Native Title Connection: Selected Readings

Native title resource guides and guidelines

- Crown Solicitor's Office, <u>Consent Determinations in South Australia: A Guide</u> <u>to Preparing Native Title Reports</u>, Government of South Australia, 2004.
- Native Title and Indigenous Land Services, <u>Guide to Compiling a connection</u>
 <u>report for Native Title Claims in Queensland</u>, Department of Natural Resources
 and Mines, State of Queensland, 2003.
- Native Title and Indigenous Land Services, <u>Guide to Compiling a connection</u> <u>report for Native Title Claims in the Torres Strait</u> Department of Natural Resources and Mines, State of Queensland, 2003.
- Native Title Unit *Guidelines for native title proof*, Department of Justice, Victoria, 2001.
- Office of Native Title, <u>Guidelines for the provision of information in support of applications for a determination of native title</u>, Department of Premier and Cabinet, Western Australia, 2004.
- Office of Native Title, <u>Preparing Connection Material: A practical guide</u>,
 Department of Premier and Cabinet, Western Australia, April 2006.

Other Readings

- Aboriginal and Torres Strait Islander Social Justice Commissioner, <u>Native Title</u> <u>Report 2001</u>, Human Rights and Equal Opportunity Commission, 2002.
- Anthropological Forum, Applied Forum on Responses to Sansom's Article on the Yulara Native Title Case, papers by Burke, Glaskin, Keen, Morton, Sackett and Sutton, Vol.17, No.2, July 2007.
- Australian Institute of Aboriginal and Torres Strait Islander Studies, <u>Native</u> <u>Title Resource Guide</u>, 2005.
- Bagshaw, G, The Karajarri claim: A case study in native title anthropology, Oceania Monograph 53, University of Sydney, 2003.
- Barnes, J A, 'Geneologies' in Epstein, A L (ed), The Craft of Social Anthropology, Tavistock Publications, London, 1967.
- Basten J, <u>'Beyond Yorta Yorta'</u>, Paper presented at the National Native Title Conference, Alice Springs, 2003.
- Bauman, T, 'Nations within nations, tribes, within tribes: Aboriginal
 "nationalism" in Katherine,' in Sullivan, P and Bauman, T (eds), 'Delimiting
 Indigenous Cultures: Conceptual and Spatial Boundaries', Special Issue 18,
 Australian Journal of Anthropology, University of Sydney, December 2006
- Burke, P (ed), The skills of native title practice, Workshop proceedings,

Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 1995.

- Byrne, J, <u>Indigenous witnesses and the Native Title Act 1993 (Cwth)</u>, Occasional Paper Series 2-2003, National Native Title Tribunal, 2003.
- Choo, C, and O'Connell, M, '<u>Historical Narrative and Proof of Native Title'</u>, in Land, Rights, Laws: Issues of Native Title, Issues Paper no.3, Vol. 2, Australian Institute of Aboriginal and Torres Strait Islander Studies, March 2000.
- Choo, C, and Hollbach, S, (eds), *History and native title,* Studies in Western Australian History 23, University of Western Australia, 2003.
- Commonwealth of Australia, <u>Mabo:The High Court Decision on Native Title</u>, Discussion Paper, 1993.
- Correy, S, 'The Reconstitution of Aboriginal Sociality through the Identification of Traditional Owners in New South Wales', *The Australian Journal of Anthropology*, Vol.17, 2006, p.3.
- Drabsch, T, <u>Indigenous Australians and Land in New South Wales</u>, Briefing Paper No 9/04, Parliament of New South Wales, 2004.
- Edmunds, M (ed), Claims to knowledge, claims to country: Native title, native title claims, and the role of the anthropologist, Summary of workshop proceedings, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, 28-30 September 1994.
- Farrell, R, Catlin, J, and Bauman, T, <u>Getting Outcomes Sooner: report on native title connection workshop</u>, <u>Barossa Valley</u>, <u>July 2007</u>, National Native Title Tribunal, November 2007.
- Fingleton, J and Finlayson, J (eds), Anthropology in the native title era,
 Workshop proceedings, Native Title Research Unit, Australian Institute of
 Aboriginal and Torres Strait Islander Studies, Canberra, 14-15 February 1995.
- Fingleton, J, Edmunds, M and McRandle, P (eds), Proof and management of native title, Workshop proceedings, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 31 January - 1 February 1994.
- Finlayson, J (ed), *Heritage and native title: Anthropological and legal perspectives,* Workshop proceedings, Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 14-16 February 1996.
- Finlayson, J, '<u>The Proof of Continuity of Native Title</u>', in *Land, Rights, Laws: Issues of Native Title*, Issues Paper no. 18, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, June 1997.
- Finlayson, J, Rigsby, B, and Bek, H (eds), <u>Connections in Native Title:</u>

