These days fishing is done recreationally, being an occasional feed of fish for the largely interrelated families who live at Wreck. However up until the 1950's, as Egloff notes, "seven to eight crews of Aboriginal fishermen operated out of Wreck Bay when netting was profitable." This labour initially involved back-breaking work:

> Catches made at Mary Bay had to be lugged up the sea cliff to Beach Road. The (fish) Boxes, each of which formerly contained two four-gallon Kerosene tins, were so heavy that many men were physically damaged from the constant strain.

After this period, general overfishing on the eastern Australian coastline led to depleted fish stocks, and an end, after millenia, to a strong economic link between Wreck Bay koories and the sea.

Egloff has put together a well researched effort. The bibliography is a useful stepping-off point for anyone interested in further inquiry from anthropological, political or historical perspectives. Despite the brevity of the work, there is no doubt that it is accurate and well documented. After a brief introduction to the current land rights and political situation at Wreck Bay, Egloff discusses the pre-European period in the region and the early period of occupation by the whites. The picture one gathers from this is fragmented, because much of the history of early contact has been lost.

The period of the establishment of the settlement at Wreck Bay early in the century and some of the changes which have occurred since is then discussed. The book concludes with a chapter on the history of protest, land rights and self determination.

If the book lacks something, it is life. It tends to be an overly impartial and academic observation rather than incorporating some of the living, breathing oral history used by the locals. Further there is almost no discussion of a range of issues affecting the contemporary situation at Wreck, including unemployment and the lack of housing. Racism and oppression are merely touched on by implication. There are almost no direct quotes from the local koories, some of whom, like George Brown or Arthur McLeod, could certainly have injected some much needed pathos and humour into the work.

DAVID IMLAH*

Two Laws by N Williams, Australian Institute of Aboriginal Studies, Canberra, 1987.

This book is concerned with the resolution of disputes in an Aboriginal community. It deals with the Yolngu people living in the north eastern corner of Arnhem land at the Yirrkala mission, in the area known to non-Aboriginal people as the Gove Peninsular of the Northern Territory.

The research for the book was conducted during the late 1960s and early 1970s, a key period in the process of colonialism in that region, as white justice mechanisms were

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imposed on a pre-existing system for resolving disputes. The book analyses how the Yolngu people attempted to maintain their own dispute resolution mechanisms in the face of a foreign system. It also demonstrates the implicit racism in assumptions made by many non-Aboriginal people about how Aboriginal social and political organisation function. Williams notes that:

> People involved in the administration of Australian law generally believed Aborigines traditionally lacked political institutions, including those of governance and adjudication.[1]

The book is centrally concerned to describe such a system of adjudication.

During the 1960s in the Northern Territory, Aboriginal councils were developed on government settlements and mission stations so that "Aborigines could learn to govern themselves". The book is important in showing the shallowness of such assumptions, and for demonstrating the complex arrangements which existed to resolve disputes among Yolngu people. It was also evident to Williams that at Yirrkala there was a failure by the missionaries to recognise that the council should exercise jurisdiction over specifically Yolngu matters.

The missionaries formally constituted the Village council in the mid 1960s, with one aim stated to be to provide "experience in the decision-making process". From Williams' account of the council meetings she attended it is clear that the white-imposed form of the Council was used along traditional lines. Most were "like clan meetings, including those held to settle disputes. The order of speaking was governed by the issue and by seniority, and decisions were based on consensus ... decisions had to express a consensus if they were to be implemented".[2]

Williams notes the points of tension between white Australia and Yolngu over concepts of land use and resources. Such conflict related to the land itself and assumptions about time. Williams states that "the Yolngu rationale of land use, based on the availability of natural resources at certain times of the year, involved concepts of conservation so that a minimum of effort would provide maximum returns and leave time free to engage in artistic, philosophical and religious pursuits".[3] However by 1970 all activities on the mission station conformed to a "normal" work schedule of 8 am to 5 pm Monday to Friday, with the day punctuated periodically with the regular sound of an amplified horn. Williams notes that there was resentment of the fact that only whites were "bosses" and that Yolngu people were regarded as incompetent.

