

Epistemic Urbanism and Law's Reflective Governance

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Judy Harrison, CDU PhD student, Northern Institute
BA/LLB (ANU), MScIntlDev (Dist) (RMIT), MAppAnth&ParDev (ANU); MPub&IntLaw (Hons) (UniMelb), E: Judith.Harrison@cdu.edu.au

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*I acknowledge and express my respect to First Nations
peoples and people, to Elders past, present and emerging*

Abstract

Epistemic injustice involves control of knowledge systems, standpoints, and critique. Practices of epistemic injustice, and their power formations, carry out adverse discrimination and subordination world-wide and locally.

This paper applies 'lawyering in three dimensions', encapsulated by Lucie White, to suggest reflective and reflexive tools to help counter *epistemic urbanism* in law school and in legal practices.

Epistemic urbanism applies majoritarianism and utilitarianism to de-value human rights inclusion of peoples, people and groups in remote and rural areas.

However, lawyering in three dimensions can be a powerful counter-pedagogy which uses the law when it is propitious (1st dimension), tries to reform law when it isn't (2nd dimension), and tries to build the power of subordinated groups to withstand and ultimately permanently overcome (3rd dimension).



What governs thinking? What governs reflection?

- What you saw.
- The way you explained it.
- The story you told. The wonderful words.
- The moment you created (pictures, words, centredness).
- How your insights helped me.
- What I've done with them. How I keep them close.



