Since this book was first published at the end of 1996, Edward Koiki Mabo’s stature has grown enormously. Recently, at the end of an important presentation on leadership for senior education administrators, the consultant said dramatically that he was going to leave them with the name of an outstanding leader to reflect on: Eddie Mabo. This *apek kebile*, the small boy from the far side of Murray Island, or *Mer* in the Miriam language, had clearly become a household name for a group of people who had never met him. I was privileged to know him as a close friend for twenty-five years before he died and in 1984 interviewed him because, after seventeen years, I realised that I knew almost nothing about his early life on Murray Island and his relationship with those government administrators who considered themselves the overlords of the Torres Strait. I also knew almost nothing about his decision to come to the mainland and his early experiences before he came
to Townsville. After we both attended a conference in Canberra and, over meals, he gave me glimpses of these early years, I said we should get his story on tape. He welcomed the opportunity and, as a result, we have this remarkable, if incomplete, life story of possibly the most important Indigenous Australian in Australia’s history. As Mabo has now become part of Australian culture, the University of Queensland Press has decided that it is too important not to be still available in print. I hope you will agree.

He had been acknowledged, before he died and before the High Court decision was handed down on 3 June 1992, as the central figure and driving force behind the challenge aimed at destroying terra nullius, the legal justification for the colonisation of Australia that, uniquely in the history of British colonisation, denied land ownership to Australia’s Indigenous people. There is now an immense amount of academic literature that deals with every aspect of the Mabo Decision. This book focuses on Mabo the man who grew up in an Australia that gloried in the White Australia Policy until it was officially abolished in 1972, an Australia in which Aboriginal and Torres Strait Islander people were regarded as inferior wards of the State controlled by paternalistic legislation that denied them Australian citizenship. They were not allowed to vote Federally until 1962 and in the Queensland State elections till 1964. It was not until 1965 that The Aboriginal and Torres Strait Islanders Affairs Act removed most of the restrictive controls contained in previous Queensland legislation, including the right to travel freely to the Mainland. In 1947, a small group of Islanders had been granted official permission to do so
although they were still not allowed to receive award wages when they obtained jobs as labourers, fishermen, canecutters and railway fettlers. A swelling Torres Strait Islander population and the collapse of the pearlshell and trochus industries in the 1960s because of the development of plastics forced the Queensland Government to allow free travel to the mainland. It was much cheaper to allow the Islanders to earn award wages on the Mainland than to keep them in their Island reserves working for lower wages. As we shall see, Eddie Koiki Mabo experienced the unchallengable authority of white administrators in the Torres Strait as a nineteen year old before joining the flow of Islanders to the Mainland. He remembered it for the rest of his life. In this book, Mabo will describe his growing up on Mer. Although he was treated as as a powerless inferior human being, Mabo told me that he never in his life felt inferior.

He had been acknowledged, before he died and before the High Court Decision on 3 June 1992, as the driving force behind the challenge that would destroy terra nullius, the legal justification for the colonisation of Australia that, uniquely in the history of British colonisation, denied land ownership to Australia’s Indigenous people. Yet, even in death, he had roused very opposite reactions. On 3 June 1995, at his tombstone unveiling that marked the end of mourning more than three years after his burial, his life had been celebrated in the main street by the Islanders in traditional dress with a large attendance of other Townsvilleans, and later in the evening at an enormous Islander feast. While these celebrations were under way, Mabo’s grave was desecrated. Bonita and the family
immediately decided to have him reburied at Las where *apek kebile* had grown up. Even today I am not sure whether this repulsive desecration was aimed at him personally, or at the achievement that was the the native title judgment, or both. There was clearly an almost unimaginable depth of racist hatred in the act and the comments, a hatred reinforced by the theft of the smiling image of Mabo’s face.

There had been an almost rapturous response in the headlines of the major newspapers immediately after the High Court’s decision: ‘... a Victory over White Arrogance’; Australia’s past had been a ‘Legacy of Unutterable Shame’; it was an ‘Historic Win in Fight for Land Rights’. Increasingly, Mabo had been portrayed as an heroic figure whose drive and determination had shone a new light on Australia’s history and one that pointed to the possibility of a new relationship between the colonised and the colonisers. Justice Moynihan’s conclusions about Mabo’s character were now irrelevant except to some, like me, who had been close to him. And at his funeral three years previously, his barrister, Bryan Keon-Cohen, had said: ‘...without Eddie the case would probably never have begun’.

