

PUBLIC LECTURE

International law in the House of Lords and the High Court of Australia 1996–2008: A Comparison



Professor James Crawford

University of Cambridge

The Inaugural Kirby Lecture on International Law
Thursday 26 June 2008, 6.30–7.30pm

Visions Theatre, National Museum of Australia (Lawson Crescent Acton Peninsula, Canberra)

The period 1996–2008 coincides with Michael Kirby's tenure on the High Court of Australia. During those years the High Court dealt with international law issues in a number of important cases, and Kirby J dealt with it, or relied on it, in many more. This experience may be compared with that of the House of Lords, which during this period decided some 50 cases involving points of international law. Starting from the same basic rules of recognition of international law which form the common law heritage – the equivocal internationalism of Lord Atkin and Dixon CJ and the fundamental premise that treaties are external promises of the executive and do not make law – the two supreme courts produced a contrasting jurisprudence. These contrasts, and some of the reasons for them, are the subject of the first Kirby lecture on international law.

James Crawford LL.D, FBA, SC is Whewell Professor of International Law, Director of the Lauterpacht Centre for International Law, University of Cambridge and a Fellow of Jesus College, Cambridge. He previously held chairs at Adelaide and Sydney. He is a Senior Council (NSW) and a member of the English bar, practicing from Matrix Chambers. He was the first Australian member of the United Nations International Law Commission and was responsible for the ILC's work on the International Criminal Court (1994) and for the second reading of the ILC Articles on State Responsibility (2001). In addition to scholarly work on statehood, collective rights, investment law and international responsibility, he has appeared frequently before the International Court of Justice and other international tribunals, and is engaged as expert, counsel and arbitrator in international arbitration.

The Annual Kirby lecture on international law is an initiative of the Centre for International and Public Law, established to recognise Justice Michael Kirby AC CMG's long passion and service to international law. The Inaugural lecture this year is delivered as a highlight of the ANZSIL Conference.

Please note that the Inaugural Kirby lecture is open to the public. The National Museum of Australia (NMA) will open its doors at 5.45pm for entry to attend the lecture.

Please RSVP to: rsvp@law.anu.edu.au

The views expressed in this seminar are those of the presenter and do not necessarily represent the views of The Australian National University.