



Oral History on Trial: Recognizing Aboriginal Narratives in the Courts (Hardback)

By Bruce Granville Miller

University of British Columbia Press, Canada, 2011. Hardback. Condition: New. New. Language: English . Brand New Book. In most English-speaking countries, including Canada, black letter law - text-based, firmly entrenched law - is the legal standard upon which judicial decisions are made. Within this tradition, courts are forbidden from considering hearsay - testimony based on what witnesses have heard from others. Such an interdiction presents significant difficulties for Aboriginal plaintiffs who rely on oral rather than written accounts for knowledge transmission. In this important book, anthropologist Bruce Granville Miller breaks new ground by asking how oral histories might be incorporated into the existing court system. Through compelling analysis of Aboriginal, legal, and anthropological concepts of fact and evidence, Miller traces the long trajectory of oral history from community to court, and offers a sophisticated critique of the Crown s use of Aboriginal materials in key cases, including the watershed Delgamuukw trial. A bold intervention in legal and anthropological scholarship, Oral History on Trial presents a powerful argument for a reconsideration of the Crown s approach to oral history. Students and scholars of Aboriginal affairs, anthropology, oral history, and law, as well as lawyers, judges, policymakers, and Aboriginal peoples will appreciate...



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