



Der Mabo-Case: Anerkennung des 'native title' im australischen Common Law (German Edition)

Soehnke Wagner

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Studienarbeit aus dem Jahr 2007 im Fachbereich Jura - Andere Rechtssysteme, Rechtsvergleichung, Note: 1,0, Universität Bremen (Fachbereich Rechtswissenschaft), Veranstaltung: Rechtsvergleichendes Sachenrecht, Sprache: Deutsch, Abstract: Am 3. Juni 1992 verkündete der High Court of Australia sein Urteil im Fall Mabo v Queensland (No 2) und stellte dabei ein 200 Jahre altes Verständnis der Kolonialisierung des australischen Kontinents auf den Kopf, indem er die dem australischen Landrecht bis zu diesem Zeitpunkt zugrundeliegende Doktrin der ‚terra nullius‘ verwarf. Zudem wurden mit der Anerkennung eines ‚native title‘ den australischen Ureinwohnern erstmalig gewisse Rechte an dem von ihnen genutzten Land zugesprochen.

Diese Arbeit beschreibt und analysiert die rechtliche Entwicklung auf dem Weg zu einer Geltendmachung angestammter Landbesitzrechte in Australien.

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