for children, persons with disabilities and older people. maker.y@unimelb.edu.au	**Beyond martyrs and burdens – can we reconcile carer and disability rights perspectives on care and support?** The Australian carer movement has won major political and community support by emphasising the economic contribution that carers make to society and the burdensome nature of providing unpaid care to older relatives and relatives with disability. However, this discourse of care conflicts with disability rights activists' arguments that 'care' is oppressive and should be rejected in favour of measures to support independent living, choice and control for people with disability. Through discourse analysis of the most recent legislative reforms to Carer Payment (child), an income support payment for parents of children with disability, I highlight the shortcomings of approaches that prioritise the perspectives of carers over those of people with disability, or vice versa, and in doing so marginalise dissenting voices. Drawing on feminist and critical disability studies scholarship, I propose a framework for designing law and policy that emphasises common ground, places the interests and voices of all parties to care and support relationships on an equal footing, and offers greater flexibility and choice about how people live their lives.
MANDERSON, Desmond Professor Desmond Manderson is jointly appointed in the ANU Colleges of Law and of Arts & Social Sciences at the Australian National University, where he directs the Centre for Law, Arts and the Humanities, designing innovative interdisciplinary courses with English, philosophy, art theory, history, and	**Temporalities of Law in the Visual Arts** This paper explores the turn to the temporal in recent work in both art history and law and the humanities. How does the question of time manifest in art, and why is this a particular area of interest for law? How does Bakhtin's chronotope, and Valverde's reading of his work, relate to work on temporality in art historical scholarship, e.g. that of Didi-

beyond, and pursuing collaborative projects with the National Library, the National Gallery, and the Street Theatre. His books include From Mr Sin to Mr Big(1993); Songs Without Music: Aesthetic dimensions of law and justice(2000); Proximity, Levinas, and the Soul of Law (2006); and Kangaroo Courts and the Rule of Law (2012). Recent scholarship examines the intersection of law and the visual arts, notably Law and the Visual: Representations, Technologies and Critique (Toronto 2017); and Temporalities of Law in the Visual Arts (Cambridge 2018). desmond.manderson@anu.edu.au	Huberman? In what ways are these turns connected, distinguishable, or symptomatic? And how does the question of time in art and law relate to what Agamben calls, somewhat contentiously, 'the contemporary'? This talk will reflect on research over the past five years which has sought to connect time, art, and law; and to situate itself at the nexus of scholarship in all these fields. I will be beholden to ideas; there will be pictures to behold.
MATTHEWS, Daniel Dr. Daniel Matthews is Assistant Professor of Law and Deputy Director of the Law and Literary Studies BA/LLB programme at the University of Hong Kong. He works on legal theory and law and literature with a particular focus on questions of sovereignty, jurisdiction and political community. His work has been published in leading international journals and is, amongst other things, co-editor with Scott Veitch of Law, Obligation, Community (forthcoming with Routledge, 2018). danmat@hku.hk	**Being-bound in the Anthropocene** The Anthropocene concept challenges a set of long-standing, modern assumptions about the relation between the 'Human' and the 'Natural world'. To accept that we live in a 'human epoch' where the forces of consumption, production and pollution have become the dominant force within the earth system is to acknowledge a fundamental troubling of a modern ethos, or sense of dwelling in the world. The Anthropocene describes a set of trans-species entanglements, calling on us to account for a broader set of relations than that imagined through modern institutions and modes of thinking. In particular, I will argue here, that the expansion of rights discourse – so prevalent in the contemporary conjuncture and used favourably within much environmental law scholarship –obscures the more important register of obligation in this context. It is precisely a question of our being-bound, and the allegiances and ligatures that attach us to place and community within the earth system that needs renewed attention as we confront a life lived in the Anthropocene.

McCUTCHEON, Jani Jani McCutcheon is an Associate Professor at the University of Western Australia Law school, where she teaches Intellectual Property law, Creative Expression and the Law, and Marketing law and is the Director of the Law and Society program. Jani has also practised as a solicitor, specialising in intellectual property law and worked as a legal research officer for a member of Parliament. Jani has a Master of Laws by research; her thesis was on the 'new signs' under the Australian Trade Marks Act. Jani has published numerous articles in respected Australian and international journals and has presented at Australian and international conferences and seminars on intellectual property law issues. She has been a visiting scholar at Berkeley Law school (2016). Jani is currently writing a book which will be published by Edward Elgar in 2019, entitled Literary Characters in Intellectual Property Law. Her research traverses a number of issues concerning the interface between copyright, moral rights and literature, the nature of the work in copyright law, the interface between copyright law and contemporary artistic practice, and disability exceptions in copyright and moral rights law for artistic works. Jani was the convenor of the Art in Law in Art conference hosted by the University of Western Australia Law school at the Art Gallery of Western Australia in July 2017. jani.mccutcheon@uwa.edu.au	**Picturing Words: Copyright's Picturisation Right** This paper explores the picturisation right under copyright law, the right to transform words into pictures. This right navigates the intersection between the literary and the visual, and moderates how characters, scenes and stories can be, to borrow from Shakespeare, "bodied forth" in a newly arranged graphic form. The right correspondingly calibrates artistic freedom to interpret text and implicates the relationship between art and language. When might picturisation constitute either a dissent from, or resistance to, the literary? How does intellectual property law engage with this new disposition of the text into a transformed visual form? The picturisation of literary text has immediate implications for numerous derivative works, including the burgeoning genre of graphic novels, comics and cartoons, and fan art, but also impacts the transformation of literary works into video games and film. This paper investigates the origins, rationale and scope of the underexplored picturisation right under Australian copyright law and considers its relationship with other adaptation rights such as translation, and with the literary author's moral rights. In considering the differing implications of literary and visual appropriation, the paper also demonstrates how the picturisation right directly confronts the idea-expression dichotomy in copyright doctrine, and helps us understand the copyright work as an immaterial construct capable of traversing different media.
McDONALD, Dave Dr Dave McDonald is a Lecturer in Criminology in the School of Social and Political Sciences at the University of Melbourne. His	**Moving Justice: From the Interiors of Courtrooms to the Exteriors of the Fence** Walls and fences figure imaginatively and instrumentally as sites of demarcation, division and exclusion. Often harnessing populist anxieties

research explores quasi-legal mechanisms of justice, with a particular emphasis on child sexual abuse. mcdj@unimelb.edu.au	against repudiated others, they enact visual and material obstacles according to the principle of protection. In this respect, they function as performative sites of denial, exclusion and the illusion of protection. In this paper, I examine the concept of fences in the context of the Royal Commission into Institutional Responses to Child Sexual Abuse. The regional Victorian town of Ballarat has a long and proudly rebellious history. It was the centre of the 19th century Gold Rush and Eureka Stockade that resisted intrusive colonial influence. Catholicism has also been at its core. While these characteristics endure, a dark cloud has continued to gather regarding its treatment of children. When the Royal Commission commenced its hearings into the Diocese of Ballarat, locals began attaching colourful ribbons to the fences of sites that were identified as places in which children had been abused. Intended as an act of solidarity for those who came forward to share their stories, it was also a visual gesture intended to break the silence that had protected abusers. Since then the Loud Fences movement has become international and constitutes a practice of marking and memoralising harms that have been historically silenced. Drawing on observational fieldwork examining the Loud Fences of Ballarat, I examine the affective dimensions of the sights and sounds of ribbons that proliferate around now notorious sites of systematic child sex abuse.
McKAY, Carolyn Dr Carolyn McKay holds a combined Commerce/Law degree (UNSW), two Masters degrees (Sydney) and a PhD for her thesis entitled *Audio Visual Links from Prison: Prisoners' Experiences of Video Technologies for Accessing Justice* (Sydney). She lectures in Criminal Law, Criminal Procedure and The Legal Profession at the University of Sydney Law School. Carolyn is Deputy	**Contesting the law through visual art** How might visual art provoke and test the legal truths of sentencing, punishment and incarceration? In this paper, I reflect on the 2015 Doing Time exhibition at the University of Sydney's Verge Gallery. Curated by Carrie Miller and supported by the Sydney Institute of Criminology and Sydney Law School, this exhibition brought together five invited artists to respond to concepts of detention, isolation, corporeality, spatial

Director, Sydney Institute of Criminology and an academic member of the New South Wales Bar Association. Her research has been published in international journals including *International Journal for Crime, Justice & Social Democracy; The Annual Review of Interdisciplinary Justice Research; Law, Culture and the Humanities; Surveillance & Society; Law Society Journal* (NSW), *Law Text Culture* and *The International Journal of New Media, Technology and the Arts*. She is a co-author with Mason, G., Maher, J., McCulloch, J., Pickering, S., and Wickes, R. for the 2017 book*Policing Hate Crime: Understanding Communities and Prejudice* and has contributed a chapter to the 2017 edited book, *Access to Justice: Comparative Perspectives on Unmet Legal Need*, Asher Flynn and Jackie Hodgson (eds). She is currently writing a research monograph *The Pixelated Prisoner: Prison video links, court 'appearance' and the justice matrix* to be published by Routledge. Carolyn is also an audio/visual media arts practitioner. carolyn.mckay@sydney.edu.au	relationships and, of course, time. The diverse creative responses varied from a confronting durational performance, installation, photomedia and works-on-paper. My own work Model Prison provided me with the opportunity to extrapolate from my (then) doctoral research, regarding virtual court appearance, to explore a futuristic virtual prison. The process of imagining and then producing a 7 minute HD video installation with audio soundtrack allowed me to scrutinise my academic research through material means. In this paper, I will discuss how, in academic pursuits, a parallel engagement with creativity can be a divergent method of discovery, an unorthodox methodology that can unsettle supervisors, yet nevertheless make meaning, visually express implicit experience and uncover certain 'truths'.
McLEOD, Allegra Allegra McLeod is Professor of Law at Georgetown University. Her research and teaching interests include political and literary theory, criminal law and procedure, immigration law, international and comparative law, and law and literature. She holds a J.D. from Yale Law School, and a Ph.D. and M.A. in Modern Thought and Literature from Stanford University. She also completed a postdoctoral fellowship in political theory at Stanford University. Prior to coming to Georgetown, McLeod practiced immigration and criminal law at the California-Mexico	**Imagining Abolition** Prisons and punitive policing produce tremendous brutality, violence, racial stratification, ideological rigidity, despair, and waste. Meanwhile, incarceration and prison-backed policing neither redress nor repair the very sorts of harms they are supposed to address — interpersonal violence, addiction, mental illness, and sexual abuse, among others. Yet it remains for many impossible to imagine abandoning incarceration and prison-backed policing despite persistent and increasing recognition of the deep problems that attend criminal law enforcement. My proposed paper will explore the political imaginary of contemporary abolitionist movements, often

