



Australian
National
University

Centre for International
and Public Law

ANU College of Law



PUBLIC LAW AND INEQUALITY CONFERENCE: PROGRAM

Venue: ANU College of Law Moot Court
Building 6A, Fellows Lane, The Australian National University, Canberra



PROGRAM

Wednesday 16 February 2022

Time	Event
8:30 – 9am	Registration
9 – 9:15am	Welcome & Acknowledgement of Country Sally Wheeler OBE, Dean, ANU College of Law
9:15 – 10:45 am	Equality: Constitutional Challenges Chair: Sally Wheeler (ANU Law) <i>Feminist Constitutionalism and Economic Inequality</i> Julie Suk, Fordham University School of Law <i>Equality and Political Participation: The Permissive and the Prescriptive Constitution</i> Adrienne Stone, Melbourne Law School
10:45 – 11:15am	Morning tea
11:15am – 12:45pm	First Nations, Public Law and Inequality I Chair: Justin McCaul (ANU Law) <i>Biological Descent, Race and Political Community</i> Dylan Lino, University of Queensland <i>Indigenous Challenges to the Broken Promises and Empty Rhetoric of Equality</i> Eddie Synot, Griffith Law School <i>Gugu Badhun Citizenship: Determining the Self in Self-Determination</i> Janine Gertz, UNSW Law
12:45 – 2:00pm	Lunch
2 – 3:00pm	Anti-discrimination and Equality: Norms and Institutions Chair: Jelena Gligorijević (ANU Law) <i>The Unrealised Potential of Equality Agencies</i> Dominique Allen, Monash University <i>The Difficult Relationship between Federalism and Inequality: A Case Study of Australian AgeDiscrimination Law</i> Alysia Blackham, Melbourne Law School
3 – 3:30pm	Afternoon tea
3:30 – 5pm	Democracy and Inequality Chair: Ron Levy (ANU Law) <i>Can a Radical Liberal Democratic Constitution Address Structural Inequalities? Lessons from South Africa</i> Cathi Albertyn, University of Witwatersrand <i>Material Benefits in High Office: A 'Feedback Loop' Framework for Evaluating Inequalities Caused by Political Lobbying</i> Barry Solaiman, HBKU College of Law <i>Inequality and the Law of Democracy: a Political Economy Approach</i> Timothy Kuhner, University of Auckland
5:30 – 7pm	Geoffrey Sawer Public Lecture Megan Davis, UNSW Law

Thursday 17 February 2022

Time	Event
8 - 9:30am	Equality, Human Rights, and Social Movements Chair: Ntina Tzouvala (ANU Law) <i>Sufficiency, Equality, and Human Rights</i> Samuel Moyn , Yale Law School <i>Notes on the Role of Law in Emancipatory Struggle</i> Amna Akbar , Ohio State University Law School
9:30 - 10:30am	Morning tea
10:30 - 12pm	Stream 1: Ideas of Inequality in Public Law Chair: Leighton McDonald (ANU Law) <i>Equality and Fraternity in Public Law</i> Farrah Ahmed , Melbourne Law School <i>Inequality, Political Constitutionalism and the Positive State</i> Lynsey Blayden , Gilbert + Tobin Centre for Public Law <i>Equality, Public Law, and Housing</i> Christopher Essert , University of Toronto Faculty of Law Stream 2: Capitalism, Welfare State, and Inequality Chair: Will Bateman (ANU Law) <i>Globalization Tax Competition and the Fiscal Crisis of the Welfare State: A 20th Anniversary Retrospective</i> Reuven Avi-Yonah , University of Michigan <i>The Australian Constitution as a Framework for Securing Economic Justice</i> Patrick Emerton , Deakin University Kathryn James , Monash University
12 - 1:00pm	Lunch
1 - 2:30pm	Stream 1: Liberal Constitutionalism's Structures and Inequality Chair: Moeen Cheema (ANU Law) <i>Social Inequality and Judicial Activism in Latin America</i> Jorge Contesse , Rutgers Law School <i>Carceral Inequality</i> Danielle Jefferis , California Western School of Law <i>Hong Kong's Constitutional Encoding of Economic and Social Inequality</i> Pui Yin Lo , University of Hong Kong Stream 2: Regional Perspectives on Public Law and Inequality Chair: Rebecca Monson (ANU Law) <i>Developing Responsive Rule of Law</i> Veronica Taylor , ANU RegNet <i>Asking 'The Woman Question' of Constitutional Governance: Insights from Myanmar, Sri Lanka and Thailand</i> Anna Dziedzic , University of Hong Kong Dinesha Samararatne , Melbourne Law School <i>National Human Rights Institutions and Socio-Economic Inequality</i> Mario Gomez , International Centre for Ethnic Studies, Sri Lanka
2:30 - 4pm	Afternoon tea / free time* * Please see list of suggested activities at registration desk.