Even while the ten years’ struggle was still under way, an important documentary appeared focusing on the High Court challenge, Murray Island and Mabo: *Land Bilong Islanders*. After the High Court Decision others soon followed. When Blackfella Films produced *First Australians*, the first documentary history of the colonisation of Australia created by Aboriginal film makers, the last episode was devoted to the struggle for Land Rights and focused on Mabo and the Native
Title challenge. Rachel Perkins, the Director, used this book to prepare for the final episode and interviewed me extensively before and in the episode. I joked: ‘That book seems to be your Bible’. This fine series was first shown in October – November 2008 and was accompanied by hardback and soft back coffee table books, a paperback for the general market and a well produced study book for use in schools, all published by The Miegunyah Press, an imprint of Melbourne University Press. And then on 10 June 2012, Blackfella Films produced a brilliant film, *Mabo*, for the ABC, a biography that focused on the man, Mabo, who was determined to fight for native title from 1974 when he was shocked to discover that he and other Torres Strait Islanders did not own the land they had inherited from their ancestors. Director Rachel Perkins showed me interacting first with Koiki as a result of seeing him in the University Library, a piece of dramatic licence as I had met him as early as 1967. She then focused on a scene that has now become famous when Henry Reynolds and I were having lunch with Koiki and had to inform him that he didn’t own the land he was discussing with us as his. He had no title to it. It was crown land. I was even able to show him on a map of Queensland that the Murray Islands, along with all the other Torres Strait Islands, were designated an ‘Aboriginal Reserve’.

The Queensland Government had been deceiving the Islanders for almost a century, since 1879 when it had extended its border almost as far north as New Guinea and as far east as the remote Murray Islands. Mabo and other Islanders who were active in the Black Advancement Movement were well aware that Aboriginal people had been robbed of their
land rights but had believed that the Islanders living on islands beyond Thursday Island were different. They at least still owned land they had inherited according to Islander custom. The Queensland Government officers informed them occasionally that the land was ultimately the State’s but then still acknowledged that individual Islanders had ‘ownership’ of the land they had inherited. Didn’t the Government ‘buy’ the land off the traditional owner when it wanted to build a school or kindergarten, or for some other purpose and then kept a record of such a sale? And when there was a dispute between the Islanders over land ownership, didn’t the Government use the Islanders’ customary law to help reach a decision which they then recorded? To them, the State’s ultimate ownership must have seemed irrelevant Whiteman talk. Mabo and the other claimants were determined to make the Government’s paternalistic pretense a reality. In the process they would destroy the concept of *terra nullius* for all Australians: Torres Strait Islanders, Aboriginal people and non-Indigenous descendants of the migrant people who made Australia home and are continuing to do so. In this book we will see how this ultimate truth was asserted and accepted.

The struggle for justice for Australia’s Indigenous people is a long way from over. Native Title is situated within Australia’s common law, an acknowledgment of the acceptance of settler sovereignty. A very large area of Australia has now been acknowledged as possessing Native Title. This provides the Indigenous Australians with access and certain associated rights. It also provides them with a bargaining power they never had before when possible developments are proposed.
in their area. As we will see, Mabo proposed, after the 1967 Referendum that allowed Indigenous people to be counted in the Census and the Federal Government to be able to legislate for them throughout Australia, that a conference be held in Townsville which was entitled *We the Australians: What is to follow the Referendum?* After postponing it in 2012, Australia is considering another referendum to include Indigenous people again in the Constitution, this time acknowledging them as Australia’s ‘First People’. There is still the challenge to establish a treaty between the First People and those who came after to establish how they can accept each other as equals, one which would replace the concept of settler sovereignty with a shared sovereignty that accepted might isn’t right and that non-Indigenous Australians no longer live on the rewards of stolen goods. These are very considerable challenges that reflect on all of us.

