



Mabo What The High Court Said

**Suzanne Little, Samid Suliman, Caroline
Wake**

Mabo What The High Court Said:

Aboriginal Customary Law: A Source of Common Law Title to Land Ulla Secher, 2014-12-01 Described as ground breaking in Kent McNeil's Foreword this book develops an alternative approach to conventional Aboriginal title doctrine. It explains that aboriginal customary law can be a source of common law title to land in former British colonies whether they were acquired by settlement or by conquest or cession from another colonising power. The doctrine of Common Law Aboriginal Customary Title provides a coherent approach to the source, content, proof and protection of Aboriginal land rights which overcomes problems arising from the law as currently understood and leads to more just results. The doctrine's applicability in Australia, Canada and South Africa is specifically demonstrated. While the jurisprudential underpinnings for the doctrine are consistent with fundamental common law principles, the author explains that the Australian High Court's decision in *Mabo* provides a broader basis for the doctrine, a broader basis which is consistent with a re-evaluation of case law from former British colonies in Africa as well as from the United States, New Zealand and Canada. In this context, the book proffers a reconceptualisation of the Crown's title to land in former colonies and a reassessment of conventional doctrines including the doctrine of tenure and the doctrine of continuity. With rare exceptions, the existing literature does not probe as deeply or question fundamental assumptions as thoroughly as Dr Secher does in her research. She goes to the root of the conceptual problems around the legal nature of Indigenous land rights and their vulnerability to extinguishment in the former colonial empire of the Crown. This book is a formidable contribution that I expect will be influential in shifting legal thinking on Indigenous land rights in progressive new directions. From the Foreword by Professor Kent McNeil to read the Foreword, please click on the sample chapter link.

Voices in the Wilderness Michael Meadows, 2000-12-30 This book examines race relations in Australia through various media representations over the past 200 years. The early colonial press perpetuated the image of aboriginal people as framed by early explorers and stereotypes, and assumptions still prevail. Print and television news accounts of several key events in recent Australian history are compared and reveal how indigenous sources are excluded from stories about their affairs. Journalists wield extraordinary power in shaping the images of cultures and people, so indigenous people like those in North America have turned away from mainstream media and have acquired their own means of cultural production through radio, television and multimedia. This study concludes with suggestions for addressing media practices to reconcile indigenous and non-indigenous people. This study will appeal to students and scholars studying mass media, particularly journalism and public relations, Australian history and sociology.

The American Empire and the Fourth World Anthony J. Hall, Tony Hall, 2005 In a book that Naomi Klein says could change the world, Anthony Hall shows that the globalization debate actually began in 1492.

Science and Exploration in the Pacific Margarette Lincoln, 1998 This volume contains studies of scientific and cultural discoveries made on Cook's 1768-7 voyage to the South Sea in *Endeavour* and issues emerging from this and successive Pacific voyages.

Performance, Resistance

and Refugees Suzanne Little, Samid Suliman, Caroline Wake, 2022-12-30 This book offers a unique Australian perspective on the global crisis in refugee protection Using performance as both an object and a lens this volume explores the politics and aesthetics of migration control border security and refugee resistance The first half of the book titled On Stage examines performance objects such as verbatim and documentary plays children s theatre immersive performance slam poetry video art and feature films Specifically it considers how refugees and their artistic collaborators assert their individuality agency and authority as well as their resistance to cruel policies like offshore processing through performance The second half of the book titled Off Stage employs performance as a lens to analyse the wider field of refugee politics including the relationship between forced migrants and the forced displacement of First Nations peoples that underpins the settler colonial state philosophies of cosmopolitanism the role of the canon in art history and the spectacle of bordering practices In doing so it illuminates the strategic performativity and nonperformativity of the law philosophy the state and the academy more broadly in the exclusion and control of refugees Taken together the chapters in this volume draw on and contribute to a wide range of disciplines including theatre and performance studies cultural studies border studies and forced migration studies and will be of great interest to students and scholars in all four fields Law & Anthropology René Kuppe, Richard Potz, 2024-01-08 The Law the fact that land rights issues of indigenous peoples cannot be separated from political rights the conceptual differences between the human rights concepts underlying the modern international system and the concepts behind human rights as these are understood in the Guatemalan Highlands and the relationship between the rights of indigenous peoples and upcoming new standards of environmental law *Contesting Native Title* David Ritter, 2020-08-26 This book debunks in spectacular fashion some of the most treasured over inflated claims of the benefits of native title Professor Mick Dodson ANU Centre for Indigenous Studies David Ritter s fascinating account of the evolution of the native title system is elegant and incisive scholarly and sceptical above all unfailingly intelligent Professor Robert Manne La Trobe University An unsentimental richly informed account of a fascinating period in the history of Australia s relationships with its indigenous people From the Foreword by Chief Justice Robert French After the historic Mabo judgement in 1992 Aboriginal communities had high hopes of obtaining land rights around Australia What followed is a dramatic story of hard fought contests over land resources money and power yielding many frustrations and mixed outcomes Based on extensive research enriched by intimate experience as a lawyer and negotiator David Ritter offers both an insider s perspective and a cool headed and broad ranging account of the native title system In lucid prose Ritter examines the contributions of the players that contested and adjudicated native title Aboriginal leaders and their communities multinational resource companies pastoralists courts and tribunals politicians and bureaucrats His account lays bare the conflicts compromises and conceits beneath the surface of the native title process **Aboriginal Australia** Colin Bourke, Eleanor Bourke, William Howell Edwards, 1998 With an analysis of the traditional colonial and contemporary experiences of indigenous Australians this study examines various facets of the

lives of Aboriginal Australians and shows how their struggles enrich the Australian community as a whole. Insightful and engaging, this reference presents an investigation on the continual struggle facing Aboriginals to maintain a strong identity and heritage while actively participating in and contributing to the modern world. *Transparency, Power, and Control* Christoph A. Hafner, Anne Wagner, 2016-02-24. This book brings together academics and practitioners from a range of disciplines from more than twenty countries to reflect on the growing importance of transparency, power, and control in our international community and how these concerns and ideas have been examined, used, and interpreted in a range of national and international contexts. Contributors explore these issues from a range of overlapping concerns and perspectives such as semiotic, sociolinguistic, psychological, philosophical, and visual in diverse socio-political, administrative, institutional, as well as legal contexts. The collection examines the ways in which actors in our society—legislators, politicians, activists, and artists—have provoked public discourses to confront these issues. *American Empire and the Fourth World* Anthony J. Hall, 2003-11-10. In *The American Empire and the Fourth World*, Anthony Hall presents a sweeping analysis of encounters between indigenous people and the European empires, national governments, and global corporations on the moving frontiers of globalization since Columbus discovered America. How should we respond to the emergence of the United States as the military, commercial, and cultural centre of a global empire? How can we elaborate a global rule of law based on equality and democracy when the world's most powerful polity acknowledges no higher authority in the international arena than its own domestic priorities? For Hall, the answer lies in the concept of the Fourth World: an inclusive intellectual tent covering a wide range of movements whose leaders seek to implement alternative views of globalization. Larger than any earlier political movement, the Fourth World embraces basic principles that include the inherent rights of self-determination and a more just approach to the crafting and enforcement of international law.

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