

## **The Practice of Migrant Jurisprudence: some Australian Reflections**

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How people live with law in place and time produce diverse and contested stories that are not always easy to tell. This is certainly the case in Australia, where the complex and often painful histories of settler-colonial relations between Aboriginal and Anglo-Australian laws and people continue to the present day. Additionally, Australia is an Island nation, and the experience of living with law in Australia since colonization has been shaped not only by the English, but by subsequent waves of migrants from all over the world, who complicate the very idea of an 'Anglo-Australia'. In my work, as well as committing to the task of telling these histories of living with law in Australia, I am very interested in thinking about the techniques necessary to do so. Making visible the relationships between different laws and peoples in a place requires methods drawn from diverse historical and jurisprudential traditions. But to name these traditions and their methods as practices to put them in plain sight as part of the scholar's obligations and craft is difficult, both to determine and to describe.

In this paper I would like to discuss in general terms my practice of jurisprudence (in English, a prudence, or care for how law is conducted). But in doing so, I would tentatively like to explore what it might mean to redescribe that practice as a 'Migrant Jurisprudence'. This is about more than doctrine or treaty, states and courts. Considered historiographically, for example, 'migrant jurisprudence' could be a framing narrative of how law is carried to a place by people, as well as how people experience the law of and in a place when they arrive. As a practice of legal thought 'migrant jurisprudence' might also offer a way to consider the questions of how law moves and travels (and who carries it); and how what is attended to in different traditions of legal thought, languages and forms adapt and respond to the times and circumstances of arrival and departure. Most interesting to me, perhaps 'migrant jurisprudence' offers a way to organize and hold together the techniques and obligations of jurists and jurisprudents, historians and humanities scholars, that are necessary when laws and people from different traditions encounter each other in a particular place, and when local histories are formed and contested as a result.

As a visitor to the University of Catania, a mediation on 'migrant jurisprudence' is also offered as an engagement with colleagues involved in the *Ius Migrandi* project. The project takes as a premise how in Sicily, and around the Mediterranean, migration is not only a question of rights and EU and international law, but has a history, and is a local and transnational concern for people living and working in Catania today. Despite differences in provenance and location, these concerns, and the interdisciplinary methods and collaborations necessary to investigate them, I similarly understand as scholarly duties that attach to working in particular places. Exploring 'migrant jurisprudence' as a way to join scholarly concerns and practices – be it in Catania or Melbourne-might be fruitful; and I will consider some of these ideas with examples from my research and teaching.