border as an Arthur Liman Public Interest Fellow and staff attorney with the ABA Immigration Justice Project, an organization she helped to create. She has taught political theory at Stanford University, served as a consulting attorney with the Stanford Immigrants' Rights and Criminal Defense Clinics, worked with the ACLU National Prison Project and clerked for Judge M. Margaret McKeown of the U.S. Court of Appeals for the Ninth Circuit. Her publications appear in the Georgetown Law Journal, California Law Review, UCLA Law Review, Yale Law & Policy Review, Harvard Unbound, and American Criminal Law Review. Her current research and writing focus on the political imagination of contemporary abolitionist movements. allegramcleod@gmail.com	described as prison abolitionist. These movements—including the Movement for Black Lives, the movement for immigration justice, feminist efforts to both redress sexual violence and excessive policing, as well as community-based initiatives to confront gun violence and other forms of violent crime without prisons or police—are working incrementally to reduce reliance on practices of imprisonment, walling, caging, and policing as primary means of addressing complex social concerns and instead, generating alternative social responses to migration, sexual abuse, and homicide. Movement participants understand these contemporary projects to be connected to a centuries-long transnational abolitionist struggle for new forms of democracy and freedom and against the ravages of slavery, colonialism, and racial capitalism. In the long struggle to realize such fuller conceptions of freedom, equality, and democracy, for much of the late nineteenth, twentieth and early twenty-first centuries criminal law enforcement served as a primary means of preserving unfreedom. Contemporary movement participants draw on a critical intellectual tradition informed by historical, sociological, and existential considerations—particularly the work of WEB Dubois, Frantz Fanon, and Angela Davis. Through contemporary abolitionist efforts, centered in urban spaces, distinct visions emerge of how to imagine collective security without prisons or police, as well as how to envision justice in other terms.
MIHAL, Jan Jan Mihal is a doctoral candidate at Melbourne Law School. His thesis focuses on giving an account of law's nature as its mind-independent function, to show that an externalist-semantic positivism is both a possible and profitable position to hold in analytic jurisprudence. Recent achievements include being awarded first prize in the Australasian Society for Asian and Comparative Philosophy 2017 Graduate Student Essay Competition, as well as being awarded the Australasian Society	**Coniunctio Oppositorum? The Marriage of Fidelity and Dissent** Dissent is opposed to or at least in tension with fidelity, faithfulness, loyalty (from Old French loialte, loial, loi, from Latin, legalis, lex). I interrogate this tension – (where) do our loyalties lie, what kinds of things can be the objects of our fidelity, and what forms can our dissent take? I briefly animate this interrogation through Shaun McVeigh's work on "the dogs of law" – the dog is, after all, the animal archetype of loyalty: Dürer's dogs, the Juris Dogtor, the philosopher's dog (cf. Raimond Gaita), but also philosopher-dogs, those paradigmatic dissenters: the Cynics (from Ancient

of Legal Philosophy Essay Prize for 2016. He has played an active role in the life of the Law School, being co-President of the Graduate Researchers Association in 2015 and co-organising the Melbourne Doctoral Forum for Legal Theory in 2014. Outside of academia, he is an actor and makes electronic music, being one half of the psytrance duo "Sons of Israel". j.mihal@student.unimelb.edu.au	Greek κυνός, κύων meaning "dog"). I also locate (swapping dogs for dingos) this interrogation in a place, through my decade-long (loyal?) relationship to Unimelb and MLS, from first-year undergrad to PhD completion. I tell a short story of my experience of the implementation of the Melbourne Model and the near-elimination of Asian Philosophy from the curriculum. This is then juxtaposed with a modern disposition to whistleblow in office as evidencing the (growing?) tension between fidelity and dissent. I end with the cautious beginnings of a framework for reconciling dissent in and faithfulness to office (or law, an institution, the constitution, customs, a way of life, a work, or tradition) by introducing the notion of a process-related mind-independent logic or telos which I call, tentatively, the "spirit" (of the office, law, etc.) Whether or not it actually exists, I suggest that such a postulate is required to allow loyalty and dissent to coincide, in office and beyond.
MITCHELL, Dale Dale Mitchell is an Australian lawyer, PhD candidate and aspiring academic from the University of the Sunshine Coast. His research considers the representation of law, the legal profession and justice within popular culture, with a strong focus upon cross-medial adaptions and their impact upon our understanding of law and justice. dale.mitchell@research.usc.edu.au	**Agamben's Avengers: A cross-media analysis of Civil War** Marvel's Civil War remains one of the most influential and celebrated comics of the past two decades. In this tale, the state seeks to regulate superheroes in response to a mass-casualty event caused by a battle between superhumans. The resulting legislative provisions call for the unmasking of superheroes, compulsory training and support from the government, and a submission to state sovereignty – superhumans may only use their powers at the will of the state. What results is a battle between heroes themselves, some seeking to enforce this regulation and others fighting for liberation from it, a battle that has wide-ranging implications for the Marvel Universe. Since its first publication, Civil War has been subjected to scholarly analysis. Themes of law, order, sovereignty and the state are obvious, but there has not yet been a reading of this text through its multiple adaptions or the concept framed so dominantly within its title – civil war. With a focus on

	Agamben's Stasis, this cross-media analysis highlights the comparative and contrasting illustrations of this fundamental concept throughout the films, comics, video games and other media attached to this story. In Civil War, we see texts that not only explore the most fundamental point of dissent within the nation state in a narrative sense, but also provide an insight into this concept through their form: their modal dispositions. Marvel's Civil War, in form, content and context, is the 'Global Civil War' made real.
MOHR, Richard Dr Richard Mohr is a sociologist specialising in legal and urban issues. He is director of Social Research, Policy and Planning Pty Ltd, incorporated in Australia. He has been manager of a community health service, a consultant on urban planning and social justice issues, and director of the Legal Intersections Research Centre at the University of Wollongong, where he taught in the Law Faculty. He edited Law and Religion in Public Life: The Contemporary Debate (Routledge, 2013) with Nadirsyah Hosen. Many of his articles from socio-legal and semiotic journals are at https://independentresearcher.academia.edu/RichardMohr rmohr@srpp.com.au	**Dispossession, Disposition, Displacement: Is there a right to place?** This paper arises from a concern over dislocation of urban communities and continuing Indigenous displacement. Economic transformation, rapid escalation of housing costs and urban development, orchestrated by government and capital, have created massive pressures for gentrification in a multicultural community in Sydney. Arising from a study of that area over a five year period, this paper considers whether residents may have any 'right to stay put' (Hartman). This term, together with 'right to the city' (Lefebvre) and 'autochthonous capital' (Retière) form the basis of this inquiry into the foundations of claims over a right to place. It considers social, cultural and legal attachments to place. Places are repositories of law: social practices inscribe informal laws onto space. These practices arise from dispositions and interactions of groups in places, which are particularly complex in culturally diverse cities. Australian indigenous occupation and successive waves of immigration continue to pose alternative laws and narratives, challenging colonial discourse and problematising claims to autochthonous capital. Such claims become complex and highly nuanced in a post-colonial city. Key conclusions include: • Autochthonous capital derives from belonging in a place, and it is constantly negotiated with others; • Rights to place are collective, not individual;

	• Claims to place, in the sense intended here, may not be justiciable, but they must be enacted.
MUCA, Klaudia Klaudia Muca – PhD candidate at Jagiellonian University, Cracow, in the Department of Anthropology of Literature and Cultural Studies; employee of Polish Book Institute. Her academic research fields are critical disability studies, literary criticism, theory of literature and modern Polish literature. Editor of the academic magazine "Fragile" that this year released an issue devoted entirely to disability. klaudia.muca23@gmail.com	**Differences displayed – Polish performance art and the question of minority body** Polish performance art has "discovered" disabled bodies as "bodies that matter" in the recent decades. This discovery was made along with social activism that brought to light the issue of discrimination on the basis of disabilities in social as well as cultural life. Polish critical art proved that disabled body has an ability and a right to perform in the way that abled bodies perform, i.e. people with disability take responsibility for both social (in social sphere of life) and cultural (works of art made by the disabled) performances and create an action that display differences between people – differences that should not be labelled as stigma. Performance art gives an opportunity to speak and to show things in a democratic space of art in which all sorts of criticism are welcome, especially criticism regarding social inequalities. In the conference presentation I will examine two examples of performances that display disabled, minority bodies (shown in front of the camera or in front of the audience) and display their rights and abilities to settle their own state of life in social context. Firstly, I will indicate performances created by Artur Żmijewski – well-known Polish artist who created alliance between disabled and non-disables people in art. Secondly, I will take into consideration fragments of Joanna Pawlik's performances. In her early performances she played main role because of her own experience of disability: she lost her leg when she was a child. Then I will elaborate on a significance of performance art as the art of displaying differences in process emancipation of minority bodies.

MULCAHY, Sean Sean Mulcahy is a joint PhD candidate at the School of Law, Warwick University and Centre for Theatre and Performance, Monash University. His research interest is in law as performance. More specifically, his work examines the particular elements of legal performance – set, script, audience, sight and sound – across different international settings. sean.mulcahy@warwick.ac.uk	**Liminal spaces in legal performance** At the threshold of the millennium, a collection of essays on law and literature concluded that law should be reconceptualised as performance (Balkin and Levinson 1999). Since then, much has been written on law and performance, especially theatrical performance; but there has been little examination of spatial relations between the two. In both my experience and my research of legal performance, I am drawn to threshold or 'liminal spaces' – spaces within and without the performance building that one passes through in order to enter and exit the courtroom. Liminal spaces in both theatrical and legal performance prepare and condition the audience and actor for the core performative act. In the growing literature on spaces and places of law, the 'liminal' is generally underexplored as regards both its temporal and spatial aspects – the word connotes a transitional stage or process (temporal) and boundary or threshold position (spatial). An exploration of the liminal will yield new insights into law's relation to time and space. Drawing on my direct experience, this paper will provide a thickly described account of legal performance in the Ofer military courts in the West Bank, with especial attention to the liminal zones. By adopting a performance studies approach, this paper argues that the spatial and temporal experience of the liminal, of passing through and passing time in liminal space, constitutes an aspect of the legal performance. Through bringing theatrical experience to bear on the law, the paper will contribute new insights on the spatiality and temporality of law.
MURRAY, Jill Jill Murray has degrees in English, History, industrial relations and law from Melbourne and Oxford Universities. She has	**Depicting solidarity on social media: image and narrative** This paper takes as its texts tweets published on Twitter concerning industrial action. It is argued that the present laws governing lawful

published widely on Australian and international labour law, and participates on Twitter @jillethelmurray jill.murray@latrobe.edu.au	industrial action in Australia are designed to repress and fragment worker power. The law has successfully constrained and confined industrial action by working people to a narrow and largely invisible (to the broader public) haggling over working conditions. It is argued that Twitter works to subverts the intention and effect of the law, and that the methodologies adopted by some of the players should be analysed as literature. In particular, narrative and genre are central to the techniques by which Twitter activists generate a public image of dissent beyond that available to the lived experience of most citizens.
MORAN, Leslie J Leslie J Moran is Professor of Law in the School of Law, Birkbeck College London. He is currently working on a book examining visual images of the judiciary ranging from painted portraits and 19th century photography to a variety of screen images. His work on 'Judge Rinder' is part of the project that examines a contemporary screen images distributed via a variety of digital platforms. He was the principle grant holder in the Judicial Images Network initiative, a multidisciplinary project bringing scholars and practitioners together to examine the making, distribution and consumption of judicial images in a variety of jurisprudential, jurisdictional and socio-cultural traditions. The judicial images website is one of the legacies of the project. In addition to his pioneering research on the judiciary he has an international reputation for his research and scholarship on hate crime and sexuality and law. l.moran@bbk.ac.uk	**Judge Rinder: people's friend or enemy of the people?** "Judge Rinder" is the UK's home grown reality Court TV judge. He has become something of a champion of justice both in his TV Court and outside it. Marketing strategies used to create and sustain audience interest in 'Judge Rinder' focus not only on promoting interest in the drama of the courtroom and the pleasures of watching 'Judge Rinder' deliver justice but they have also developed the 'judge's' activities in other fields, some in areas apparently unrelated to law and justice. He has a regular consumer legal advice column in the 'Sun' the most popular 'red top' newspaper. He's published a bestselling consumer law book. Other promotional activities have led to regular appearances in charity marathons. 'Judge Rinder' also participated in the BBC's 2016-17 Autumn season prime time celebrity ballroom dance competition Strictly Come Dancing. His twitter and Facebook followers sing his praises as a 'judge'. His media and popular profile seems to firmly put him on the side of 'judge' as friend of the people rather than being branded, "enemy of the people" a term used to describe the Court of Appeal judges who ruled against the government in the Brexit case. His appearance on a BBC Radio 4 show interviewing serving judges about judicial appointments and judicial diversity was an attempt to harness the power of 'Judge Rinder' for the benefit of the established judiciary. So what is it about 'Judge Rinder' and the marketing strategies