People who inspire

- *A reflective practice of people, moments and things.*

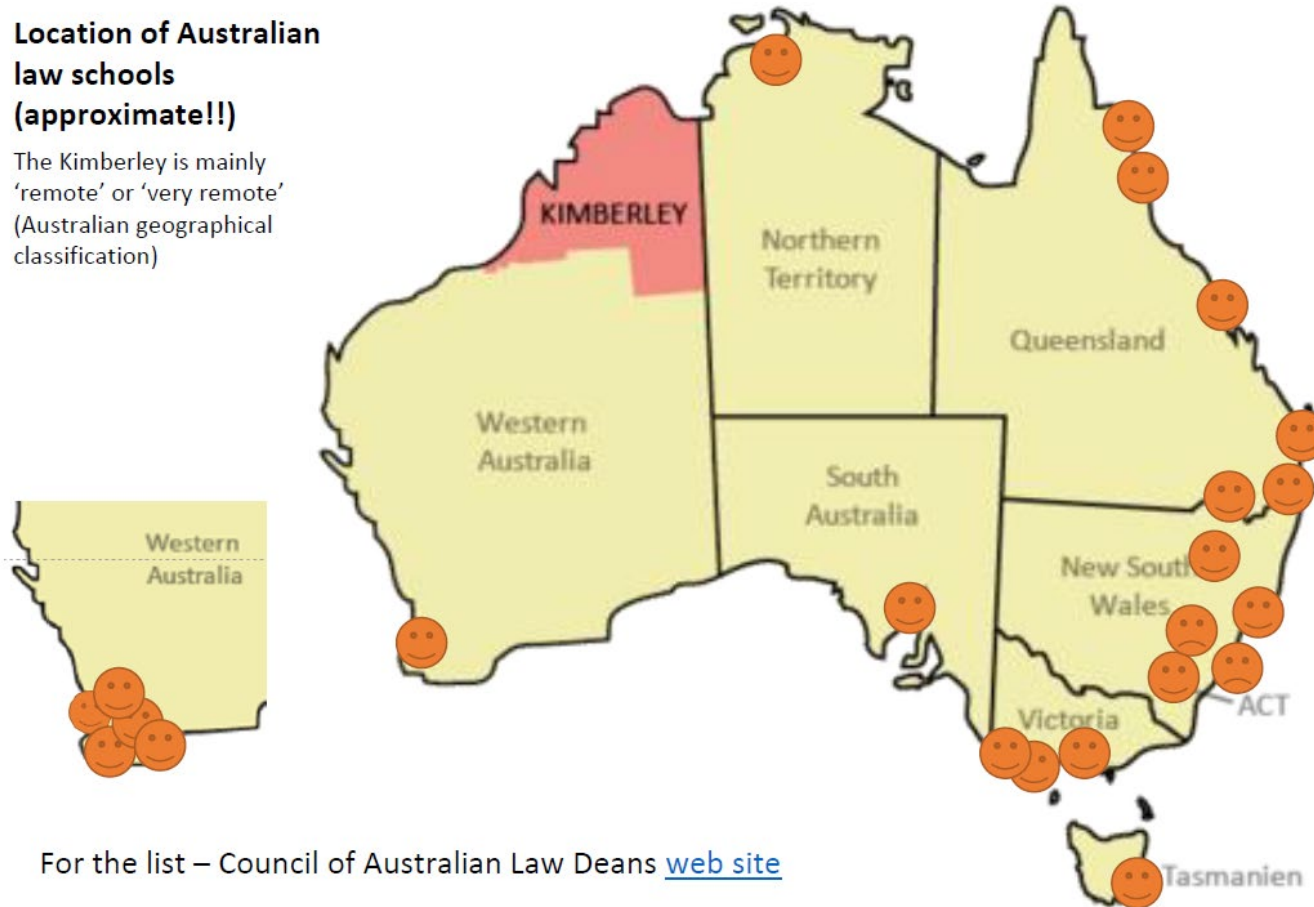


Lawyering in three dimensions

Three dimensions	Focus is on options for the subordinated group	Characteristics of the typology
First dimension – use existing legal & political institutions	Possible when law is promising	- Dimensions often work together - Complement each other - Impossibility of first dimension doesn't mean second and third aren't possible - To undertake first dimension without second and third increases risk, reduces achievement - Many collaborations involved - Lawyers are co-collaborators
Second dimension - mobilize direct action for change	Focusing on public opinion, awareness raising	
Third dimension – creating sources of their own power	Focusing on those affected increasing their power including building infrastructure, reducing vulnerability, increasing critical consciousness	

Location of Australian law schools (approximate!!)

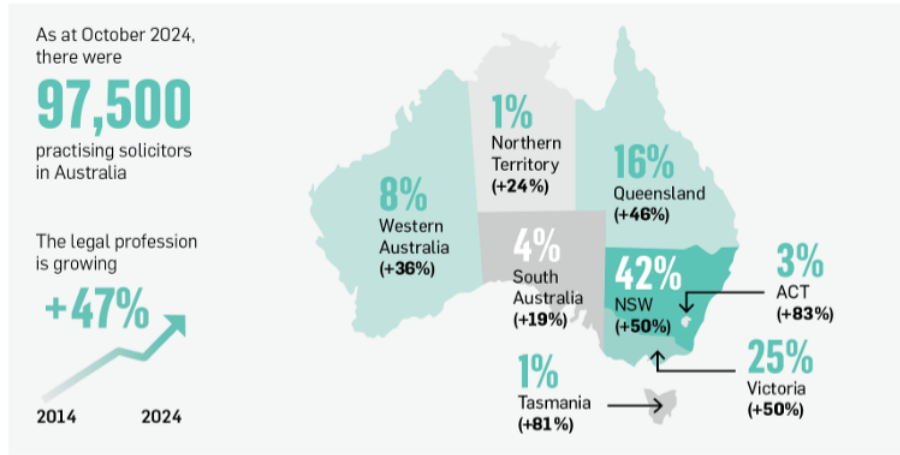
The Kimberley is mainly 'remote' or 'very remote' (Australian geographical classification)



For the list – Council of Australian Law Deans [web site](#)

SIZE OF THE PROFESSION

In October 2024, there were 97,500 practising solicitors in Australia. The largest proportion of solicitors was in New South Wales (42%), followed by Victoria (25%) and Queensland (16%).



Urbis, 2024 National Profile of Solicitors, Law Society of NSW. 2025

ABC Australian Broadcasting Corporation

Federal government urged to intervene in NT incarceration 'crisis'

The North Australian Aboriginal Justice Agency's acting chief executive is calling on the federal government to intervene in the Northern...