I know that, if *apek kebile*, the boy from the other side of Mer, was alive today, he would be a leader of such debates.
PROLOGUE

When I last saw Loiki Mabo, he was lying in a bed on the lawn in the backyard of his home in Townsville underneath a large canopy which shaded him from the tropical sun. A tent-like net protected him from the mosquitoes and sandflies. He had become tired of being locked up inside the house. My wife and I sat in chairs at his bedside and yarnd about old times and the progress of his court case to establish native title to the land claimed by the three surviving Murray Islander litigants. It was January 1992. Koiki hoped this would be the last court case he would have to fight.

Ten years previously the Murray Islanders had begun their battle with the Queensland Government. Koiki, as ever, was supremely optimistic even though his credibility and integrity had been savaged by Justice Moynihan in the hearings completed in 1991 to establish the factual basis of the claims. At the time, Koiki had been so deeply hurt that he could not
talk about it when he had met me on the day the judgement was made public. But Koiki bounced back and put Moyniham behind him. Just another white man pontificating about Islanders. Now he was looking forward to going to Canberra in May to be there when, at last, justice was done and white law acknowledged the obvious reality: that the Meriam people had occupied and owned Murray Island according to their own law for countless generations before white colonisation.

The cancer in Koiki’s spine had spread to his lungs and throat and he was going to Brisbane for radium treatment, probably for two weeks. He found it extremely difficult to walk or even to sit up in bed. And although he was still as mentally alert as he had always been, he could speak only in a whisper. It did not hurt him to speak, he said, but only a whisper came out. In his fluent English, with his Torres Strait Islander inflection and deep rolling voice, he had achieved an eloquence and an impact which could rouse his supporters or infuriate his enemies. He was aware of the irony of the situation and even joked about it. It would pass and he would soon be back to his old form.

Towards the end of our visit, he raised himself on one elbow and looked at me with the utmost seriousness and confidence, and said: ‘Noel, when I come back, we’ll finish that story.’ ‘Right,’ I said with an enthusiasm born of previous frustrated attempts, although I wondered how I could get that gentle whisper on tape. A week later, Koiki Mabo was dead. The last words he said, to his wife, Netta, were: ‘Land claim’.
I had started recording Koiki’s life in November 1984, not long after he and I spent a few days together in Canberra at a meeting of the Australian Institute of Aboriginal Studies, now the Australian Institute of Aboriginal and Torres Strait Islander Studies. I had known him then for seventeen years. He was on one sub-committee, I on another, so we only saw each other at meals; some of these very lengthy and enjoyable ones as we talked well into the night. I realised then that, though we had been close friends for a long time, I really didn’t know much about him at all.

I met Koiki in 1967 when we were both on the committee convening the Inter-Racial Seminar held at Townsville in December 1967. It was called ‘We the Australians: What Is to Follow the Referendum?’. It was Koiki who had first suggested to Fred Thompson of the Townsville Trades and Labour Council the need for a conference on the status of Aborigines and Islanders in the Australian community. Our friendship dates from this time. We had been on committees together and participated in various interracial issues that had arisen in the Townsville community, and my wife and I had attended his daughters’ weddings.

When he worked as a gardener at James Cook University we had frequently run into each other. For a time you could always find Koiki in his lunch hour, in work clothes, poring over Haddon’s six-volume Reports of the Cambridge Anthropological Expedition to the Torres Strait. He was totally unaware of the incongruity, in those days, of an uneducated black gardener, in an all-white elitist institution, using his lunch hours to check out the findings of a group of revered white English academics.
Or if he was aware of it, he didn’t care. The journey through his people’s past in this white man’s vehicle was too fascinating. He was also intrigued by these white tourists from another time and another place.

In 1984 I knew of his political activities and his commitment to the struggle for social justice. I had seen him at his combative best involved in various controversies within the black community and knew of his Herculean struggle against a hostile or uncaring white society to establish and maintain for twelve years Townsville’s Black Community School, the first of its kind in Australia. We had met and talked together countless times over the years. I had even had him as a student for a semester in one of my classes when he had considered becoming a teacher at the Black Community School. I regularly asked him to address the students in my race relations course and had learnt a great deal from him in the formal lectures and in the many informal contacts we had over the years. But on that weekend in Canberra I caught glimpses of a life about which I knew almost nothing. Returning to our motel one night, I said, ‘Koiki, we should be putting this down on tape.’ And so, soon after, I began to interview him, not as the detached academic – that was not possible – but as a friend, a point that is sometimes embarrassingly clear on the tapes.

