

Native Title in AUSTRALIA

an ETHNOGRAPHIC PERSPECTIVE

Peter Sutton

Native Title In Australia An Ethnographic Perspective

David Ritter



Native Title In Australia An Ethnographic Perspective:

Native Title in Australia Peter Sutton, 2004-01-19 Native title has often been one of the most controversial political legal and indeed moral issues in Australia Ever since the High Court's Mabo decision of 1992 the attempt to understand and adapt native title to different contexts and claims has been an ongoing concern for that broad range of people involved with claims In this book originally published in 2003 Peter Sutton sets out fundamental anthropological issues to do with customary rights kinship identity spirituality and so on that are relevant for lawyers and others working on title claims Sutton offers a critical discussion of anthropological findings in the field of Aboriginal traditional interests in land and waters focusing on the kinds of customary rights that are held in Aboriginal countries the types of groups whose members have been found to enjoy those rights and how such groups have fared over the last 200 years of Australian history **Australian Native Title**

Anthropology Kingsley Palmer, 2018-05-03 The Australian Federal Native Title Act 1993 marked a revolution in the recognition of the rights of Australia's Indigenous peoples The legislation established a means whereby Indigenous Australians could make application to the Federal Court for the recognition of their rights to traditional country The fiction that Australia was terra nullius or void country which had prevailed since European settlement was overturned The ensuing legal cases mediated resolutions and agreements made within the terms of the Native Title Act quickly proved the importance of having sound scholarly and well researched anthropology conducted with claimants so that the fundamentals of the claims made could be properly established In turn this meant that those opposing the claims would also benefit from anthropological expertise This is a book about the practical aspects of anthropology that are relevant to the exercise of the discipline within the native title context The engagement of anthropology with legal process determined by federal legislation raises significant practical as well as ethical issues that are explored in this book It will be of interest to all involved in the native title process including anthropologists and other researchers lawyers and judges as well as those who manage the claim process It will also be relevant to all who seek to explore the role of anthropology in relation to Indigenous rights legislation and the state Linguistic Organisation and Native Title Peter Sutton, Kenneth Locke Hale, 2021-09-09

Classical Aboriginal societies in Australia have commonly been described in terms of social organisation and local organisation This book presents rich detail on a third and related domain that has not been given the same kind of attention linguistic organisation Basing their analyses on fieldwork among the Wik peoples of Cape York Peninsula north Australia Peter Sutton and Ken Hale show how cosmology linguistic variation language prehistory clan totemic identities geopolitics land use and land ownership created a vibrant linguistic organisation in a classical Aboriginal society This has been a society long in love with language and languages Its people have richly imbued the domain of rights and interests in country the foundations of their native title as recognised in Australian law with rights and interests in the abundance of languages and dialects given to them at the start of the world 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

Anthropologists, Indigenous Scholars and the Research Endeavour Joy Hendry, Laara Fitznor, 2012 This collection offers the fruits of a stimulating workshop that sought to bridge the fraught relationship which sometimes continues between anthropologists and indigenous native aboriginal scholars despite areas of overlapping interest Participants from around the world share their views and opinions on subjects ranging from ideas for reconciliation the question of what might constitute a universal science indigenous heritage postcolonial museology the boundaries of the term indigeneity different senses as ways of knowing and the very issue of writing as a method of dissemination that divides and excludes readers from different backgrounds This book represents a landmark step in the process of replacing bridges with more equal patterns of intercultural cooperation and communication

The Social Effects of Native Title Benjamin Richard Smith, Frances Morphy, 2007-10-01 The papers in this collection reflect on the various social effects of native title In particular the authors consider the ways in which the implementation of the Native Title Act 1993 Cwlth and the native title process for which this Act legislates allow for the recognition and translation of Aboriginal law and custom and facilitate particular kinds of coexistence between Aboriginal title holders and other Australians In so doing the authors seek to extend the debate on native title beyond questions of practice and towards an improved understanding of the effects of native title on the social lives of Indigenous Australians and on Australian society more generally Publisher s description

The Oxford Handbook of Law and Anthropology Marie-Claire Foblets, Mark Goodale, Maria Sapignoli, Olaf Zenker, 2022-04-01 The Oxford Handbook of Law and Anthropology is a ground breaking collection of essays that provides an original and internationally framed conception of the historical theoretical and ethnographic interconnections of law and anthropology Each of the chapters in the Handbook provides a survey of the current state of scholarly debate and an argument about the future direction of research in this dynamic and interdisciplinary field The structure of the Handbook is animated by an

overarching collective narrative about how law and anthropology have and should relate to each other as intersecting domains of inquiry that address such fundamental questions as dispute resolution normative ordering social organization and legal political and social identity The need for such a comprehensive project has become even more pressing as lawyers and anthropologists work together in an ever increasing number of areas including immigration and asylum processes international justice forums cultural heritage certification and monitoring and the writing of new national constitutions among many others The Handbook takes critical stock of these various points of intersection in order to identify and conceptualize the most promising areas of innovation and sociolegal relevance as well as to acknowledge the points of tension open questions and areas for future development

