

## EDITOR'S FOREWORD

JULIAN PINDER\*

The *University of New South Wales Law Journal's* Thematic Issue is intended to be a source of rigorous and thought provoking legal scholarship on a topic of current legal – and indeed general – interest. It is hoped that the exegesis made possible by inviting a wide range of experts to contribute on a single theme will help bring forward new ideas, and new ways of thinking about the chosen topic.

This year's Thematic Issue is devoted to the centenary of the *Australian Constitution*. Authors have been invited to make use of this important milestone to reflect upon the past and, in so doing, to provide a vision for future constitutional, legal and social change in Australia. The ultimate goal is for some of Australia's best minds to offer their own ideas and suggestions for how the law could (or indeed should) develop as we move into the second century of our Constitution.

The aim of this Thematic Issue is to focus not only on the constitutional text itself, but also on the 'constitution' of our society in the broader sense, and particularly upon areas within which the Constitution has had and continues to have an important, if not so readily apparent, impact.

This Issue is unlike previous Thematic editions in that it seeks to collect a wider range of (necessarily) brief, and often contradictory, perspectives on particular aspects of the chosen topic. The 27 contributors to this Issue were specifically asked to write on one of seven areas:

- the role of the Constitution as an instrument of social integration;
- the nature and role of democratic government in Australia;
- the nature and role of the judiciary in Australia;
- the recognition of rights and responsibilities by and in Australia;
- the effects of globalisation, and the role of Australia in a global democracy;
- the recognition of Indigenous peoples by our constitutional system and calls for Indigenous self-determination; and
- the recognition of multiculturalism in our society and by our constitutional system.

While each author speaks with her or his own voice, a number of common themes emerge out of the Issue as a whole. These include: the importance of

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engaging with the concept of a Bill of Rights and other methods and institutions of rights protection, to ensure that we as a nation and as individuals can continue to enjoy our most important rights and freedoms; the need for a full and meaningful recognition of the past and continuing wrongs committed against our nation's Indigenous peoples and the importance of allowing Indigenous peoples to define for themselves concepts of 'constitution'; and the need for Australia to find its place responsibly in the emerging global community, including how we choose to define ourselves and our nation in relation to that global community.

It is hoped that these themes and understandings, and the variety of perspectives offered, will make an important contribution to ongoing legal, social and constitutional debate in this country.

I wish to express my thanks to Professor George Winterton, of the University of New South Wales, and Professor Geoffrey Lindell, of the University of Melbourne, who jointly suggested the initial idea of a Thematic Issue that looked to the future of Australia's Constitution. I am also greatly indebted to Professor Winterton and to Robert Shelly, also of the University of New South Wales, for their valuable advice and counsel in the formation of this Issue.

I would also like to extend my deep thanks to the contributors to this Issue, to the Editorial Board, and particularly to my fellow Editors for 2001, for their endless support, assistance and patience.