members of the ALS who took their fight for justice to the courts. They were leaders in the struggle for Indigenous land rights and Paul Coe was the plaintiff in suit against the Commonwealth in the High Court where in 1979 he, unsuccessfully, argued the sovereign rights of Australia's Indigenous Peoples to their homelands.[1] This remains a contested issue for Australia's Indigenous Peoples.

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Brigid 'Birdie' McManus pulled my discursive text together and gave it the structure it now has. It needed her deft touch. I thank her for our collaboration. My thanks also go to Lee Corbett, Barrister at the NSW Bar, for contributing the chapter 'Native Title in the Courts Since *Mabo*' and material for the section 'Before *Mabo*'.

My worldview changed from the time I lived with and worked with the Aboriginal people of the south coast of NSW and my involvement in the Aboriginal land rights campaign began soon after with the successful campaign by George Brown and the community of Wreck Bay to acquire title to their land.[1]

I went on to become critical of government policy, the High Court of Australia, churches and other institutions that I believe





created a shameful form of institutionalised racism. In 1987, I wrote a 'letter to the editor' that expressed a hope for the future:

> *The infamous terra nullius principle taints all non-Aboriginal Australians with racial prejudice. On 29 October 1981 [Herald, Letters], I referred to my 'hope for the future' for land rights, with the appointment to the Australian High Court of Justice Brennan. Six years later, my hope is not dimmed and I am encouraged by his pronouncement that 'Aboriginal ownership [of land] is primarily a spiritual affair'* [R v Toohey; Ex parte Meneling Station Pty Ltd *[1982] HCA 69 (8 December 1982)]. As 1988 approaches, it is now possible to expect a new enlightened majority of the High Court to abandon racist and convenient falsehoods and rule that this nation was neither terra nullius nor peacefully settled.*[2]

As a result of *Mabo v Queensland [No 2]*,[3] this hope has now been realised in part. When Prime Minister Paul Keating opened the International Year of the World's Indigenous People at Redfern Park in 1993, he described *Mabo* as a practical building block of change, an 'historic turning point, the basis of a new relationship between Indigenous and non-Aboriginal Australians'.[4]

During the 26 years since the High Court handed down its decision, there has been greater acceptance of the *Mabo* truth, the fact that '[t]he lands of this continent were not terra nullius or "practically unoccupied" in 1788.'[5] Despite the threats posed by the Howard government, the *Native Title Act 1993* (Cth) has extended the symbol of sharing created by *Mabo* to enable a structure which facilitates agreements producing a multitude of benefits for Indigenous communities and other stakeholders.