Main Topic       Law and Knowledge
Sub Topic        Native Title

- Find definitions for the terms *Terra Nullius* and *Native Title*.

- In 1770, Captain Cook declared Australia to be *Terra Nullius* (Land belonging to no-one). Investigate whether the term *Terra Nullius* was appropriate at the time.
  - Use historical evidence found in writings, drawings and log books belonging to the early sea faring explorers such as Stirling, Banks, Cook, Hartog and DeVlaming.
  - Use historical pictures that depict the arrival of the colonisers that feature both Aboriginal and non-Aboriginal people.
  - Use the book *Australians All?* from ‘Our Voices’ series.
  - Read Alan Tucker’s books about colonisation *Too Many Captain Cooks* and *Side By Side*

- Discussion Topic: Could the arrival of the First Fleet in 1788 be considered the beginning of Australia’s ‘boat people’?
  - Discuss this in relation to how the term ‘boat people’ is used today.
  - Make a pre 1788 timeline of ‘boat people’, e.g. Macassan, French, Portuguese, Dutch and Spanish.
  - Discuss how this challenges Cook’s notion of ‘Terra Nullius’.

- Brainstorm what students know about *Native Title*.

- Aboriginal peoples were governed by boundaries and lores that confirmed their sustainable lifestyles in their Country. Upon colonisation these boundaries were not acknowledged due to language barriers, poor communication, the lack of understanding from the colonisers in regard to Aboriginal lores of the land and the declaration of Terra Nullius.

- Listen to Kev Carmody’s song *From Little Things Big Things Grow*.
  - Make a timeline of the story that is told

- Find out about Eddie Mabo and his quest for recognition of his rights to his Country.
  - Watch *Mabo: Life of an Island Man*

- Link the Native Title decision to any other claims by other Aboriginal people, e.g.
  - Noongar Land Claim
○ Burrup Peninsula
○ Yorta Yorta Claim
○ Claims by the Aboriginal groups in your local area
○ How did the Mabo case assist these other Aboriginal groups?
○ How many are there?
○ Are they State or Federal claims?
○ Which Aboriginal peoples are claiming Native Title?
○ Create a timeline that illustrates Native Title Claims
○ Use your timeline to create a board game that addresses the main issues of Native Title

• The High Court of Australia, in handing down their judgment on Aboriginal claims to Native Title, said that Aboriginal people had been in Australia for “time immemorial”. What do you think this means?

• Students collect newspaper clippings with reference to Aboriginal communities and people involved in Native Title discussions or negotiations.
  ○ Read and display in an appropriate place
  ○ How many positive and how many negative articles do the students find?
  ○ Discuss the impact this has had on the image of Aboriginal people in the wider community

• Identify Aboriginal organizations or agencies in WA which represent Aboriginal people’s aspirations to claim Native Title, such as your local Land and Sea Council.
  ○ Students read literature on history, aims, goals and objectives of the Aboriginal organization
  ○ Hold debates on Land Rights issues

• Look at examples of eco-tourism in the Northern Territory such as in Kakadu or Uluru.
  ○ Discuss how these areas were once taken from Aboriginal people and later returned to them under the Northern Territory’s Native Title Act
  ○ Discuss how Aboriginal people look after these areas today
  ○ Find places in WA that are in a similar situation, like Karijini National Park and Kooljaman

• Invite a local Aboriginal person to discuss land rights issues with the students.

• Organise displays on Land Rights issues. Students contribute to the display with work samples, posters etc. One section could include the unique Aboriginal perspective of caring for the environment. Include local resource materials such as recordings or newspaper clippings and videos of areas having significance to Aboriginal people.

• Investigate and discuss laws of land ownership which were enforced by Europeans and how they changed life for Aboriginal people.
  ○ Europeans often divide land in straight lines of longitude and latitude while Aboriginal people identify their Country through their personal relationship to specific landforms and places within their Country.
  ○ A person may be spiritually linked from birth to a specific site so caring for country, practicing Law, performing ceremonies and handing on
stories and language are dependant upon this relationship.

- Include in your reading collection a selection of biographies of people who fought for Aboriginal Land Rights in class for students to read at silent reading time.

- Read and retell events and occasions where Aboriginal people and non-Aboriginal people cooperated with each other, such as sharing knowledge of sacred sites used in government planning, Shared Responsibility Agreements, Negotiated Land Rights Agreements.

**Resources**


