Feminist Legal Studies
https://doi.org/10.1007/s10691-026-09610-w

INTERVIEW

Critical Judgments in Hostile Times: A Roundtable on Indigenous, Feminist, Queer Perspectives

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Received: 7 July 2025 / Accepted: 30 March 2026

Keywords Critical Judgments · Feminist · Indigenous · International Criminal Court · Queer

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Published online: 26 June 2026

The following edited transcript is the collective output from a roundtable of scholars involved in recent critical judgment collections, taking Indigenous, Feminist, and Queer approaches. Critical judgment writing is a scholarly initiative that explores how legal cases can be reconceptualised, reimagined, and re-written using particular critical theoretical perspectives that are attentive to the lives of individuals, communities, and spaces excluded within legal systems (women, racialised and colonised people, children, LGBTIQA+ folks, oceans, wildlife, etc.). To date, numerous volumes have emerged such as Feminist Judgments (now spanning multiple jurisdictional and thematic contexts), Children's Judgments, Earth Law Judgments, Indigenous Legal Judgments, and Queer Judgments. While these projects overlap in their critiques of legal hierarchies and institutionalised inequalities, they have differing methodological approaches and scholarly sensibilities. Some projects seek to craft critical judgments that seek to mirror a conventional judicial style of writing while others are more speculative or creative in playing with the nature of judicial form itself. Meeting at the University of Sydney on 7th May 2025, on Gadigal land, our goals as contributors, readers, and editors of some of these projects were to think collaboratively about common themes and tensions across these projects, and to reflect on what it means to do critical judgment work in hostile times. We wanted to capture the joys, frustrations, hopes, anxieties, and angers that underpin our imaginative engagements with law.

Rose I'm just going to start with an Acknowledgement of Country in the language of the Gadigal People. *Ngyini ngalawagun mari budjari Gadinurada*. An expression meaning we are meeting on the beautiful lands of the Gadi people.

Sen We are gathered on this land to think about the emergence of critical judgments as an opportunity for not only rethinking law and legal politics, but also to explore community building, solidarity, thinking, and feeling beyond the spaces of formal legal education or legal research. We know that critical judgments have emerged as a scholarly exercise in recent decades to think *methodologically* and *politically*, as well as *doctrinally*, about how legal cases make sense of the world and reflect that sensemaking through the text of a judgment. It is a privilege to be in a space today with colleagues and friends involved in *Indigenous Legal Judgments*, *Feminist Judgments of the International Criminal Court*, *Feminist Judgments in International Law*, and *Queer Judgments* to reflect on why we are doing this work, particularly in times of intensifying authoritarianism.

Introduction

Nicole I'm a Munanjali and Birri Gubba woman, from Queensland, but I've been in Sydney for a long time. I had the great privilege of editing the *Indigenous Legal Judgments* book (Watson and Douglas 2021), a collection of sixteen judgments that have been reimagined from Aboriginal and Torres Strait Islander perspectives. One of the goals of the project was to bring together a community of scholars who are interested in Indigenous legal issues. We're very lucky in Australia to have this group of emerging young Indigenous legal scholars, and it was such a privilege to work with them. Indigenous people have been in the legal academy for a relatively short

period of time in Australia, our first generation of Indigenous legal scholars only emerged in the late 90s. It has been a real struggle for us to keep a foothold. But we also feel a great responsibility to constantly push back against the erasure of our voices. So, it is a very strong political imperative for us to write differently.

The inspiration for *Indigenous Judgments* came from the *Australian Feminist Judgments* project, which I contributed to. I was quite a junior scholar at the time. I chose a case called *Re Tuckiar*, a criminal case (Watson 2014). It was based on an appeal in the High Court by "Tuckiar", a Yolgnu man properly named Dhäkiyarr, a senior leader of his community. He was convicted of the murder of a police officer in Arnhem Land in 1934. I'd always been quite troubled by the judgments, such as the Court's description of the defendant as a "boy" and "uncivilised native." The Aboriginal women who played a very big part in the story were not even given names. They were referred to as "lubras", a derogatory term for Aboriginal women.

