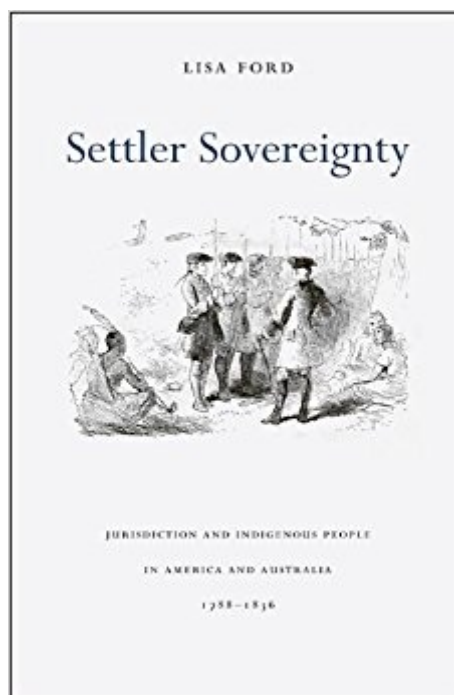




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Settler Sovereignty: Jurisdiction And Indigenous People In America And Australia, 1788–1836 (Harvard Historical Studies)



Synopsis

In a brilliant comparative study of law and imperialism, Lisa Ford argues that modern settler sovereignty emerged when settlers in North America and Australia defined indigenous theft and violence as crime. This occurred, not at the moment of settlement or federation, but in the second quarter of the nineteenth century when notions of statehood, sovereignty, empire, and civilization were in rapid, global flux. Ford traces the emergence of modern settler sovereignty in everyday contests between settlers and indigenous people in early national Georgia and the colony of New South Wales. In both places before 1820, most settlers and indigenous people understood their conflicts as war, resolved disputes with diplomacy, and relied on shared notions like reciprocity and retaliation to address frontier theft and violence. This legal pluralism, however, was under stress as new, global statecraft linked sovereignty to the exercise of perfect territorial jurisdiction. In Georgia, New South Wales, and elsewhere, settler sovereignty emerged when, at the same time in history, settlers rejected legal pluralism and moved to control or remove indigenous peoples.

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Customer Reviews

This book changes our understanding of the history of colonization. Lisa Ford has written a fascinating account of how and why early nineteenth-century Anglo-American settlers developed a newly expansive view of their power over indigenous people. (Stuart Banner, author of *Possessing the Pacific: Land, Settlers, and Indigenous People from Australia to Alaska*) Moving deftly between

the North American mainland and New South Wales, and between the global and the local, Lisa Ford's elegant study brings new levels of knowledge and interpretive sophistication to the history of Anglophone settler colonialism. Her focus is the 'legal trinity' of classic nation statehood--sovereignty, jurisdiction, and territory. Her innovation is to locate the realization of that trinity in the daily interactions of settlers with their reluctant indigenous neighbors. Ford's impressive research shows that sovereign settler statehood was not achieved by imperial pronouncement but imposed on the ground, using the weapons of criminal law. (Christopher Tomlins, University of California, Irvine) A novel and bold intervention into current debates about the nature of law and violence in the British Empire, this well-written and superbly researched book is a significant contribution to the history of the modern nation state. (Tim Rowse, University of Western Sydney) This is a truly thoughtful analysis based on amazingly thorough research. Ford makes a good case for comparing Georgia and New South Wales, and establishes that a vibrant legal pluralism prevailed in those domains to the 1830s, a new and important finding. (Peter Karsten, University of Pittsburgh) The key to understanding Australian attitudes to the law lies deep in our history, as Lisa Ford shows with great forensic flair...[This] is comparative history at its best. Ford moves confidently between the two societies and appears equally at home in both. Both the similarities and the differences are revealing. Each study enlightens the other. This is so because the supporting scholarship is so impressive, the fruit, Ford tells us, of ten years' research and reflection. (Henry Reynolds Australian Book Review 2010-04-01)

Lisa Ford is Associate Professor in History at the University of New South Wales.

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