We always meant to continue recording, but Koiki’s ten-year involvement in the struggle for the acknowledgement of native title became ever more intense and more demanding. He was frequently on Mer, or in Melbourne, Canberra or Brisbane. I was often not aware when he was in Townsville. None of this seemed to matter a great deal because we could
always get together later. Tragically, that was not to be. After his death his wife, Netta, also asked me to finish ‘that story’. I was very much aware of the gaps that I had meant to fill. In 1984 he was interested in recording his early life growing up as a Torres Strait Islander, a Meriam man of the Piadram Clan,² under Queensland’s oppressive colonialist administration. We also talked about the Black Community School, the positions Koiki had held on communities, and the progress of the claim for native title, but I recorded little or nothing of them. That could come later. Of course it never did.

What, then, I have to offer here are fragments of the life of Koiki Mabo.

When I met Koiki Mabo in 1967 he was 31 years old. He had spent most of the first twenty years of his life on his beloved Murray Island, Mer in his Miriam language.

The three small islands referred to as the Murray Islands are Mer (2.79 kilometres long and 1.65 kilometres at its greatest breadth), Dauar (1.58 by 0.76 kilometres) and Waier, a horseshoe-shaped, rocky outcrop, the remains of a volcanic crater. The ancient volcanic origin of the islands has left good areas of fertile soil on Mer, which is lushly vegetated, and to a lesser extent on Dauar. Prior to European contact, Mer supported a dense population, with estimates commonly ranging from 500 to 700. Dauar was only intermittently inhabited after the establishment of Queensland control but was very much part of the Meriam domain. Waier was the site of the Waiet cult and its ritual activities but was not inhabited.
Almost half the coastline of Mer is fringed by vast, stone-walled fishtraps whose ancient origins are unknown. Mer is commonly known and referred to as Murray Island, even by the Islanders who, however, use the names interchangeably. It is situated about one kilometre north of Dauar and Waier which are very close together, surrounded by the same fringing reef. The three islands are situated at 10°S latitude and 144°E longitude, the most easterly of the Torres Strait Islands. They have a tropical climate with a dry season and a wet season. Dominating the landscape of Mer is the long steep hill, Gelam, richly enmeshed in myth as is so much of the island. Gelam, in the form of a dugong, brought fertile soil to Mer from the east, and coconuts and yams and other food sources. He brought agricultural practices to Mer as well as the dependence on the sea.

The agud, Bomai, a god so sacred his name could not be spoken, eventually resided at Las, which became his cult centre through his nephew, Malo, who followed him. Malo became the outward manifestation of the Malo-Bomai cult, the dominant form of religious expression throughout Mer, and is represented by the octopus, each tentacle corresponding to a Meriam clan and the central body to the strength and unity of Mer. Malo is still respected today and continues to shape the values of many Murray Islanders. Las is in the territory of the Piadram clan, one of the eight clans of Mer. Las was also the village where Koiki Mabo grew up as the adopted son of Benny and Maiga Mabo.

Miriam is a Melanesian language closely related to those of the Kiwai region in the Fly River delta in neighbouring
Papua New Guinea. Mabo believed his ancestors had colonised the Murray Islands from the north-east and could recount a genealogy that went back seventeen generations. He accepted it as the literal truth. It may echo an ancient memory of a population movement so common in the history of the Pacific.

The Meriam lived in the sea and on the land. Their identity, their status, their economic and social life emanated from the land they had inherited. The rich volcanic soil produced luxuriant gardens of yams, sweet potatoes, bananas, coconuts and fruit trees such as mangoes. Their skill as agriculturalists was valued highly, sanctified by religious ritual to reproduce the productivity known to the ancestors. But there was also an excitement and satisfaction about the sea: whether it involved working the network of rock-walled fish traps, catching crayfish, scooping out silver flashing ‘sardines’ from a school on the beach, or setting out in twenty-metre long, dug-out outrigger canoes to catch turtle.