<u>Genealogies, Kinship and Groups</u>, Research Monograph 13, Centre for Aboriginal Economic Policy Research, Canberra, 1999.

- Finlayson, J, 'Anthropology and Connection Reports in Native Title Claim
 <u>Applications</u>', in Land, Rights, Laws: Issues of Native Title, Issues Paper no. 9,
 vol. 2, Australian Institute of Aboriginal and Torres Strait Islander Studies,
 Canberra, August 2001.
- Fitzgerald, J, 'Proving Native Title: A Critical Guide' in Indigenous Law Bulletin, Vol.3, No.74, 2006, p.4.
- French, R, 'The evolving common law of native title', paper presented to Crossing Boundaries: Anthropology, linguistics, history and law in native title, Workshop and Conference, University of Western Australia, Perth, 19 September 2000.
- Glaskin, K, 'Claim, Culture and Effect: Property Relations and the Native Title Process' in *The Social Effects of Native Title: Recognition, Translation, Coexistence*, Australian National University E Press, Canberra, 2007.
- Glaskin, K, <u>'Limitations to the recognition and protection of native title offshore: the current "accident of history"</u>, in *Land, Rights, Laws: Issues of Native Title*, Issues Paper no. 5, vol. 2, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, June 2000.
- Glaskin, K, 'Native title and the "bundle of rights" model: Implications for the recognition of Aboriginal relations to country', *Anthropological Forum*, vol. 13, no. 1, 2003, pp. 67-88.
- Glaskin, K, 'Native Title and the Recognition of Indigenous Land Rights in Australia', Anthropology News, vol. 44, no. 9, 2003.
- Glaskin, K, 'An anthropological perspective on writing for the court', paper presented at the National Native Title Conference, Adelaide, 2004.
- Henderson, J and Nash, D (eds), Language in native title, Native Title
 Research Series, Australian Institute of Aboriginal and Torres Strait Islander
 Studies, Aboriginal Studies Press, Canberra, 2002.
- Hiatt, L R, 'Local Organisation among the Australian Aborigines' in Oceania, Vol.32, No.4, 1962, pp.267-286.
- Hiatt, L R 'The Last Horde in Oceania, Vol.37, No.2, 1966.
- Hiatt, L R, Arguments about Aborigines, University Press, Cambridge, 1996.
- Howitt, A, The Native Tribes of South Eastern Australia, Aboriginal Studies Press, Canberra, 1996.
- Irving, J, <u>'The Requirements to be Met by Claimants in Applications for a Determination of Native Title</u>, in *Land, Rights, Laws: Issues of Native Title*, Issues Paper 9, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, February 1996.
- Keen, I, 'Cultural Continuity and Native Title Claims', in Land, Rights, Laws:

Issues of Native Title, Issues Paper no. 28, Australian Institute of Aboriginal and Torres Strait Islander Studies, July 1999.