	that are designed to produce and sustain his public as an adoring audience? What is the nature of the attachment that the audience make with this television figure of judicial authority? The paper uses reports about 'Judge Rinder' in legacy media and social media data to answer these questions.
MUNSHI, Sherally Sherally Munshi is an Associate Professor of Law at Georgetown University Law Center. She has a JD as well as a PhD in comparative literature. Her current research focuses on Indian immigration to -- and eventual exclusion from -- the United States in the early twentieth century. munshisherally@gmail.com	**Indian Exclusion and the Postcolonial Imaginary** The exclusion of Asian immigrants from the white settler New World at the turn of the twentieth century gave rise to distinctly new articulations of the nation state, territorial sovereignty, and national belonging. Focusing on the history of excluding Indian immigrants from the United States during this period, my current research explores some of the continuities between the forms of European imperialism, which governed mass migration through the nineteenth century, and the proliferation of nation-state borders in the beginning of the twentieth century. My paper will focus on the ways in which several Indian intellectuals who immigrated to the United States, many of them already active in the movement for Indian independence, identified the United States as a model postcolony. As they became disenchanted with the United States imperial adventurism and their own experience of racial exclusion, these same writers developed alternative visions of independence and mobility.
MUSSAWIR, Edward Dr Edward Mussawir is a lecturer in the Griffith Law School. His research covers various themes in jurisprudence including jurisdiction, judgment, legal personality, the legal status of animals and the work of Gilles Deleuze. Dr Mussawir is the Managing Editor of the Griffith Law Review: Law, Theory, Society and teaches civil procedure and legal theory.	**To Isolate the law** Conceptions of jurisprudence traditionally tend to proceed either from the particular instance to the general rule, from the solution in individual cases to the principles that logically apply by analogy beyond them, or alternatively from what is posited as general, universal, a priori, to the particular instances that instead merely confirm it by way of example of the universality of what is given. Little is said however about a method that is only occasionally acknowledged as the distinctive basis of (Roman) jurisprudence: to start from the particular case and to dare to go further

e.mussawir@griffith.edu.au	toward its precise particularity for law; to do for the general rule no more than stabilise it in the vicinity of an increasingly particular, minor, subtle and technical refinement; to isolate the law, the peculiar juridical meaning of things, like an chemist isolates substances or elements from confused mixtures. This paper considers the affinity in the work of Yan Thomas for the idea of 'casuistry', a science of cases, and the defence of a jurisprudence that stands independently of law as a sociological fact or by reference to a metaphysical given.
NAINANI, Dhirai Dhiraj Nainani is a second-year PhD student at the University of Hong Kong's Faculty of Law. He has a keen interest in jurisprudence, international law, and the interrelation between the law and the humanities. dkmn@connect.hku.hk	**Crimes against the city: 'urbicide', the city, and international criminal law** Does the crime of 'urbicide' exist in international criminal law? If not, should it? This paper explores this question by looking at how the concept of violence against the city has been developed in international criminal law. In looking at urban destruction as it was understood in the Nuremburg trials, and exploring how it has been understood in various other bodies of international criminal law since (such as the ICTY, the ICC and the ICJ), a certain pattern emerges: the destruction of the city is firmly embedded in the notion of the city as a cultural object. Yet this raises questions of its own. What aspects of the city merit a higher degree of cultural protection than others, and why? Can demarcations based on cultural merits be made with certainty (and upheld with the same certainty)? In fact, how does the law understand space within the city at all? In responding to this questions, the paper draws on critical legal geographers (such as David Delaney) and influential spatial theorists (such as Henri Lefebvre) to try and assemble a somewhat coherent response.

NORMAN, Jana Jana Norman is a PhD student at the University of Adelaide Law School. Her research focuses on defining a legal subject that corresponds to new understandings of the ecological role of the human species arising from evolutionary biology and cosmology. Jana is the founding convener of the Community of the Cosmic Person, an internet resource network for Ecozoic Living. jana.norman@adelaide.edu.au	**Introducing the Cosmic Person as a Post-Human Legal Subject for Earth Jurisprudence** Earth Jurisprudence is a philosophy of law aimed at securing the conditions for the health and future flourishing of the whole community of life on Earth. The movement advocates for transforming the human presence on Earth from environmental devastation to mutually enhancing, intimate relationship between humans and non-human life worlds. To this end, much of the early focus of this emerging field has been on re-imagining nature as subject (including as rights-bearing entity, or legal subject). This represents a departure of dissent from the post-Enlightenment Western cultural norm of nature as object. But does it go far enough to meet the objectives of Earth Jurisprudence? By not critiquing the concept of rights itself, is the movement limiting its powers of transformation? Further, without challenging the rational and autonomous disposition of the idealised human legal subject, how much can the human-Earth relationship change (given that change in relationships begins with change in the self)? This paper draws on post-human critical theory, ecological epistemologies, contemporary insights from physical and natural sciences, and a relational theory of law to reimagine a human legal subject – the 'Cosmic Person' – fit for purpose for Earth Jurisprudence.
OVERINGTON, Caitlin Caitlin is in the final stages of completing her PhD in Criminology at the University of Melbourne. Her research explores intersections between surveillance cultures, violence against women, and experiences of night-time spaces in urban environments. More broadly, she has interests in urban governance, and has also published work on the commercialisation of drones, use of lighting and surveillance in	**Surveillance capitalism, nudges, and currencies of emotion** Everyday practices are mediated through technologies that automatically harvest data. Within this, surveillance intentions proliferate rather than reduce- streamlined through capitalist logics of accumulation. Consequently, surveillance technologies initially intended in contexts of security and crime prevention now also offer alternative forms of consumption and entertainment. Such practices have been documented somewhat, such as in CCTV videos doubling up as content for crime shows,

city events, and the role of CCTV in family violence. Caitlin is a member of the Urban Environments Network, and the Research Unit in Public Cultures Graduate Academy. c.overington@student.unimelb.edu.au	interactive 'surveillance games', or other crowd-sourced surveillance activities (often critiqued in the context of responsibilities). Surveillance cultures emerge, the effects of which are multiple. Oppositional obfuscation practices to such processes are often piecemeal, and usually focuses on moments of outrage rather than the banal or 'the good'. This paper focuses primarily on mediated encounters with marginalisation, as disseminated by such security-surveillance technologies. While security narratives have often been publicised in the context of 'near miss' or negative emotion in order to expand, the emergence of these same networks to document and share 'happiness' has also emerged. Far from harmless, surveillance data's own obfuscation practices may sediment violence in representation of vulnerable subjectivities. Heart-warming moments captured by technologies and readily shared in social media settings shield the ongoing commodifications of encounter. Considering how such expansion may produce new politics and social relations then, transparent and sociotechnical elements can be better utilised to decelerate automated and algorithmic discriminations.
PALMER, Alice Alice Palmer is a Senior Fellow teaching in the Melbourne Law Masters Program at the University of Melbourne, Australia. She is also undertaking a PhD at the University of Melbourne on the use of visual image to represent aesthetic value of the environment in international law. Alice was previously a lawyer with the Law Institute of Victoria in Melbourne advising on law reform in the fields of human rights and administrative law, prior to which she was based in the UK as the Director of the Foundation for International Environmental Law and Development (FIELD), a not-for-profit organisation that provided advice and training to governments and public interest organisations on international environmental law and	**Aesthetic dissents in the *Whaling in the Antarctic* case** Lost among the many tensions in law arising from the International Court of Justice Whaling in the Antarctic case is a practice little noticed in the legal literature: the use of graphic images in the typically textual domain of international law. In their written and oral submissions, Australia presented photographs of bloody harpooned whales while Japan submitted images of sanitised whale tissue in laboratory settings. Neither party identified the legal purpose of the photographs and the Court made no mention of them in its decision. This paper argues that the textual disposition of international law has obscured a dissenting form of law: image. The handling of graphic image in the Whaling in the Antarctic case, the paper suggests, contrasts with

global development issues. Alice has a Master of Laws degree, specialising in public international law, from New York University, and she obtained her Bachelor degrees in Arts and Laws (with Honours) from the University of Melbourne. She was admitted to legal practice in Victoria (Australia) and New York (USA). alice.palmer@unimelb.edu.au	scholarship disposed to visual image, notably scholarship in visual art. Art scholarship understands visual images in terms of their different forms and employs a range of methods to attribute meanings and significance to them. An aesthetic analysis of the photographic images submitted by the parties in the proceedings, drawing on representations of whales in visual art, exposes complex issues of form and interpretation that are not acknowledged in international law. An aesthetic perspective heeds international lawyers – advocates, advisers, judges and scholars – to look beyond text and elevate visual image in the disposition of international law and practice.
PAPASTERGIADIS, Nikos Nikos Papastergiadis is the Director of the Research Unit in Public Cultures, based at The University of Melbourne. He is a Professor in the School of Culture and Communication at The University of Melbourne and founder - with Scott McQuire - of the Spatial Aesthetics research cluster. He is Project Leader of the Australian Research Council Linkage Project, 'Large Screens and the Transnational Public Sphere', and Chief Investigator on the ARC Discovery Project 'Public Screens and the Transformation of Public Space'. His publications include Modernity as Exile (1993), Dialogues in the Diaspora (1998), The Turbulence of Migration (2000), Metaphor and Tension (2004) Spatial Aesthetics: Art Place and the Everyday (2006), Cosmopolitanism and Culture (2012). He is also the author of numerous essays, which have been translated into over a dozen languages and appeared in major catalogues such as the Biennales of Sydney, Liverpool, Istanbul, Gwangju,Taipei, Lyon, Thessaloniki and Documenta 13. n.papastergiadis@unimelb.edu.au	**Making Sense of Public Culture** In this talk I explore the challenge of making sense of culture that occurs in public spaces. Unlike the performances and displays of culture within interior spaces, the experience of culture in an urban and networked public environment presents new challenges for cultural interpretation and evaluation. Relying on traditional art historical categories or emergent digital ethnographic tools may be either too narrow or too focused on technological affordances. Instead we propose to explore a new conceptual approach that seeks to grasp the wide range of artistic projects and diverse modes of public interaction. It will draw on research conducted at Melbourne's Federation Square.

PARSLEY, Connal

Connal Parsley joined Kent Law School as a Lecturer in 2013, from Melbourne Law School (Australia) where he was a lecturer and doctoral researcher. He also worked as a lawyer with the Australian Government Solicitor in the fields of commercial property and constitutional law. Connal's research is in the interdisciplinary field of law and the humanities, taking a critical stance on contemporary law and legal issues by drawing on political theory, critical jurisprudence, Italian critical philosophy (including several authors he has translated into English), visual cultural studies, film, and visual art. Understanding law as a cultural practice with specific ideational elements, Connal's work examines political, legal and visual phenomena that occur against the backdrop of lawful force. His work aims to interrogate the contemporary production of legal and ethical relations. Connal is particularly interested in how law's normative and political dimensions relate to specific technical forms and cultural practices.

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From the Barrel of No Gun: The Authority of the Artist and the Refusal of Appearance

"Authoritarian governments on the right, revolutionary governments on the left--they all fuck the artist," complained Paul Simon in 1986. "What gives them the right to wear the cloak of morality? Their morality comes out of the barrel of a gun." Simon's alternative morality led him to an infamous violation of the anti-apartheid cultural boycott, at the invitation of "black musicians" (in order to make *Graceland*); and it thus purported to disjoin artistic endeavour from the compromised vocabulary of political and moral action. But seen by critics like Robert Christgau as the mere "universalist humanism of centrist liberals out of their depth", Simon's convictions are easily resituated within the politics of cultural exploitation. The Western artist-entrepreneur again triumphed in accruing cultural and financial capital, precisely through the convenient rejection of overtly political solidarity.