But the Murray Island Koiki Mabo grew up in was no Melanesian arcady. The extension of the Queensland border in 1872 and 1879 to its present extent allowed the colony to control the béche-de-mer and pearlshell industries that had been developing since the 1860s. Indeed, the Torres Strait was to become the world’s most important source of pearlshell which was made mainly into buttons but also into combs and ornaments. The béche-de-mer industry was less important. Béche-de-mer, commonly known as trepan or sea-slug, was collected from the shallows without diving suits, and was then cured and exported to China as a food and an aphrodisiac. Japan’s invasion of China in 1936 caused the collapse of this
industry. After 1912 the trochus industry developed. This shell was also collected by swimming and diving and so provided employment to large numbers of Torres Strait Islanders, including the young Koiki Mabo. When the Japanese were excluded from the pearling industry after the Pacific War, Torres Strait Islanders, mainly from the Western Islands, became divers and skippers, whereas previously they had been only deckhands. Pearls were only ever a profitable sideline in this industry.

Throughout the twentieth century, an oppressive white administration had segregated the Meriam and other Torres Strait Islanders from mainland developments under the policy of protection. It had fostered the change from a comfortable, satisfying subsistence economy to a cash economy based on the fisheries. The coming of Christian missions in 1871 had, in effect, reinforced the cultural changes occurring in the Torres Strait Islands. Increasingly the Islanders made Christianity their own religion. They also incorporated their involvement in the fisheries and their participation in the colonial administration of their islands into their culture.

At the time Mabo was growing up on Mer, the Islanders provided cheap black labour for the hundred or so ‘Master Boats’ owned by white businessmen. Throughout the Torres Strait some Islander families owned their own smaller luggers, called ‘Company Boats’. An early missionary, F.W. Walker, had encouraged Islanders to buy their own boats and the Queensland Government had supported this development when, in 1904, they began applying the same protectionist legislation to the Islanders as they had to the Aborigines. However, the Islanders were forced to sell their catch only
to the Queensland administration which paid them a much lower price than was generally available from the commercial buyers. The Master Boats and the Company Boats took most of the younger men away from the islands for much of the year, leaving the women, the children, the old men and those who didn’t wish to recruit to attend to church and council matters, to tend the gardens, to fish, to catch crabs, crayfish and birds and to collect oysters and other molluscs.

The colonialist controls had been implemented by the Protector stationed at Thursday Island, the administrative centre, and by a teacher-administrator on each of the inhabited islands. As the controls tightened and the Islanders came to understand their situation, they resented their loss of freedom, especially the government’s control over their wages and bankbooks, but also such degrading measures as a nightly curfew.

In 1936 the Islanders on Company Boats stunned their white overlords by going on strike simultaneously throughout the Strait. The Queensland administration had created a unity of purpose among people who had previously been concerned with their own island interests. They had also been drawn together into world-wide capitalism through the fisheries, introduced to a world-wide religion and its Torres Strait wide organisation through the missionaries, and become enmeshed in a Western colonialist administration. The 1936 Maritime Strike was consequently successful because of the wider Torres Strait Islander identity produced by colonialist expansion, as well as being caused by the domination resulting from it.
By 1936, the year Koiki Mabo was born, Torres Strait Creole had developed throughout the Strait as a *lingua franca*, and on some islands had replaced the traditional language, but not on Murray. The Islanders were also becoming familiar with English, the third language of Murray Islanders. Torres Strait Islander English had become a regional dialect, as different from Standard English as Yorkshire or Cornish English.

The strike lasted for four months in the Western Islands, while in the east the Murray Islanders boycotted the government-controlled fisheries until after World War II. Their gardens and the sea could sustain them. Indeed, Murray Islanders are believed to have instigated the strike. They had always been noted for their self-assertive independence and had been dubbed ‘the Irish of the Torres Strait’. Strong leaders emerged to lead their fractious people until another strong leader challenged the old order. On Mer, ‘everyone *mamoose*’; the Meriam said of themselves, everyone is a chief.³ Throughout much of the colonial history, strong Meriam leaders had emerged to limit as much as possible the intrusion of Queensland’s colonialist controls into Meriam life. On more than one occasion they had defied Queensland authority, the 1936 Maritime Strike being but the best-known example before the Meriam demanded of the Queensland Government, in the High Court of Australia, the return of the native title to their land. Koiki Mabo was born in the year of the Maritime Strike and died in the year the Meriam won their ten-year High Court challenge that destroyed the concept of *terra nullius* on which Australia was founded.

