



yacker

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THE EDWARD A. CLARK CENTER FOR AUSTRALIAN & NEW ZEALAND STUDIES
THE UNIVERSITY OF TEXAS AT AUSTIN

ANZSANA & AAALS MEETINGS IN WASHINGTON

The two North American scholarly associations for Australian and New Zealand studies held their annual joint meetings at the Key Bridge Marriott Hotel in chilly Washington 25-27 February. The meetings began with a Thursday evening reception hosted by the Australian Embassy, and during the following two days participants in each meeting heard and discussed a score of papers. Upwards of 60 scholars, graduate students, and DC-based officials attended the meetings.

One highlight was the keynote address by Prof. Alison Bashford (Univ. of Sydney) to the joint conference dinner, which Grace Tompkins organized with her customary aplomb at the International Student House located on R Street. Prof. Bashford gave a fascinating account of the life and times of the Australian explorer, Griffith Taylor, who was a member (and survivor) of the ill-fated Scott expedition to the South Pole. Another highlight was a lucid and wry luncheon talk by Nick Jose, the well-known Australian literary scholar, in which he recounted the many trials and tribulations of editing, over a period of six years, his recently published *Anthology of Australian Literature*. Both Bashford and Jose held the Harvard Chair in Australian Studies during 2009-10.

The meetings ended with planning for 2011 and elections of officers and board members. It was agreed that the next joint meetings will be held in Ft. Worth, Texas on 17-19 February 2011, with calls for papers going out early this fall. Rhonda Evans Case will continue as president of ANZSANA, and Ted Schekels will do the same for AAALS. Greg Flynn (McMaster Univ.) will continue as ANZSANA's program director, and Patricia O'Brien, from the Center for Australian and New Zealand Studies (CANZ) at Georgetown, was newly elected to ANZSANA's board. The substantial costs of the Washington meetings were subsidized by a generous donation of \$10,000 from AEI (Australian Education International), headed with much effectiveness by John Hayton until his recent return to Canberra, replaced now by Mark Darby, who formerly directed the Fulbright program in Canberra. Smaller but important subsidies by CANZ and the Clark Center helped keep ANZSANA's budget in the black.

MESSAGE FROM THE DIRECTOR

This issue of *Yacker* has been delayed because much of the spring semester went to organizing and holding back-to-back workshops on constitutional issues and immigration policies, described elsewhere in this issue. I made an around-the-world trip during May to help lead both workshops and I returned to Austin only in early June.

Working with the Clark Center, Sydney Law School, and the U.S. Studies Center at Sydney, Rhonda Evans Case enlisted ten leading constitutional law scholars to explore questions of “judicial supremacy or inter-institutional dialogue” in the U.S., Australia, Canada, and New Zealand. The resulting workshop was held in the spectacular Law School building recently erected on the Sydney University campus. In addition to providing the workshop with a dramatic venue, Law School Dean Gillian Triggs generously defrayed catering and some other costs. The U.S. Studies Centre, which in two years has established a dynamic public profile in Australia under Geoff Garrett’s leadership, brought Prof. Mark Tushnet from the Harvard Law School to anchor the workshop intellectually and meet with legal figures in Canberra and Sydney. Only the Sydney weather was less than congenial, treating workshop participants to a torrential downpour that got everyone well and truly soaked.

In Prato, Italy, by contrast, the late May weather was gorgeous, and the venue for a workshop on Australian and U.S. immigration policies was the palatial 19th-century villa that houses Monash University’s European research and study centre. Renewing its collaboration with John Nieuwenhuysen’s Institute for the Study of Global Movements at Monash, the Clark Center brought six American scholars to Prato for two days of discussions with a counterpart team brought by Nieuwenhuysen’s Melbourne institute.

Now comes arduous tasks of producing edited books from the two workshops, with Rhonda Evans Case hard at work on revisions of the Sydney workshop papers, and John Nieuwenhuysen, Stine Neerup and myself contracting with Edward Elgar Publishers for a follow-up volume to our *Nations of Immigrants: Australia and the USA Compared*, which Elgar published in January this year.

Many *Yacker* readers will remember Desley Deacon’s pivotal role helping found and lead the Clark Center during its first dozen years until she was appointed Professor of History in ANU’s Research School of Social Sciences ten years ago and subsequently became president of the Australian Historical Association. In April, a symposium on “Gender, Biography, Modernity & Film” – the main thrusts of Desley’s scholarship – was held at ANU to honor her career and mark her retirement. Desley now commutes between Canberra, where she continues her scholarly work, and Sydney, where she helps tend two young grandchildren. Her e-mail remains: deacon@coombs.anu.edu.au

John Higley

Immigration in Harder Times: The U.S. and Australia Compared

In October 2008 the Clark Center and Monash University's Centre for the Study of Global Movements convened a workshop at Monash's Research Centre in Prato, Italy, to take stock of immigration to Australia and the U.S. between the early 1990's and the onset of economic crisis in 2008. The workshop and resulting volume, published this past January, reviewed the two countries' massive immigration intakes during those years, contrasting Australia's emphasis on skills-based immigration with the U.S. emphasis on family reunion, as well as Australia's generally effective border protection measures with quite ineffective U.S. measures. The overall assessment was that in generally thriving economic conditions large-scale immigration was absorbed without inordinate difficulties in both countries, though with much greater policy coherence in Australia.