4 – 5:30pm **Constitutionalism and the Market**

Chair: Leighton McDonald (ANU Law)

Fair Market Constitutionalism

[Rosalind Dixon](#), UNSW Law

Liberal Constitutionalism and Inequality: Before, During and After the Zero Lower Bound

[Will Bateman](#), ANU College of Law

Conference Dinner

Friday 18 February 2022

Time	Event
8 - 9:30am	Liberal Constitutionalism: Ideals and Reality Chair: Rosalind Dixon (UNSW Law) <i>The Rule of Law, the State, and Inequality</i> Jeff King , UCL Faculty of Laws <i>Plutocracy and Liberal Constitutionalism</i> Tarun Khaitan , University of Oxford
9:30 – 9:45am	Coffee/tea break
9:45 – 11:15am	Stream 1: Statutory Schemes to Redress Structural Inequalities Chair: Desmond Manderson (ANU Law) <i>The New Racial Wage Code</i> Veena Dubal , University of California, Hastings <i>Inequality and the Intersection between Public and Private law: The Place of Statutory Discrimination Law</i> Alice Taylor , Bond University <i>Climate Change, Inequality and a Role for Discrimination Law – The Example of Access to Swimming Pools</i> Beth Goldblatt , UTS Faculty of Law Stream 2: Constitutional Design and Inequality Chair: James Stellios (ANU Law) <i>Queues, Inequality and Rights</i> Katharine Young , Boston College Law School <i>Three Types of Socio-economic Spatial Inequalities: Can Constitutional Law be the Answer?</i> Erika Arban , Melbourne Law School <i>Separation of places</i> David Fontana , George Washington University Law School
11:15 – 11:30am	Morning tea

11:30am–1pm

Stream 1: Inequality and Climate

Chair: Andrew Macintosh (ANU Law)

Law and the Inequality that Still Lacks a Name

[Natasha Affolder](#), University of British Columbia, Peter A. Allard School of Law

On Fires, Floods, and Federalism: Adapting the Welfare State to the Climate Crisis

[Andrew Hammond](#), University of Florida Levin College of Law

The Environment is All Rights: Human Rights, Constitutional Rights and Environmental Rights

[Justice Rachel Pepper](#), Land and Environment Court of NSW

Stream 2: Public International Law Perspectives

Chair: Anton Moiseienko (ANU Law)

The ‘Unwilling or Unable’ Doctrine and the Political Economy of the Global ‘War on Terror’

[Ntina Tzouvala](#), ANU College of Law

States of Nature and Silence in International Economic Law

[Kevin Crow](#), ASB/MIT

Unequal Before the Law? Small States and Strategic Litigation

[Douglas Guilfoyle](#), UNSW Canberra

1–2pm

Lunch

2–3:30pm

First Nations, Public Law and Inequality II

Chair: Adrienne Stone (Melbourne Law School)

The Complicated Relationship between Inequality and Native Title in Australia

[Sean Brennan](#), UNSW Law

Love and Equality

[Asmi Wood](#), ANU College of Law

3:30–3:45pm

Conference Close

Leighton McDonald (Director, Centre for International and Public Law, ANU Law)

CONTACT US

Centre for International & Public Law

ANU College of Law
The Australian National
University 5 Fellows Road
Canberra ACT 2600
T +61 2 6125 4178
E cipl@anu.edu.au
W law.anu.edu.au/cipl

CRICOS Provider #00120C