When I learned about this case in law school, it really disturbed me. We didn't treat the Aboriginal people in this or other judgments as human beings whose lives were changed irrevocably. I think that erasure of social context really dehumanises the Aboriginal people in those judgments. Tuckiar's conviction was quashed by the High Court and that case is celebrated as a rare instance in which Aboriginal people received justice in the 1930s. But as soon as he was released from prison, he disappeared. Never to be seen again. It's believed by many that police officers in the Northern Territory murdered him and disposed of his body. But law students are not told that part of the story.

So, I rewrote the *Tuckiar* decision from the perspective of a futuristic Aboriginal Court that reviews judgments that have deprived Aboriginal people of their right to equality before the law. And by creating this new court, I could get rid of rules of evidence that would have stopped me from engaging with a lot of new material that historians have unearthed over the years. *I was able to retell the story in a way that honoured the Aboriginal people in it. It was my way*, *I guess*, *to atone for some of the blatant racism in the judgments*. It was such an inspiring experience that I just really wanted to borrow the methodology from the Australian Feminist Judgments project and apply it to an Indigenous context. We want future generations, I think of all law students, but Indigenous law students in particular, to not feel as alienated as we were when we were at law school. We want law school to be a less lonely experience for them. And the only way that we can do that is by making sure that our voices are in the curriculum.

Sen I've been co-editing *Queer Judgments* (Ferreira et al. 2025), a collection that brings together about 42 people from around the world to reimagine and recreate judgments relating not just to LGBTQIA+ people, but also bringing queer and trans perspectives alongside decolonial, feminist, critical, and disability perspectives to bear on issues affecting communities around the world. I came to this project as someone who felt dissatisfied with the polarising conversations between those who saw law as a fixed, oppressive structure that harmed LGBTQIA+ people and those who romanticised legal recognition as the solution to persisting inequalities. Even where judgments were 'progressive', I was struck by how judicial language or doctrinal categories did not adequately reflect the richness of queer lives. Nicole's creative approach to think through these tensions, opportunities, and silences echoes mine.

For me, critical queer judgment writing is about honouring marginalised voices, but also recognising that we as scholars, as activists, are connected to the communities of these decisions and we are interested in crafting and playing with decisions that confront our positionalities and create room for different voices and styles of jurisprudence to emerge. So, this is not an abstract or intellectual exercise, which is often the case in 'conventional' judgments. Critical judgment writing, which I see across the Indigenous, Feminist, and Queer volumes we have engaged in, is about foregrounding our voices, narratives, connections, and communities.

Kathryn I was a contributor to *Feminist Judgments in International Law* (Hodson and Lavers 2019), a collection of judgments that span general public international law, international human rights law, and international criminal law. One thing that was innovative about this project was that there was compulsory collaboration in writing the judgments. They were all written in groups as 'chambers'. This reflected how international courts often work. The judgments themselves were accompanied by a reflection on the process of collaboration. *Like 'good feminists', after we'd worked together, we processed our feelings about that experience in reflective writing*.

Kcasey: *Feminist Judgments: Reimagining the International Criminal Court* (McLoughlin et al. 2025) is a very weighty tome, if I can say that, in the sense that it includes rewrites of decisions of the International Criminal Court from conflict situations in eight different countries. Building on existing gender-focused analyses of the ICC, work that has more often examined prosecution and investigation strategies, this book shifts the focus to the judges themselves and their role in adjudicating sexual and gender-based crimes. In doing so, it draws on extensive scholarship about gender-sensitive judging in domestic courts and brings those insights into conversation with international criminal law. Ultimately, by bringing to bear lessons from earlier feminist judgment projects, (we hope) the book opens up new possibilities for feminist intervention within international criminal justice.

