

Taking *a* Stand

Land Rights to Reconciliation



ROBERT TICKNER

Taking A Stand Land Rights To Reconciliation

David Baud



Taking A Stand Land Rights To Reconciliation:

Liberating the Will of Australia Geoffrey Burn, 2020-08-03 Why do many First People in Australia find themselves continually under siege Why do many interventions fail to produce what was hoped for Why is it that when there have been many positive developments at some deep level nothing seems to have changed Will the Uluru Statement from the Heart ensure the future security of the First Peoples in Australia By developing strands from Christian theology *Liberating the Will of Australia* answers these questions in a way that gets to the heart of the problem It is shown that the way that the First Peoples were treated by the first European in comers became an indelible part of what Australia currently is This explains why harm is often done even when good is intended and why some problems are too complex to solve But that does not mean that we need to be stuck in the past through deep repentance by the Subsequent Peoples much more than an apology we can take hold of the work of God to bring new things out of what is broken Ultimately this is profoundly hopeful Although

focusing on Australia the theological tools developed can be applied in other colonial and post colonial contexts **The Routledge Handbook of the History of Settler Colonialism** Edward Cavanagh, Lorenzo Veracini, 2016-08-12 The Routledge Handbook of the History of Settler Colonialism examines the global history of settler colonialism as a distinct mode of domination from ancient times to the present day It explores the ways in which new polities were established in freshly discovered New Worlds and covers the history of many countries including Australia New Zealand Israel Japan South Africa Liberia Algeria Canada and the USA Chronologically as well as geographically wide reaching this volume focuses on an extensive array of topics and regions ranging from settler colonialism in the Neo Assyrian and Roman empires to relationships between indigenes and newcomers in New Spain and the early Mexican republic to the settler dominated polities of Africa during the twentieth century Its twenty nine inter disciplinary chapters focus on single colonies or on regional developments that straddle the borders of present day states on successful settlements that would go on to become powerful settler nations on failed settler colonies and on the historiographies of these experiences Taking a fundamentally international approach to the topic this book analyses the varied experiences of settler colonialism in countries around the world With a synthesizing yet original introduction this is a landmark contribution to the emerging field of settler colonial studies and will be a valuable resource for anyone interested in the global history of imperialism and colonialism

Trapped by History Darryl Cronin, 2021-04-15 The Australian nation has reached an impasse in Indigenous policy and practice and fresh strategies and perspectives are required *Trapped by History* highlights a fundamental issue that the Australian nation must confront to develop a genuine relationship with Indigenous Australians The existing relationship between Indigenous people and the Australian state was constructed on the myth of an empty land terra nullius Interactions with Indigenous people have been constrained by eighteenth century assumptions and beliefs that Indigenous people did not have organised societies had neither land ownership nor a recognisable form of sovereignty and that they were savage but

could be civilized through the erasure of their culture These incorrect assumptions and beliefs are the foundation of the legal constitutional and political treatment of Indigenous Australians over the course of the country s history They remain ingrained in governmental institutions Indigenous policy making judicial decision making and contemporary public attitudes about Indigenous people Trapped by History shines new light upon historical and contemporary examples where Indigenous people have attempted to engage and dialogue with state and federal governments These governments have responded by trying to suppress and discredit Indigenous rights culture and identities and impose assimilationist policies In doing so they have rejected or ignored Indigenous attempts at dialogue and partnership Other settler countries such as New Zealand Canada and the United States of America have all negotiated treaties with Indigenous people and have developed constitutional ways of engaging cross culturally In Australia the limited recognition that Indigenous people have achieved to date shows that the state is unable to resolve long standing issues with Indigenous people Movement beyond the current colonial relationship with Indigenous Australians requires a genuine dialogue to not only examine the legal and intellectual framework that constrains Indigenous recognition but to create new foundations for a renewed relationship based on intercultural negotiation mutual respect sharing and mutual responsibility This must involve building a shared understanding around addressing past injustices and creating a shared vision for how Indigenous people and other Australians will associate politically in the future

Handbook of Indigenous Peoples' Rights Corinne Lennox,Damien Short,2016-02-05 This handbook will be a comprehensive interdisciplinary overview of indigenous peoples rights Chapters by experts in the field will examine legal philosophical sociological and political issues addressing a wide range of themes at the heart of debates on the rights of indigenous peoples The book will address not only the major questions such as who are indigenous peoples What is distinctive about their rights How are their rights constructed and protected What is the relationship between national indigenous rights regimes and international norms but also themes such as culture identity genocide globalization and development rights institutionalization and the environment

Negotiating Claims Christa Scholtz,2013-10-14 Why do governments choose to negotiate indigenous land claims rather than resolve claims through some other means In this book Scholtz explores why a government would choose to implement a negotiation policy where it commits itself to a long run strategy of negotiation over a number of claims and over a significant course of time Through an examination strongly grounded in archival research of post World War Two government decision making in four established democracies Australia Canada New Zealand and the United States Scholtz argues that negotiation policies emerge when indigenous people mobilize politically prior to significant judicial determinations on land rights and not after judicial change alone *Negotiating Claims* links collective action and judicial change to explain the emergence of new policy institutions