There is an extensive discussion of the mechanisms available to settle disputes which centre around what Williams defines as clan moots. The procedures in that process involve the intervention by a clansmen with authority, the gathering and checking of evidence, the obtaining of an admission of all culpable acts, confirmation of findings and the application of sanctions.[4] Williams also analyses the nature of grievances within the

1 At 6.
2 At 49.
3 At 26.
4 See pages 51 and 79-95.

community. The largest source of grievance was the breakdown of contractual obligations relating to kin including bestowal, betrothal, marriage and support. Other grievances related to allegations of sorcery, breaches of religious restrictions, failure to acknowledge specific rights (such as those over land) and breaches of sanctions.

During her twelve-month stay Williams was aware of no grievances based on theft which involved only Yolngu people. She notes that the use of property may be rationalised by kin-defined obligations and that title to the particular property remains with the "owner" regardless of the number and distance of subsequent users. In other words "exclusive possession is not the index of ownership".[5] Cultural values also highly prize generosity. The absence of theft is an interesting example of the relationship of "crime" to a particular social and economic organisation.

Williams analyses the mechanisms for making public a particular grievance and thereby transforming it into a recognised dispute. Such mechanisms involved verbal declarations of the grievance (without or without the threat of physical injury), the destruction of property, the withdrawal (or threat of withdrawal) of support, and assault.

There were several possible sanctions which could be applied. Temporary exile was considered a primary sanction and generally lasted between a week and three months. Temporary internal exile was also applied. Such a sanction involved specifying particular boundaries within which the offender could move and was generally related to separating the person from the social space occupied by the victim. Restitution was another sanction which could be applied. Williams notes that physical sanctions were less frequently or severely applied because it was recognised that the use of such a sanction could result in the uninvited intervention of the white criminal justice system.

Two Laws concludes with a discussion of the manner in which Yolngu people responded to white Australian law. The foreign law was understood through concepts derived from their own law. Yolngu people gave a de facto acknowledgement of the jurisdiction of white Australian law as standing above their own. However Williams notes that there were ambivalent and contradictory attitudes towards an acknowledgement of the de jure status of Australian law.

Yolngu people attempted to maintain the important features of their own law which they regarded as essential to the maintenance of their own society. Strategies to achieve this involved minimising the limitations placed on Yolngu authority. Such authority was maintained partly by dividing jurisdictions between "big trouble" and "little trouble". Big trouble involved assaults resulting in serious injury or death. White jurisdiction was recognised *at the invitation of Yolngu leaders.* Little trouble was defined partly through exploiting the lack of comprehension which whites exhibited of Yolngu kinship networks. White Australians perceived many Yolngu disputes as "family problems" or "domestic disputes" and defined such disputes of less importance. This white misunderstanding of kinship and the significance of kinship in the fabric of social organisation played a part in Yolngu definitions of "little trouble" and their ability to exercise traditional dispute resolution mechanisms.

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5 At 74.

The maintenance of a Yolngu jurisdiction was one way of subverting the process of colonialism. The use of the village council was perceived by white Australians

> as supplementing the work of white authorities in the day to day administration of the mission station. They urged the council to enforce regulations promulgated by mission authorities ... they saw the council as an extension of the authority of mission officials.[6]

However Yolngu members of the council attempted to use the council to enforce appropriate behaviour as determined by traditional kinship relations. The council considered that intervention by the white Australian justice was legitimate only if requested by senior clan members or the president of the council.

Two Laws provides a first hand glimpse of colonialism. One senses the struggle, the resistance to the imposition of a foreign culture and foreign forms of control and the very different understandings which exist of particular institutions. There is the subversion of meaning and the subversion of power. Unfortunately this level of understanding is left implicit in the book at some stages. The analysis often raises as many questions as it answers. There are times when I wished the formalistic description of inter-clan relationships were replaced with other forms of political analysis, particularly that of gender. Still, the book is interesting and provides important insights into the mechanisms of dispute resolution.

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6 At 138.

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