Louise Something we set out to do in our International Criminal Court book was to bring in authors from ICC conflict situations. We put out a call for contributors and ended up having people from a range of conflict situations, including Myanmar, Afghanistan, Uganda, and others. I think that enabled us to achieve a much richer understanding of the limits of international law and international courts in being able to speak to the harms that have happened through conflict on the ground. Too often international criminal cases are prosecuted and judged by people detached from the conflict situation in which atrocity crimes occur, and in contexts such at the ICC in the Hague, or in faraway European cities where universal jurisdiction is applied, alien to the people who have been harmed. Victims and witnesses make an appearance in these cases, but almost as an add on. In *Feminist Judgments*: *Reimagining the International Criminal Court* we tried to include judges who had first-hand knowledge of the conflict context, which helped to debunk stereotypes and tropes about the lived realities of victims and perpetrators.

Rose I use the feminist judgment book that Kathryn mentioned in my international law teaching to show students that there are different pathways to tread, even if we stick within the confines of international law as we know it now. I especially like Kathryn's and Troy's re-write of the *Lockerbie* case in that book (Greenman and Lavers 2019) because it's not about a typical 'women's issue'; it's about jurisdiction

over an aircraft and whether the Security Council trumps other organs of the UN. Similarly, our new ICC book includes cases about gender-based crimes, such as rape, but also things that aren't obvious 'women's issues' like crimes to do with theft and destruction of property, the immunity of heads of state, the responsibilities of commanders to prevent their troops committing crimes, and the relationship between the ICC and national jurisdictions.

Suzanne: I'm one of the four editors of *Feminist Judgments: Reimagining the International Criminal Court* (McLoughlin et al. 2025) - along with Kcasey, Rose and Louise. We adopted the feminist judgment methodology in our edited collection as a way of highlighting the potential for a feminist reading of the Rome Statute and the extent to which this could improve gender justice outcomes at the ICC specifically. The book includes 23 feminist re-interpretations of judgments relating to nine ICC situations: Afghanistan, Bangladesh/Myanmar, Central African Republic I & II, Côte d'Ivoire, Democratic Republic of the Congo, Mali, Darfur (Sudan), and Uganda. We wanted the judgments to address more than 'just rape' cases - and so there are a range of procedural and substantive legal issues covered across the multiple stages of proceedings at the ICC. The book features over 50 individual contributors from across the globe and ensuring diversity and representation among this group was important to us as editors, but I'll let the others speak to our experience with that. We also sought to include in the book some alternative means of expression beyond judgment writing to complement that primary work, such as using poetry and photography, which I think take the book beyond legal arguments and seek to offer a lived experience perspective of the conflict situations that the judgments address.

Fleur I'm here primarily as a reader of critical judgments, but it did strike me that there are at least two connections to work that I've done previously. One is an edited book I published on 'events' in international law that drew together a range of scholars thinking about international law as an outcome of a variety of disparate events historical, political, social, and economic conjunctions - that have happened, could perhaps have happened otherwise, and in some sense happen again each time that we invoke or rely on them (Johns, Joyce and Pajuja 2011). Approaching international law through the lens of happenings is different to, say, thinking of it as a coherent, rational, normative scheme that has its own intractable logic and imperatives. And I think critical judgments approach supposedly timeless legal authorities in a somewhat comparable way, that is, by remaking them as recurring events rather than inert, incontrovertible, finished things. I also co-conceived a course on 'Legal Experimentalism' with Bronwen Morgan, a course that Bronwen went on to make very much her own (as did Amy Cohen and Nofar Sheffi who taught it subsequently). We felt like there was a lot of teaching of analytical jurisprudence and moral theory in Australian law schools, and less teaching of American Legal Realism and its aftermaths, so we wanted to address that. And we also wanted to devise a course that approached theorizing as a practice and showed how the practice of law invariably involves theorizing, resisting the idea that theory and practice are worlds apart. Our course asked students to take a statute, a case, or a legal institution and reimagine or rewrite it, drawing from different theoretical traditions. Upon reflection, we could have foregrounded critical judgment writing as a core method of legal experimentalism.

