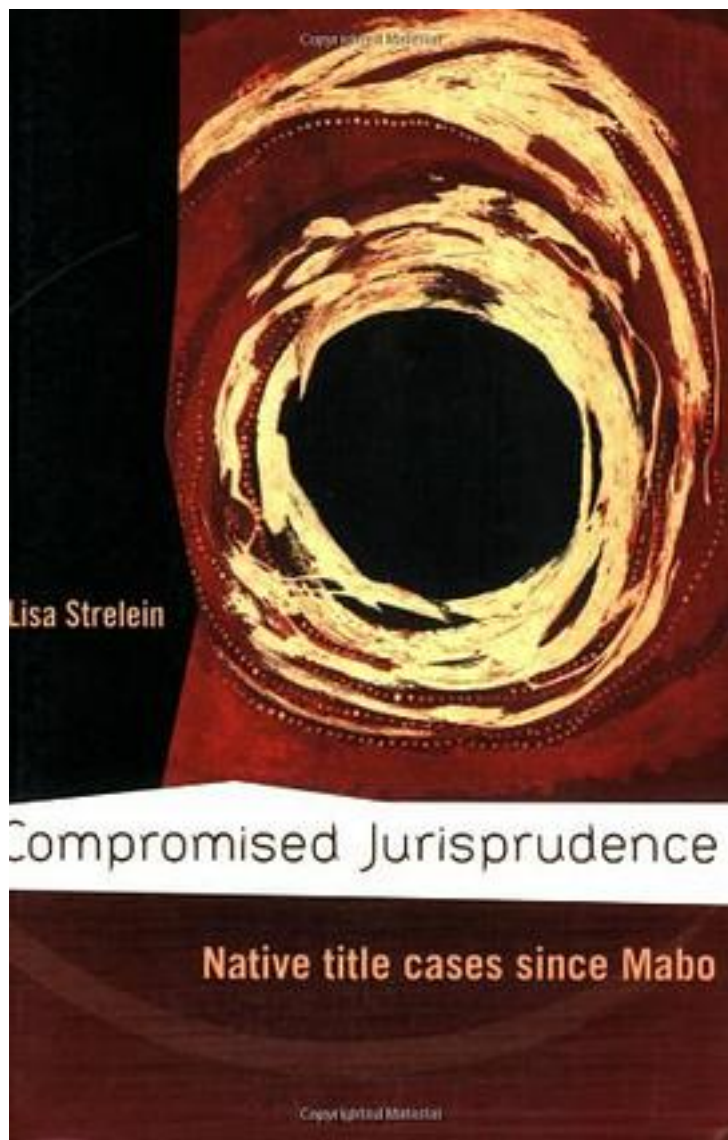


Compromised Jurisprudence



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The advent of native title twelve years ago dramatically altered the law, and Australian public policy. Since its inception native title has had a fundamental impact on social relations between Indigenous and non-Indigenous Australians with the courts continuing to play a central role in its development. In this challenging new work, Strelein charts, and comments on, the evolution of native title from its uncertain foundations to an arguably flawed jurisprudence. "Compromised Jurisprudence" traces the development of the courts' thinking from the original decision in Mabo v Queensland (Number 2), through to the significant High Court decisions in 2002 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. Strelein provides a discrete analysis of the most significant cases, while a timeline of events lets the readers map the trajectory of the key doctrines. Strelein's lucid conclusion identifies the underlying themes and contradictions in the law.

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