Topic 1: Basic information about native title
Fact Sheet 1: Why is land so important to Aboriginal and Torres Strait Islander people?

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Land is very significant to Aboriginal and Torres Strait Islander peoples. It provides the basis of their social, cultural and economic well-being.

Aboriginal peoples do not ‘own’ the land, the land ‘owns’ them. There is a mutual belonging to land. The land belongs to the people and the people to the land. Land cannot be transferred from one person to another.

The land links families to their ancestors and their spirits and Dreaming stories. Land also bonds people to people and to their family relationships within the local community. The land can be the holder of the Law, and the land connects people to country by defining their relationship and responsibility to country. Being deprived of their land has made Aboriginal people sick (literally homesick) and ultimately destroys the cohesion of many dispossessed communities. In the last 220 years, most Aboriginal peoples have shared the experience of being forced from their land. The loss of land, or damage to land, can cause immense harm to Aboriginal and Torres Strait Islander peoples and their cultures.

Under the laws or customs of the relevant locality, particular tribes or clans were, either on their own or with others, custodians of the areas of land from which they derived their sustenance and from which they often took their tribal names. Their laws or customs were elaborate and obligatory. The boundaries of their traditional lands were likely to be long-standing and defined.

The special relationship between a particular tribe or clan and its land was recognised by other tribes within the relevant local native system and was reflected in differences in dialect over relatively short distances. In different ways and to varying degrees of intensity, they used their homelands for all the purposes of their lives: social, ritual, economic. (Deane J and Gaudron J, pp99-100)