

OSTROM WORKSHOP RESEARCH SERIES

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“Tensions and Intentions Shaping the Social Imaginary of Taiwan’s Indigenous Rights Framework”

Wednesday, April 5, 2017

12:00 – 1:00 p.m. • Ostrom Workshop, 513 N. Park



Drawing from ethnographic research, this paper argues that Taiwan’s indigenous rights framework is a complex space where the Taiwan state and indigenous communities come to imagine and discover new ways of understanding themselves and their relationship. Applying Geertz’s notion of the law as a “species of social imagination” to a unique legal framework where the state and its constituent parts, actors, and institutions interface with a multiplicity of indigenous groups, this paper reconceives the law as a form of social imagination set within and constitutive of a particular institutional framework, or “structural imagination.” Taiwan’s indigenous rights framework, as a forum of and for structural imagination, is a space where the Taiwan state reevaluates Han Chinese ethnic majority relations with indigenous communities, reconsiders the foundations of the Western-influenced legal framework used in Taiwan, and constructs indigenous persons into legally recognizable entities. It is also a space where indigenous communities participate in the development of indigenous rights norms, articulate new tribal identities and goals, and strategize to encourage the Taiwan state to address and understand them in certain ways.



Chris Upton is a PhD student in the IU Department of Anthropology where his research focuses on indigenous rights and legal issues. Specifically, he is interested in Taiwan’s recent development of a system of ad hoc “special indigenous tribunals” designed to produce more culturally sensitive outcomes in cases involving indigenous litigants ([website](#)).

Presentations are open to the public (see our website for papers). You are welcome to bring your lunch. For questions, contact Allison Sturgeon (sturgeon@iu.edu; 812/855–3151).