After our return from Canberra in 1984 I asked Koiki Mabo to put his account of his life on tape. This he did, without interruption, for some time. We then developed a dialogue in which I asked him to elaborate on some aspects of his story and, in the process, more of his story unfolded, but it was still very much work in progress when he died. Because of his unique place in Australia’s history, I have edited the tapes to express his perspective of his life in his own words and minimised, as much as possible, my contribution to the dialogue. In Chapter 8, ‘A Very Active Activist’, I have tried to reflect the kind of life he led, and his perspective of it, from 1985 until his death, as much as possible in his own words, from his diaries and a selection of his personal papers. This then is Koiki Mabo’s perspective of his life. It is my attempt to complete the autobiography we set out to create.

To enable the reader to fit these fragments of Mabo’s life into a more coherent whole, I have set down a more comprehensive overview than he and I were able to achieve together. This derives from the material narrated by Mabo, from extensive discussions with his widow, Bonita (Netta) Mabo, and her family, other sources, and the excellent Guide to the Papers of Edward Koiki Mabo, prepared by the National Library. There are still uncertainties in a number of areas, for example the duration of the existence of the Black Community School and when he began work as a gardener at James Cook University. With regard to the Black Community School, it
seems the written records do not reflect accurately the dates the school operated, probably because there were some periods when the school functioned informally and records were not kept or have not survived. Although Mabo was much more precise than I can be about events in my life, there are times when he may have been a year or so out. However, the overview presented below is as accurate as I could determine, and will be useful for a reader to turn back to, to put some event into a chronological context.

Edward Koiki Mabo was born on Mer on 29 June 1936, the son of Robert and Poipe (sometimes spelt Paipe) Sambo, née Mabo. His mother died shortly after his birth and he was adopted by his uncle, Benny Mabo, and his aunt, Maiga, in accordance with Torres Strait Islander custom. He grew up and went to school on Murray.

Because of his grasp of English, his third language, he was employed briefly as an assistant teacher on Yorke Island by schoolteacher Robert Miles and as an assistant to a Queensland Government health team.

From 1953 to 1957 he worked out of Murray on luggers fishing for trochus shell.

In 1957 he moved to the mainland and until 1960 worked at first on luggers, then as a canecutter, a fettler in the railway, and as a labourer at the Townsville Harbour Board where he found permanent employment from 1962 to 1967.

From 1967 to 1975 he worked as a groundsman and gardener at James Cook University.
In 1960 Mabo had become involved with the trade union movement when he became a union representative and spokesman for Torres Strait Islanders on the Townsville-Mount Isa rail reconstruction project.

In 1967, with trade union support, he initiated and participated in the seminar, ‘We the Australians – What Is to Follow the Referendum?’, which involved over 300 black and white North Queenslanders.

In 1973 Mabo’s request to visit Mer with his family was formally rejected by the Chairman of the Murray Island Council. Earlier requests had apparently been frustrated informally by denying him a berth on the supply boat.

Mabo’s involvement in black organisations in Townsville dates from 1962 when he became secretary of the Aboriginal Advancement League, later the Aboriginal and Islander Advancement League, a member of the Australia-wide, multi-racial Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI).

In 1970, after internal tension, he resigned and became president of the Council for the Rights of Indigenous People, an all-black organisation. This organisation supported the establishment in Townsville of a number of all-black organisations: the Aboriginal Legal Aid Service, the Aboriginal Medical Service, and the Black Community School.

The Black Community School was the brainchild of Mabo and his friend Burnum Burnum. Mabo was Director of the Black Community School throughout its existence from 1973 to 1985.
Mabo was involved with other black organisations in Townsville and had executive positions in a number. From 1975 to 1980 he was President of the Yumba Meta Housing Association, and from 1986 to 1987 Director of the other Townsville Aboriginal and Islander housing cooperative, ABIS.

