



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

## Thursday 17 February 2022

Time	Event
8 - 9:30am	<b>Equality, Human Rights, and Social Movements</b> <i>Sufficiency, Equality, and Human Rights</i> Samuel Moyn, Yale Law School  <i>TBC</i> Amna Akbar, Ohio State University Law School
9:30 - 10am	<b>Morning tea</b>
10:30 - 12pm	<b>Stream 1: Ideas of Inequality in Public Law</b>  <i>Equality and Fraternity in Public Law</i> Farrah Ahmed, Melbourne Law School  <i>Could Reviving the 'Functionalist Tradition' Aid Public Law to Better Address the Problems of Material Inequality?</i> Lynsey Blayden, Gilbert + Tobin Centre for Public Law  <i>Equality, Public Law, and Housing</i> Christopher Essert, University of Toronto Faculty of Law  <b>Stream 2: Capitalism, Welfare State, and Inequality</b>  <i>Information Capitalism and Democracy</i> Michael Pal, University of Ottawa  <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	<b>Lunch</b>
1 - 2:30pm	<b>Stream 1: Liberal Constitutionalism's Structures and Inequality</b>  <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  <b>Stream 2: Regional Perspectives on Public Law and Inequality</b>  <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

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2:30–3pm **Afternoon tea**

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

***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

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**Conference Dinner**

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## Friday 18 February 2022

Time	Event
8 - 9:30am	<b>Liberal Constitutionalism: Ideals and Reality</b> <b><i>The Rule of Law, the State, and Inequality</i></b> <a href="#">Jeff King</a> , UCL Faculty of Laws  <b><i>Plutocracy and Liberal Constitutionalism</i></b> <a href="#">Tarun Khaitan</a> , University of Oxford
9:30 – 9:45am	<b>Coffee/tea break</b>
9:45–11:15am	<b>Stream 1: Statutory Schemes to Redress Structural Inequalities</b> <b>TBC</b> <a href="#">Veena Dubal</a> , University of California, Hastings  <b><i>Inequality and the Intersection between Public and Private law: The Place of Statutory Discrimination Law</i></b> <a href="#">Alice Taylor</a> , Bond University  <b><i>Climate Change, Inequality and a Role for Discrimination Law – The Example of Access to Swimming Pools</i></b> <a href="#">Beth Goldblatt</a> , UTS Faculty of Law
	<b>Stream 2: Constitutional Design and Inequality</b> <b><i>Queues, Inequality and Rights</i></b> <a href="#">Katharine Young</a> , Boston College Law School  <b><i>A Theory of Horizontality for Constitutional Rights Based on a Test of Equal Access to the Public Sphere</i></b> <a href="#">Eleni Frantziou</a> , Durham University  <b><i>Three Types of Socio-economic Spatial Inequalities: Can Constitutional Law be the Answer?</i></b> <a href="#">Erika Arban</a> , Melbourne Law School
11:15–11:30am	<b>Morning tea</b>

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11:30am–1pm

**Stream 1: Inequality and Climate**

*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**

*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

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1–2pm

**Lunch**

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2–3:30pm

**First Nations, Public Law and Inequality II**

*The Complicated Relationship between Inequality and Native Title in Australia*

[Sean Brennan](#), UNSW Law

*Love and Equality*

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

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3:30–3:45pm

**Conference Close**

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# CONTACT US

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