

APPLICATIONS CURRENTLY IN NOTIFICATION

Closing Date	Application Number	Application Name
12 February 2003	NC02/9	Tubba-Gah People
26 February 2003	NC02/7	Wonnarua People
10 March 2003	DC02/1	Mallapunyah/Cresswell
	DC02/9	Karlu Karlu
	DC02/8	Dry River
	DC02/7	New Lakefield
	DC02/6	Koolpinyah Central
	DC02/5	Rosewood
	DC02/4	Town of Adelaide River
	DC02/3	Well Tree
	DC02/2	Dalmore Downs South
	DC02/12	Murrarji No.2
	DC02/11	Wollogorang
	DC02/10	Willeroo Delamere
21 April 2002	TC00/1	Sundown Point

For further information regarding notification of any of the applications listed contact the National Native Title Tribunal on 1800 640 501 or www.nntt.gov.au.

RECENT PUBLICATIONS

Through the Smoky Mirror: History and Native Title

Edited by Mandy Paul and Geoffrey Gray, Aboriginal Studies Press, 2002.

The interpretation of history underpins many judicial determinations of native title. Recently the High Court decision in the *Yorta Yorta* case reminded us of how difficult it is for the law to recognise and respect Indigenous histories.

Focusing on the role of history in native title claims and proceedings provides a valuable inter-disciplinary perspective on the complex demands made both on Indigenous claimants and historians working in this

field. The volume compliments the previous publication in this series, *Language in Native Title* edited by John Henderson and David Nash.

In the chapter 'History, Anthropology and Native Title', Tom Gara recounts how in 1968 Stanner referred to "the great Australian silence" that was the exclusion of Indigenous histories within the larger Australian narrative of the 19th and 20th centuries. His point is significant as it reveals hidden contingencies inherent in relying upon historical records for native title claims. In addition, recent native title determinations, notably *Yorta Yorta* and *De Rose*, serve as important reminders that despite obvious contests in historical evidence, history no longer resides as 'background' in-

formation - it is very clearly at the forefront of current native title claims and discussions.

The papers collected within this volume include: 'Yorta Yorta: The Community's Perspective on the Treatment of Oral History' by Jan Muir and Monica Morgan; 'Historical Narrative and Proof of Native Title' by Christine Choo and Margaret O'Connell; 'History in the Courtroom: A Brief Consideration of Some Issues' by Geoffrey Gray; 'Reflections on the Use of Historical Evidence in the Yorta Yorta Case' by Deborah Bird Rose; 'Taming the Colonial Archive:

History, Native Title and Colonialism' by Steve Hemming; 'History, Anthropology and Native Title' by Tom Gara; 'No Title Without History' by David Ritter; and, 'History and the Native Title Act' by John Litchfield and Lance Jackson.

These papers will be of interest to many parties, including those who work with historians in the native title process, as they canvass points of friction and fruitful cooperation between disciplines.

PUBLICATIONS FROM THE NATIVE TITLE CONFERENCE, TOWNSVILLE, 2001

In response to inquiries about the publication of papers from the *2001 Past and Future of Land Rights and Native Title* Townsville native title conference, we have compiled this bibliography:

Four papers were published in the NTRU series *Land Rights Laws: Issues of Native Title* Volume 2:

- Parry Agius, Jocelyn Davies, Richie Howitt and Lesley Johns, *Negotiating Comprehensive Settlement of Native Title Issues: Building a New Scale of Justice*, No. 20.
- Sir Anthony Mason, *The International Concept of Equality of Interest in the Sea as it Affects the Conservation of the Environment and Indigenous Interests*, No. 16.
- Greg McIntyre and Geoffrey Bagshaw, *Preserving Culture in Federal Court Proceedings: Gender Restrictions and Anthropological Experts*, No. 15.
- Susan Phillips, "Like Something Out of Kafka": *The Relationship between the roles of the National Native Title Tribunal and the Federal Court in the development of Native Title Practice*, No. 14.

Five papers were published in the NTRU *Native Title Newsletter*:

- Tony McAvoy, *Indigenous Fisheries: Cultural, Social and Commercial*, Issue 1/2002.
- Commissioner Rodney Dillon, *Exercising Your Culture: Indigenous Cultural Heritage and the Environment*, Issue 6/2001.
- Margaret Donaldson, *A Human Rights Approach to Native Title Agreements*, Issue 6/2001.
- Philippa Horner, *Development in Commonwealth agency co-ordination*, Issue 5/2001.
- Richard Bartlett, *A resolution of some outstanding native title issues: Ward on behalf of Miriuwung Gajerrong v Western Australia: High Court Australia March 2001, judgment reserved*, Issue 5/2001.

The *Environmental Planning and Law Journal* vol.19(4) August 2002 published four papers presented on the third day of the conference, which was a joint day with the National Environmental Law Association:

- Gary Meyers, *Native Title Rights in Natural Resources: A Comparative Perspective of Common Law Jurisprudence*, pp.245-257.
- Lee Godden, *Indigenous Heritage and the Environment: 'Legal categories are only one way of imagining the real'*, pp.258-266.