Disability, the Environment, and Colonialism Tatiana Konrad,2024-08-02 Aligning discourses surrounding hegemonic colonial visions of the environment and disability this volume illustrates the ways in which colonial understandings of disability were and continue to be defined

by relationships with the environment collectively creating a form of eco ableism that continues to this day

The Politics of Human Rights in Australia Louise Chappell, John Chesterman, Lisa Hill, 2009-05-28 Australia has traditionally lacked a strong rights culture While fairness and equality have been proudly exalted as trademarks of the national mindset the authors of *The Politics of Human Rights in Australia* argue that these same characteristics may equate to a form of cultural complacency The book offers the first comprehensive account of Australia's protection of human rights from a political science perspective Addressing the key debates surrounding human rights in Australia the authors ask Why are voting rights so critical in the Australian context Should Australia adopt a bill of rights in an age of terror What are Australia's responsibilities to global and regional refugee crises How can reconciliation between indigenous and non indigenous Australians be facilitated Written by three respected academics at the forefront of their fields *The Politics of Human Rights in Australia* offers clarity and insight into the complex issues surrounding the human rights debate in Australia

The Grand Experiment Hamar Foster, Benjamin L. Berger, A.R. Buck, 2009-07-01 The essays in this volume reflect the exciting new directions in which legal history in the settler colonies of the British Empire has developed The contributors show how local life and culture in selected settlements influenced and was influenced by the ideology of the rule of law that accompanied the British colonial project Exploring themes of legal translation local understandings judicial biography and law at the boundaries they examine the legal cultures of dominions in Canada Australia and New Zealand to provide a contextual and comparative account of the incomplete implementation of the British constitution in these colonies

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

Recognizing Aboriginal Title Peter H. Russell, 2005-12-15 A judicial revolution occurred in 1992 when Australia's highest court discarded a doctrine that had stood for two hundred years that the country was a terra nullius a land of no one when the white man arrived The

proceedings were known as the Mabo Case named for Eddie Koiki Mabo the Torres Strait Islander who fought the notion that the Australian Aboriginal people did not have a system of land ownership before European colonization The case had international repercussions especially on the four countries in which English settlers are the dominant population Australia Canada New Zealand and the United States In *Recognizing Aboriginal Title* Peter H Russell offers a comprehensive study of the Mabo case its background and its consequences contextualizing it within the international struggle of Indigenous peoples to overcome their colonized status Russell weaves together an historical narrative of Mabo's life with an account of the legal and ideological premises of European imperialism and their eventual challenge by the global forces of decolonization He traces the development of Australian law and policy in relation to Aborigines and provides a detailed examination of the decade of litigation that led to the Mabo case Mabo died at the age of fifty six just five months before the case was settled Although he had been exiled from his land over a dispute when he was a teenager he was buried there as a hero *Recognizing Aboriginal Title* is a work of enormous importance by a legal and constitutional scholar of international renown written with a passion worthy of its subject a man who fought hard for his people and won *Critical Discourse Analysis* G. Weiss, R. Wodak, 2007-10-18 Can discourse analysis techniques adequately deal with complex social phenomena What does interdisciplinarity mean for theory building and the practise of empirical research This original volume debates critical theory and discourse analysis focussing on the extent to which CDA can draw on a range of disciplines in the social sciences

Historical Dictionary of Australian Aborigines Mitchell Rolls, Murray Johnson, 2019-11-05 The Aboriginal Australians first arrived on the continent at least 60 000 years ago occupying and adapting to a range of environmental conditions from tropical estuarine habitats densely forested regions open plains and arid desert country to cold mountainous and often wet and snowy high country Cultures adapted according to the different conditions and adapted again to environmental changes brought about by rising sea levels at the end of the last ice age European colonization of the island continent in 1788 not only introduced diseases to which Aborigines had no immunity but also began an enduring and at times violent conflict over land and resources Reconciliation between Aborigines and the settler population remains unresolved This second edition of the *Historical Dictionary of Australian Aborigines* contains a chronology an introduction an extensive bibliography and more than 300 cross referenced entries on the politics economy foreign relations religion and culture of the Aborigines This book is an excellent resource for students researchers and anyone wanting to know more about the indigenous people of Australia

