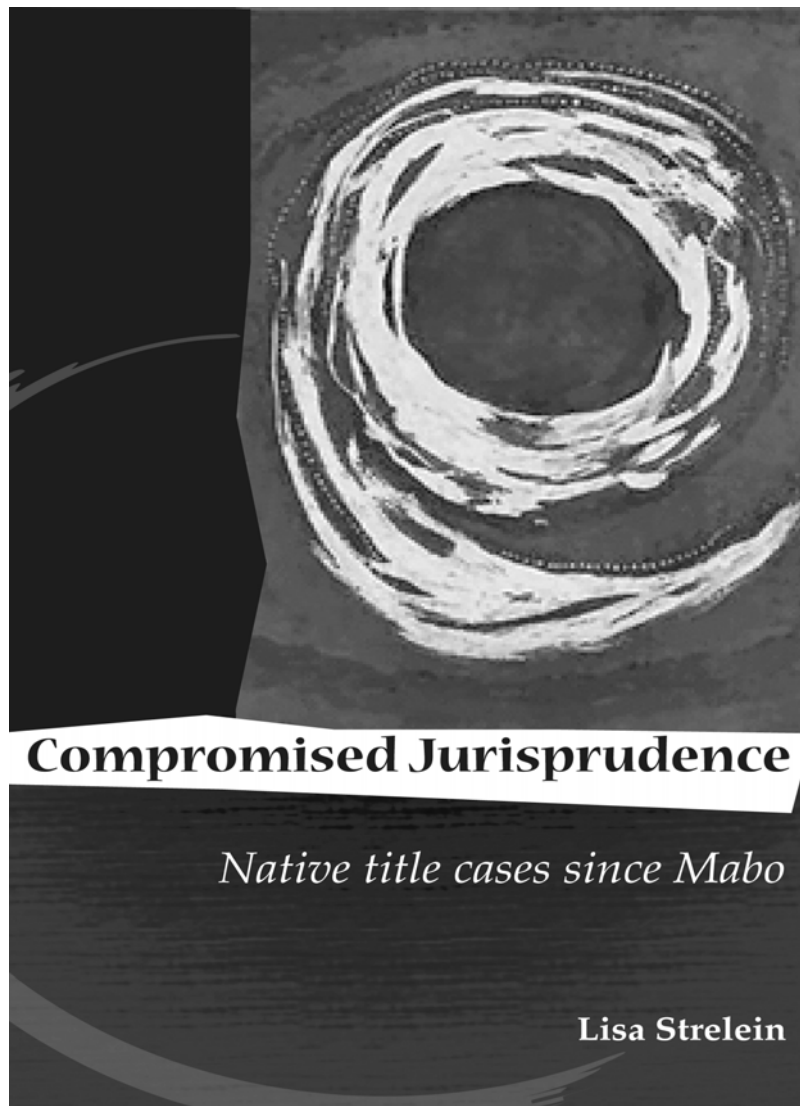


**BOOK REVIEW**



**LISA STRELEIN:  
“COMPROMISED JURISPRUDENCE:  
NATIVE TITLE CASES SINCE MABO”  
Aboriginal Studies Press; \$39.95, paperback  
ISBN: 0-85575-533-4**

REVIEWED BY PROFESSOR LARISSA BEHRENDT

Many of us can remember where we were the day that we heard that the High Court had overturned the doctrine of *terra nullius*. And we all very soon became familiar with the Mabo case. The decision was important not just for its symbolic rejection of the legal fiction that had been used to say that Aboriginal people did not have rights to land, but also for its finding that Aboriginal people did, in fact, have a right to native title. The court decision was cautious, but made some clear and strong pronouncements about the existence of native title. Since then the courts have struggled to interpret the vision in the *Mabo* case mostly with results that Aboriginal and Torres Strait Islander people have found disappointing.

Strelein is an internationally recognised expert on native title whose work has been adopted by judges and has influenced legal practitioners. Her book provides an overview of each of the key native title decisions with balanced analysis and identification of some of the key themes and trends. The book also contains a very useful annotated case list which of itself is an excellent reference. It is written in a clear and concise way that will be accessible to non-lawyers, but Strelein’s understandings of the themes and nuances of each case will also inform legal experts, academics and students.

This book is not intended to be a full account of all the aspects of native title – it doesn’t look at the posturing of politicians and the misinformation in the media, it doesn’t look at the way in which native title became a divisive issue in Australia, and it doesn’t look at the negotiations and outcomes of the heated native title debates. But what it does do is give an insightful and balanced account of the court’s reaction to native title, their conservatism at some times and vision at others, and an overview of native title laws to date from one of the leading experts in the country. This book will be mandatory reading for anyone wanting to learn more about the development of native title law. It is an important and informative book.