

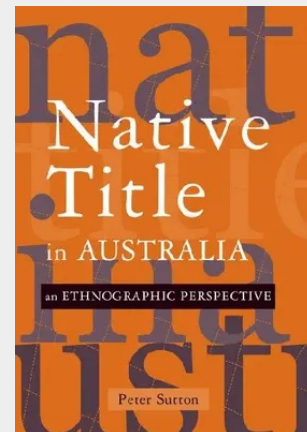
Sutton

Native Title in Australia

An Ethnographic Perspective

Australian law recognised the existence of native title in the Mabo decision of 1992. Since then, many indigenous people have worked with anthropologists and other scholars in recording and presenting the factual bases of their native title claims, and anthropologists have also acted as consultants to non-claimant parties. In this context, the legal and bureaucratic advisers of claimants and other parties often encounter the complexities of indigenous land and marine tenure for the first time, or at least in a new way. In this book Peter Sutton sets out the fundamental anthropological issues involved in native title in Australia, focusing on the kinds of rights that are held in traditional 'countries', the types of groups whose members have been found to enjoy those rights, and how such groups have changed over 200 years of post-colonial history.

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.



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