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# Overturning Aqua Nullius Securing Aboriginal Wate

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## CHAIM DENNIS

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Sludge Routledge

The condemnation of memory inexorably altered the visual landscape of imperial Rome. This volume catalogues and interprets the sculptural, glyptic, numismatic and epigraphic evidence for "damnatio memoriae" and ultimately reveals its praxis to be at the core of Roman cultural identity.

## Subjects of Intergenerational Justice

Springer

In Australia and New Zealand, many public projects, programs and services perform well. But these cases are consistently underexposed and understudied. We cannot properly 'see'—let alone recognise and explain—variations in government performance when media, political and academic discourses are saturated with accounts of their shortcomings and failures, but are next to silent on their achievements. Successful Public Policy: Lessons from Australia and New Zealand

helps to turn that tide. It aims to reset the agenda for teaching, research and dialogue on public policy performance. This is done through a series of close-up, in-depth and carefully chosen case study accounts of the genesis and evolution of stand-out public policy achievements, across a range of sectors within Australia and New Zealand. Through these accounts, written by experts from both countries, we engage with the conceptual, methodological and theoretical challenges that have plagued extant research seeking to evaluate, explain and design successful

public policy. Studies of public policy successes are rare—not just in Australia and New Zealand, but the world over. This book is embedded in a broader project exploring policy successes globally; its companion volume, *Great Policy Successes* (edited by Paul 't Hart and Mallory Compton), is published by Oxford University Press (2019).

**New Water Regimes** U. Externado de Colombia

Featuring contributions from leading lawyers, historians and social scientists, this path-breaking volume explores encounters of laws, people, and places in Australia since 1788. Its chapters address three major themes: the development of Australian settler law in the shadow of the British Empire; the interaction between settler law and First Nations people; and the possibility of meaningful encounter between First laws and settler legal regimes in Australia. Several chapters explore the limited space provided by Australian settler law for respectful encounters, particularly in light of the High Court's particular concerns about the fragility of Australian sovereignty. Tracing the development of a uniquely Australian

law and the various contexts that shaped it, this volume is concerned with the complexity, plurality, and ambiguity of Australia's legal history.

*The Neoliberal State, Recognition and Indigenous Rights* Princeton University Press

In *Haunting Biology* Emma Kowal recounts the troubled history of Western biological studies of Indigenous Australians and asks how we now might see contemporary genomics, especially that conducted by Aboriginal and Torres Strait Islander scientists. Kowal illustrates how the material persistence of samples over decades and centuries folds together the fates of different scientific methodologies. Blood, bones, hair, comparative anatomy, human biology, physiology, and anthropological genetics all haunt each other across time and space, together with the many racial theories they produced and sustained. The stories Kowal tells feature a variety of ghostly presences: a dead anatomist, a fetishized piece of hair hidden away in a war trunk, and an elusive white Indigenous person. By linking this history to contemporary genomics and twenty-first-century Indigeneity, Kowal

outlines the fraught complexities, perils, and potentials of studying Indigenous biological difference in the twenty-first century.

*Just Add Water* MDPI

Accepting Dante's prophetic truth claims on their own terms, Teodolinda Barolini proposes a "detheologized" reading as a global new approach to the *Divine Comedy*. Not aimed at excising theological concerns from Dante, this approach instead attempts to break out of the hermeneutic guidelines that Dante structured into his poem and that have resulted in theologized readings whose outcomes have been overdetermined by the poet. By detheologizing, the reader can emerge from this poet's hall of mirrors and discover the narrative techniques that enabled Dante to forge a true fiction. Foregrounding the formal exigencies that Dante masked as ideology, Barolini moves from the problems of beginning to those of closure, focusing always on the narrative journey. Her investigation--which treats such topics as the visionary and the poet, the One and the many, narrative and time--reveals some of the transgressive paths trodden by a master of mimesis, some of

the ways in which Dante's poetic adventuring is indeed, according to his own lights, Ulyssean.

*Indigenous Water Rights in Law and Regulation* Elsevier

El reconocimiento de derechos ala naturaleza en general, a una parte de ella o a alguna especie en particulares, sin duda, uno de los asuntos jurídicos medioambientales que mayores discusiones y curiosidad han despertado en la comunidad jurídico medioambiental Internacional. De allí la necesidad de analizar en detalle las argumentaciones teóricas, dogmáticas y jurídicas de quienes están a favor de ese reconocimiento, y las de aquellos que critican dicha posición, así como estudiar los casos en que se reconoce ese tipo de derechos, con el fin de comprender sus alcances, características y fundamentación, y de esa forma establecer las oportunidades y debilidades de las propuestas a fin de construir soluciones adecuadas para atender los graves daños generados, y desarrollar acciones dirigidas a evitar futuras afectaciones.

