History and Native Title

Edited by
Christine Choo and Shawn Hollbach

Studies in
Western Australian History
23

2003

THE UNIVERSITY OF WESTERN AUSTRALIA
Centre for Western Australian History
CONTENTS

EDITORIAL NOTE xiii

ABBREVIATIONS OF TERMS COMMONLY USED xv

INTRODUCTION

History and Native Title: a brief overview
Shawn Hollbach and Christine Choo 3

Some Key Developments in Native Title Case Law since Mabo (No. 2)
National Native Title Tribunal 19

INDIGENOUS VOICES

The Natives are Restless: a personal reflection on ten years of native title
Tony Lee 29

‘Our struggle as Kimberley Aboriginal peoples, is for the recognition of inherent and fundamental rights, interests and responsibilities in land’
Wayne Bergmann 39

‘Our primary aim is to have land access ourselves, to occupy our lands, to visit our lands’
Brian Wyatt 47

‘The transmission of stories, history and cultural knowledge within the Noongar community is alive and well’
Darryl Pearce 55

‘We Aboriginal people are the first custodians of this country and have to be recognised fairly uniquely and have a say’
Fred Taylor 61
HISTORIOGRAPHY, SOURCES AND PROCESSES

**History Wars**
Debates about History in the Native Title Process
_Fiona Skyring_ 71

‘Snapshots of adventitious content’
The Assessment of Oral and Historical Evidence in Native Title Claims
_Harriet Ketley and Claire Ozich_ 83

**Paradigms and Syllogism**
Some Applications of Oral History Methodology to Native Title
_Bruce Shaw_ 95

**Ghost Files**
The Missing Files of the Department of Indigenous Affairs Archives
_Lauren Marsh and Steve Kinnane_ 111

**Deafening Silences**
Understanding Frontier Relations and the Discourse of Police Files through the Kimberley Police Records
_Christine Choo and Chris Owen_ 129

**The Historical Process of Dispossession of Indigenous Lands in Western Australia and British Columbia**
Peggy Brock 157

**James Stirling and Pinjarra**
A Battle in More Ways than One
_Pamela Statham_ 167

**Trashing Heritage**
Dilemmas of Rights and Power in the Operation of Western Australia’s Heritage Legislation
_David Ritter_ 195

**Some Useful Websites relating to Research on Native Title**
Compiled by Kate Morton 209
REVIEWS

Curatorial Statement
The Proclamation Day Arch –
Visual Artists in the Museum
Jo Darbyshire 213

Exhibition Review
New ways of looking at an old hall:
Western Australia: Land and People
Brian Shepherd 217

Play Review
Recovering histories of joy and sorrow in
The Career Highlights of the MAMU
Helen Grehan 220

Book Reviews
Senate Community Affairs Reference
Committee [Australia], Lost Innocents:
Righting the Record. Report on Child Migration
Patrick Duane 221

John Bailey, The White Divers of Broome:
the true story of a fatal experiment
Christine Choo 224

Loretta Baldassar, Visits home: Migration
experiences between Italy and Australia
Donna R Gabaccia 226

Quentin Beresford, Hugo Bekle, Harry Phillips
and Jane Mulcock, The Salinity Crisis:
Landscapes, Communities and Politics
Ian Lowe 228

Judith E. Berman, Holocaust Remembrance in
Australian Jewish Communities, 1945–2000
Michael Berenbaum 230

David Black and Harry Phillips, eds.,
Making a Difference: Women in the Western
Australian Parliament 1921–1999
Jasmina Brankovich 233

Tim Bonyhady, The Colonial Earth
Janda Gooding 234

Bill Bunbury, It's not the money it's the land:
Aboriginal stockmen and the equal wages case
Ann McGrath 237
Christine Choo, Mission Girls: Aboriginal women on Catholic missions in the Kimberley, Western Australia 1900–1950 Lynette Russell 240

Ian Crawford, We Won the Victory: Aborigines and Outsiders on the North-West Coast of the Kimberley

Ambrose Mungala Chalarimeri, The Man from the Sunrise Side Christine Choo 242

Patricia Crawford and Philippa Maddern, eds., Women as Australian Citizens: Underlying Histories Patricia Grimshaw 245

Frank Crowley, Big John Forrest, 1847–1918: A Founding Father of the Commonwealth of Australia Deborah Gare 247

Richard Davis, Eileen Joyce: A Portrait [Book and CD] Jeff Brownrigg 250

Judith Drake-Brockman, Wongi Wongi: To Speak Mary-Anne Jebb 253

Robert Drewe, The Shark Net: memories and murder Ron Davidson 255

Jan Gothard, Blue China: Single female migration to colonial Australia Charlotte MacDonald 258


Diane Kirkby and Catharine Coleborne, eds., Law, history, colonialism: The reach of empire Tim Rowse 264


Nonja Peters, Milk and Honey but no Gold: Postwar migration to Western Australia, 1945–1964 Ellen Eisenberg 267
<table>
<thead>
<tr>
<th>Title</th>
<th>Author</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>John B. Sclater, Lost your block?</td>
<td>Christine Choo</td>
<td>269</td>
</tr>
<tr>
<td>The origins of W.A.'s forest block names</td>
<td></td>
<td></td>
</tr>
<tr>
<td>George Seddon and Barbara Haddy,</td>
<td>David Dolan</td>
<td>270</td>
</tr>
<tr>
<td>Looking at an Old Suburb: a Walking Guide to Four Blocks of Fremantle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>John Taylor, Between Devotion and Design: The Architecture of John Cyril Hawes 1876–1956</td>
<td>Kate Hislop</td>
<td>273</td>
</tr>
<tr>
<td>Letter to the Editor</td>
<td></td>
<td>276</td>
</tr>
</tbody>
</table>