

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.

- Tony Foley, *Negotiating Resource Agreements: Lessons from ILUAs*, pp. 267-276.
- Warwick Baird and Rachel Lenehan, *The Process in NSW Leading to Joint Management of Aboriginal Owned Land and the Register of Aboriginal Owners*, pp.277-283.

Balayi: Culture, Law and Colonialism published three papers in their 'Treaty' edition (Vol 4, 2002):

- Jackie Huggins *Reconciliation and Native Title*.
- Mick Dodson *Sovereignty*.
- Jenny Pryor *The Past and Future of Land Rights and Native Title*.

Other publications:

- Diane Smith, *Valuing native title: Aboriginal, statutory and policy discourses about compensation*, CAEPR discussion paper 2001/222.
- Bryan Keon-Cohen - 'Compensation and Compulsory Acquisition under the Native Title Act 1993' (2002) 28 *Monash University Law Review*, pp.17-58.
- Benjamin R Smith (2003) 'Whither 'certainty'? Coexistence, change and land rights in northern Queensland'. *Anthropological Forum* 13(1), May 2003.

Internet publications:

- Published on the AIATSIS website as part of the Treaty Seminar Series – Fred Chaney, *Limits and Possibilities of a Treaty Process in Australia*. www.aiatsis.gov.au
- Anthony Esposito *Issues of cultural and environmental integrity* published on the Native Title and Protected Areas Project website www.indig-enviro.asn.au

NATIVE TITLE RESEARCH

UNIT PUBLICATIONS

Land, Rights, Laws: Issues of Native Title

The Native Title Research Unit Issues Papers are available through the native title link at www.aiatsis.gov.au; or are available, at no cost, from the NTRU. Receive copies through our electronic service, email ntru@aiatsis.gov.au, or phone 02 6246 1161 to join our mailing list.

Volume 2

- No. 20 *Negotiating Comprehensive Settlement of Native Title Issues: Building a New Scale of Justice*
Parry Agius, Jocelyn Davies, Richie Howitt and Lesley Johns
- No. 19 *'Winning' Native Title: The Experience of the Nharnuwungga, Wajarri and Ngarla People*
Michelle Riley
Pastoral Access Protocols: The Corrosion of Native Title by Contract
Frances Flanagan
- No. 18 *Diaspora, Materialism, Tradition: Anthropological Issues in the Recent High Court Appeal of the Yorta Yorta*
James F Weiner
- No. 17 *Western Australia v Ward on behalf of Miriuwung Gajerrong, High Court of Australia, 8 August 2002: Summary of Judgment*
Lisa Strelein
- No. 16 *The International Concept of Equality of Interest in the Sea as it Affects the Conservation of the*