

EDITORS' INTRODUCTION

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After more than 30 years of law and society conferences in Australia, LSAANZ was formally incorporated in 2006 providing a more permanent presence and concentration for the study of law and society. Its intent is to better promote and foster scholarship broadly focusing on the interactions and intersections between law and society by bringing academics and postgraduate students, from all disciplines, with an interest in the relationships between law and society to speak to a specific conference theme. The association does this by not only running, in conjunction with other organisations, centres and universities, the Annual Law and Society Conference, but also encouraging the host institution to publish a special edited collection of research presented at the conference that speaks to the theme of that conference, complementing a range of publications in Australia and New Zealand that address and investigate the intersections of law and society.

Inside/Out, held from 30 November – 3 December 2015 at the Victoria Square premises of Flinders University in Adelaide, was the first LSAANZ event hosted by the Flinders Law School. The conference aimed to build on themes from recent LSAANZ conferences that looked at the edges and changing limits of law. Participants were asked to consider why law is configured as a complex network of insides and outsides, when it is so thoroughly embedded in and constructed by social practices. Such issues have been fundamental to law and society scholarship.

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This edited collection is a good example of law and society research presented at the conference directly speaking to the theme Inside/Out, reflecting the diverse ways law and society scholars presenting at the conference addressed this theme.

The first article in this collection is written by esteemed international law and society scholar, Professor Lynn Mather, who gave the conference keynote address. The first words opening the article ask 'Is law inside or out? And why does it matter?' Mather illustrates the social constructedness of legal boundaries through a discussion of how gatekeepers such as the police, lawyers, and bureaucrats control access to law and shape its boundaries. She discusses three ongoing examples that illustrate the dynamics of the law-society connection: police killings of black men in the US, litigation against tobacco companies, and child sexual abuse by priests.

The following three articles consider aspects of courts and court processes. The article by Kathy Mack and Sharyn Roach Anleu is part of a major empirical study into the Australian judiciary. It looks at the lives of judges through the framework of the work-family interface, considering in particular how gender affects judges' experiences in negotiating work and domestic life. In 'Reading the Archive' Trish Luker asks what contributions historians make as expert witnesses to law's view of the past. She examines the different methodological paradigms of law and history and the attitude that courts have had to historians, as well as the fluctuating status of historians as expert witnesses in the context of Australia's 'history wars'. Julian Murphy takes the inside-outside theme in yet another direction in his article about the impact of court design on access to justice for Aboriginal people.

The final four articles consider the Inside/Out theme in several quite different contexts, illustrating not only the breadth of law and society scholarship but also the many ways in which its core themes are expressed in practical situations. Sascha Mueller looks at the question of emergency powers often needed to deal with natural or

other crises. Mueller argues that the extraordinary and temporary nature of these powers can be diluted when they are enshrined in legislation, potentially leading to ‘executive creep’ and a normalisation of the use of powers that ought to be reserved for emergency situations. Megan Vine considers the ways in which socio-legal theory can contribute to an understanding of debates surrounding wine tax and improve the design of reform options. Chileyne Nwapi’s article contributes to the theme of Inside/Out by critiquing the extent to which the concept of a social licence to operate for mining is outside the realm of law, and asking whether a requirement for social or community support for mining projects ought to be institutionalised within law. And finally, in ‘Hot in Helsinki’ Susan Bird, Malin Fransberg, and Vesa Peipinen, question the boundaries of the law through an analysis of alternative spatial practices in the urban environment through the construction of a do it yourself (DIY) sauna under a bridge in Helsinki. The DIY sauna both utilises a gap in the regulatory net and creates its own system of rules operating outside the laws and the state and also creates is a reinterpretation of the traditional Finnish practice of the sauna.