- Keen, I, <u>Aboriginal economy and society: Australia at the threshold of colonisation</u>, Oxford University Press, South Melbourne, 2004.
- Litchfield J, Draft report from the connection reporting and mediation models project: exposure draft, National Native Title Tribunal, 2003.
- Maddock, K, '<u>Anthropologists in native title claims</u>,' in *Anthropological Forum*,
 v.8, nos 1-2, 1998, pp. 85-90
- Martin D F, <u>Capacity of Anthropologists in Native Title Practice</u>, report to the National Native Title Tribunal, Canberra, 2004.
- McIntyre, G, 'Native title rights after Yorta Yorta', in Native Title: A decade after Mabo, James Cook University Law Review, v.9, 2002-2003, pp. 268-330
- Merlan, F, Caging the Rainbow: Places, Politics and Aborigines in a North Australian Town, University of Hawaii Press, Honolulu, 1998.
- Native Title Research Unit, Claims Management Research Workshop: Minutes & Summary of Proceedings and Outcomes, unpublished, Australian Institute of Aboriginal and Torres Strait Islander Studies, April 2005.
- Neate, G, <u>Reforming the claims resolution process: Opportunities and obstacles</u>, paper presented to the National Native Title Conference, Cairns, 2007.
- Neate, G, <u>'Mediating Native Title Agreements: Developing National Native Title Tribunal Practice'</u>, paper presented at the Native Title Conference: Building Relationships, Adelaide, 3-4 June 2004.
- Neate, G, <u>'Shifting lines in the sand: meeting the challenges of native title mediation'</u>, paper presented at the 2006 National Conference of the Institute of Arbitrators and Mediators Australia, Palm Cove, Queensland, 28 May 2006.
- Palmer, K, <u>'Societies, communities and native title'</u>, in Strelein, L (ed), A
 Dialogue on Native Title: Papers from the National Native Title Conference',
 forthcoming publication, Australian Institute of Aboriginal and Torres Strait
 Islander Studies.
- Paul, M and Gray, G (eds), Through a Smoky Mirror: history and native title, Native Title Research Series, Australian Institute of Aboriginal and Torres Strait Islander Studies, Aboriginal Studies Press, Canberra, 2002.
- Peterson, N (ed), Tribes and Boundaries in Australia, Australian Institute of Aboriginal Studies, Canberra, 1976.
- Peterson, N, 'Rights, Residence and Process in Australian Territorial Organisation' in Peterson, N and Langton, M (eds), Aborigines, Land and Land Rights, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra, 1983.

- Peterson, P, Keen, I & Sansom, B, 'Succession to land: primary and secondary rights to Aboriginal estates', Official Hansard Report of the Joint Select Committee on Aboriginal Land Rights in the Northern Territory, Australian Government Printer, Canberra, 1977.
- Radcliffe-Brown, A R, *The Social Organisation of Australian Tribes,* Oceania Monograph 1, 1931.
- Ritter, D and Flanagan, F, 'State Guidelines for Connection Reports after Yorta Yorta' 6(2) *Native Title News* 18, Australian Insititute of Aboriginal and Torres Strait Islander Studies, 2003.
- Ritter, D, 'Whither the Historians? The Case for Historians in the Native Title Process' in Indigenous Law Bulletin, Vol.4, No.17, 1999, p.4.
- Rivers, W H R, 'The Genealogical Method of Anthropological Inquiry' Reprinted in the Rivers Monograph, LSW Kinship and Social Organisation, 1968.
- Rumsey, A, 'Language and Territoriality in Aboriginal Australia', in Walsh, M & Yallop, C (eds), Language and Culture in Aboriginal Australia, Aboriginal Studies Press, Canberra, 1993.
- Sansom, B, 'Yulara and the Future Export Reports in Native Title Cases' in *Anthropological Forum*, Vol. 17, No.1, 2007.
- Shaw, B, 'Bringing the Numinous into the Witness Stand', paper presented at Expert Evidence in Native Title Court Cases: Issues of truth, objectivity and expertise, Adelaide University, July 2001.
- Smith, B, 'Local and 'Diaspora' Connections to Country and Kin in Central <u>Cape York Peninsula</u>', in *Land, Rights, Laws: Issues of Native Title*, Issues Paper no. 6, vol. 2, Australian Institute of Aboriginal and Torres Strait Islander Studies, September 2000.
- Smith N, "Authoring from the inside' or 'How did we get from Sec 223 to the WA Guidelines?", paper presented at the National Native Title Conference 2005, Coffs Harbour, New South Wales, 1-3 June 2005.
- Smith, R and Morphy, F (eds), The social effects of native title: Recognition, translation, coexistence, Research Monograph 27, Centre for Aboriginal Economic and Policy Research, Australian National University, Canberra, 2007.
- Stanner, W E H, 'Aboriginal Territorial Organisation: Estate, Range, Domain and Regime' in *Oceania*, Vol.36, No.1, 1965, pp. 1-27.
- Sullivan, P and Bauman, T (eds) 'Delimiting Indigenous Cultures: Conceptual and Spatial Boundaries', Special Issue 18, Australian Journal of Anthropology, University of Sydney, December 2006.
- Sutton, P, Country: Aboriginal Boundaries and Land Ownership in Australia, Aboriginal History Monograph 3, 1995.