From 1987 to 1988 he was Vice-Chairman of Magani Malu Kes, an organisation which stressed Torres Strait Islander identity and autonomy because of what they saw as the neglect of Islanders in indigenous issues in comparison with Aboriginal people.

Mabo’s involvement in these organisations made him a national figure in black Australian circles which led to his being asked to be on a number of national advisory bodies.

From 1978 to 1979 he was a member of the Australian Institute of Aboriginal Studies Education Advisory Committee, and in 1984 was co-opted to the Social and Anthropology Committee. That year he was nominated to the History Committee but all committees were disbanded soon after.

At various times Mabo was employed by organisations working directly with Aboriginal and Torres Strait Islander people.

From 1978 to 1981 he was employed as assistant Vocational Officer in the Commonwealth Employment Service.

In 1985 he was field officer with the Townsville Aboriginal Legal Service, and from 1986 to 1987 he was in a training scheme which involved his being Assistant Director of Aboriginal Arts in Melbourne’s Moomba Festival.

From 1987 to 1988 he was employed by the Commonwealth Department of Aboriginal Affairs as the Community Arts
Liaison Officer for the Festival of Pacific Arts, held in Townsville in 1988.

From June 1981 to 1984 Mabo was enrolled in the Aboriginal and Islander Teaching Program (AITEP) at Townsville CAE and, after amalgamation, at James Cook University. He did not complete his Diploma of Teaching but was still considering further tertiary education in the last years of his life.

In 1981, at a land rights conference at James Cook University, a group of Murray Islanders, with Mabo as the leading litigant, decided to take their claim for native title to the High Court of Australia.

In May 1982 *Mabo and Others v. the State of Queensland* commenced.

In October 1982 an unsuccessful attempt was made to reach an agreed statement of facts.

In 1985 the Queensland Government passed the *Coast Islands Declaratory Act* to extinguish retrospectively any native title to land which may have existed prior to British annexation.

In February 1987 the High Court requested the Supreme Court of Queensland to determine the issues of fact in the case. This was adjourned when the validity of the 1985 *Queensland Coast Islands Declaratory Act* was challenged in the High Court.

In December 1988 the High Court declared the 1985 Queensland legislation invalid by a majority of only 4 to 3 on the ground that it was inconsistent with the 1975 Commonwealth *Racial Discrimination Act*. 
In November 1989 the Queensland Supreme Court recommenced hearings into the statement of facts. This is now termed the Moynihan Inquiry. Moynihan delivered his judgement on 16 November 1990.

In May 1991 the case was heard in the High Court.

On 3 June 1992, by a majority of 6 to 1, the High Court ruled in favour of Mabo in *Mabo and Others v. the State of Queensland (No.2)(1992)*. This destroyed the legal doctrine of *terra nullius* by which Australia had been colonised.

On 21 January 1992 Edward Koiki Mabo died in Brisbane while being treated for cancer.

On 1 February 1992 Mabo was buried in Townsville in one of the largest funerals seen in that city.

In 1992 Mabo was posthumously awarded a Human Rights Award by the Human Rights Commission and an Australian Achiever Medallion by the National Australia Day Council.

On 26 January 1993 Mabo was posthumously declared the 1992 Australian of the Year by the *Australian* newspaper.

On 13 January 1995 Bob Millington in the *Age* dubbed Mabo one of Australia’s 20 most influential historical figures.

On 3 June 1995 Edward Koiki Mabo’s tombstone was unveiled in a magnificent Torres Strait Islander ceremony, with Annita Keating present as the Prime Minister’s representative. This had been preceded by a celebration of Mabo’s achievements in the city heart and followed by a huge feast and Islander dancing at night.

On the same night, the grave was desecrated.
PROLOGUE

On 18 September 1995 Mabo’s body was reburied at his village, Las, on the sacred hill of his ancestors. On the following day the tombstone was again ritually unveiled.

On 21 May 2008, in Townsville, James Cook University named its library the Eddie Koiki Mabo Library to create a living monument that will exist as far into the future as anyone can envisage.

In the Torres Strait, where Mabo had been seen by some for much of his life as a troublesome radical, Mabo Day is celebrated as an official holiday.