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2012 HSC - Aboriginal Studies

Band 4/5

Sample 2 Question 20(b)

The Mabo case had an incredible impact on Australian Indigenous communities as it was the first time that the Government recognised the land belonged to the Indigenous people. The idea of terra nullius was abolished and Indigenous people were now able to reclaim the land that once was theirs.

This change in opinion all began with Eddie Mabo from Murray Island. Eddie Mabo was an Indigenous man ~~from~~ seeking ownership of his home land in Murray Island at the north of Queensland. He ~~was~~ wanted native title over his land so he could continue his traditional ways of hunting and have the ability to go to the sacred sites and perform the sacred rituals. It was a long process between the High Court and the Queensland government as it involved the recognition of the country that was called "terra nullius". The High Court believed it was a fair decision but the QLD government disagreed. It went on for a long period of time and was finally granted to Eddie Mabo and his family. However, Eddie Mabo was unable to see the final outcome as he ~~deed~~ died before the decision was made.

After Native Title was granted, the Mabo decision was seen to have a highly significant impact on Aboriginal Indigenous communities and their access to the land. It was a very controversial issue and when the Native Title Act in 1988 was introduced many Non-Indigenous people ~~were~~ were not happy. Many believed "the Aboriginals didn't deserve it as they hadn't done anything to ~~be~~ be able to say

it was theirs" and "that they were lazy." The Native Title Act had written that the Indigenous people had the opportunity to reclaim their land as long as it matched the requirements and that their claims would ~~also~~ coexist over mining leases and pastoralists. It also stated that miners and ~~pastoralists~~ had to seek their permission before making any further changes to the reclaimed land. This created much unrest and impacted on families living in rural and urban areas.

Howard's Government decided to ~~the~~ change it and it became the Native Title Amendment Act. This included his ten point plan for the Native Title and included the role of the Native Title Tribunal more frequently. In his ten point plan it stated that, all ~~deals~~ dealings of Native Title must be looked and accepted by the Tribunal; all urban and city areas could not be ~~affected~~ affected; miners and pastoralists would coexist and the Native Title Tribunal could have a say on who can go on to the property etc. This impacted the lives of the Indigenous people as it connected them to their land again.

In Perth, the Noongar people decided to make an agreement with the ~~government~~ government that they would ~~not~~ not have to worry about them claiming their land as long as they were would be recognised as the traditional owners in government legislation and

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