Sarouche Me too, I'm here mainly as a reader. I've been a very deep reader of the Indigenous Judgments project. I teach into the new *Ngura* first-year course here at Sydney Law School, which introduces the Aboriginal concept of *ngura* (country) and its significance to Aboriginal and Torres Strait Islander legal relations with Anglo-Australian laws and practices in the context of colonisation. In the subject we have asked students in their final assessment to rewrite a judgement or a statute in the interests of a First Nations' client - that client appears in a piece of media within the learning materials. Adjacent to the critical judgments projects, I write about reading affect into judgment, such as reading anxiety, and settler anxiety in particular in the cases of *Mabo* and *Love*.

Disrupting the Feminist Judgment Method

Rose Can I come back to something Nicole just said. The *Indigenous Legal Judgments* book is quite distinct to me. It does more than just 'borrow' or 'apply' the feminist judgment method. It really adapts the method, and in some cases, defies the method. It doesn't always stay within the guardrails of the law. Similar to your *Tuckiar* re-write, in *Indigenous Legal Judgments* you create a new First Nations Court of Australia to tell the stories of Aboriginal people that are buried in the real judgments (Watson 2021). Some of your book's contributors go even more 'rogue' –.

Sarouche – like Alison's poem (Whittaker 2021) where Alison used a word generator as an act of refusal to the violences in the judgment of *Eatock v Bolt*[1].

Rose – or Oscar's (very well justified) rant against the common law (Monaghan, 2021). Can you speak to that adaptation of the method?

Nicole Something that's unique about the Indigenous Judgments project is that some of our contributors actually knew the individuals involved in the cases or knew their families or communities. And in some of these cases, there were very tragic stories and people were denied justice. So, there was a very big responsibility on the part of contributors to honour their stories. I wanted people to have the freedom to do that in the way that they were most comfortable.

Kcasey I have always adored your contribution in the *Australian Feminist Judgment Project* and have often used it as the kind of exemplar of disrupting the methodology because it presents an important counter to the notion that adopting feminist/critical judging techniques alone will be sufficient to effect widespread transformation in judicial reasoning and method. And then the Indigenous Judgments project seems like kind of an important part of the trajectory of critical judgment projects, utilising poetry, narrative, and essay to further challenge the hegemony of judgment. It feels like increasingly there's a sense of kind of disrupting the methodology itself, and our project was very much inspired by that example.

Rose A tension we faced in the ICC book was that when you're using the feminist judgment method, you usually begin by picking up a judgment that's already been written, and seeing what else you can do with it. But that means your starting point is a legal issue that's already been identified as important by the dominant legal order.

[1] [2011] FCA 1103

It's been resourced, litigated, adjudicated. But what about issues about cases that haven't yet been addressed? In the ICC project, we got quite a provocation from one of our contributors, who after looking at our plan, said, 'where is Palestine?' It's not a good enough answer to say that at the time we designed the book, there was no ICC judgment on Palestine. Instead, we decided to be a bit creative with the method. We added a new section on 'cases yet to be' where we reflect on this methodological challenge, and we commissioned a poem by Sara Saleh, a legal thinker and critical poet, on Palestine.

Suzanne Following on from your point Rose, I think one of the most interesting aspects of the ICC book in terms of a deviation from the conventional feminist judgment method was this section we included on the 'cases yet to be' - and this is in the context of a major critique of the ICC's selectivity in case selection and prioritisation. There's such a significant geopolitical aspect to the Court's work, so it was important that we acknowledged that, rather than reproducing the same selectivity and silences. We also address some of these issues in the book's conclusions where we discuss the future for the ICC, and I suppose this is a little different to some of the other critical judgments projects because our book is focused on this single institution.

How Do You Think About "Legal Plausibility" in Your Critical Judgment Work?

Kathryn For me, during the process of re-writing a judgment I found myself to be quite a stickler for plausibility. I think there's something powerful about being able to put two judgments (the original and the re-written) in front of someone (especially perhaps a student) and them not being able to tell which is the 'real' one.