Can the conduct of artists ever be understood as offering an escape from, alternative to, or un-working of existing political economies and imaginaries? Examples like the above suggest the opposite—and not only because of the stubborn pervasiveness of crude rights talk as a frame for understanding them (was Simon, a white American, "right" to reject the boycott? Did he have the "right" to make *Graceland*?). More compellingly, against Plato's exclusion of the poet from the republic, recent critical discourse gives the figure of the artist a strange priority in elaborations of the very nature of political life and power. This can be seen in two key examples: First, the artist as the entrepreneur-worker *par excellence* in the contemporary neoliberal-capitalist paradigm, and second, what Ernst Kantorowitz called the medieval "sovereignty of the artist", wherein the artist as representational poet-creator is the key to the ontology of legislation. This paper aims to question the critical orthodoxy that assimilates the artist to political power and morality. It does so by turning,

	perhaps surprisingly, to the question of authority. In new jurisdictional approaches to law, authority is connected to materiality, acts of speech, the institution and representation of relations, and "*techniques* of authorization and grounding" (as Dorsett and McVeigh write). Intervening into and developing the prevalent figure of the artist as neoliberal worker, I use this alternative frame to call attention to the repertoire of strategies artists use to augur an authoritative political space *alongside* those of governmental power. Repurposing the curial obsession with appearance and persona, I will pay particular attention to the intervention made by contemporary artists in refusing to appear or in withdrawing work from events—concluding that when artists speak and act in the political sphere, they can sometimes do so with an "authority of the artist", borne of its own heterogeneous jurisdiction.
PEARSON, Ashley Ashley Pearson is a PhD candidate at Griffith University, Australia focusing on Jurisprudence in Japanese Popular Culture. She is particularly interested in law and video games, fandom, and spending too much money on pop culture collectibles. ashleypea@gmail.com	**'Why Make a Weapon So Emotional That It Can Cry?': The Personhood of Labrys in Persona 4 Arena** Persona 4 Arena is a fighting game by ATLUS that uses the character of Labrys, a sentient android, to problematize questions of being, ownership and social recognition in regards to what it means to be a legal 'person'. Rather than the blind, button-mashing violence that is associated with games of the fighting genre, Persona 4 Arena includes an engaging story mode that allows the player to experience Labrys' dissent and frustration with the rules that govern her personage firsthand. Denied legal personhood by her creators, Labrys slowly comes to comport herself as a posthuman Heideggerian 'being', seeking an authentic existence despite being designed as a mechanical weapon, and challenging the anthropocentric view of legal personhood that her creators hold. Even with Labrys' best efforts to make herself understood, ultimately, Persona 4 Arena

	imparts a message of recognition—that legal personhood attaches to those who are 'seen': 'to appear is to take form, to be law is to be recognized'. 1 Peter Goodrich (2012) 'The Theatre of Emblems: On the Optical Apparatus and the Investiture of Persons, 8 Law, Culture and the Humanities 1, p. 57.
PETERS, Timothy D Dr Peters is a Senior Lecturer at the USC Law School, University of the Sunshine Coast, an Adjunct Research Fellow at the Law Futures Centre, Griffith University and is President of the Law, Literature and the Humanities Association of Australasia. He holds an LLB, a Bachelor of Commerce and a PhD from Griffith University, where he was a lecturer from 2011-2017. His research explores the intersections of legal theory, theology and popular culture and he is currently completing a book manuscript for Edinburgh University Press with the working title A Theological Jurisprudence of Popular Cinema: Superheroes, Science Fictions and Fantasies of Modern Law. Timothy was a Managing Editor of the Griffith Law Review (2012-2017) and Secretary of both the Law, Literature and Humanities Association of Australasia (2009-2016) and Law and Society Association of Australia and New Zealand (2006-2016). tpeters@usc.edu.au	**Theological Realism and the 'Seeing' of Law: Daredevil, Christian Iconography and Legal Aesthetics** What are we to make of the fact that one of the most developed legal characters of superhero comics—a medium which is inherently visual, iconographic and requires a slowness of seeing—is blind? There are, of course, all the references to 'blind justice' that can be drawn on—to the supposed impartiality of the judgment of Justitia—in the rendering of the double figure of lawyer Matt Murdock and superhero Daredevil. This paper seeks to explore, however, not just the traditional aspect of blindness in relation to the aesthetic and mythic representations of law (representations which, however, are particularly modern in nature, with justitia's blindfold being a relatively 'recent' adaptation), but the notion of a theological 'seeing' of reality and a legal and theological aesthetics which draws on this notion of seeing. It contrasts the way in which Daredevil's characteristic and narrative 'blindness' is something which opens up a greater seeing, rather than a lack of ability to see—through the notion of his 'radar sense' and his exceptional hearing—but also the way in which the theological aspects of Daredevil's narratives (particularly in story arcs such as Frank Miller's Born Again and Kevin Smith's Guardian Devil) point to an understanding of reality that can be 'seen' not just through the visual reception, but through a theological and aesthetic 'seeing' of reality. That is, it seeks to explore the nature of the aesthetic reality of comics in their visual depictions of characters, plots and narratives, and the iconic ideality that the images refer to—particularly when those comics draw on theological images of the gothic church, the cross and the stained glass window. In unpacking this

	theological and legal analysis, I will focus on the 'form' of the comic, the idealised 'body' of the superhero, and the nature of representation that connects the two.
PETTY, James James has recently completed his PhD in Criminology at the University of Melbourne. His PhD thesis examined the criminological imagination of homelessness in Melbourne, Australia and the regulatory strategies that flowed from this. His research interests include homelessness and poverty, urban and public spaces, citizenship, the governance of crime, and critical and cultural criminology. j.petty@unimelb.edu.au	**The question of the commodification of the homeless body** There are several recent social and cultural developments that appear to indicate that the homeless body—generally considered antithetical to consumerist modes of meaning production—is in the process of becoming commodified. So-called 'homeless tourism', a renewed popularity of homelessness as an opportunity for social enterprise and instances of homeless bodies being utilised in capitalist systems of meaning making, appear to indicate an emerging reconfiguration of the homeless body's relationality to cultural formations of capitalism. Yet, subject to various legal contestations, the homeless body remains a persistent challenge to social order and the encompassing imagery of the capitalist city. Concurrent to this possible commodification, is the increasing legal discrimination that homeless people are experiencing in many places in the developed West. This has seen the production and enforcement of systems of regulation that have severely circumscribed the capacity for homeless people to occupy public space and legitimately participate in public life. While this may have reduced the visibility of homeless bodies overall, I argue that for those at the acute end of the homelessness continuum—those who have nowhere else to go—this has increased their visibility, which lends itself to the commodifying gaze of capital. This speculative paper explores the role of law and its enforcement in these processes of commodification. It proposes that recent legal consolidations against this population are not separate from this nascent commodification, but are counterintuitively, compatible with capitalist assimilation of categories of deviance and the bodies that signify them.

PIŠKA, Nick Nick Piška is a Lecturer in Law at the University of Kent, UK. His research pursues a critical engagement with private law, particularly in the area of equity and trusts. He is currently writing a book on the fate of equity in modern law and society. He is the founding member of the Equity & Trusts Research Network (https://www.kent.ac.uk/law/research/centres-and-groups/equity.html) as well as a member of the advisory board of the University of Kent's transfaculty Centre for Critical Thought (https://www.kent.ac.uk/cct). He has previously been a researcher at the Law Commission for England and Wales. n.piska@kent.ac.uk	**Icons of Equity: a Genealogy of Equity's Femininity** Equity has long been associated with the feminine and feminine justice in its iconology, for example the figuration of aequitas in ancient Rome; in its literary imagination, such as Antigone, Portia, and Esther Summerson; and even in Chancery, whether by way of Chancery's supposed 'special tenderness' or paternalism towards women or in its style of decision-making, possibly evoking an 'ethic of care'. But while the gendered nature of justice (particularly through the figure of Justitia) and jurisprudence more generally has been examined, an historical and theoretical explanation of the gendered nature of the jurisprudence of equity has had little attention. The primary aim of this paper is to provide an historical account of the gendering of the jurisprudence of equity. It will begin by relating some of the common associations of equity and the 'feminine', before turning to a geneaology of how these came to be associated. The genealogy will pay specific attention to Aristotle's reading of equity with reference to Antigone, and how this came to enter the English Chancery jurisprudence by way of St Germain's Doctor and Student (c.1528) and the Earl of Oxford's case (1615).
POON, Justine Justine Poon is a PhD candidate at the ANU College of Law, Australian National University and is also manager of the Law Reform and Social Justice program. She works on critical legal theory and the use of metaphors in refugee law and political discourse, and is interested in interdisciplinary and creative ways of thinking about law. justine.poon@anu.edu.au	**The Genres of Refugee Law** Australian refugee law and discourse of the past two decades has narrowed the languages and images that are used to represent people seeking asylum. This is the case, at least, in the official genres of legislation, case law and government messaging. This disposition organises the time and space of refugee law through the selective and solipsistic perspective of the character of the strong sovereign, which must defend the state from the distant but present threat of the boat on the horizon. This paper proposes to explore how looking at Australian refugee law as a particular kind of story, in a particular genre, opens up critique and deconstruction of the cast of characters involved. Is the storytelling here an

	example of how powerful narratives can overtake the truth and hide the realities of how the state interacts with those captured within its laws and its force? What does it mean to tell stories about power and to tell powerful stories in this context – a context that is legally, discursively and materially disempowering? How can narratives be deployed to capture people seeking asylum as law's subjects or to resist capture? Through examining the different narrative viewpoints and genres that collect at the contact between boats and borders, this paper will begin to explore what alternative narratives of law, and of people in the law, are possible.
PUNG, Alice Alice Pung is an award-winning Melbourne author whose books include *Unpolished Gem*, *Her Father's Daughter* and *Laurinda*, and the editor of *Growing Up Asian in Australia* and *My First Lesson*. She is the Artist in Residence at Janet Clarke Hall, the University of Melbourne. bards_muse@yahoo.com	**Writing Through it All** When I was eighteen I read Tim Costello's *Streets of Hope* about his work as a lawyer, and never forgot when he wrote about how the language of the law locks most people out, particularly those of a different class or culture. My talk will be about reconciling my writing career with my legal career over a decade, from a writer's perspective.
RADO, Robi I have been a full time PhD Candidate at Melbourne Law School since March 2015, and a Teaching Fellow at Melbourne Law School since February 2016. My current research interests are in the areas of law and development, international law and political economy (especially in relation to the global South), international trade law and international migration law. In my PhD thesis, I am seeking to develop a better understanding of the legal regimes that govern Indians' international labour mobility, and of the relationship between those regimes and the development project. The thesis aims to elaborate the political	**Connecting the State, the Diaspora and India's Development** In my paper, I consider how the Indian state approaches the connection between Indians' international labour mobility and the development project in India, by analysing the discourse that emerges from a key Indian government report. I explore how that report arranges language and law, and uses a particular notion of 'development' over time to shape the ordering of Indians – whether inside or outside of India. I argue that the Indian state uses (the dominant conception of) the idea of development to support the way in which it governs Indians who work, or want to work, abroad. At the same time, the Indian state uses its relationship with Indian workers abroad to support the particular form that the development project

economy of those regimes, and to unpack the assumptions underpinning the expansion of international law and governance in this area. It argues that international law and the development project are both playing crucial roles in shaping Indians' international labour mobility, and that these roles are more important than, and of a different nature to, those commonly recognised by scholars and policymakers. I hold Bachelor of Commerce, Bachelor of Laws (Honours) and Master of Laws degrees from the University of Melbourne. I previously worked as a corporate lawyer at Mallesons Stephen Jaques (now King & Wood Mallesons) in Melbourne and at Freshfields (now Freshfields Bruckhaus Deringer) in London. rador@unimelb.edu.au	in India should take. While invoking Indians abroad to shape the governance of Indians inside of India appears, at first, to be counterintuitive, I argue that it reflects the way that particular notions of 'overseas Indians' and the development project are being simultaneously created by the Indian state, and the way that the authority of the Indian state to pursue a particular vision of the development project is being grounded. The manner in which the report uses a narrative of heroism to tell a story about 'overseas Indians' is crucial to the grounding of that authority. At the same time, a particular vision of the development project is being used to ground the Indian state's authority to govern 'overseas Indians' in a particular way.
ROCHFORD, Francine Dr Francine Rochford is a Senior Lecturer in the Law School at La Trobe University in Victoria, Australia. She has written extensively on the issue of water law and policy, particularly in relation to reforms to water policy. Her recent interests in water law include the constitutional framework within which water management occurs, the historical development of current water allocation principles, comparison of water law and policy, and the human right to water. Previous water related research has considered the tortious liability of water supply authorities for contaminated water, the environmental and social impacts of water policy reform, and constraints on adaptation to emerging water policy in regional communities. f.rochford@latrobe.edu.au	**From 'elusive and fugitive' to 'tradeable high-reliability water shares' – water narratives and the objectification of the environment** Water is central to lifeworld narratives, deeply embedded in culture and religion. Water-related symbols express every aspect of life. Pre-Christian water rituals were geographically situated – life-giving springs were associated with sacred beings. Association of water with life appears throughout the Christian bible, as does its antithesis – the 'dry ground, the 'thirsty land' (Isaiah 44:3), the 'dry and weary land where there is no water' (Psalm 63:1). In the Quran the relationship between water and food is also emphasised: '[i]t is He Who sends down water from the sky, and with it we bring forth vegetation of all kinds' (Quran 6:99). Echoing lifeworld experience, water in common law was elusive and fugitive, central to land and life. Flowing water was publici juris and the legal nature of water differed depending on its state.

