

THE ANU COLLEGE OF LAW, JOHN FLEMING CENTRE FOR
ADVANCEMENT OF LEGAL RESEARCH & NATIONAL CENTRE
FOR INDIGENOUS STUDIES PRESENT:



PUBLIC LECTURE

GOVERNOR ARTHUR'S PROCLAMATION: INDIGENOUS PEOPLE & THE RULE OF LAW

Professor Desmond Manderson

Canada Research Chair in Law & Discourse, McGill University

Introduction by Professor Mick Dodson AM, 2009 Australian of the Year



Tuesday 28 April 2009, 5.30–6.30pm

Sparke Helmore Theatre 1, ANU College of Law
Fellows Road, The Australian National University

RSVP to: rsvp@law.anu.edu.au (by 21 April)

Enquires to (02) 6125 3487. This lecture is free and open to the public.

THE LECTURE

'The rule of law' has become canonized as a 'core Australian value', enshrined in new citizenship procedures, our front-line defence in the 'war on terror'. Defining what the rule of law actually means, however, is far from easy. For some writers the rule of law is 'an unqualified human good'; for others it is a 'menace in both domestic and foreign affairs'. The present lecture discusses, first in an historical context and then in relation to new laws, the legal treatment of Australian Aborigines. This legislation, while genuflecting towards the 'rule of law', in fact treats Aboriginal people in ways incompatible with their equality as Australian citizens. The historical comparison will help us understand how politicians and other leaders can hold these two contradictory facts—the rule of law and the treatment of Aboriginal people—in their heads without, apparently, exploding at the irony of it. The point of departure is one of the earliest and most celebrated depictions of the 'rule of law' in Australia, an iconic document which is both a law and a work of art. Governor Arthur's Proclamation had the colonial government's relationships with Aboriginal people very much in mind. Manderson demonstrates that the image is more complex, more revealing, and more relevant than anything else written on the rule of law in this country.

THE LECTURER

Desmond Manderson teaches, supervises and publishes on a wide range of subjects involving interdisciplinary work in law and the humanities, including aesthetics, torts, drug policy and history, ethics, and legal education. Prior to his appointment at McGill, he was foundation Director of the Julius Stone Institute of Jurisprudence at the University of Sydney. He continues to act as the managing editor of *Law Text Culture*, an international interdisciplinary journal committed to developing connections between aesthetics, law, and philosophy.

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

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