23 July 2025



Lee V White, 'Regulatory disparities disadvantage remote Australian communities in energy transition' (2024) 9(1) *Nature Energy* 14-15



Not Just a Number: Legal expert says Closing the Gap DV target is not on track (ABC News Breakfast)



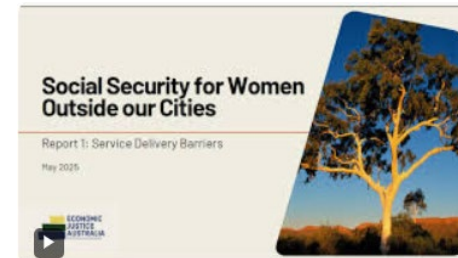
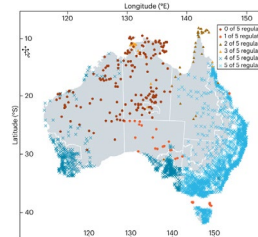
LSJ Law Society Journal

'By 2030, we will be looking at a failed Legal Aid system.'
Legal aid private practitioner census paints a concerning picture of the future



The first National Legal Aid Census for Private Practitioners, reveals how the concerns of practitioners regarding funding and structuring can lead to a severe...

12 Mar 2025



Map A2.1.2: NATSILS maps of ATSILS locations and outreach distances⁶⁹

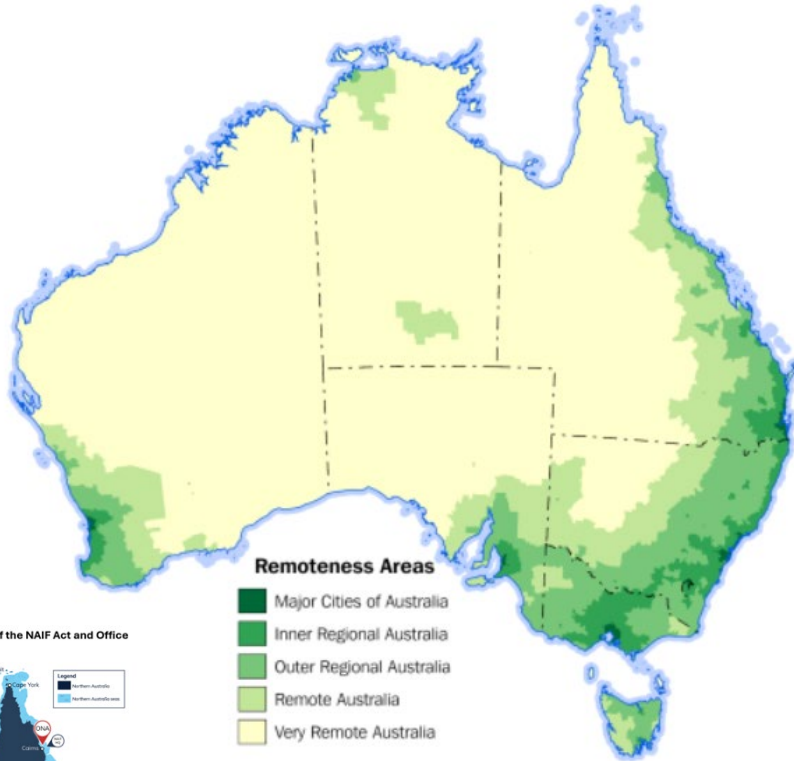


Map A2.3.1: First Nations Women's Legal Service Queensland – service area from Townsville head office and Palm Island branch office including by phone⁷⁸



First Nations Women's Legal Service
Queensland - service area from Townsville
head office and Palm Island branch office
including by phone

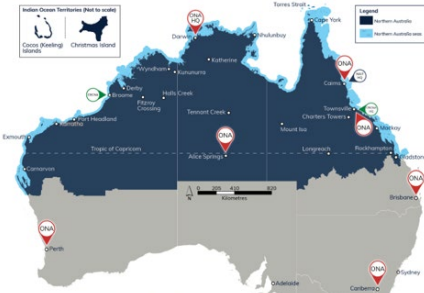
Map of ASGS Edition 3 Remoteness Areas for Australia



Remoteness Areas

- Major Cities of Australia
- Inner Regional Australia
- Outer Regional Australia
- Remote Australia
- Very Remote Australia

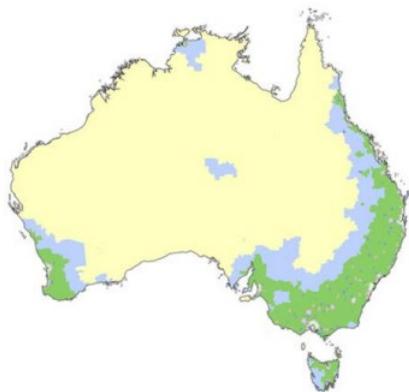
Map 1.1: Map showing 'Northern Australia' per s 5 of the NAIF Act and Office of Northern Australia ('ONA') offices ²⁰



²⁰'Northern Australia' as defined by the Northern Australia Infrastructure Facility Act 2016.

