

ABORIGINAL AND TORRES STRAIT ISLANDER
HISTORIES AND CULTURES

DEPARTMENT OF
EDUCATION
learners first

FROM GUMNUTS TO BUTTONS

YEAR 6

The
Orb

FROM GUMNUTS TO BUTTONS

LAND RIGHTS

Learners explore the concepts of land rights and native title. They examine key events in the history of Tasmania's Aboriginal people and consider, from a legal and ethical perspective, the principles behind land rights and land transfer.

CROSS CURRICULUM PRIORITY

Aboriginal and Torres Strait Islander Histories and Cultures

Organising idea 6

Aboriginal and Torres Strait Islander Peoples live in Australia as first peoples of Country or Place and demonstrate resilience in responding to historic and contemporary impacts of colonisation.

ACHIEVEMENT STANDARDS

Humanities and Social Sciences (HASS)

Students explain the significance of an event/development, an individual and/or group.

They identify and describe continuities and changes for different groups in the past and present. They describe the causes and effects of change on society. They compare the experiences of different people in the past.

CONTENT DESCRIPTORS

History

Experiences of Australian democracy and citizenship, including the status and rights of Aboriginal and Torres Strait Islander Peoples, migrants, women and children (ACHASSK135).

Geography

The world's cultural diversity, including that of its indigenous peoples (ACHASSK140).

GENERAL CAPABILITIES

Critical and Creative Thinking

Inquiring – identifying, exploring and organising information and ideas

Pose questions

Level 4 – pose questions to clarify and interpret information and probe for causes and consequences

Ethical Understanding

Understanding ethical concepts and issues

Explore ethical concepts in context

Level 4 – explain what constitutes an ethically better or worse outcome and how it might be accomplished

Intercultural Understanding

Reflecting on intercultural experiences and taking responsibility

Mediate cultural difference

Level 4 – discuss ways of reconciling differing cultural values and perspectives in addressing common concerns

Learning Goals

Learners will:

- » describe key events in the timeline of Aboriginal and European contact in Tasmania
- » understand the key principles of land rights and native title
- » identify areas in Tasmania where land has been returned to the Aboriginal Community.

Learning Sequence

Activating and Engaging

Learning Maps

Complete the *From Gumnuts to Buttons* experience, using the resource book to guide the process.

Explore the timeline of Aboriginal and European contact in Tasmania from the Human History in Tasmania resource in the *From Gumnuts to Buttons* kit. Ask learners to list:

- » the key events of dispossession
- » the key events of recognition and return.

Ask learners:

- » How does the visual image of change over time make the story more powerful?

Exploring and Discovering

Community Links

Invite an Aboriginal Heritage Officer from Parks and Wildlife or a member of the Aboriginal Sharers of Knowledge (ASK) Program to address the class on the following questions:

- » What does 'native title' mean?
- » How important is land to Aboriginal people?
- » What are the main issues for Aboriginal people regarding land ownership?

Invite a local government official or an officer from the Department of Primary Industries, Water and Environment (Information and Land Services) to address the following:

- » What is a 'land title'?
- » How does the system of land ownership work?
- » How important is it to have a property 'title'?
- » How are 'titles' exchanged?

Discuss the concept of Terra Nullis.

- » How did Aboriginal people apportion land?
- » How do western people determine ownership of land and property?

Discuss the word 'title'.

- » What differences exist between 'native title' and the 'land title' which, in a western sense, proves land ownership?
- » What are some of the major differences or similarities between English Law and Aboriginal law?

Land Links

As a general background, show learners the Behind the News stories of Land Rights and Mabo Day. Ask learners to summarise:

- » Who was Eddie Mabo and what is his story?
- » Why was he fighting for the land rights of Murray Island?
- » What does the term Terra Nullius mean?
- » Why was Mabo an important case for Australian Indigenous people?

