

Compromised Jurisprudence

Native title cases since Mabo

Lisa Strelein

DESCRIPTION

Native title has dramatically altered the law and public policy in Australia. It has had a fundamental impact on social relations between Indigenous and non-Indigenous people. The courts have played a central role in its development, and continue to do so. Twelve years have seen the evolution of native title: from uncertain foundations to an arguably compromised, jurisprudence.

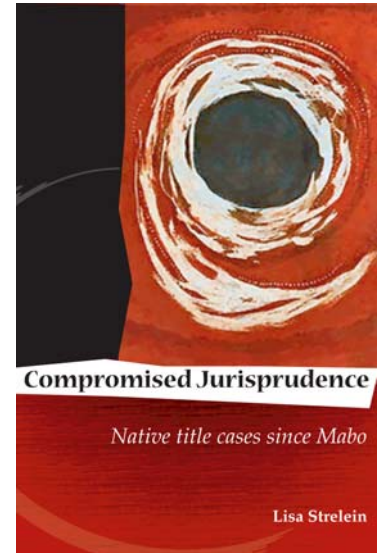
Compromised Jurisprudence traces the development of the courts' thinking from the original decision in *Mabo v Queensland [No.2]*, through to the significant High Court decisions in 2001 in *Western Australia v Ward* and *Yorta Yorta*, and the subsequent implementation of those cases by the Federal Court in cases such as *De Rose*. Each chapter contains a discrete analysis of the most significant cases during this period. A timeline of events enables us to map the trajectory of the key doctrines of native title. The book's conclusion identifies the underlying themes and contradictions in the law.

AUTHOR

Dr Lisa Strelein is the Manager and Research Fellow of the Native Title Research Unit, AIATSIS, the leading research and resource centre for native title research in Australia. Her many publications are renowned for their timeliness. They have been taken up in Indigenous studies, property and environmental law studies. She has written for award-winning multimedia.

SELLING POINTS

- Only critical examination of native title law (non-textbook).
- Maps the trajectory of native title law during its formative years (arguably now settled/over).
- One of the most important legal doctrines in Australia, taught in every Australian law course as a foundational issue.
- Subject of enormous social political and cultural impact.
- AIATSIS has most prestigious native title unit in the country.
- Launch at annual national Native Title conference in Darwin.



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- Property law

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