	In a market system however, the nature of each water product is a function of its reliability, its tradeability, and its availability. Water is no longer fixed in a local geographical or cultural context, but is virtual, moving from upper catchments to downstream lakes in an online transaction. The centrality of water as a life force is subverted and availability of water becomes a technical issue. Water is devalued and objectified in the pursuit of economic interests. This paper explores the objectification of water and its conceptual displacement from its source.
ROPER, Cath Cath Roper has a BA, a DipEd and a Masters in Social Health. She held one of four pioneering staff-consumer consultant positions in mental health services in Victoria between 1995 and 1999 and later became the first consumer Academic in Australia, at the Centre for Psychiatric Nursing, University of Melbourne. Cath experienced annual involuntary admissions to mental health services over a thirteen year period, influencing her research and teaching interests. croper@unimelb.edu.au	**I am from Venus and I'm only here for the cats: Mental health legislation, bodily integrity and magical realism** I argue that Mental Health Legislation (MHL) is a form of "structural violence" (Galtung, 1990) leading to ethical peril of people governed by it, and to 'real-world' violence/losses. I focus on unwanted treatment, drawing on ideas about 'bodily integrity' that go beyond human rights frameworks of freedom of movement and security of the person. I turn to lines of thought where the "body and the mind cannot be separated because bodily integrity is not something that the person possesses, but a process that needs protection and recognition from others, including the state and the legal system" (Patosalmi 2009 p.126). This intimate, expanded definition opens the door to more finely grained description/consideration of the multiple levels of violence experienced by people subject to MHL including how we know things; experience ourselves in the world; and our relations with the state. Fricker's concept of 'hermeneutic injustice' will be drawn on to describe the difficulties of understanding/articulating one's own experience against the backdrop of "a culture does not yet even have a critical concept to make sense of a group or individual's experience" (Fricker, 2007:1). For example, how would it be possible to hear/understand violence for what it is in the context of MHL where any concerns are framed as medical, not human rights issues? 'Magical realism' is drawn upon as an imaginative counterpoint/enabler to a western world prizing rationality and fearing

	other ways of knowing. To this end the invitation is to create a world in which the magical is unsurprising. References Fricker, M., (2007), Epistemic Injustice: Power and the Ethics of Knowing, Oxford University Press Galtung, J., (1990) Cultural Violence, Journal of Peace Research, 27(3): 291-305 Patosalmi, M., (2009), Bodily Integrity and Conceptions of Subjectivity, Hypatia, 24(2):125-141
RUSH, Peter D Peter D Rush is an Associate Professor in the Law Faculty at the University of Melbourne, and long time member of the Law Literature and the Humanities Association in Australia. His research is shaped by the languages of criminal law and the jurisprudence of law and humanities. He currently writes on the cinematography and architecture of criminal justice, the formation of legal precincts in Australia, and the visual narratives of confession in Australia and Japan. p.rush@unimelb.edu.au	**Topics of Circumstance: storytelling and the audio-visual rhetoric of confessional laws** This talk offers a jurisprudence of an audio-visual jurisdiction. Its example of this hybrid form of common law is the laws of confession. The conduct of police is subjected to the gaze of audio-visual recording and the wordy discretions of judicial oversight. The central image is of the closed room of the police interview, and its atmosphere of confrontation and verballing. At the same time, confessions also take place in in the unrecorded conversations during toilet breaks, tea breaks, and in the sally ports and undercover operations that generate scenario evidence. How is this shift in the atmospheres of confession to be understood? In this presentation, I reconstruct legal stories of confession in terms of the exemplary scenes of their official performance. This is a matter of the places of law, as well as of the relations of image and word. The queen of proofs is dethroned, and confessions are to be found in the 'topics of circumstance' (Quintillian) that shapes the long history of forensic rhetoric of circumstantial evidence (circumstantiae, evidentia). Circumstantial evidence provides an audio-

	visual rhetoric that, it will be argued, holds confessions to the institutional and official conduct of common law.
SHANKS, Signa Daum Signa Daum Shanks is an Assistant Professor and Director of Indigenous Outreach at Osgoode Hall Law School. She also has her PhD in history. She is a prairie Metis from Saskatchewan, has published poetry and fiction and focuses her legal efforts on issues pertaining to Indigenous-settler relations. She is also called to the bar in Ontario. Her most recent project is a manuscript on the history of the most financially and socially stable Indigenous community in western Canada that is also home to the most contentious version of a competing land claim amongst various Indigenous families. sdaumshanks@osgoode.yorku.ca **SUTHERLAND, Kate** Kate Sutherland is an Associate Professor at Osgoode Hall Law School. She teaches and conducts research in the areas of tort law, law and literature, law and sexuality, and feminist legal theory. She is the author of two books of short stories and a collection of poems. The latter, titled How to Draw a Rhinoceros, has been shortlisted for a 2017 Creative Writing Book Award by the Association for the Study of Literature and the Environment. She is currently at work on an academic book about lawsuits involving writers as litigants and literary texts as evidence, and on a new collection of poems on the theme of extinction.	**Novelis Nullius: Legal Norms and the (Dis)Appearance of Indigenous Peoples in Canadian Fiction** Literary texts not only reflect societal values but also shape them. A rich site for exploring this dynamic in the Canadian context is in novels published in the New Canadian Library (NCL). The NCL was Canada's first paperback reprint series, launched by publishers McClelland & Stewart in 1958 and continuing in print today. Canon formation was an explicit aim in selecting books for the series and framing them as Canadian classics in scholarly introductions and afterwords. The cultural impact has been significant given the widespread adoption of NCL titles as required texts in high school and university classes within Canada, and their promotion as a means of communicating Canadian identity to international readers. In this paper, we focus on NCL novels set in Western Canada and analyze how they (and their accompanying introductions and afterwords) represent the historical experience and legal status of Indigenous peoples in those territories. We consider the colonial understandings that these fictional representations reflect and, further, the influence they may have wielded in paving the way for societal acceptance of colonial laws and policies. Finally, we flip the lens from a consideration of the impact of fiction on law to bring to bear Indigenous laws and understandings of treaty obligations as a tool to critique these fictions. Employing law in this way can also refine how we think about the responsibilities of all writers whether of fiction or non-fiction.

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SCHULTZ, Karen Dr Karen Schultz is a Lecturer at the Griffith Law School, and admitted as a Solicitor of the Supreme Court of Queensland. Her background is in private practice (at Feez Ruthning, now Allens), and in public sector research (at the Queensland Law Reform Commission, the Litigation Reform Commission, and the Court of Appeal, Queensland). Karen's teaching and research is focussed in legal theory, constitutional law, equity, and legal history. She has been an editor of the Australian Journal of Legal Philosophy and the Griffith Law Review, and Chair of the Organising Committee for the Griffith Law School's Legal History Seminar Series, established in 2011. Karen's recent work traverses legal history turns, the judicial use of philosophy, and the evolution of representative government. k.schultz@griffith.edu.au	**Lord Atkin's Dissent in Liversidge v Anderson – Decorum, Rule of Law, Orthodoxy** Common law dissent is enabled by decorum – the decorum of allowing opposing views to be voiced in a case's ultimate disposition or decision. For, a substantively contentious dissent may later morph to orthodoxy when its value and correctness is recognised. Yet a dissent may be formally contentious – it may be perceived to be indecorously expressed, and so to betray the appropriate judicial disposition or character. This paper examines aspects of Lord Atkin's celebrated dissent in the infamous wartime, public law case of Liversidge v Anderson (1941/1942). The history and context of Lord Atkin's dissent exhibit how the suppression of diverse judicial voices is at least indecorous, and at most destructive of future illumination. This paper traverses three points. First, the prelude to the case – the public emergency context of wartime etcetera – is outlined to interpret Lord Atkin's arguably contentious references to Alice in Wonderland and English history. Second, the aftermath of the case – the contemporary recognition, in the media's public space, of Lord Atkin's dissent – is considered in order to illustrate how his perceived upholding of the rule of law particularly arrested attention. Third, an analysis of the case is offered that highlights how conceptions of the rule of law can oscillate between Diceyan and Schmittian views – this assists in understanding Lord Atkin's refusal to condone the legal "black hole" of unconstrained executive discretion. Ultimately, the modern day vindication of Lord Atkin's dissent exhibits the continuing importance of buttressing the rule of law against overreaching executive discretion, and the 'decorum' of upholding the orthodoxy of the rule of law.

SHARP, Cassandra Dr Cassandra Sharp is Associate Professor in the School of Law, Faculty of Law, Humanities and the Arts, University of Wollongong and a member of the Legal Intersections Research Centre. She is co-editor, with Marett Leiboff, of Cultural Legal Studies: Law's Popular Cultures and the Metamorphosis of Law (Routledge, 2015). Cassandra's research interest lies in the expression and transmission of law within the public imaginary through mediated popular fictions, and she has developed an interdisciplinary empirical methodology to explore the ways that the concept of justice is challenged and/or maintained through contemporary stories of law. csharp@uow.edu.au	**What's in a hashtag? Vulnerability as a transformative disposition within social media** There is little doubt that new digital technologies metamorphosise culture, both positively and negatively. In an increasingly networked world, social media platforms have not just transformed the way we communicate, but they have also changed the way we interpret, legitimise and appreciate the achievement of law and justice within our communities. This paper will focus on the disposition of vulnerability as expressed within social media using hashtags. I will argue that individuals use and facilitate emotion within social media narratives to frame and contextualise normative expectations of the legal system; and that these stories collectively create a narrative of transformative vulnerability. In particular, I argue that in times of crisis, vulnerability is constituted and maintained through the prism of fear perpetuated in social media narratives. Yet, at the same time, these narratives also contain within them the blueprints for hope – the idea that with transformation, communal intervention, and/or faith in humanity, 'justice' will ultimately prevail. Although fear and vulnerability are powerful dispositions that can be manipulated, hope is equally commanding and offers significant transformative potential, and this is no more evident that in the moment of a crisis. Using case studies of twitter responses to recent terror events this paper will interrogate expectations of law and justice that are mediated through the complex interaction of fear and hope, and contextualise this within current contemporary anxieties surrounding terrorism.
SERISIER, Tanya Dr Tanya Serisier is a lecturer in Criminology at Birkbeck College, University of London. Her research explores the cultural politics of sexual violence with a particular focus on	**Speaking Out Online: Has Social Media Changed Responses to Sexual Violence?** Recent years have seen the growth of online feminist activism against sexual violence, particularly on social media platforms such as Twitter and

