1. Record Nr. UNINA9910132649803321 Autore Burke Paul <1956-> Titolo Law's anthropology: from ethnography to expert testimony in native title / / Paul Burke Pubbl/distr/stampa Acton, A.C.T.:,: ANU E Press,, [2011] ©2011 **ISBN** 1-921862-42-4 1 online resource (336 pages) : digital file(s) Descrizione fisica Classificazione 347.9625 346.9404320899915 Disciplina Soggetti Evidence, Expert - Australia Forensic anthropology - Australia Aboriginal Australians - Legal status, laws, etc Native title (Australia) Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Includes bibliographical references (pages 281-319) and index. Nota di bibliografia Nota di contenuto Preliminary; Acknowledgments; Lists of Maps, Tables and Figures; 1. Towards an Ethnography of Anthropology's Encounter with Modern Law; 2. Anthropological Knowledge of the Murray Islands Prior to the Mabo Case: 3. Beckett in Mabo: 4. The Anthropology of the Broome Region; 5. The Anthropology of Broome on Trial; 6. The Enigma of Traditional Western Desert Land Tenure; 7. Western Desert Ethnography on Trial; 8. Apocalypse Yulara? The emergence of a judicial discourse of 'junk' anthropology; 9. Conclusion; Bibliography; Index Anthropologists have been appearing as key expert witnesses in native Sommario/riassunto title claims for over 20 years. Until now, however, there has been no theoretically-informed, detailed investigation of how the expert testimony of anthropologists is formed and how it is received by judges. This book examines the structure and habitus of both the field of anthropology and the juridical field and how they have interacted in four cases, including the original hearing in the Mabo case. The analysis of background material has been supplemented by interviews

with the key protagonists in each case. This allows the reader a unique, insider's perspective of the courtroom drama that unfolds in each case. The book asks, given the available ethnographic research, how will the

anthropologist reconstruct it in a way that is relevant to the legal doctrine of native title when that doctrine gives a wide leeway for interpretation on the critical questions.