

The land is our history: indigeneity, law, and the settler state

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Abstrak

The Land Is Our History tells the story of indigenous legal activism at a critical juncture in Australia, Canada, and New Zealand. In the late 1960s, indigenous activists protested policies of assimilation and the usurpation of their lands as a new mining boom took off, both of which radically threatened their collective identities. Often excluded from legal recourse in the past, indigenous leaders took their claims to settler law with remarkable results. For the first time, their distinctive histories were admitted into court as evidence of their rights. Examining how indigenous peoples opened up courts and commissions of inquiry between the early 1970s to the mid-1990s for the recognition of their rights, this book chronicles an extraordinary and overlooked history in which virtually disenfranchised peoples forced powerful settler democracies to reckon with their demands. Based in extensive archival research and interviews with leading participants, it brings to the fore complex and rich discussions among activists, lawyers, anthropologists, judges, and others in cases on remote frontiers about rights, history, and identity. The effects of these debates in far-flung communities were unexpectedly wide ranging. By asserting that they were the first peoples of the land, indigenous leaders made powerful settler governments negotiate with them about their distinct rights and status. Fracturing national myths and making new stories of origin necessary, indigenous peoples claims challenged settler societies to rethink their sense of belonging. Yet, in the process, indigenous claimants found their own identities becoming fixed by law to persisting ideas of authenticity.