

***As to Any Climate Change: is it Not Time That We Academic Lawyers Cease to Pose the Question and to Begin to Provide an Answer?***

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**Abstract**

The juxtaposition of the law, the environment and indigenous peoples in one short-breathed expression of the theme for this conference could well be regarded, not as an expiration, but an inspiration!

Why? Because it is probably not very often, if at all, that we teachers of the law have been invited to ponder the very special nature of the connection between the law, the environment and indigenous peoples.

It is one of the particular aims of this paper to begin to explore, and to explicate further, the nature of this connection...what might it be that these seemingly very disparate systems have in common?

Such a question, however, cannot begin to be answered without at least attempting to call to mind the answers which have already been given to that primary, perennial, jurisprudential question, "What is the law?".

This paper will review such answers quickly and briefly, though not without a small measure of critical analysis, if only because the ground which such a review might cover is already very familiar, intellectual terrain for any teacher of law.

But then the paper will go on to devote considerably more attention to the potential, which the author does believe is there, for the comparatively, recently enunciated "complexity theory" to give compelling insights into the homologous nature of the law, the environment and indigenous peoples and, hence, into the essence of the connection among these three, very different systems.

Why does this paper intend to devote such time and attention to something, which some might view, at best, as purely esoteric and others might regard, at worst, as simply peripheral?

The answer to that question is that the author of this particular paper believes that what is really at stake in this Conference, is not merely the quality of our academic debate, but also the extent to which we can come to appreciate how the law, as a recognized instrument of policy, can impact more effectively (or at least less destructively?) on both our indigenous peoples and/or our environment.

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