Sen In *Queer Judgments*, we took a more 'radical' approach, in that we asked people to play around with legal form as well as doctrinal ideas. We were not as prescriptive, perhaps, as some of the other critical judgments projects on approximating or performing jurisdictional plausibility. We recognise there are different audiences for critical judgments work, but ours is one that's not primarily focused on judges. We focused also on encouraging legal scholars, other activists, and queer individuals to think with and against, while reimagining, the law to pursue questions of justice that speak to different communities.

Kcasey We allowed our contributors their own agency, but still wanted some judgments that exist within the guardrails and meeting some of the plausibility requirements expected in an ICC decision. While I agree that one of the most compelling features of feminist judgment writing has been its insistence of plausibility, it is also true that there are countless ways to engage with the law and the legal system while maintaining a sceptical stance towards law, its language and authority. *I think that the richness of critical judgments projects is playing with plausibility*, *some contributors will very much fit within those guardrails of legal method and others will throw out the rule book.* And that's where there's an exciting space for innovation.

Rose We have a range of differently 'plausible' contributions because the book serves several different aims. We wanted it to be quite provocative in a scholarly sense. Some contributions disagree with the premise of international criminal law,

which is to individualise guilt. They focus on structural violence, colonial legacies, and other contributing factors. Some query whether there should even be a penal system at all, drawing on abolitionist literature from Black feminist scholars, whose work is rarely cited in our field. But other judgments in our book read as immediately 'plausible', they could be picked up and used by the International Criminal Court tomorrow. *I really hope that the book manages to show that plausibility/imagination is not a binary*, *and some of the things that might look more radical might have a place in a courtroom*.

Suzanne In our ICC book, there is a tension between plausibility and imagination. The reimagined judgment I co-authored with Sarah Williams in the book is probably one of the more 'conventional', or legally plausible, examples. In our judgment we look at command responsibility, an international humanitarian law doctrine. We have sought to really stay within the existing rules in our judgment while showing that an alternative interpretation of IHL's protective principles puts commanders 'on notice' and sets a high threshold for what those in positions of power need to do to confront the realities of gendered violence in armed conflict. However, we don't challenge the law at a fundamental level, just present an alternative, yet plausible, way of applying it.

Louise Yes, but for the ICC, just writing feminist judgments within a very strict plausible framework is quite a radical act. And presenting that to ICC judges is a very radical act because they have not read the law, have not attempted to read the law, in this way.

Sarouche And we keep on working out, and producing, what's 'plausible' and what's not plausible. *And a lot of it is where we are genre surveilling ourselves* (Frow 2014). I've realised when I've said something's not possible, it's me doing legal surveillance work.

Sen We can look to the recent UK Supreme Court decision which defined 'sex' as biological for the purpose of equality law. The court attempted to render the plausibility of its decision with reference to biological sex as fixed, binary, unproblematic. Plausibility in the decision is produced, not given.

Kcasey And part of the justification in that case is dressed up in classic statutory interpretation, which is such a familiar sleight of hand. It's kind of a performative farce. That's one of the productive aspects of critical judgments, right, is they're exposing for all to see that that neutrality has always been a kind of fiction. As I argue in our book in a chapter titled "Do feminists believe in fairytales?" (McLoughlin 2025, 39) drawing on the work of Catharine MacKinnon (1983, 636) feminist accounts of law have presented a rejoinder to "the way in which a distinctly male view of the world has been masquerading as detached objectivity".

What Creative Opportunities Emerge Through Critical Judgment Writing?

Sen We're here reflecting on the evolutions of the critical judgments tradition and what's rich in my view is how our work is disrupting what Lon Fuller (1934) might describe as our fidelity to law. Our methodological promiscuity enables us to craft law otherwise.