- Sutton, P, 'The robustness of Aboriginal land tenure systems: Underlying and proximate customary titles,' in *Oceania*, vol. 67, no. 1, September 1996, pp. 7-29
- Sutton, P, Native title and the descent of rights, National Native Title Tribunal, Perth, 1998.
- Sutton, P, 'Aboriginal Country Groups and the community of native title <u>holders'</u>, Occasional Paper Series 1/2001, National Native Title Tribunal, 2001.
- Sutton P, <u>Kinds of Rights in Country: Recognising customary rights as</u>
 incidents of native title, Occasional Paper Series 3/2001, National Native Title
 Tribunal, 2001.
- Sutton, P, *Native Title in Australia: An ethnographic perspective,* Cambridge University Press, 2003.
- Sutton, P 'Social Scientists and native title cases in Australia', in Public Archaeology, vol. 4, 2005, pp.119-124
- Tindale, N, Aboriginal Tribes of Australia, Australian National University Press, Canberra, 1974.
- Trigger, D. 'Land rights and the reproduction of Aboriginal culture in Australia's Gulf Country', In *Social Analysis*, 41, 1997, pp. 84-106.
- Toussaint, S (ed), Crossing Boundaries: Cultural, legal, historical and practice issues in native title, Melbourne University Press, Melbourne, 2004.
- Toyne, P and Vachon, D *Growing up the country: the Pitjantjatjara struggle for their land,* Mcphee Gribble, Melbourne, 1984.
- Weiner, J, '<u>Diaspora, Materialism, Tradition: Anthropological issues in the</u>
 <u>recent high court appeal of the Yorta Yorta'</u>, in *Land, Rights, Laws: Issues of Native Title*, Issues Paper no. 18, vol. 2, Australian Institute of Aboriginal and
 torres Strait Islander Studies, October 2002.
- Weiner, J and Glaskin, K (eds), Customary Land Tenure and Registration in Australia and Papua New Guinea: Anthropological Perspectives. Australian National University, Canberra, 2007.
- Weiner, J, Gordon, L, and L'Oste-Brown, S, <u>Australian Aboriginal heritage and native title: an example of contemporary indigenous connection to country in central Queensland</u>, Occasional Paper Series, 1/2002, National Native Title Tribunal, Perth, 2002.
- Wright, S, <u>'The legal framework for connection reports'</u>, Paper presented at the National Native Title Conference, Coffs Harbour, New South Wales, 2 June 2005.
- Veth, P, '<u>Abandonment' or maintenance of country? A critical examination of mobility patterns and implications for native title'</u>, paper presented at National Native Title Conference, Geraldton, 2002.