



ICS SEMINAR SERIES 2024

First Nations women, aqua nullius, the right to water and water rights

31 October 2024 | 11:30am - 1:00pm

Room: EZ.G.22 Parramatta South Campus

Abstract

First Nations women hold consequential water rights within their socio-political systems. This presentation argues that aqua nullius contributes to the impoverished right to water international and domestic settler-state law afford First Nations women in Australia. Starting by defining aqua nullius, this presentation offers some examples of how it manifests in Australia's water policy and waterscapes. Key aspects of international water law and its references to First Nations women's water rights are subsequently discussed. An outline of the Commonwealth's water legislative and policy priorities shows it perpetuates what is argued to be a narrow international right to water. Perpetuating with this narrow right to water for First Nations women, rather than accepting and embracing First Nations women's water rights, is argued as yet another manifestation of aqua nullius. At the conclusion of this presentation, the contrast between the narrow right to potable supply that appears to be the sum of the international right to water and expansive First Nations women's sovereign water rights will be evident.

Biography

A wiradyuri woman and MSDI's (Monash Sustainable Development Institute) research fellow – Indigenous water, kate's research focusses on fresh water. kate grew up in Enoggera creek on yuggera country (Brisbane) and has spent many years with Yarralumla creek on Ngunnawal country (ACT), and particularly appreciates it hosting field sites for her PhD research. Introduced to Indigenous sciences during her Master of Arts (Asian Studies), the local Indigenous science exposed storm water as a 'western' science construct. Her PhD investigated the use of Indigenous sciences frameworks and methods in storm water management, as a proxy for urban water management more broadly. Acutely aware that expertise is not held solely by 'experts', kate works collaboratively in a transdisciplinary context, contributing to decolonizing the academy. Her research also spans many disciplines, though her foray into law is new and unexpected.

Presenter: kate harriden

Discussant: Jess Weir

Chair: Malini Sur

**NEXT SEMINAR:
7 NOVEMBER**