Have learners find a definition for the following:

- » Injustice
- » Rights
- » Native Title
- » Land rights
- » Terra Nullius
- » Crown Land

For example:

- » Native title is about recognising Aboriginal peoples' connection and rights to land and water.
- » Land rights is about compensating Aboriginal people for past dispossession, dislocation and removal of land.

Facilitate a group discussion. Ask learners:

- » Why was Mabo an important case?
- » How did this story make you feel?
- » Imagine if someone told you that your house wasn't yours – describe your emotions.

Learning Maps

Share with learners the Maps booklet in the From Gumnuts to Buttons kit. Show learners the map of Land returned to the Tasmanian Aboriginal Community and discuss the significance of these sites to the Tasmanian Aboriginal community.

Synthesising and Applying

Deconstruct–Reconstruct

Have learners compare the Tasmanian/Australian experience with other First Nations people in terms of:

- » Treaties
- » Native Title
- » Land Rights
- » Land handbacks and/or compensation

Success Criteria

Learners:

- » explain the principles behind land rights, native title and land transfer
- » describe the experience of Tasmania's Aboriginal people in terms of land dispossession and return
- » describe key events that have led to the return of Land to Tasmanians Aboriginal people.

Resources

- » [The Orb](#)
- » [Australian Curriculum](#)
- » [Aboriginal Sharers of Knowledge \(ASK Program\) Guidelines](#)
- » [Aboriginal Sharers of Knowledge \(ASK Program\) Application Form](#)
- » The Aboriginal Education Library: email aboriginal.education.library@education.tas.gov.au or telephone 03 6165 5480 for more resources, including the ones listed below.
- » The Eight-Way Framework of Aboriginal Pedagogy
- » *From Gumnuts to Buttons [kit]: a walk through Tasmanian history from an Aboriginal perspective 2nd edition*, Aboriginal Education Services, Tasmania

NOTE TO TEACHER:

The *From Gumnuts to Buttons* resource was distributed to all schools. It is stored in a large 'paint-like' tin and all the items needed for conducting the activity are stored in this container.

Please ask your librarian/library technician if you can't locate this resource.

Inviting parents to participate would add value to experience and provide opportunities for students to de-brief.

- » [Behind The News \(BTN\): Mabo Day](#)
- » [BTN Land Rights](#)
- » [BTN Indigenous Recognition](#)

Glossary

Land rights

The struggle by Aboriginal people to gain acknowledgment of prior ownership of this land both legally and morally and allowing all the accompanying rights and obligations which stem from this association. AM

Native title

Form of land title which recognises Aboriginal people as rightful owners of that land. AM

Ethics

Moral principles that govern a person's behaviour or the conducting of an activity. O

Dispossession

The action of depriving someone of land, property, or other possessions. O

Recognition

Acknowledgement of the existence, validity, or legality of something. O

Title

The legal basis of the ownership of property. G

Terra nullius

A concept in international law meaning 'a territory belonging to no-one' or 'over which no-one claims ownership'. AM

English law

The system of law that has developed in England from approximately 1066 to the present. W

Aboriginal law

Also known as Lore. Handed down by the Creation Ancestors and upheld by Aboriginal communities for thousands of generations, Law includes the accepted and traditionally patterned ways of behaving and shared understandings relating to land, language, ways of living, kinship, relationships and identity. AM

Mabo Day

Commemorates the efforts of Eddie Koiki Mabo to overturn the fiction of terra nullius (land belonging to no-one), the legal concept that Australia and the Torres Strait Islands were not owned by Indigenous peoples because they did not 'use' the land in ways Europeans believed constituted some kind of legal possession. AHO

Treaty

A written agreement between two or more countries, formally approved and signed by their leaders. C

Land handback

The return of land to its original owners, often Aboriginal people. G

Compensation

Money that is paid to someone in exchange for something that has been lost or damaged or for some problem. C

AHO	Aboriginal Heritage Office
AM	Australian Museum
C	Cambridge Dictionary
G	General understanding
O	Oxford Online Dictionary



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