Aboriginal Title and Indigenous Peoples Louis A. Knafla, Haijo Westra, 2011-01-01 Delgamuukw Mabo Ngati Apa Recent cases have created a framework for litigating Aboriginal title in Canada Australia and New Zealand This book brings together distinguished scholars who show that our understanding of where the concept of Aboriginal title came from and where it may be going can also be enhanced by exploring legal developments in these former British colonies in a comparative multidisciplinary framework Contributors trace the role that courts and legislatures played in the extinguishment and acquisition of Aboriginal title and land They then establish that although each country's development was distinctive common issues shaped and continue to inform indigenous peoples' struggle for recognition This path breaking book offers a perspective on Aboriginal title that extends beyond national borders to consider similar developments in common law countries

Anthropology Put to Work Les Field, Richard G. Fox, 2020-05-19 How do anthropologists work today and how will they work in future While some anthropologists have recently called for a new public or engaged anthropology profound changes have already occurred leading to new kinds of work for a large number of anthropologists The image of anthropologists reaching out from protected academic positions to a vaguely defined public is out of touch with the working conditions of these anthropologists especially those junior and untenured The papers in this volume show that anthropology is put to work in diverse ways today They indicate that the new conditions of anthropological work require significant departures from canonical principles of cultural anthropology such as replacing ethnographic rapport with multiple forms of collaboration This volume's goal is to help graduate students and early career scholars accept these changes without feeling something essential to anthropology has been lost There really is no other choice for most young anthropologists

Justice and Warfare in Aboriginal Australia Christophe Darmangeat, 2020-11-12 Meticulously examining ethnographic sources Christophe Darmangeat argues that warfare among Australian Aborigines was mostly an extension of their judicial systems He demonstrates how violent conflict occurred when circumstances prohibited regulated proceedings

The Rights and Wrongs of Land Restitution Derick Fay, Deborah James, 2008-08-18 The Rights and Wrongs of Land Restitution Restoring What Was Ours offers a critical comparative ethnographic examination of land restitution programs Drawing on memories and histories of past dispossession

governments NGOs informal movements and individual claimants worldwide have attempted to restore and reclaim rights in land Land restitution programs link the past and the present and may allow former landholders to reclaim lands which provided the basis of earlier identities and livelihoods Addressing the practical and theoretical questions that arise this book offers a critical rethinking of the links between land restitution and property social transition injustice citizenship the state and the market

Aboriginal Peoples and Birds in Australia Philip A. Clarke, 2023-04-03 Australia is home to many distinctive species of birds and Aboriginal peoples have developed close alliances with them over the millennia of their custodianship of this country *Aboriginal Peoples and Birds in Australia* Historical and Cultural Relationships provides a review of the broad physical historical and cultural relationships that Aboriginal people have had with the Australian avifauna This book aims to raise awareness of the alternative bodies of ornithological knowledge that reside outside of Western science It describes the role of birds as totemic ancestors and spirit beings and explores Aboriginal bird nomenclature foraging techniques and the use of avian materials to make food medicine and artefacts Through a historical perspective this book examines the gaps between knowledge systems of Indigenous peoples and Western science to encourage greater collaboration and acknowledgment in the future Cultural sensitivity Readers are warned that there may be words descriptions and terms used in this book that are culturally sensitive and which might not normally be used in certain public or community contexts While this information may not reflect current understanding it is provided by the author in a historical context This publication may also contain quotations terms and annotations that reflect the historical attitude of the original author or that of the period in which the item was written and may be considered inappropriate today Aboriginal and Torres Strait Islander peoples are advised that this publication may contain the names and images of people who have passed away

Beyond Communal and Individual Ownership Leon Terrill, 2015-10-05 Over the last decade Australian governments have introduced a series of land reforms in communities on Indigenous land This book is the first in depth study of these significant and far reaching reforms It explains how the reforms came about what they do and their consequences for Indigenous landowners and community residents It also revisits the rationale for their introduction and discusses the significant gap between public debate about the reforms and their actual impact Drawing on international research the book describes how it is necessary to move beyond the concepts of communal and individual ownership in order to understand the true significance of the reforms The book's fresh perspective on land reform and careful assessment of key land reform theories will be of interest to scholars of indigenous land rights land law indigenous studies and aboriginal culture not only in Australia but also in any other country with an interest in indigenous land rights