*Overturing Aqua Nullius* John Wiley & Sons

The fascinating, troubling legacy of the gold rush. Everyone knows gold made Victoria rich. But did you know gold mining was disastrous for the land, engulfing it in floods of sand, gravel and silt that gushed out of the mines? Or that this environmental devastation still affects our rivers and floodplains? Victorians had a name for this mining waste: 'sludge'. Sludge submerged Victoria's best grapevines near Bendigo, filled Laanecoorie Reservoir on the Loddon River and flowed down from Beechworth over thousands of hectares of rich agricultural land. Children and animals drowned in sludge lakes. Mining effluent contaminated three-quarters of Victoria's creeks and rivers. Sludge is the compelling story of the forgotten filth that plagued nineteenth-century Victoria. It exposes the big dirty secret of Victoria's mining history – the way it transformed the state's water and land, and how the battle against sludge helped lay the ground for the modern environmental movement. 'Sludge is a fascinating, entangled story of human endeavour and environmental destruction. An exciting and timely reminder that history is a dirty business, precisely

because it oozes its way into the present.' —Clare Wright 'Sludge, slurry, slickens or porridge: call it what you will, mining waste made a mess of Victoria's environment. In *Sludge*, Susan Lawrence and Peter Davies carefully investigate this murky history of greed, mismanagement, reform and forgetting. It is a gripping account of an environmental catastrophe, and it vividly conveys the long-term costs of short-term gains.' —Billy Griffiths 'This is the book about the goldfields I most wanted to read but didn't think could be written. It's a remarkable achievement.' —Tom Griffiths 'If Victorians dreamed of glittering gold, what they got was a tidal wave of sludge that covered the land like a poisonous blanket and made the rivers run thick as gruel. Susan Lawrence and Peter Davies vividly recreate the forgotten landscapes of nineteenth-century Victoria, revealing how people and mining destroyed the country that nurtured them, and how that silent legacy is still with us today. Here is a powerful parable, a work of brilliant rediscovery and a wakeup call for our own times.' —Grace Karskens *Legal Rights for Rivers* Routledge

This book interrogates the problems of how and why largely unseen matter, in this case groundwater, has found limited expression in climate fiction. It explores key considerations for writing groundwater narratives in the Anthropocene. The book investigates a unique selection of climate fiction alongside an exploration of hydrosocial environmental humanities through a focus on groundwater and groundwater narratives. Providing eco-critical analysis, with creative fiction and non-fiction excerpts interwoven throughout, and drawing on Indigenous Australian and Australian settler novels and poems alongside European, American and Japanese texts, the book illuminates the processes of 'storying with' subterranean waters – their facts, uncertainties, potencies and vulnerabilities. In a time when the water crisis in an Australian and worldwide context is escalating in response to global warming, giving voice to the complexities of groundwater extraction and pollution is vital. Drawing from non-representational, posthumanist and feminist perspectives, the book provides an important contribution to transnational, comparative

climate fiction analysis, enabling an interdisciplinary exchange between hydrogeological science and the eco-humanities. This book is an engaging read for scholars and students in creative writing, environmental humanities, cultural and post-colonial studies, Australian studies, and eco-critical literary studies. Writers and thinkers addressing the problems of the Anthropocene are called to pay attention to the importance of subterranean imaginaries and groundwater narratives.

Threats to Springs in a Changing World

Taylor & Francis

This book identifies the most effective water policy tools and innovations, and the circumstances that foster their successful implementation by taking a comparative look at a world-leading 'laboratory' of water law and governance: Australia. In particular, the book analyses Australia's 20-year experience implementing a hybrid governance system of markets, hierarchical regulation, and collaborative integrated water planning. Australia is acknowledged as a world leader in water governance reform, and an examination of its relatively mature water law and

governance system has great significance for many international academics and jurisdictions. This book synthesises practical lessons and theoretical insights from Australia, as well as recommendations from comparative analysis with countries such as the United States to provide useful guidance for policymakers and scholars seeking to apply water instruments in a wide range of policy contexts. The book also advances our understanding of water and broader environmental governance theory and is a valuable reference for scholars, researchers and students working in law, regulation and governance studies – especially in the field of water and environmental law. Chapter "Lessons from Australian water reforms: Indigenous and environmental values in market-based water regulation" is available open access under a Creative Commons Attribution 4.0 International License via [link.springer.com](http://link.springer.com). *Successful Public Policy* Routledge The Palgrave Handbook of Utopian and Dystopian Literatures celebrates a literary genre already over 500 years old. Specially commissioned essays from established and emerging international

scholars reflect the vibrancy of utopian vision, and its resiliency as idea, genre, and critical mode. Covering politics, environment, geography, body and mind, and social organization, the volume surveys current research and maps new areas of study. The chapters include investigations of anarchism, biopolitics, and postcolonialism and study film, art, and literature. Each essay considers central questions and key primary works, evaluates the most recent research, and outlines contemporary debates. Literatures of Africa, Australia, China, Latin America, and the Middle East are discussed in this global, cross-disciplinary, and comprehensive volume.