feminist and survivor activism and politics. Her monograph, Speaking Out About Rape: The Politics of Survivor Narratives is due for publication with Palgrave in 2017. t.serisier@bbk.ac.uk	Tumblr. This activism has been hailed as part of a 'new wave' of feminist activism, challenging victim-blaming cultures and confronting the failures of the criminal justice system to respond adequately to sexual violence. In the most positive depictions of the new wave of feminism, social media allows survivors and feminists to share their stories, create counter-publics and bypass or even improve legal failings in relation to sexual violence. However, closer examination of online spaces as an alternative platform for justice in these cases requires a more complex view. Speaking out online needs to be placed within a history of media and cultural activism around sexual violence for both the potential and limitations of this form of activism to become clearer. This paper explores some of that context, arguing that online spaces offer increased opportunities for dissemination of survivor narratives. At the same time, online spaces are subject to the same power relations and inequalities as offline spaces, with feminist communities online struggling with issues of intersectionality as well as growing incidents of cyber-misogyny directed disproportionately against women of colour. In this paper I explore these issues to ask about the extent to which online media opens up new opportunities for feminist practices of speaking out around rape and other forms of sexual violence.
SPIVAKOVSKY, Claire Claire Spivakovsky is a Senior Lecturer in Criminology at Monash University. Claire studies the interaction between cultural norms, societal structures and institutional responses that contribute to the inclusion or exclusion of people with disability in society. Her scholarly interests centre on how the treatment of people with disability in society shapes the operation of norms, the power dynamics of normalisation, and	**The Impossibilities of 'Bearing Witness' to 'Lawful Violence' in Disability Settings** This paper focuses on the use of 'lawful violence' in the disability sector, and the ways by which ableist dispositions and law's violence work together to silence the voices of people with disability who are subject to coercive controls. The paper engages with Jean-Francois Lyotard's notion of 'the differend' and Spivak's work on epistemic violence to draw out the various catch-22 situations that render people with disability's dissenting accounts of 'lawful violence' in the disability sector simultaneously 'impossible' and counterproductive. It further reflects on the tensions that surround the

the experiences of that which we have come to think of as freedom. claire.spivakovsky@monash.edu	process of 'bearing witness' to these dissenting accounts, and to the violence to which they speak.
STEELE, Linda Linda Steele is a senior lecturer in the Faculty of Law, University of Technology Sydney. Her research focuses on punishment of and institutional violence against people with disability. linda.steele@uts.edu.au	**Diversion's 'Curative Imaginary'** Court diversion schemes, typically involving movement of people with disability out of the criminal justice system and into the disability and mental health service systems, are increasingly supported as a key solution to the overrepresentation of people with disability in the criminal justice system, and as an appropriate response to the violence and other injustices experienced by offenders with disability. This is troubling because court diversion schemes typically involve coercive and punitive engagement with disability and mental health services and as such both enable the punishment of non-convicted individuals with disability who are otherwise beyond conventional sentenced punishment and affirm the legitimacy, justice and non-violence of punishment (and law) per se. Critical disability scholar Alison Kafer's (Feminist, Queer, Crip (2013)) argues that disability is inextricably associated with a self-evident impulse to cure through therapeutic intervention. In my presentation I argue that the logic of diversion is attributable to a 'curative imaginary'. This 'curative imaginary' is apparent in two respects. The first (as envisioned by Kafer) is that disability and mental health service engagement through diversion is unquestionably necessary to enhance disabled offenders' lives. The second which I propose, casts Kafer's approach to 'curative imaginary' in the specific context of jurisdiction and legality and the relationship between disability and law. Diversion 'cures' law of the limits that disability presents to legal authority to punish and 'cures' the state of the systemic irresponsibilities associated with offenders with disability. My analysis signals the need for greater engagement with discourses of humanitarianism and care when these discourses are mobilised by law in

	coercive and violent contexts against people with disability and a wider variety of marginalised populations.
STEWART, James James Stewart is a PhD candidate at the University of Adelaide Law School. His dissertation 'From the Ashes: a Reimagining of Critical Legal Studies' identifies the historical and continuing uses of CLS and how these approaches can be used within contemporary jurisprudence. james.stewart@adelaide.edu.au	**The Dissent of Patricia J Williams** In 1987, Patricia J Williams published Alchemical Notes: Reconstructing Ideals from Deconstructed Rights. The article was first presented as part of a panel on a minority critique of critical legal studies (CLS) at the 10th Critical Legal Studies Conference. Williams' contribution crafts a mixture of analogous stories, personal accounts, and family history to voice a critique of CLS and its interaction with race. These fragments of Williams' experience as a black, female, lawyer, can be understood as heralding the start of Critical Race Theory (CRT) several years later. In 2017, thirty years after its presentation and publication, this paper revisits Williams' seminal article. By contextualising Alchemical Notes within CLS, and as on the precipice of CRT, this paper asks what can be learnt from Williams' dissent and disposition in the critique of critical approaches to law.
SULLIVAN, Gavin Gavin Sullivan is a Lecturer in Law at the University of Kent, United Kingdom. He completed his doctorate (cum laude) at the University of Amsterdam (UvA), under the supervision of Marieke de Goede (UvA) and Mariana Valverde (University of Toronto). Gavin's current research uses socio-legal methods to study global security law. He is especially interested in understanding how law changes when countering unknown future threats and how expertise shapes what law is. Recent publications include: 'The Politics of Security Lists' (2016) 34(1) Environment and Planning D: Society and Space 67 (with Marieke de Goede); 'Transnational Legal Assemblages and Global Security Law: Topologies and Temporalities of the List'	**Building the Third Hurdle: Global Travel Bans and Foreign Terrorist Fighters** How are international counterterrorism efforts creating novel bordering processes and forms of mobility control? How are databases and datamining stretching the territorial scope of international law and governance and, if so, to what effect? In short, how are security and migration governance techniques, knowledge practices, technical artefacts and forms of expertise assembled to create global security laws aimed at regulating the transboundary flow of potential terrorists? This paper explores such questions by analysing recent efforts by states, international organisations and security experts to control the movement of suspected terrorists and foreign terrorist fighters (FTFs) - or 'building the

(2014) 5(1) Transnational Legal Theory 81; Building Peace in Permanent War: Terrorist Listing & Conflict Transformation (2015, with Louise Boon-Kuo, Ben Hayes and Vicki Sentas); and 'Between Law and the Exception: The UN1267 Ombudsperson as a Hybrid Model of Legal Expertise' (2013) 26(4) Leiden Journal of International Law 833 (with Marieke de Goede). g.sullivan@kent.ac.uk	third hurdle' (after passports and border controls), as one interviewee put it. It follows two overlapping initiatives of the UN Security Council. First, the travel ban against suspected foreign fighters travelling to fight with ISIL in Syria and Iraq, which all states must implement following Security Council Resolution 2178 (2014), and the collection of advanced passenger information (API) to further that end. Second, the travel ban imposed on those designated on the UN 1267 Al-Qaeda sanctions list, which is now being made interoperable with the Passenger Name Record (PNR) data used by the global aviation industry and the biometric databases of Interpol. Both initiatives take the Security Council into radically novel terrain and draw a diverse array of actors and practices into powerful global security assemblages. Drawing from interviews with Council officials, security and aviation experts, lawyers and suspected foreign fighters targeted by these measures I argue that these assemblages are changing what the UN Security Council is and stretching what the collective security system is capable of doing. Grappling with these shifts requires analytically foregrounding technical and spatial practices, rather than legal doctrine – or what Annelise Riles calls 'taking on the technicalities' of global security law. 'Building the third hurdle', in my analysis, is an ambitious project of global preemptive security governance that is creating de-territorialised bordering capabilities with far-reaching consequences for international authority and human rights. Efforts targeting the movements of a few hundred suspected terrorists, for example, are enabling new security mechanisms to be applied to the global annual population of 3.6 billion airline passengers. Exceptional security techniques are being created and exported worldwide through transgovernmental networks as counterterrorism 'best practices'. 1 Annelise Riles, 'New Agenda for the Cultural Study of Law: Taking on the Technicalities' (2005) 53 Buffalo Law Review 973.

THOMAS, Jeffrey E.

Jeff Thomas is the Daniel L. Brenner Faculty Scholar, Professor of Law, and Associate Dean for International Programs at the University of Missouri – Kansas City School of Law. Although much of my work is in the area of Insurance Law, I became interested in law and culture and rule of law after spending the 1999-2000 academic year in China as a Fulbright Fellow. Prior works on law and culture and rule of law have been published in the Asia Pacific Law Review, Law Text Culture, and UCLA Law Review. I am co-editor of a book on The Law and Harry Potter (Carolina Academic Press 2010) and I have contributed chapters to "Lawyers in Your Living Room! Law on the Small Screen" (ABA Press 2009) and "Prime Time Law: Fictional Television as Legal Narrative" (Carolina Academic Press 1998). A chapter entitled Civil Procedure and Popular Culture: Bringing narrative context to rules is in production for the book "Teaching Law with Popular Culture" (Carolina Academic Press 2017). I am still working on my paper on Occupy Central and Rule of Law which was presented at last year's Law, Literature and Humanities Association of Australasia meeting in Hong Kong.

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Disposition of Dissenting Oath-Taking in Hong Kong: Subjectivity, Rule of Law and Culture

On 12 October 2016, two pro-independence legislators engaged in acts of dissent while taking their oaths of office. The Chief Executive of the Hong Kong Special Administrative Region sued the legislators to prevent them from taking office because the acts of dissent allegedly violated the oath requirement. The disposition of the case was that the dissenting legislators were barred from office.

I am interested in what this incident shows about the rule of law in Hong Kong. On one hand, the strict imposition of the oath requirement through a judicial determination may be an example of the supremacy of law requiring the legislators to abide by the rule of law. On the other hand, thick versions of the rule of law include robust individual freedoms; the failure to protect such acts of dissent may be an example of the instrumental use of law (rule by law) to restrict rather than empower freedoms. I will analyze this case through the prisms of law (Hong Kong, Chinese, U.S. and British) and culture (Western/Anglo-American and Eastern/Chinese).

This paper might fit into the Public Art, Public Law stream. While that stream appears to be directed primarily at visual arts, the acts of dissent by the legislators are an example of performative art meant to publically ridicule China and promote democracy and political independence.