- Major Cities of Australia
 - Inner Regional Australia
 - Outer Regional Australia
 - Remote Australia
 - Very Remote Australia
-
- 6th largest by landmass
 - one of the most urbanised [World Bank](#) c. 87% urban
 - c. 7.5 mill people in regional, rural, remote & very remote ('4Rs'), c. 20 mill in major cities

Australian Bureau of Statistics (Jul2021-Jun2026), Australian Statistical Geographic Standard, [Remoteness Areas](#), ABS Website



Modified Monash Category (MMM 2023)	Description (including the Australian Statistical Geography Standard – Remoteness Area (2021))
MM 1	Metropolitan areas: Major cities accounting for 70% of Australia's population All areas categorised ASGS-RA1.
MM 2	Regional centres: Inner (ASGS-RA 2) and Outer Regional (ASGS-RA 3) areas that are in, or within a 20km drive of a town with over 50,000 residents. For example: Ballarat, Mackay, Toowoomba, Kiama, Albury, Bunbury.
MM 3	Large rural towns: Inner (ASGS-RA 2) and Outer Regional (ASGS-RA 3) areas that are not MM 2 and are in, or within a 15km drive of a town between 15,000 to 50,000 residents. For example: Dubbo, Lismore, Yeppoon, Busselton.
MM 4	Medium rural towns: Inner (ASGS-RA 2) and Outer Regional (ASGS-RA 3) areas that are not MM 2 or MM 3, and are in, or within a 10km drive of a town with between 5,000 to 15,000 residents. For example: Port Augusta, Charters Towers, Moree.
MM 5	Small rural towns: All remaining Inner (ASGS-RA 2) and Outer Regional (ASGS-RA 3) areas. For example: Mount Buller, Moruya, Renmark, Condamine.
MM 6	Remote communities: Remote mainland areas (ASGS-RA 4) AND remote islands less than 5kms offshore. For example: Cape Tribulation, Lightning Ridge, Alice Springs, Mallacoota, Port Hedland. Additionally, islands that have an MM 5 classification with a population of less than 1,000 without bridges to the mainland will now be classified as MM 6 for example: Bruny Island.
MM 7	Very remote communities: Very remote areas (ASGS-RA 5). For example: Longreach, Coober Pedy, Thursday Island and all other remote island areas more than 5kms offshore.

MM1	Metropolitan
MM2	Regional centres
MM3	Large rural towns
MM4	Medium rural towns
MM5	Small rural towns
MM6	Remote communities
MM7	Very remote communities

[Modified Monash Model](#) and [Interactive map](#)



An epistemic lens

Epistemic injustice ([Fricker](#))

- Testamentary injustice – testimony devalued
- Hermeneutical injustice – difficulty formulating & expressing

Governance

- Governmentality
- Epistemic governance



AIATSIS Map of Indigenous Australia



Distinguished Professor Irene Watson, [Buried Alive](#) (2002)



Shin Imai, [A Counter-pedagogy for social justice](#) (2002)