Routledge Handbook of Community Forestry Routledge

This book challenges mainstream Western IEJ (intergenerational environmental justice) in a manner that privileges indigenous philosophies and highlights the value these philosophies have for solving global environmental problems. Divided into three parts, the book begins by examining the framing of Western liberal environmental, intergenerational and indigenous justice theory and reviews

decolonial theory. Using contemporary case studies drawn from the courts, film, biography and protests actions, the second part explores contemporary Māori and Aboriginal experiences of values-conflict in encounters with politics and law. It demonstrates the deep ontological rifts between the philosophies that inform Māori and Aboriginal intergenerational justice (IJ) and those of the West that underpin the politics and law of these two settler states. Existing Western IEJ theories, across distributional, communitarian, human rights based and the capabilities approach to IJ, are tested against obligations and duties of specific Māori and Aboriginal iwi and clans. Finally, in the third part, it explores the ways we relate to time and across generations to create regenerative IJ. Challenging the previous understanding of the conceptualization of time, it posits that it is in how we relate—human to human, human to nonhuman, nonhuman to human—that robust conceptualization of IEJ emerges. This volume presents an imagining of IEJ which accounts for indigenous norms on indigenous terms and explores how this might be applied in

national and international responses to climate change and environmental degradation. Demonstrating how assumptions in mainstream justice theory continue to colonise indigenous people and render indigenous knowledge invisible, this book will be of great interest to students and scholars of environmental and intergenerational philosophy, political theory, indigenous studies and decolonial studies, and environmental humanities more broadly.

Restorative and Responsive Human Services Routledge

This book is a printed edition of the Special Issue "New Water Regimes" that was published in *Resources Indigenous Legal Judgments* Taylor & Francis

Documents the declining quality and quantity of springs around the world and efforts to preserve, protect, and restore them. Anthropogenic causes, including climate change, have been degrading springs around the world. Changes in spring water quality and flow impact human health, cultural values, ecology, and livelihoods. Threats to Springs in a Changing World: Science and Policies for

Protection presents a range of international studies illustrating the causes of spring degradation and strategies being used to safeguard springs both now and for the future. Volume highlights include: Examples of threatened springs in diverse hydrogeologic settings Innovative methods and tools for understanding the hydrogeology of spring systems Current policy and governance approaches for alleviating damage to springs Different approaches to management of springs A call for practitioners, policy makers, scientists, and the public to work together The American Geophysical Union promotes discovery in Earth and space science for the benefit of humanity. Its publications disseminate scientific knowledge and provide resources for researchers, students, and professionals.

*Sustainable Groundwater Management*  
Black Inc.

A detailed study of the engagement of state law with indigenous rights to water in comparative legal and policy contexts.

**Water Justice** Cambridge University Press

Contested Ground provides a

comprehensive and up to date account of the processes and experiences which shaped the lives of Aboriginal Australians from 1788 to the present. It integrates eye-witness accounts, oral histories and historical research to present the first colony-by-colony, state by state history of Aboriginal-white relations. Contested Ground tells a story of dispossession and denial but it is also a positive account, revealing the persistent struggles of Aboriginal communities for a better future. Clearly written and generously illustrated, this book demonstrates why Australian Aboriginal history, like the very land itself, remains contested ground. 'Both indigenous and non-indigenous Australians have a lot to learn about each other before reconciliation between the two peoples can be realised. This book will go a long way towards achieving that end.' - Paul Behrendt.