HU, Lung-Lung

Lung-Lung Hu is lecturer in Chinese department at Dalarna University. Lung-Lung Hu graduated from Comparative Literature Institute at Fu-Jen Catholic University in Taiwan, 2009. Since 2011, he has been teaching Chinese language,

literature, culture, philosophy, and supervising BA thesis at Dalarna University in Sweden. Lung-Lung Hu's research is regarding different topics in Law and Literature, such as justice and legal narrative. He is also exploring the methodology of teaching Chinese in distance courses. And also, he is in a research team "LIT" (Litteratur, identitet och transkulturalitet) at Dalarna University, and focuses on issues regarding transculturality and interdisciplinarity in literature. llh@du.se	
TOMLINS, Christopher Christopher Tomlins is the Elizabeth Josselyn Boalt Professor of Law at the University of California, Berkeley, and an Affiliated Research Professor of the American Bar Foundation, Chicago. Between 1980 and 1993 he was Lecturer/Senior Lecturer/Reader in Legal Studies at La Trobe University, Melbourne. His research concentrates on Anglo-American legal history from the sixteenth to the twentieth centuries. He is the author of Freedom, Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580-1865 (2010); Law, Labor, and Ideology in the Early American Republic (1993); and The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880-1960 (1985, reprinted 2010); and also of a substantial number of articles, chapters and other writings. His most recent book is Searching for Contemporary Legal Thought (2017), co-edited with Justin DesautelsStein. He has also been editor/coeditor of a number of other volumes and journals. His books have been awarded the Littleton-	**Old and New Materialities** As the linguistic/cultural turn of the 1980s has begun to ebb, socio-legal and legal-humanist scholarship since the turn of the twenty-first century has seen an accelerating return to materiality. This paper will describe some of the more prominent elements of that return, and will canvas the relationships that can be detected between the "new materialisms" and "vibrant matter" of recent years and the older materialisms (notably the materialist conception of history and of literary criticism) that held sway in critical legal scholarship prior to post-structuralism. In particular the paper will give attention to the now mostly forgotten oeuvre of the French philosopher of science, Gaston Bachelard, and to the possibility that Bachelard's work provides a site upon which old and new materialisms can be reunited. A prolific writer between 1930 and 1960, Bachelard pursued two seemingly unrelated trajectories of inquiry: the development of a dialectical and materialist (but non-Marxist) philosophy of science; and the development of a poetics of "reverie" – of the imagination. The paper will argue that these twinned inquiries granted Bachelard immense but largely unrecognized influence over the course followed by continental critical inquiry over the

Griswold Prize of the American Historical Association, the Hurst Prize of the Law and Society Association (twice), the Reid Prize of the American Society for Legal History, and the Bancroft Prize of the Trustees of Columbia University. He is currently working on a history of the Turner Rebellion and slavery in antebellum Virginia. ctomlins@berkeley.edu	half century after his death – from Althusser to Deleuze, from Baudrillard to Badiou. This paper argues that by mobilizing Bachelard for scholarship at the intersection of law, literature, and the humanities, old and new materialisms can be brought into a satisfying conjunction.
TROTTER, Sarah Sarah Trotter is a PhD candidate in Law at the London School of Economics. Her thesis examines the way in which the human condition is imagined and ordered in European human rights law. Sarah's research interests lie primarily in human rights law and theory, EU law, family law, and psychoanalytical theory. s.trotter@lse.ac.uk	**Birds Behaving Badly: The Regulation of Seagulls and the Construction of Public Space** In 2015, the then-Prime Minister of the UK, David Cameron, described the issue as meriting a "big conversation", while Members of Parliament in a February 2017 debate recounted in detail the chaos that seagulls are generating as "gull wars" are fought in towns and cities up and down the country. The question of the urban gull – and, more specifically, the question of the regulation of the urban gull – has, it appears, become a pressing one in the UK. With gull populations increasing and set to rise still further, the problems allegedly posed by "aggressive" seagulls in urban spaces are also on the increase. These birds are cast in popular discourse as being a public nuisance; and the fact that they are protected in law, like all other wild birds, has left local authorities scrabbling around for "solutions". The measures adopted thus far have either been directly targeted at the birds (including deterrent sound systems, roof-spiking, and the removal of eggs from nests) or at humans feeding the birds. Most notably, a number of local authorities have turned to their anti-social behaviour measures – namely, Public Space Protection Orders – in order to crack down on individuals feeding urban gulls within specifically-defined areas. In this paper, I examine how the urban gull has, in this way, been brought within the realm of the 'anti-social' in popular and legal discourse in the UK. I assess the

	implications of this in terms of how law is used to arrange and define public space and to alleviate insecurity; and I argue that the case of the urban gull in the UK represents an episode in what is a broader shift in how 'public space' is conceptualised in law.
VAN ENGELENHOVEN, Gerlov Gerlov van Engelenhoven (Giessen International Graduate Center for the Study of Culture) is writing his PhD dissertation on the Dutch-Moluccan minority, with a focus on matters of voice and silence. Via close readings of media and cultural representations of the Dutch-Moluccan migration history, the dissertation is aimed at figuring out to what extent Moluccans have voices, whether these voices are created by themselves, or rather granted them by others; whether these voices are heard, and if they are not, whether this is because of miscommunications or rather active forms of ignoring or even silencing these voices. Special emphasis is directed towards the potential of a resistant subjectivity that is developed by actively refusing to have a voice within a normative context that would otherwise streamline such voices within either a logic of protest/revolt, or a logic of (a will to) integration. gerlov.van-engelenhoven@gcsc.uni-giessen.de	**Jan Pieterszoon Coen: seafaring hero, genocide committer, or both? Tolerating voices of dissent in order to circumvent them**  This is a picture of the statue of Jan Pieterszoon Coen, Dutch governor-general of the Dutch East Indies Company. It was built in 1893, as part of a bigger program that was intended to strengthen Dutch national identity, by honoring (and as such instating) national heroes with monuments. Coen was selected because of his role in establishing the Dutch spices monopoly during the early 1600s. Coen's hero status, however, has always been controversial. He established the spices monopoly by depopulating the Banda islands, where the central plantations for nutmeg were located. This

	genocide cost the lives of around 15,000 Bandanese. Coen then repopulated the islands with slaves from Madagaskar. 'Whoever owns the places of memory has the key to collective identity' (Bernhard Giesen, Triumph and Trauma 30). As such, recurrent voices to remove the statue have been systematically ignored. However, after the statue fell from its socket during a construction accident in 2011, the municipality could no longer avoid these voices of protest. As an attempt to work around this discord, the municipality decided to add a new paragraph to the inscription of the renovated statue that mentions the controversy around Coen's legacy, as such seemingly giving voice to those who are against the statue. My presentation will explore this case study to scrutinize Dutch strategies of legitimizing their colonial history by feigning to tolerate voices of dissent.
VAN GEELEN, Tess I have a Bachelor of Arts in Economics, Journalism, and Peace & Conflict from the University of Queensland, and will complete an Honours degree in Law at Queensland University of Technology later this year. I work as a Research Assistant in the Law Faculty at QUT, working on topics including human rights, environmental law, intellectual property, and internet regulation. I am founder and CEO of The Light Bulb Exchange, a think tank dedicated to public policy. We produce law reform recommendations for state and federal parliament, and publish a blog on domestic policy issues. tessvangeelen@gmail.com	**A Healthy Environment for Human Rights: An Overview of International Jurisprudence** International human rights instruments seek to protect the life, dignity and health of all humans, regardless of factors like income, race or gender. Humans are born of nature, and depend intimately on the life-giving capacity of "the pale blue dot, the only home we've ever known." It should come as no surprise that the health of our planet is a prerequisite for the protection of human rights. International courts, however, have struggled to fully recognise this relationship. Important developments are taking place. In the landmark 1997 Gabcikovo-Nagymaros judgement, Vice-President Weeramantry made it clear that a healthy environment was critical to the protection of several human rights. Since then, various international bodies have also affirmed this relationship. This paper will map current approaches to understanding the relationship between the environment and human rights in international courts by

	examining two case studies where courts have successfully bridged this relationship, and two major gaps that remain. The first section considers a case of environmental pollution heard by the African Commission on Human and Peoples' Rights. The second looks at the treatment of the environment as it relates to indigenous rights, including land rights and cultural rights. The third section highlights two major gaps in international jurisprudence – climate change and international trade – where the environment is clearly essential to human rights, but international courts have yet to make the connection. Consideration will be given to the key challenges obstructing full recognition of the relationship in these areas, and ideas for future work to bridge those gaps. 1 Carl Sagan, Pale Blue Dot: A Vision of the Human Future in Space (Random House, USA, 1994). 2 Gabcikovo-Nagymaros Project (Hungary v Slovakia) (Judgment) [1997] ICJ Rep 7, 91-92 (per Vice-President Weeramantry). 3 John H Knox, Report of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, Mapping Report (30 December 2013) UN Doc A/HRC/25/53, para 26; UN Human Rights Council Resolution 10/4, Human rights and climate change, 10th Session, 25 March 2009, UN Doc A/HRC/RES/10/4; Council of Europe, Manual on Human Rights and the Environment (2nd ed, Council of Europe Publishing, 2012); Ben Boer and Alan Boyle, 'Human Rights and the Environment – Background Paper for the 13th Informal ASEM Seminar on Human Rights' (2014) Sydney Law School Legal Studies Research Paper No. 14/14.

VAN MARLE, Karin

Karin van Marle works in the Department of Jurisprudence, University of Pretoria. Her teaching, postgraduate supervision and research falls within the broad field of law and the humanities and involves critical theory, legal philosophy and jurisprudence. The main focus of her research for the past two decades has been on the thinking of a post-apartheid jurisprudence, situated in themes of transformation, memory, reconciliation and reparation. Her work on post-apartheid jurisprudence engages with the crisis of modernity and a rethinking of law and legal theory along the lines of fragility, finitude and a 'giving up of certitudes'. She is an ethical feminist and her research and writing are inspired by and embedded in feminist theory.

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'I write as I like' - Wor(l)ding, dissent, oscillation

In my paper I want reflect on the theme of 'Dissent and disposition' by way of the work of the Italian author writing under the name Elena Ferrante. A strong theme in her writing is that of oscillation, the tension between attachment and detachment, presence and absence, staying and leaving for example. Ferrante's characters struggle with relationships and refusal, but it is also the author's refusal to partake in the conventions of the literary world that entices. The form of the writing in as much as the narrative (re)presents possibilities for dissent and disposition - in response to a question on how she feels to be called the most important Italian writer of her generation she answers, 'I write as I like and if I want to.' (2016: 317) Her notion of writing 'as I like' could be brought into conversation with South African black consciousness writer, Steve Biko's 'I write what I like.' I will focus on her struggle with writing, her description of herself as 'I am the one who doubts'; her writing on Naples which she describes as 'a place of the imagination', a 'piece of reality that enters a story [that] has to reckon with literary truth, which is a truth different from that of Google maps' (2016:315); and her strong affinity to women characters and writers. She once commented that 'Educated, broad-minded men treat female thought with polite irony, as a by-product, good only as a pastime for women.' (2016: 316) I am interested in the connections between dissent and disposition, writing, the city and feminine subjectivity. ' .. the female "I" … with its long history of oppression and repression, tends to shatter as it's tossed around, and to reappear and shatter again, always in an unpredictable way.' (2016: 322)

VAN RIJSWIJK, Honni Honni van Rijswijk is a Senior Lecturer at UTS Law School. Her research focuses on representations of law and suffering, and she is co-convenor of the Law and Culture Group at UTS. honni.vanrijswijk@uts.edu.au	**Legible Erasures of The Beguiled (2017): Legal Violence and the Southern Girl** In The Beguiled (2017), writer/director Sofia Coppola self-consciously re-coups the figure of the southern white girl, re-telling the 1971 version of 1971 film that starred Clint Eastwood and which was based on the novel The Painted Devil, by Thomas P. Cullinan. Both the earlier film and the novel tell the story of the impact of the civil war on a girl's boarding school from a male point of view—Coppola reverses this point of view, and plays with the Southern Gothic genre to produce a darkly funny, comic-horror version of the story. Coppola invokes the significance of white women's sexuality to the racial history and legal violence of the U.S., at the same time that she asserts the agency and personhood of white southern girls, implicitly condemning their instrumentalization in legal projects of national violence. However, Coppola's 2017 version leaves out the African American characters of both the earlier film and the novel, and the aesthetic influence of black women—including Beyonce, who had filmed Lemonade on one of the sites that Coppola chose for The Beguiled (2017) (Clarkisha Kent). This paper provides a reading of these texts collectively, arguing that this archive's legible erasures act not only as a critique of law's violent relation to the material past, but also as a source of alternate legalities, where law is, in Elaine Scarry's words, "made up" before it is "made real".
GUEVARA, Valeria Vázquez Valeria Vázquez Guevara is a Ph.D. student in Law at Melbourne Law School. Her research interests are concerned with the socio-legal and political dimensions of identity, post-colonialism, nation-building, and post-conflict reconciliation.	**Representations of Reconciliation: The Public Life of Louis Botha** In this paper I examine the 'work' of the statue of Louis Botha located in the entrance of the Parliament of South Africa, which I call 'parliamentary space'. I argue that the statue 'works' as a technology, that is, as an instrument that not only brings to the present the representation of

