

## Five Questions for....

Patrick Emerton, Lecturer, Monash University

**You recently hosted a terrorism roundtable at Monash University. Was the day a success?**

Yes. There has been a good deal of academic discussion on the principles and possible operation of Australia's new anti-terrorism laws, but so far less attention has been paid to their actual practical effects. The forum tried to remedy this deficit by bringing together not just academics but politicians and political commentators, community groups and the Victoria Police. Probably the most interesting part of the day, at least for me, was hearing senior members of Victoria Police explaining how they understand the role of the police in enforcing highly discretionary anti-terrorism laws.

**What do you think is the most worrying trend in the war on terror?**

In Australian law, the most worrying trend is the introduction of highly discretionary powers – vested in the police, in prosecutors and in the government – to selectively criminalise those who are connected to acts of, or groups involved in, political violence. We generally understand the rule of law as meaning that the law will treat like conduct alike. Australia's anti-terrorism laws, however, allow the security services and the government to use the law in a highly discretionary way, focussing only on political violence which is at odds with Australia's foreign policy. This has the potential to undermine the political and cultural pluralism which should be at the heart of any healthy democracy.

**You have been at Monash for nearly 7 years now. What do you see as the most rewarding part of your job?**

When I first came to Monash, I had already taught and undertaken post-graduate research in philosophy, so the decision to move into legal research and teaching was a big one for me. What I've found, however, is that working in law has allowed me to maintain my interest in political and human rights issues, but to apply that interest in a more practical way – for

example, by getting involved as a legal expert in the debate over anti-terrorism legislation. This sense that my research and teaching can have a practical effect on the things I care about is probably the most rewarding part of the job.

**You have recently received your PhD. Are you having trouble filling in your time?**

Not really! Teaching always takes up a lot of time – and I've had an extra load this

semester because I had a light load last semester to help me finish my thesis. Between that and my turning our forum outcomes into publishable papers, I've found plenty to keep me busy.

**If you had to give your daughter Beatrice one piece of advice, what would it be?**

Don't be fooled by rules, don't be ruled by fools!



Patrick Emerton

## Postgraduate Study in Human Rights

Masters of Law (Human Rights) Program for 2007

The Castan Centre is proud to be associated with the only coursework masters degree in human rights law in Australia. The program provides in-depth theoretical and practical knowledge of the international human rights legal framework, the organisations that promote and protect it, and the mechanisms and processes by which is enforced.

The Human Rights Law Units offered for post graduate study in 2007 have been announced. Check out the course and unit descriptions for subjects at

<http://www.law.monash.edu.au/postgraduate/units-hr-law.html>

### Subjects on offer in 2007

- Australian legal system (LAW7212)
- Comparative bills of rights (LAW7333)
- Current issues in international human rights (LAW7026)
- Current problems in family law (LAW7060)
- Forced migration and human rights (LAW7066)
- Graduate research paper (in human rights) (LAW7078)
- International humanitarian law (LAW7218)
- International human rights law and women (LAW7311)
- Terrorism and human rights