Louise Inspired by the Indigenous Judgments Project, we wanted to add some creative elements to this book. So, we commissioned Maxine Beneba Clarke to write a poem for us. It's just the most beautiful, moving piece. Maxine's also trained as a lawyer and is very conscious of the limits of the law. There's also the poem by Sara Saleh that Rose mentioned and a photographic essay from Rohingya people living in refugee camps, which Suzanne led so she can say more about.

Suzanne As a white woman in Australia, there is a huge distance between me and the people and places I was writing about in the judgment, both physically and metaphysically. I feel the photographic essay contribution to our book is a way of addressing that gap to some extent by giving the perspectives of the people who are the subjects of these judgments a central role in the project. We were made aware of three refugees who had fled to Bangladesh from Myanmar after the persecution of Rohingyas in that country - this is of course the subject of one of the ICC situations covered in the book. These individuals were living in the Cox's Bazaar refugee camp and had been provided with smart phones and training in social media by an NGO and encouraged to document their experiences. We have included a selection of their photos in the book and on the front cover. I really loved being able to do that because I felt my contribution, for example, was limited to a more intellectual level, as I couldn't give an authentic account of lived experiences of conflict and displacement.

Sen One of the creative things about the queer judgments writing exercise is its therapeutic character. For example, we have a judgment by Kseniya Kirichenko (2025) where she takes her own case that she brought before the Committee on the Elimination of Discrimination Against Women (CEDAW) involving homophobic hate speech by a Russian politician.[2] This therapeutic judgment disrupts the idea that you must be a dispassionate judge. So, what does it mean to be a judge in your own case? I felt similarly when I rewrote the Australian case, *R v Green*,[3] which involved the notorious 'homosexual advance defence'. Essentially, an argument to mitigate criminal responsibility for murder in the 1990s revolved around the fact that if a man made a sexual advance to another man, and that man acted lethally in response, that 'pass' ought to be considered a form of provocation. As a gay man, much like Justice Michael Kirby who wrote a dissenting opinion in the original case, re-writing the judgment involved navigating tensions between recognising institutional homophobia without dissolving personal accountability while also noting the failure of criminal law to address homophobia. It felt therapeutic to undertake a critically emotional exposition, even in a limited re-written judgment (Raj 2025).

[2] *K.K. v Russian Federation* (25 February 2019) U.N. Doc. CEDAW/C/72/D/98/2016.

[3] (1997) 191 CLR 334.

Sarouche When I was practicing in child protection in NSW, we read about narrative advocacy. About telling stories differently. Picking up on Robert Cover (1986), does legal interpretation have to take place in a field of pain and death? Would it be otherwise? And we started looking at affidavits and actually how complicit we were, because of all the little abstractions that happened. So, we started thinking, how can we be creative about this? Why must we tell our client's stories reactively and why can't they be told on her own terms? For example, why have I been telling a mother's story reactively to respond to the Department's (of Communities and Justice) claims? All you're doing then is ceding ground, and kind of saying her story comes second to what the Department wants. If you ground the story in her relationship to the child, then all of a sudden these new possibilities emerge.

Rose Similar to what Sarouche just said, one of the guidelines that we as editors of *Feminist Judgments: Reimagining the International Criminal Court* gave was to be playful, or intentional, about how you tell the facts. You do not have to start with the way the facts are narrated in the real judgment. Why don't you read all of the evidence, the testimony, read up on the context of the case? Then start the story with whoever's view you think should be foregrounded or whoever you want to make the protagonist rather than the reactor.

How Do Critical Judgments Respond to Past and Present Legal Institutions?

Kathryn Something that strikes me is that since *Feminist Judgments in International Law* was published, we do now have a feminist judge, Hilary Charlesworth, sitting in the International Court of Justice, doing feminist judging. However, at the same time, that seeming progress is offset by significant backlash against feminism and other sorts of progressive politics. The liberal international legal order that prevailed when feminist judgment projects first emerged - and which was the original target of their critique - feels very much of the past. I don't have any answers, but it is interesting to think about the kind of purchase feminist judgments as they've been done so far have now in such a changed political environment. On one hand, it seems more important than ever to hope and imagine that things can always be different. On the other hand, if we understand feminist judgments as doing a kind of exposing of contingency, it's no longer self-evident that this is a critical move. As Fleur brilliantly argued in her piece on contingency in international law (Johns 2021), this presupposes that power is based on denying contingency, which is not anymore necessarily the case.

