

<b>Date Filed</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>
29/05/03	Wik, Iyeny/Bakanh/ Olkol/Olkola Peoples	QLD	QC03/5	Q6005/03
24/06/03	Town of Borroloola	NT	DC03/3	D6003/03

### **Non Claimant Applications**

<b>Date Filed</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>
28/05/03	Darkinjung Local Aboriginal Land Council	NSW	NN03/2	N6003/03

### **REGISTRATION TEST**

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The National Native Title Tribunal posts summaries of registration test decisions at <[www.nntt.gov.au](http://www.nntt.gov.au)>. The following decisions are listed for May to June. If an application has not been accepted, this does not mean that native title does not exist. The applicants may still pursue the application for the determination of native title. If an application does not pass the registration test, the applicant may seek a review of the decision in the Federal Court or re-submit the application.

<b>Decision Date</b>	<b>Application Name</b>	<b>State/ Territory</b>	<b>Tribunal File No.</b>	<b>Federal Court File No.</b>	<b>Decision</b>
21/05/03	Eringa #2	SA	SC99/4	S6002/99	Accepted
04/06/03	Pine Creek #3	NT	DC02/19	D6020/02	Not Accepted

### **APPLICATIONS CURRENTLY IN NOTIFICATION**

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<b>Closing Date</b>	<b>Application Number</b>	<b>Application Name</b>
22/07/03	NC01/8	Byron Bay Bundjalung People #3
23/07/03	NC01/7	Widjabul Aboriginal People
06/08/03	NN03/1	John Joseph Aquilina, MP, Minister for Land & Water Conservation
06/08/03	WC02/4	Wanjina/Wunggurr-Wilinggin #2
20/08/03	QC02/5	Yulluna People #2
20/08/03	QC02/29	Kullilli People #3
20/08/03	QC02/28	Kullilli People #2
20/08/03	DC02/16	Buchanan Downs
20/08/03	DC02/15	Burrumurra

<b>Closing Date</b>	<b>Application Number</b>	<b>Application Name</b>
20/03/03	DC02/14	McArthur River #2
20/08/03	QC01/30	Boonthamurra people
20/08/03	DC02/23	Auvergne #2
20/08/03	DC02/22	Victoria River
20/08/03	DC02/21	South Bynoe
20/08/03	DC02/20	West Bynoe
20/08/03	DC02/18	Wollogorang North

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**

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### **Review**

**Achieving Social Justice: Indigenous Rights and Australia's Future, The Federation press, Sydney, 2003. By Larissa Behrendt**

*Reviewer: Stuart Bradfield (Visiting Research Fellow, NTRU)*

Professor Larissa Behrendt is one of Australia's most prominent Indigenous thinkers. This, her second book, is based on the Ph.D. she completed at Harvard University. It follows *Aboriginal Dispute Resolution*, published in 1995.

In this concise, readable work, Behrendt outlines her vision for the recognition of distinct Indigenous rights in Australia. She at once describes and demystifies Indigenous political aspirations. While demands for recognition of sovereignty and self-determination inevitably look beyond the imposed constraints of 'practical reconciliation', Behrendt shows how they may be incorporated within the Australian State, rather than fracturing our political community. The biggest barrier to recognising these aspirations may not be structural or institutional, but rather the 'psychological terra nullius' Behrendt sees as continuing to pervade contemporary Australia.

Behrendt begins by addressing the limitations of the current government's policy of 'practical reconciliation'. While not denying the need to improve the appalling socio-economic circumstances of many Indigenous people, she argues this must take place 'in conjunction with, not in the absence of, a broader framework for institutional change.' Her objectives, she states, are to explain why, and show how this can be achieved.

Chapter 2 then reveals 'the myth of law's neutrality'. Here Behrendt puts paid to the notion that treating people the same means treating them equally. She describes the way mandatory sentencing laws, which apply to all impact disproportionately on the Indigenous community, and questions the ability of the Constitution to provide protection from racial discrimination. The chapter looks in detail at differing conceptions of property, and the failure of native title to reflect Indigenous aspirations. Behrendt argues that formal equality (treating all individuals the same) fails Indigenous Australians because it assumes the institutions that reflect and carry out the law are neutral, ignoring profound and pervasive values and ideologies.

Chapter 3 continues this theme by investigating 'why "Western" institutions don't