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FULFILLING THE PROMISE – 50 YEARS OF THE AUSTRALIAN LAW REFORM COMMISSION

Mordecai Bromberg and Andrew Godwin

The 50th Anniversary of the Australian Law Reform Commission (ALRC) presents an opportunity to celebrate its achievements to date and contemplate its future. This article discusses the ALRC’s history since 1975 with reference to its historical origins, its institutional attributes and the inquiries that it has conducted. In particular, it examines the purpose of institutional law reform (the “why” of institutional law reform), the different functions that the ALRC performs (the “what” of institutional law reform), and the way in which the ALRC performs those functions (the “how” of institutional law reform). The article concludes with observations about the value of the ALRC and its future in fulfilling the promise of institutional law reform. 902

OF MICE, MEN AND MACHINES: A FUTURE DIRECTION FOR LEGAL PERSONHOOD

Daniel Goldsworthy

Law personifies its subjects. Once a legal person, certain rights, duties and obligations follow. At least that is the standard picture; but that picture is somewhat incomplete. The orthodox view of legal personhood is that it requires no necessary connection with human

personhood; the legal person is simply whomever, or whatever, law says it is. And recently, the law has had quite a lot to say on expanding these conceptual boundaries. Examples include conferring legal personhood on a range of natural phenomena (such as rivers, mountains, and mother nature), movements to extend legal personhood to animals, as well as related but adjacent conversations about the appropriate legal recognition for AI. Such instances require careful consideration of the nature and scope of legal personhood in order that we may pursue its coherent and principled development. This article makes a modest case for how we might do so. 920

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