From legal, political and social theory, Valeria has examined the law and policy-making processes, and their influence in domestic and international interventions in the Basque Country, El Salvador, Iraq, South Africa, and Spain. Valeria holds an M.A. in Peace Studies from the Kroc Institute for International Peace Studies at the University of Notre Dame (USA), an M.A. in Sociology of Law from the International Institute for the Sociology of Law (U. Basque Country, Euskadi/Spain), and an LL.B. from the University of Granada in Spain. v.vazquezguevara@student.unimelb.edu.au	South Africa's history of social injustice—in and through Botha—but it also transforms the current post-apartheid narrative, and simultaneously the Afrikaner narrative. Furthermore, the preservation and permanence of the statue in the parliamentary space—one of the greatest symbols of 'reconciliation' in the transition from apartheid to democracy—animates a profound clash between the current legal and political foundations of the 'new' and 'open' South Africa, and the 'old' and 'closed' one—Botha. The statue 'works' by disrupting and putting into question the narrative of 'reconciliation' of the post-apartheid period. At the same time, the statue 'works' by revealing the need to revisit the country's historical past through a narrative that respects and honors the history of everyone.
VEITCH, Scott Professor Veitch writes and teaches in the areas of legal, social and political theory. Educated in Scotland he has worked at universities in Australia and the United Kingdom, and was formerly Professor of Jurisprudence at the University of Glasgow. He has held visiting academic positions in South Africa, New Zealand, Belgium and France. Professor Veitch's area of research is jurisprudence broadly defined, and his work draws on historical, philosophical and sociological insights into law and legal institutions. More specifically it has dealt with the politics of domestic and international law; critical aspects of legal reasoning; the role of law in processes of transition and its bearing on reconciliation and memory; and the relations between legal concepts and political economy. He is the author of numerous books, articles and chapters. His most recent monograph analysed the ways in which contemporary law and legal institutions organise global irresponsibility, and was the subject of a book symposium in the Australian Journal of Legal Philosophy. His first monograph won of the European Award for	**Bearing Allegiance** Recent judgments in the Hong Kong courts have disqualified democratically elected candidates from taking up their seats in the Legislative Council since, it was decided, their protesting words and actions during the swearing-in ceremony meant they did not take their oaths of office properly. 'Properly' includes 'when taking oath [they] must sincerely and truly believe in it'. A 2016 Interpretation by the Standing Committee of the National People's Congress of the People's Republic of China (PRC) declared that the oath is a 'legal pledge made by the public officers … to the People's Republic of China and its Hong Kong Special Administrative Region'. Those public officers who must 'swear allegiance' to the PRC encompasses the Hong Kong judiciary which includes the 'overseas non-permanent members' of the Court of Final Appeal, currently twelve retired or serving senior judges including Lords Hoffman and Neuberger, and Justices Gleeson, French and Gummow. These twelve 'Honorable' (white) men, in taking up their office, have each sworn allegiance to the PRC, a 'socialist state under

Legal Theory. Current research projects include a historical investigation into the changing nature of the legal obligation. veitch@hku.hk	the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants' (art 1, PRC Constitution) This paper will consider (1) the ways in which pro-democracy actors' 'dissents and dispositions' have been treated by the common law courts of Hong Kong; (2) how these courts and their mode of reasoning align with an authoritarian regime; and (3) the question of judicial complicity.
WAN, Marco Dr Marco Wan is Associate Professor of Law and Honorary Associate Professor of English at the University of Hong Kong. He also serves as Associate Dean (International Affairs) at the Law Faculty. Marco's areas of interest include law and literature, law and film, law and sexuality, and legal/critical theory. He is the author of *Masculinity and the Trials of Modern Fiction* (Routledge, 2016). He is currently working on a monograph on Hong Kong law and cinema; the project is supported by the General Research Fund (GRF) of the University Grants Committee. He received his PhD and his law degree from the University of Cambridge, where he was an Evan-Lewis Thomas Law Scholar and a Sir Edward Youde Memorial Fellow. He also holds an LLM from Harvard Law School. He received his BA in Comparative Literature from Yale University, where he was awarded the Fox International Fellowship. He has been a Visiting Scholar at Sidney Sussex College, University of Cambridge and an Academic Visitor at the Law Faculty, University of Oxford. mwan@hku.hk	**Dispositions of LGBTQ rights in Hong Kong** In recent years, the courts in Hong Kong have demonstrated a disposition towards simultaneously advancing and undermining LGBTQ rights, often in the same judgment. This tendency, which can be described as a 'two steps forward, one step back' movement, is becoming increasing entrenched as the courts attempt to 'balance' the conflicting demands of activist and conservative voices in society. This paper analyzes the motivations, dynamic, and dangers of this dual judicial disposition by presenting a close reading of a seminal case involving sexual minorities, Cho Man Kit v. Broadcasting Authority.

WARDLE, Ben Dr Ben Wardle (LLB (Hons), BBus, PhD, Griffith University) is a lecturer in law at USC, Sunshine Coast, Australia. His research combines Lacanian psychoanalysis, critical legal theory and continental philosophy to reveal ways that contemporary legal norms, symbolisms, art, architecture, and practices sustain relations of social domination and oppression. bwardle@usc.edu.au	**Lady Injustice: Inequality and Legal Iconography** Public artworks in courthouses can have a significant impact on how judges, lawyers and the public view and relate to law. Public art can inspire and invoke social change, but it can also pacify populations and assist in maintaining the status quo. This paper critically examines the role of Lady Justice in permeating the values necessary for maintaining social stratification. It is argued that within liberal democracies justice is defined abstractly and individualistically. Such a definition allows the perception that justice is served so long as legal formalities and procedures are complied with. This definition of justice serves the interests of the powerful as it ignores the asymmetries in resources that undoubtedly influence the outcomes of legal disputes. The paper argues that Lady Justice materialises this abstract and individualistic conceptualisation of justice and, in doing so, permeates a narrow and problematic understanding of justice. One consequence is that a potentially revolutionary concept capable of inspiring people to bring about a more egalitarian society is colonised in ways that can lead us to believe that radical social change is largely unnecessary. The paper concludes by considering artworks that materialise dissent towards the formal notion of justice embodied in Lady Justice and argues that this is the type of artwork needed in courtrooms to impress upon legal practitioners their role in maintaining inequality and the great need to overcome this.
WATTS, Oliver Dr Oliver Watts is an artist and writer. He is an Honorary Associate of the Sydney College of the Arts, Sydney University and is Senior Lecturer, and Head of Performance Practices at NIDA. He has written in academic and popular journals on the nexus of art and law.	**Costuming the Police: The Image of Uniforms in the Public Space** The police uniforms in NSW, SA and Victoria have changed in the last 5 years. The uniform of police officers is perhaps the public art par excellence. It is a constant image of authority and legal power in the public consciousness. This paper critically appraises the uniform's design and place within fashion language. There is a tension between the language of

oliver.watts@sydney.edu.au	utility (common to the police's own documents relating to the uniforms) and the non-utilitarian (the clearly fashiony, or aesthetic choices made). Moving beyond a reading of the symbolism inherent to the uniforms, or the form follows function of design history, the paper speculatively moves beyond semiotics and utility towards an aesthetic reading. This aesthetic reading highlights other forces at play in the uniform of police including seduction, desire, fear and violence. The utilitarian approach in fact often hides the social and symbolic role of authority in the public sphere and on its limits suggests a dehumanising force. Using Barthes and Lacan's University Discourse and the recent extension of Barthes by the Australian Barthes translator and critic Michael Carter the paper teases out a number of various readings of the uniforms using various methodological approaches. The paper asks in conclusion, "How can a more aesthetic understanding of the fashion and costume of authority help humanise and socialise power more effectively?"
YOUNG, Alison Alison Young is the Francine V McNiff Professor of Criminology at the University of Melbourne. She is currently conducting a project on neighbourhood character and urban atmospheres in Tokyo. She is the author of many books and articles at the intersection of law, crime and culture, including Street Art World (2016), Street Art, Public City (2014, winner of the 2015 Penny Pether Prize in Law, Literature and the Humanities), and The Scene of Violence: law, crime, affect (2010). ayoung@unimelb.edu.au **RUSH, Peter D**	**Passing Icons: the disposition of character in Japanese criminal justice** In this talk, we take a walk. We tell stories of an itinerary taken over several years through the city of Tokyo, from Harajuku police station to the legal precinct of Kasumigaseki. Our concern is with the public production of contemporary Japanese criminal justice. Along the way, our attention is held by the places, transits and icons - both official and unofficial - encountered as we find our way through.

Peter D Rush is an Associate Professor in the Law Faculty at the University of Melbourne, and long time member of the Law Literature and the Humanities Association in Australia. His research is shaped by the languages of criminal law and the jurisprudence of law and humanities. He currently writes on the cinematography and architecture of criminal justice, the formation of legal precincts in Australia, and the visual narratives of confession in Australia and Japan. p.rush@unimelb.edu.au	
ZELEZNIKOW, John John Zeleznikow is a Professor of Information Systems and Director of Research in the College of Business at Victoria University. He has conducted research over 46 years in Australia, Estonia, France, Israel, Netherlands, Poland, Scotland and USA. His ground-breaking work on machine learning for decision support in law is currently being widely used globally. He is an associate Editor of the journals Artificial Intelligence and Law, Divorce and Remarriage and Group Decision and Negotiation. His research in the area of Humanities focuses upon the Holocaust. john.zeleznikow@vu.edu.au **CASANOVAS, Pompeu** Pompeu Casanovas is Research Professor at La Trobe University (Melbourne). He is also Director of Advanced Research and Professor of Philosophy and Sociology of Law at Autonomous	**Shevirath Ha-Kelim. Jewish Mysticism and the Catalan matrix for dialogue and violence** Our contribution describes the origins of the Kabbalah and its institutionalisation in Catalonia (mainly in Girona and Barcelona) from the 12th c. onwards. We will show how this mystical tradition, was combatted by Ramon de Penyafort [Rymond of Pennaforte](1175-1275), Pau Crestià [Pablo Christiani], Ramon Martí [Raimundus Martini] (1230-1284), and Ramon Llull [Raimundus Lullius] (1232-1316). They created a Christian matrix which graduated and combined cultural dialogue and religious violence. Medieval mysticism feed the Lurianic Kabbalah (described e.g. by Gershom Sholem and Jacob Taubes). But its Christian counterpart reached the 20th c., and was embraced by Carl Schmitt to formulate his concept of the political and legitimise the laws against the Jews that led to the Holocaust. There are ancient Hebrew, Catalan and Spanish versions of this Jewish poetry, but many texts e.g. by Iṣḥaq Saggi Nehor (Isaac el Cec, in Catalan), Yehudá Ibn Šéšet, Iṣḥaq ben Šalom ha-Aškenazi, Šělomó Gerondí, Iṣḥaq ben Šéšet Perfet, Mošé Remós... are still awaiting an English version. We will focus on Shevirat ha-Kelim (Shattering of the Vessels) from a cognitive, social and anthropological point of view.

University of Barcelona (UAB Faculty of Law), and since 2014 onwards, Honorary Professor at Royal Melbourne Institute of Technology. His research interests encompass intellectual history, legal theory, anthropology, ethics, AI, and semantic and data analysis. He is developing regulatory models to implement principles of linked democracy, privacy, and the rule of law (meta-rule of law) on the web of data (see http://dblp.uni-trier.de/pers/hd/c/Casanovas:Pompeu). At present, he is working on rights, legal compliance and governance in the Australian government-funded Data to Decisions CRC Project, and the EU H2020 Projects TakeDown (cyber-security) and LYNX (knowledge graph of legal and regulatory data). He belongs to the scientific board of several associations, and serves as general co-editor of two scientific Journals (at Springer Verlag, Germany, and Cornell University, USA). He recently launched the *Journal of Catalan Intellectual History* (JOCIH) at Open Access de Gruyter (Germany, Poland): https://www.degruyter.com/printahead/j/jocih. pompeucasanovas@gmail.com	