Anthropology and the Politics of Representation Gabriela Vargas-Cetina, 2013-02 This book examines the inherently problematic nature of representation and description of living people specifically in ethnography and more generally in anthropological work as a whole In this book the editor brings together a group of international scholars who through their fieldwork experiences reflect on the

epistemological political and personal implications of their own work To do so they focus on such topics as ethnography anthropologists engagement in identity politics representational practices the contexts of anthropological research and work and the effects of personal choices regarding self involvement in local causes that may extend beyond purely ethnographic goals

Decolonizing Linguistics Anne H. Charity Hudley, Christine Mallinson, Mary Bucholtz, 2024 This is an open access title available under the terms of a CC BY NC ND 4.0 International license It is free to read at Oxford Academic and offered as a free PDF download from OUP and selected open access locations *Decolonizing Linguistics* the companion volume to *Inclusion in Linguistics* is designed to uncover and intervene in the history and ongoing legacy of colonization and colonial thinking in linguistics and related fields Taken together the two volumes are the first comprehensive action oriented book length discussions of how to advance social justice in all aspects of the discipline The introduction to *Decolonizing Linguistics* theorizes decolonization as the process of centering Black Native and Indigenous perspectives describes the extensive dialogic and collaborative process through which the volume was developed and lays out key principles for decolonizing linguistic research and teaching The twenty chapters cover a wide range of languages and linguistic contexts e.g. Bantu languages Creoles Dominican Spanish Francophone Africa Zapotec as well as various disciplines and subfields applied linguistics communication historical linguistics language documentation and revitalization reclamation psycholinguistics sociolinguistics syntax Contributors address such topics as refusing settler colonial practices and centering community goals in research on Indigenous languages decolonizing research partnerships between the Global South and the Global North and prioritizing Black Diasporic perspectives in linguistics The volume's conclusion lays out specific actions that linguists can take through research teaching and institutional structures to refuse coloniality in linguistics and to move the field toward a decolonized future

Indigenous Crime and Settler Law H. Douglas, M. Finnane, 2012-08-21 In a break from the contemporary focus on the law's response to inter racial crime the authors examine the law's approach to the victimization of one Indigenous person by another Drawing on a wealth of archival material relating to homicides in Australia they conclude that settlers and Indigenous peoples still live in the shadow of empire

Speaking Subjects in Multilingualism

Research Judith Purkarthofer, Mi-Cha Flubacher, 2022-07-22 This book discusses salient moments of multilingual encounters and brings together contributions focused on the interplay between language use by individuals and societies and language related inequalities or opportunities for speakers The chapters demonstrate how biographical and speaker centred approaches can contribute to an understanding of linguistic diversity how researchers can empirically account for lived experiences of languages and how such accounts are embedded in a larger discussion on social inequality Together the chapters make a powerful case for the importance of speaker centred methodologies in multilingual and multilingualism research The book is a rich source of theoretical and methodological reflections and will thus be a valuable resource for both experienced researchers and students beginning to explore biographical research methods

A Higher Authority:

Indigenous Transnationalism and Australia Ravi De Costa, 2012 This important book recovers the long tradition of indigenous transnationalism contact with external people institutions ideas throughout Australia s history from before white settlement to the present

Shared Country, Different Stories David S. Trigger, 2025-09-01 Anthropology in Australia has been both celebrated and contested particularly in its engagements with Indigenous people This book delves into senses of place and belonging across diverse sectors of society with a particular focus on the intimacies and tensions of engagements with Indigenous Australia It examines the politics of anthropology the sensitivities of cross cultural understanding and the challenges posed by rising Indigenous activism David Trigger reflects on a career committed to cultural relativism while grappling with inherited values and beliefs The book s conclusion addresses what shared country in the context of different stories can mean for the future

Trapped in the Gap Emma Kowal, 2015-02-01 In Australia a tribe of white middle class progressive professionals is actively working to improve the lives of Indigenous people This book explores what happens when well meaning people supported by the state attempt to help without harming White anti racists find themselves trapped by endless ambiguities contradictions and double binds a microcosm of the broader dilemmas of postcolonial societies These dilemmas are fueled by tension between the twin desires of equality and difference to make Indigenous people statistically the same as non Indigenous people to close the gap while simultaneously maintaining their cultural distinctiveness This tension lies at the heart of failed development efforts in Indigenous communities ethnic minority populations and the global South This book explains why doing good is so hard and how it could be done differently

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