Indigenous Aspirations and Structural Reform in Australia Harry Hobbs, 2021-01-28 Can the Australian state be restructured to empower Aboriginal and Torres Strait Islander peoples and ensure that their distinct voices are heard in the processes of government This book provides an answer to that question for Australia and provides guidance for all states that claim jurisdiction and authority over the traditional lands of Indigenous peoples By engaging directly with Indigenous peoples nuanced and complex aspirations this book presents a viable model for structural reform It does so by adopting a

distinctive and innovative approach drawing on Indigenous scholarship globally it presents a coherent and compelling account of Indigenous peoples political aspirations through the concept of sovereignty It then articulates those themes into a set of criteria legible to Australia s system of governance This original perspective produces a culturally informed metric to assess institutional mechanisms and processes designed to empower Indigenous peoples Reflecting the Uluru Statement from the Heart s call for a First Nations Voice the book applies the criteria to one specific institutional mechanism Indigenous representative bodies It analyses in detail the Aboriginal and Torres Strait Islander Commission and the Swedish S mi Parliament a representative body for the Indigenous people of Sweden In examining the S mi Parliament the book draws on a rich source of primary and secondary untranslated Swedish language sources resulting in the most comprehensive English language exploration of this unique institution Highlighting the opportunities and challenges of Indigenous representative bodies the book concludes by presenting a novel and informed model for structural reform in Australia that meets Indigenous aspirations

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

Rob Riley Quentin Beresford,2006 Set against the tumultuous background of racial politics in an conflicted nation this book explores Rob Riley s rise and influence as an Aboriginal activist Drawing on perspectives from history politics and psychology this work explores Rob s life as a moral protester and the challenges he confronted in trying to change the destiny of the country

Seeking Justice in International Law Mauro Barelli,2016-04-14 Today human rights represent a primary concern of the international legal system The international community s commitment to the protection and promotion of human rights however does not always produce the results hoped for by the advocates of a more justice oriented system of international law Indeed international law is often criticised for inter alia its enduring imperial character incapacity to minimize inequalities and failure to take human suffering seriously Against this background the central question that this book aims to answer is whether the adoption of the 2007 United Nations Declaration on the Rights of Indigenous Peoples points to the existence of an international law that promises to provide valid responses to the demands for justice of disempowered and vulnerable groups At one level the book assesses whether international law has responded fairly and adequately to the human rights claims of indigenous peoples At another level it explores the relationship between this response and some distinctive features of the indigenous peoples struggle for justice reflecting on the extent to which the latter have influenced and shaped the former The book draws important conclusions as to the reasons behind international law s positive recognition of indigenous peoples rights shedding some light on the potential and limits of international law as an instrument of justice The book will be of great interest to students and scholars of public international law human rights and social movements

Disability and Social Movements Rachel Carling-Jenkins,2016-05-23 This book provides the reader with a ground breaking understanding of

disability and social movements By describing how disability is philosophically historically and theoretically positioned Carling Jenkins is able to then examine disability relationally through an evaluation of the contributions of groups engaged in similar human rights struggles The book locates disability rights as a new social movement and provides an explanation for why disability has been divided rather than united in Australia Finally it investigates whether the recent campaign to implement a national disability insurance scheme represents a re emergence of the movement It will be of interest to all scholars and students of both disability studies and social movements

Re/reading the past J.R. Martin, Ruth Wodak, 2003-11-17 Re reading the Past is concerned with the discourses of history from the complementary perspectives of Critical Discourse Analysis CDA and Systemic Functional Linguistics SFL The papers in the book stress the discursive construction of the past focussing on the different social narratives which compete for official acknowledgement Issues of collective and cultural memory are addressed reflecting the linguistic turn in the Social Sciences The book covers a range of discourses interpreting texts from popular culture to academic discourse including the construction and evaluation of past events in a variety of places around the world It is especially timely in its focus on the construction of time and value in a post colonial world where history discourses are central to on going processes of reconciliation debates on war crimes and the issues of amnesty and restitution As such the book fills a significant gap in interdisciplinary debates as well as in register and genre analysis and will be of general interest to historians political scientists and discourse analysts as well as students and teachers of ESP English for Specific Purposes and EAP English for Academic Purposes

Remembering Genocide Nigel Eltringham, Pam Maclean, 2014-06-27 In Remembering Genocide an international group of scholars draw on current research from a range of disciplines to explore how communities throughout the world remember genocide Whether coming to terms with atrocities committed in Namibia and Rwanda Australia Canada the Punjab Armenia Cambodia and during the Holocaust those seeking to remember genocide are confronted with numerous challenges Survivors grapple with the possibility or even the desirability of recalling painful memories Societies where genocide has been perpetrated find it difficult to engage with an uncomfortable historical legacy Still to forget genocide as this volume edited by Nigel Eltringham and Pam Maclean shows is not an option To do so reinforces the vulnerability of groups whose very existence remains in jeopardy and denies them the possibility of bringing perpetrators to justice Contributors discuss how genocide is represented in media including literature memorial books film and audiovisual testimony Debates surrounding the role museums and monuments play in constructing and transmitting memory are highlighted Finally authors engage with controversies arising from attempts to mobilise and manipulate memory in the service of reconciliation compensation and transitional justice

Beyond White Guilt Sarah Maddison, 2011 Large Print

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