Nicole Many Indigenous people have quite painful memories of law school in which cases concerning Indigenous people were discussed. I think for each of us, we had a case that really made an impression on us as students. *And this was an opportunity for us*, *I guess*, *to atone for that injustice in a way through critical judgment writing.* But more broadly, it's important for all students, I think, to engage with the stories of the Indigenous people in these cases. It's important to know who they were. These people were more than just names in judgments.

Sen We're not in an Indigenous Queer Feminist utopia when we do this work. We are in a deeply constrained environment where even the mention of any of these

words can be the subject of censorship or serious harassment. One of the consequences of this politicisation is that it reveals that all judgments are politics. We have an opportunity in this moment, then, to embrace the feminist judge, the queer judge, the Indigenous judge, the disabled judge, in response to such politicisations of our lives. Because if every judge is an 'activist judge', or a 'radical judge', then why not take those labels and roll with it?

Louise Here we are in 2025. I've been studying the ICC since its creation in 2002 and what is clear is how conservative the ICC has been throughout this entire period, in relation to gender issues, especially as they intersect with other structures of power, and its blindness to anything outside of direct violence against women.

Fleur The revelation of the judge as a political agent or 'activist' would be completely unsurprising to anyone who celebrates the overturn of *Roe v Wade*.[4] So, rather than restaging the 'revelation' that all legal judgments are political, what strikes me as important about critical judgment writing is its potential to draw specific decisions back to the conditions of their production and make those conditions visible to the reader. That helps ensure that those judgments don't float through legal thought and practice free of their histories, and enables their strategic reengagement in the present. *Yet to my mind*, *critical judgment writing does not issue a generalized call to disrupt all legal judgments nor does it purport to offer any generalizable revelation about all of them.*

Kathryn Emily Grabham (2025) has recently published a parody alternative judgment of the *For Women Scotland*[5] decision in which she takes words and phrases that are really in the original judgment and rearranges them to a kind of absurdist effect. So, I think that's a really interesting provocation in terms of the way we might do judgments differently to respond to the circumstances of 2025. For a time, critical judgments were written on the basis that they were responding to a judge who would be conservative in the sense of resisting change and sticking closely to the text in certain ways. But we can no longer assume that judge in all circumstances. *In the United States right now*, *they're kind of terrifyingly living through a far-right judgments project.*

Sarouche When thinking about the present and past, what interests me are the questions that critical judgments projects haven't yet really asked. For example, isn't it interesting that there hasn't been a Marxist Judgments Project?

The other question that I return to (perhaps connected to the Marxist question above), and drawing on the temporality of this question, is that critical judgment projects move us into a particular period of a legal case, and a particular space of the courtroom. This warrants critique: the temporality of the legal case and the spatiality of the courtroom rely on the individual in very particular ways, and the social movements we are concerned with are fundamentally collectivist. I'm not yet sure how critical judgment projects can reckon with this.

[4] *Roe v Wade* 410 U.S. 113 (1973); *Dobbs v Jackson Women's Health Organization* 597 U.S 215 (2022).

[5] *For Women Scotland v The Scottish Ministers* [2025] UKSC 16.

Closing Words

Sen So here we all are in this very intimate space, I want to imagine a kitchen table, even though we're in the Sydney Law School. But here we are talking over lunch and there's a feminist ethic in talking ideas across the table while sharing food. This conversation is a community building exercise. It's joyous and enriching to be part of a community of scholars who are asking critical questions about legal teaching, research, writing, practice, judging, etc., from different critical vantage points. *Community building is the praxis of our critical judgments*.

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