

Unearthing the Truth: Indigenous Land Rights & 'Terra Nullius' in Australia

Subject Focus: History (HI5-COM-01 Communicates historical arguments using historical terms and concepts)

Target Student: 15-year-old homeschool student

Materials Needed:

- Computer with internet access
 - Digital or physical notebook for note-taking and outlining
 - Pens/pencils
-

Introduction: Land, Belonging, and a Contested Claim (Approx. 15 minutes)

Welcome! Today, we're diving into a really important part of Australian history that still shapes the country today. Think about this: What does it mean for land to 'belong' to someone? Who decides? These questions are central to understanding the story of Indigenous Australians and their land.

We'll be exploring a specific historical term, **'terra nullius'**, and how it was used in Australia. Our goal is to understand its meaning, its impact, and how it relates to the ongoing journey for Indigenous land rights. By the end, you'll be ready to build a powerful argument about why recognizing these rights is crucial today.

Activity 1: What in the World is 'Terra Nullius'? (Approx. 30-40 minutes)

Let's start by getting to grips with this key term. 'Terra nullius' is a Latin term. Your first task is to find out what it means and why it was applied to Australia by the British colonisers.

Tasks:

1. Explore the resources below to define 'terra nullius' and understand its historical context in Australia.
2. In your notebook, write down:
 - The definition of 'terra nullius'.
 - How and why this concept was applied to Australia.
 - Initial thoughts on how this might have impacted the Indigenous peoples who had lived on the land for tens of thousands of years.

Interactive Resources:

- [National Museum of Australia: Defining Moments - 1788 Terra Nullius](#)
- [Australians Together: Terra Nullius](#)

Think about it: If a land is declared 'empty' or 'belonging to no one,' what does that imply about

the people already living there?

Activity 2: A Landmark Challenge - The Mabo Decision (Approx. 45-60 minutes)

For a long time, 'terra nullius' was the legal basis for British claim to Australia. But this was eventually challenged. A very significant moment in this story is the Mabo decision.

Tasks:

1. Use the resources to learn about Eddie Koiki Mabo and the Mabo decision.
2. In your notebook, summarise:
 - Who was Eddie Mabo?
 - What was the Mabo Case about?
 - What was the outcome of the case in 1992?
 - How did the Mabo decision affect the concept of 'terra nullius' in Australia?

Interactive Resources:

- [National Museum of Australia: Defining Moments - 1992 Mabo Decision](#)
- [AIATSIS \(Australian Institute of Aboriginal and Torres Strait Islander Studies\): The Mabo Case](#)
- **Video Suggestion:** Search on a reliable educational platform (like YouTube for ABC Education's 'Behind the News' archives or the National Film and Sound Archive of Australia) for short explainers on the 'Mabo Decision'. This can provide a great visual and narrative summary.

Reflect: Why do you think the Mabo decision is considered a 'defining moment' in Australian history?

Activity 3: Land Rights Today - Voices and Current Issues (Approx. 45 minutes)

The Mabo decision was a turning point, but the conversation about Indigenous land rights is ongoing. There are many different perspectives and ongoing efforts towards justice and reconciliation.

Tasks:

1. Explore the following websites to get an understanding of current issues and Indigenous perspectives on land rights.
2. Try to find one or two recent articles (from reputable sources like those linked, or SBS, NITV) that discuss a current land rights issue in Australia. What are the key arguments being made?

Interactive Resources:

- [Reconciliation Australia](#) (Explore their work, particularly sections on land rights/justice if available)
- [Creative Spirits: Aboriginal Land Rights](#) (Offers a broad overview of issues)
- News Sources: Check out [ABC Indigenous News](#) or [The Guardian Australia - Indigenous Affairs](#) for current articles.

Consider: What are some of the complexities or challenges in achieving full recognition of Indigenous land rights today?

Activity 4: Building Your Argument - The Persuasive Essay Outline (Approx. 60 minutes + ongoing work)

Now it's time to bring all this knowledge together! Your main task is to prepare and then write a persuasive essay on the importance of recognizing Indigenous land rights in Australia today. Crucially, you need to use historical terminology and concepts, especially 'terra nullius', to make your argument effective.

Essay Focus: Writing a persuasive essay on the importance of recognizing Indigenous land rights in Australia today. Use historical terminology and concepts such as "terra nullius" to articulate your argument effectively.

Today's Task: Create a Detailed Outline for Your Essay.

Your outline should include:

- **Introduction:**
 - Hook to grab the reader's attention.
 - Brief background on Indigenous connection to land and the arrival of colonisers.
 - Introduce the concept of 'terra nullius' and its proposed role in your argument.
 - Clear thesis statement (your main argument).
- **Body Paragraph 1: Explaining 'Terra Nullius'**
 - Define 'terra nullius' and its historical application in Australia.
 - Explain its immediate implications for Indigenous peoples.
- **Body Paragraph 2: The Legacy and Challenge (e.g., Mabo)**
 - Discuss the long-term impact of 'terra nullius'.
 - Explain how the Mabo decision challenged 'terra nullius' and its significance.
- **Body Paragraph 3: Why Recognition Matters Today**
 - Argue for the contemporary importance of recognizing Indigenous land rights (e.g., justice, reconciliation, cultural survival, social equity, environmental management).
 - Connect this back to the historical injustices stemming from concepts like 'terra nullius'.
- **Body Paragraph 4 (Optional): Addressing Counterarguments/Complexities**
 - Acknowledge any complexities or differing viewpoints briefly and respectfully, then reinforce your main argument.
- **Conclusion:**
 - Restate your thesis in a new way.
 - Summarize your main points.
 - End with a strong concluding statement or call to action/reflection.

Helpful Tip: Think about your audience. Imagine you're trying to convince a well-informed but perhaps undecided person.

Optional Tool for Brainstorming/Outlining:

- [Coggle \(free online mind-mapping tool\)](#)

Assessment and Next Steps:

Your understanding today will be shown through your notes, your engagement with the material, and, most importantly, the detailed essay outline you create.

The next step will be to write the full persuasive essay based on your outline. Focus on clear language, strong evidence (drawn from your research), and the effective use of historical terms like 'terra nullius' to support your argument.

We'll look for:

- Clear definition and application of 'terra nullius'.
- Understanding of the Mabo decision's significance.
- A well-structured, persuasive argument.
- Connection between historical events/concepts and contemporary issues.

Extension Activities (Optional - If time permits or for further exploration):

- **Research another key term:** Investigate terms like 'sovereignty' or 'self-determination' in the context of Indigenous Australians.
- **Creative Response:** How is land represented in Indigenous art or storytelling? Find some examples.
- **Case Study Deep Dive:** Research another specific land rights case in Australia post-Mabo.

Wrap-up and Reflection (Approx. 10-15 minutes):

Let's quickly recap:

- What is 'terra nullius' and why is it a problematic concept?
- How did the Mabo decision change the landscape of land rights in Australia?
- Why is it important to use historical terms accurately when discussing these issues?

Communicating historical arguments effectively (HI5-COM-01) means not just knowing facts, but understanding concepts and their power, and using them thoughtfully to build a strong case. You've taken a big step in that direction today!