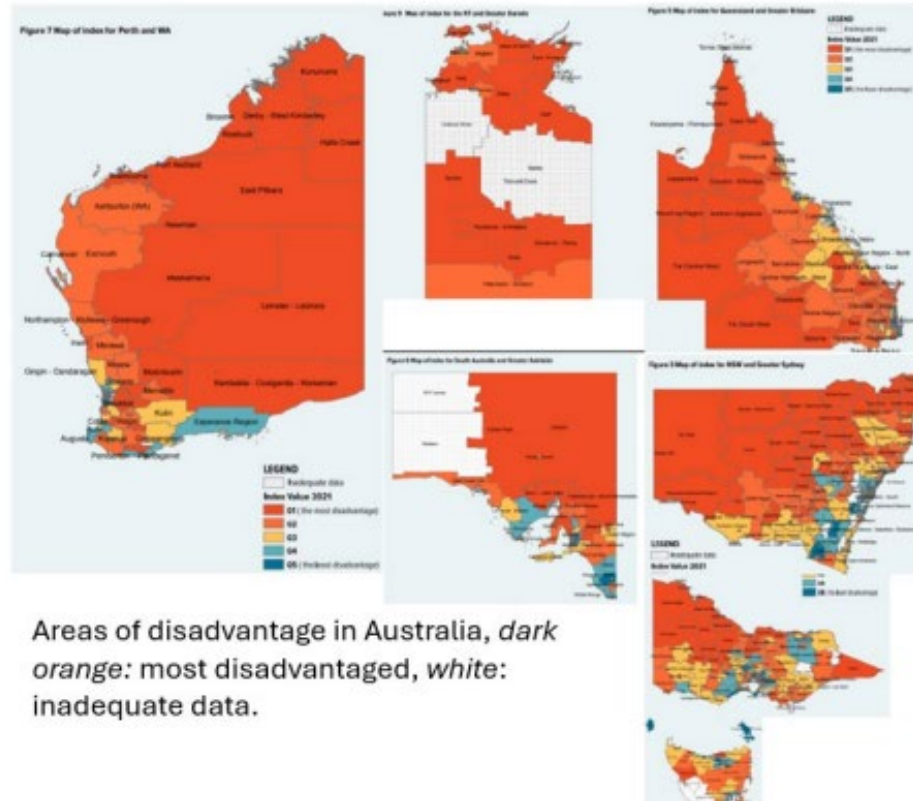
What governs thinking? What governs reflection?

- Need to act, scheme, act.
 - Need to address and resolve.
 - Thinking for action. Thinking on action.
 - Reflection *to improve and sustain action.*
-
- *A reflective practice of action and allyship*



Above, [NITV, 14 July 2016](#) “The Western Government says it plans to keep the state's 274 remote [Aboriginal] communities open two years after it flagged it would close half of them.”

Areas of disadvantage – Compilation from Dropping off the Edge 2021: *Persistent & multilayered disadvantage in Australia, report* ⁸



Areas of disadvantage in Australia, *dark orange*: most disadvantaged, *white*: inadequate data.

Why?

Some lenses

- Urban normativity?
- Structural urbanism?
- Hostile myth of geographic determinism?

Some lenses	Thinking with these lenses	Reflective practice for legal professionals with these lenses
- Urban normativity? - Structural urbanism? - Hostile myth of geographic determinism?	Is the legal system urbanist? Is the rule of law urbanist? Are law schools & curriculum urbanist? Are human rights urbanist?	What are the protections for peoples and people in remote, rural and non-urban areas? <i>Is this thinkable?</i> What are the safety nets, and are they enforceable? e.g. water, food, fuel, communications, health, housing, education, transport. <i>Is this thinkable?</i> How are 4Rs areas reflected in things that are written and expressed including laws and policies? <i>Is this thinkable?</i> Do approaches to intersectionality and intersectional discrimination include remote, rural and non-urban? <i>Is this thinkable?</i>

Lawyering in 3 dimensions

- What's the analysis?
 - whose analysis?
- Is the law propitious?
 - who decides?
- Who's trying to change it?
 - who decides?
- How is the power of subordinated groups being built?
 - Is power being built? / who decides?



Is **epistemic urbanism** thinkable?

- Is it a kind of testamentary injustice?
- Is it a kind of hermeneutical injustice?

Does epistemic urbanism govern:

- Law schools, legal education, legal practice/s and legal norms?
- Reflection and reflective practice?
- Law's reflective limits?

You could try out *epistemic urbanism* as a reflective lens on any calls for input e.g.
<https://www.ohchr.org/en/calls-for-input-listing>

Image on the previous page: *'What was the Gurindji Land Handback and what did it mean for land rights?'*
(photo 16 August 1975), [NITV](#)

Thankyou for your attention and thinking!!

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Please contact me if you'd like to reflectively collaborate
E: Judith.Harrison@cdu.edu.au