It has since become self-evident that immigration policies must adjust to harder economic times, especially in the U.S. It was decided, therefore, to convene a follow-up workshop to ponder how harder times are affecting the nexus between domestic labor markets and immigration, how public fears are altering border protections and support for large-scale immigration; how geographic dispersions of immigrants and unauthorized migrants are changing; whether new abrasions between foreign- and native-born populations are being kindled; and how harder times are affecting the politics of immigration.

The new workshop took place at the Monash Centre in Prato on 23-25 May. As before, the Clark Center assembled a team of five US-based scholars consisting of some new and some previous participants; Professors Frank Bean (UC-Irvine Sociology) , Robert G. Cushing (UT-Austin Sociology, now retired), Gary Freeman and David Leal (UT-Austin Government), and Phil Martin (UC-Davis Economics). The Monash Centre similarly formed a team of new and previous participants: Loretta Baldassar (UWA Sociology & Prato Centre director), Jock Collins (UTS Finance & Economics), Graeme Hugo (Adelaide Geography), James Jupp (ANU Immigration & Multicultural Studies), Peter Mares (ABC-TV), and Des Storer (formerly Australian Dept. of Immigration).

Reflecting the troubled economic climate in which immigration policies now operate, the workshop portrayed considerable policy uncertainty in both countries: the need for a comprehensive reform of U.S. immigration policy is more pressing, but also more explosive politically, than ever; Australia has escaped the worst consequences of the economic crisis, but newly arriving boats of refugees and asylum seekers are roiling the immigration policy waters to a worrisome degree.

Recent Visitors

Alison Bashford, Univ. of Sydney and Harvard Chair of Australian Studies
Jennifer Frost, Univ. of Auckland's US History Program
Hamish Maxwell-Stewart, Univ. of Tasmania and History Scholar-in-Residence
at UT-Austin, February & March
Cassandra Pybus, Univ. of Sydney and ARC Fellow

Judicial Supremacy or Inter-Institutional Dialogue?

In collaboration with the Univ. of Sydney Law School and U.S. Studies Centre at Sydney, Rhonda Evans Case and the Clark Center mobilized ten leading constitutional law scholars and papers to address this question at a workshop in Sydney on 18-19 May. In addition to Rhonda, who provided the orienting paper, the U.S. scholars were Professors Mark Graber (Maryland), Sanford Levinson (UT-Austin), and Mark Tushnet (Harvard). Scholars from Australia were Professors Brian Galligan (Melbourne), Helen Irving (Sydney), and Adrienne Stone (Melbourne); those from Canada were Professors Janet Hiebert (Queens), Rainer Knopff, and Dave Snow (Calgary); New Zealand scholars were Professors Petra Butler (Wellington) and Paul Rishworth (Auckland).

To quote from the orienting paper by Rhonda Evans Case, "The comparative study of judicial review has been energized by the adoption of bills of rights in New Zealand, the U.K., and at the state and territory level in Australia. These jurisdictions join Canada in contributing to the development of a 'new Commonwealth model of constitutionalism'. Deliberately eschewing the American variant of judicial review that is commonly believed to foster judicial supremacy, these countries have experimented with mechanisms intended to promote inter-institutional dialogue and ensure that elected officials rather than judges have the final word on matters that implicate fundamental rights and liberties."

Mark Tushnet has been the most prominent voice on these issues, and he ably summarized the state of play when opening the workshop. Papers then probed a host of court decisions and dialogues they spawned: US and Canadian Supreme Court criminal law decisions; education-reform litigation in American state courts; how court decisions are dealt with in Australian, Canadian, and New Zealand parliamentary debates; how New Zealand's Bill of Rights Act has forced a changed role for the Supreme Court and how its Bill of Rights decisions have generated dialogue with Parliament; how the Australian High Court has recently affected Commonwealth powers to regulate the economy, and how High Court decisions have affected rights protections, especially those of alleged Muslim "terrorists", as well as the separation and division of powers in Australia's political system.

Recent Publications

John Higley, John Nieuwenhuysen, and Stine Neerup, eds. 2010. *Nations of Immigrants: Australia and the USA Compared*. Cheltenham UK & Northampton MA: Edward Elgar.

John Higley and Heinrich Best, eds. 2010. *Democratic Elitism: New Theoretical and Comparative Perspectives*. Amsterdam & Boston: Brill

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