**The Routledge Handbook of Property, Law and Society** ANU Press

Murray-Darling Basin, Australia: Its Future Management is a much-needed text for water resources managers, water, catchment, estuarine and coastal scientists, and aquatic ecologists. The

book first provides a summary of the Murray-Darling River system: its hydrology, water-related ecological assets, land uses (particularly irrigation), and its rural and regional communities; and management within the Basin, including catchments and natural resources, water resources, irrigation, environment, and monitoring and evaluation. Additionally, the recent major water reforms in the Basin are discussed, with a focus particularly on the development and implementation of the Basin Plan. Murray-Darling Basin, Australia: Its Future Management then provides an analysis of the next set of policy and institutional reforms (environmental, social, cultural and economic) needed to ensure the Basin is managed as an integrated system (including its water resources, catchment and estuary) capable of adapting to future changes. Six major challenges facing the Basin are identified and discussed, particularly within the context of predicted changes to the climate leading to an increased frequency of drought and a hotter and dryer future. Finally, a 'road map' or 'blueprint' to achieve more integrated management of the Basin is

provided, together with some 'key lessons' of relevance to others involved in the management of multijurisdictional river Basins. Provides a consolidated account of the Murray-Darling Basin system; an area of global relevance to those interested in rebalancing river systems where the water resources have been over allocated Offers a detailed analysis of the current system and its management, with a focus on water and ecosystem management Discusses a number of key challenges, particularly those related to climate change, facing future reforms to the Murray-Darling Basin Plan Provides a blueprint for changes needed to ensure the Basin is managed as an integrated whole (from catchment to coast)

The Cambridge Legal History of Australia  
Routledge

This book is a collection of key legal decisions affecting Indigenous Australians, which have been re-imagined so as to be inclusive of Indigenous people's stories, historical experience, perspectives and worldviews. In this groundbreaking work, Indigenous and non-Indigenous scholars have collaborated to rewrite 16 key decisions. Spanning from 1889 to 2017,

the judgments reflect the trajectory of Indigenous people's engagements with Australian law. The collection includes decisions that laid the foundation for the wrongful application of terra nullius and the long disavowal of native title. Contributors have also challenged narrow judicial interpretations of native title, which have denied recognition to Indigenous people who suffered the prolonged impacts of dispossession. Exciting new voices have reclaimed Australian law to deliver justice to the Stolen Generations and to families who have experienced institutional and police racism. Contributors have shown how judicial officers can use their power to challenge systemic racism and tell the stories of Indigenous people who have been dehumanised by the criminal justice system. The new judgments are characterised by intersectional perspectives which draw on postcolonial, critical race and whiteness theories. Several scholars have chosen to operate within the parameters of legal doctrine. Some have imagined new truth-telling forums, highlighting the strength and creative resistance of Indigenous people to

oppression and exclusion. Others have rejected the possibility that the legal system, which has been integral to settler-colonialism, can ever deliver meaningful justice to Indigenous people.

*Overturning Aqua Nullius* Routledge  
This handbook brings together diverse perspectives, major topics, and multiple approaches to one of the biggest legal institutions in society: property. Property touches on many fundamental human questions. It involves decisions about power, economy, morality, work, and ecology. It also involves ideas about where humans fit in the world and how humans relate to more-than-human life. This book will ask in myriad ways such questions as: what property means, what kinds of property there are, what is and should be the relationship between owned and owner, and what is the impact of different forms of property on life in this world? Drawing on a range of socio-legal and empirical methodologies, renowned scholars and rising stars in property from around the world present current issues and map future directions in research. Coming from the place of law but reaching out through cognate disciplines, this

handbook provides a comprehensive and accessible survey of current research at the interface of property, society, and the environment. This handbook will appeal to students and researchers across a range of disciplines, including law, sociology, geography, history, and economics.

### **Resilience and Riverine Landscapes**

Oxford University Press

This book describes and analyses the diversity of possible approaches and policy pathways to implement sustainable groundwater development, based on a comparative analysis of numerous quantitative management case studies from France and Australia. This unique book brings together water professionals and academics involved for several decades in groundwater policy making, planning or operational management to reflect on their experience with developing

and implementing groundwater management policy. The data and analysis presented accordingly makes a significant contribution to the empirical water management literature by providing novel, real world insights unpublished elsewhere. The originality of the contributions also lies in the different disciplinary perspectives (hydrogeology, economics, planning and social sciences in particular) adopted in many chapters. The book offers a unique comparative analysis of France, Australia and experiences in countries such as Chile and the US to identify similarities, but also fundamental differences, which are analysed and presented as alternative policy options – these differences being mainly related to the role of the state, the community and market mechanisms in groundwater management.

### **Reforming Water Law and**

**Governance** Cambridge University Press

First issued in 2009, *Water* is celebrating our 10th anniversary this year. Thanks to all the dedicated researchers, reviewers, and editors, *Water* has become a popular outlet for cutting-edge research in the broad field of water science, technology, management, and governance. The open access format has proven to be attractive, and authors highly value the quick handling of papers, higher visibility and citations, as well as free and unlimited access to the new papers. After 10 years, *Water* has become an established journal in the field. This Special Issue is set up to mark the 10th anniversary of *Water*. It is devoted to the publication of comprehensive reviews encompassing the most significant developments in the realm of water sciences in the last decade.