

Closing Date	Application Number	Application Name
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

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

work for everyone'. In analysing notions of nationalism and identity, Behrendt shows the deep nature of Aboriginal exclusion, both historically, and in its contemporary manifestations. If Australia is really concerned about the rights of (all) citizens, she argues, it needs to embrace principles of substantive equality and effective participation, and question the canonical status of its institutions. Behrendt's suggestion that 'outsiders' such as Indigenous Australians can offer the gift of an alternative view on these institutions relies on non-Indigenous people moving beyond the 'psychological terra nullius' she raises throughout the book.

The following two chapters (4 & 5) deal with the articulation and the implementation of Indigenous aspirations. Initially Behrendt looks at the political and legal goals of the Indigenous community. She sees a consistency between a number of documents and statements, including recognition of 'self-determination' and 'sovereignty' as the starting point for recognition of rights and inclusion in democratic processes. Chapter 5 then looks at a framework for institutional change that could be employed to achieve improved rights projections. Where some find discord, Behrendt reveals common ground between the 'urgent issues' of health, housing, education etc., and the rights framework. She argues that for change to be meaningful and ongoing, it requires institutional reform underpinned by principles of substantive equality, effective participation, and legal pluralism.

Chapter 6 provides suggestions towards improved rights protection. Which is aimed at broader transformation of Australian society itself – beyond short-term institutional reforms. Critical among these is fostering a new national self-image by overturning the psychological terra nullius. The other longer term goals, Behrendt suggests, require strategies for constitutional change (including a Bill of Rights), and the perhaps more immediately attainable ambition of regional autonomy, which she discusses in the context of some concrete examples.

In the conclusion to *Achieving Social Justice*, we are left in no doubt that for Indigenous aspirations to be realised, Behrendt sees the need for profound change to Australian society. 'Without targeting the ideologies inherent in the institutions of Australian society', she writes, 'no attempts at reform or reconciliation will be truly effective'. While Behrendt clearly and confidently articulates an Indigenous vision, it is a vision that finds a place for all Australians in a society with stronger rights protection. This book represents a profound and timely contribution to the all too limited canon of Australian Indigenous rights literature. As Professor Henry Reynolds put it, 'This is a very good book. It should be read by everyone.'

Information and Training Brochures from ORAC

The Office of the Registrar of Aboriginal Corporations, as part of providing a comprehensive information and training program aimed at helping Corporations better manage their affairs, provides education material about the Registrar's role, functions and responsibilities in relation to the administration of the Aboriginal Councils and Associations Act.

Among the many titles and subjects available are brochures on:

- Setting up an Aboriginal or Torres Strait Islander Corporation
- The Rules of the Corporation
- The Rights and Obligations of Members
- Conflicts of Interest
- Preparing and Using Budgets for Management
- Looking after the Corporation's Finances
- It's the end of the Year: What do we do?

Copies of the brochures are currently available via the ORAC web-site, www.orac.gov.au <www.orac.gov.au>

Also from ORAC

A further resource available from the Registrar's office is the "Managing Two Worlds" information document which is designed to assist Boards of Management of ATSIC to identify competencies they already have, and to identify the knowledge and skills needed to effectively lead their organisation.

Online learning resource

A new online learning resource will be made available to help explain the Native Title process. "Learning about Native Title" is a flexible learning 'toolbox' initiated by the Australian Flexible Learning Framework and funded by the Australian National Training Authority (ANTA). Although aimed at Indigenous communities, it can be used by any

person or organisation. Participants can play the part of an Indigenous group, a Native Title Representative Body or Local Council Officer. The idea for the website came from the National Local Government Training Board, which focuses on the training needs of the local Government and water sector. ANTA provided more than \$100,000 towards the project, and was assisted in the project by Fraynework, a Melbourne not for profit graphic design group. Fraynework's Anne Walsh said the project had given her a real insight into the complexities of land claims, and that she had developed a profound respect for the members of the Indigenous community who have to grasp the process. The teaching resource is available through ANTA on CD with accompanying work-books. See <www.nativetitle.edu.au> *Canberra Times*, 26 May 2003.

RECENT ADDITIONS TO THE AIATSIS LIBRARY

The call numbers you will see in this listing describe microfilms (MF), rare books (RB or RBF), books and reports on the open shelves of the Library (for example, B A927.36/M7), pamphlets and offprints (for example, p AUS or Rp QUE), reference works (REF), journals and serials (for example, S 34.1/5), or manuscripts (MS).

Early personal journals, correspondence and diaries:

MF 345

Bates, Daisy, 1859-1951.

Correspondence, 1910-1942 [microform].
1910-1942.

MF 336

Bates, Daisy, 1859-1951.

Letters to William H. Gill, 1922-1934
[microform] / Daisy Bates.

MF 338

Bradshaw, Joseph.

Journal, 1891 31 Jan.-6 June [microform]

MF 344

Campbell, W. D. (William Dugald).

Aboriginal carvings, Port Jackson and Broken Bay, 1893-6

[microform] / William Dugald Campbell.

RBF F562.82/L1

A Looking-glass for Tasmania: letters petitions and other manuscripts relating to Van Diemen's Land 1808-1845 / transcribed by Eustace Fitzsymonds.

Adelaide: Sullivan's Cove, 1980.

MF 352

King, Philip Gidley, 1817-1904.

Notebook, 1836-1838 [microform].
1836-1838.

MF 343

Lawrance, Herbert Ardlaw.

Notebooks, arranged alphabetically, with numbered lists of authorities consulted and numbered lists of place names, 1926-1927, and,

Correspondence with Pastors H. A. Heinrich and E. E. Kramer in Central Australia,