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| Descrizione fisica | 1 online resource (313 pages) |
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| Soggetti | Constitutional law Public law Human rights Political science Australasia History Race Politics and Government - Political action - Voice to Parliament Constitutional Law Public Law Human Rights Governance and Government Australian History Race and Ethnicity Studies |
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| Livello bibliografico | Monografia |
| Nota di bibliografia | Includes bibliographical references and index. |
| Nota di contenuto | 1. Terminology, values and identity -- 2. How we got here – the reform debate from 2010-2015 -- 3. Sovereignty and the impact of colonisation -- 4. Treaty-making and its limitations -- 5. Self-determination and an Indigenous state -- 6. Legal pluralism -- 7. Rights, race and culture -- 8. The Voice to Parliament -- 9. Indigenous parliamentary representation -- 10. Summary of reforms and the way forward. |
| Sommario/riassunto | This book examines whether Australia's constitution should be reformed so as to enable the country to fulfil its obligations under the |

United Nations Declaration on the Rights of Indigenous Peoples, which it ratified in 2009. The book surveys the history of the constitutional status of Australia's Indigenous peoples from the time of colonisation through to the current debate on 'Indigenous constitutional recognition'. However, it argues that the term 'Indigenous constitutional recognition', implying that mere acknowledgement of the existence of Indigenous peoples is sufficient to meet their legitimate expectations, misrepresents the nature of the project the country needs to engage in. The book argues that Australia should instead embark upon a reform programme directed towards substantive, and not merely symbolic, constitutional change. It argues that only by the inclusion in the constitution of enforceable constitutional rights can the power imbalance between Indigenous Australians and the rest of society be addressed. Taking a comparative approach and drawing upon the experience of other jurisdictions, the book proposes a comprehensive constitutional reform programme, and includes the text of constitutional amendments designed to achieve the realisation of the rights of Australia's Indigenous peoples. It ends with a call to improve the standard of civics education so as to overcome voter apprehension towards constitutional change. .
