

What is Evidence?

Part 3: Confusion stops Mägaya (the big peace)

In this podcast series, Maratja Dhamarrandji (MD) and Richard Trudgen (RT) discuss why Balanda (mainstream western Australians) do not recognise Yolŋu law, its foundational source, array of evidence, and the many checks and balances that underpin it. One of the main problems leading to this *marr-dhumbalyun*, confusion, is language. When Balanda arrived in Australia 200 years ago, they brought their own law and language. They brought their own parliament and established their own way of doing things. When they observed Yolŋu culture and customs, they named them with English terms, using phrases such as 'the dreaming', 'hunter gathers', 'primitive', 'nomad', 'gone walkabout', 'payback' and 'rule of elders', instead of the *gurraŋay matha*, or proper academic Yolŋu Matha language that should have been investigated and attributed instead.

Yolŋu law is *mägaya rom*, the legal way of striving for a state of peace and harmony, by respecting one another and creating protection for all. The servants of the law and people are the *dalkarra djirrikay*, political leaders, not simply 'elders', but qualified leaders who have studied the law and are given *ganydjarr*, authority, through a process in which they are enthroned. These leaders then determine who belongs to what land through a series of evidence, checks and balances that exist for all the *rom wataŋu walala*, Yolŋu citizens, such as knowing the different surnames within each of the *Bäpurru* corporate clan groups, displaying the *Dhulmu Mulka*, title deeds dilly bags and *gamunungu* title deeds. These and other forms of evidence are recognised inside Yolŋu legal processes and their own *ŋärra*, chamber of law.

Even though many Yolŋu people can speak English now, they use the Balanda names attributed to Yolŋu law instead of what it is actually about. If we want to turn this confusion around, Yolŋu have to stop using Balanda words and start learning different words and terminology to describe the original Australian law instead.

This podcast series helps us to see how Balanda have created a naming for Yolŋu and Yolŋu have created a naming for Balanda. We're naming each other's cultures, rather than knowing the real law that exists on both sides.

Story No. 1: Why can't Balanda see the Evidence?

Richard Trudgen: Yo, good morning brother.

Maratja Dhamarrandji: Yo, good morning Wamut (skin name for Richard Trudgen).

RT: Brother, look we've been talking about that subject evidence from a Balanda perspective. What Balanda think in relation to evidence for your landowners and estate owners and things like that. Yeah?

MD: Yo.

RT: And you've been asking me a lot of questions about that, what is the Balanda evidence?

MD: Yo, yo.

RT: I know you've still got a question there, yeah?

MD: Yo, yes I've still got a question here.

RT: Yeah.

MD: Balanda still don't recognise our evidences at law. We can give the evidences and tell the different surnames within each Bāpurru corporate clan group and things like that.

RT: Yeah things like that.

MD: Yo. Yo. Yolŋu, things like our dilly bags and paintings title deeds.

RT: Yeah.

MD: We can tell all these things...

RT: Yeah.

MD: The surnames and the Bāpurru corporate clans.

RT: Yeah.

MD: Yo, yo, the things that are announced inside the legal processes.

RT: And the checks and balances through the Rom waṭaṅju walala, Yolŋu citizens, Mari gutharra, maternal grandmother and grandchildren, Yothu Yindi, the children mother's people relationships.

MD: Yes, all of them, all of these evidences.

RT: Yeah.

MD: This says it all, the Mari Gutharra and Yothu Yindi.

RT: Hmm.

MD: All these tell us who the landowners are.

RT: Yes.

MD: ḡarra' (chamber of law) tells us who they are.

RT: Yes.

MD: Dalkarra djirrikay, political leaders, they know who the land belongs to correctly.

RT: Hmm.

MD: We don't pretend. We returned to the evidence that exists.

RT: Yeah.

MD: Like the title deeds dilly bags and other check and balances.

RT: Yeah, yo.

MD: These can tell us who belonged to which land. The dalkarra and djirrikay political leaders can tell us who owns what land.

RT: Hmm.

MD: Djirrikay is Dhuwa and dalkarra is Yirritja.

RT: Yirritja, yeah.

MD: Yo, Yirritja.

RT: What's that word you just said for 'pretend' again? Just give me that word again?

MD: Warkuyun, you don't lie and you don't tell lies.

RT: You don't pretend and you don't tell lies about who the landowners are.

MD: Yo, you don't.

RT: Yep.

MD: No, you don't.

RT: Right.

MD: The law of njärra' (chamber of law) and our law says.

RT: Hmm.

MD: No you don't.

RT: Yes, right.

MD: Dalkarra djirrikay, political leaders, are the ones who say who belongs to which land.

RT: Hmm.

MD: This is who we listen to.

RT: Hmm.

MD: The old people tell us.

RT: Yeah.

MD: This is where the big law is explained.

RT: Hmm.

MD: You see, we know who belongs to each parcel of land. And the surnames and the names of all corporate clan groups.

RT: Yeah.

MD: Wamut?

RT: Yo, go...

MD: Why don't Balanda recognise our evidences at law that belong to Yolŋu, that we can see?

RT: Yeah, why don't Balanda recognise the evidence that Yolŋu have?

MD: Yo.

RT: Around their landownership and the estate ownership.

MD: Yo.

RT: True good brother.

MD: The landowners and all that.

RT: Yep.

MD: They just don't recognise it.

RT: Hmm.

MD: Maybe we should display the Dhulmu Mulka (title deeds) dilly bags or the gamunungu title deeds (paintings)? Or we should dance out the ceremonial song line sequence for that country. Or the dalkarra and djirrikay (traditional, not recognised by Balanda, political leaders) should speak it out?

RT: Yep.

MD: Or we should dance out the sequence. Or dalkarra speak it out.

RT: Hmm.

MD: Or djirrikay should speak out.

RT: Hmm.

MD: Whose land it is.

RT: Yep.

MD: Yo.

RT: Hmm.

MD: The evidences, the evidences.

RT: Yo, yo.

MD: Yo.

RT: I think, brother, there's a few reasons, ah. But the main problem why Balanda can't see your evidence or who are your landowners is language, the confusion around language.

MD: Yo.

RT: Umm, but some Yolngu are saying, 'but we can speak English now'. Yes you can speak English but you're using the wrong names. You're using the wrong words, hey?

MD: Yo.

RT: Because you're using the Balanda words, what they think your law is all about.

MD: Yo.

RT: Let me make it a bit clearer. When the Balanda arrived here 200 years ago in the south of Australia, they observed your culture and customs, Aboriginal culture, hey? And they named your culture, hey?

MD: Yo.

RT: They named it. And they named the culture as, ah, not intellectual.

MD: Hmm.

RT: They named it with their names, hey?

MD: Why did they do it this, why? Was it that they knew our law?

RT: No, they didn't recognise your law, they just saw your customs and culture.

MD: Oh.

RT: And they applied names to it and said...

MD: Yo.

RT: There is no law system of law. No dalkarra djirrikay (political leaders) they didn't even know your kinship system structure, like Mari gutharra, Yothu Yindi and those systems. All the checks and balances you're talking about. They made it invisible, they just rubbed it out, they just got rid of it by saying, 'Aboriginal people didn't have any law.'

MD: Yo, yo.

RT: Aboriginal people were just, 'it's just the rule of elders, it's just hunter gather, it's just nomads, going walk about.' Your law they call the dreaming, yeah?

MD: Yo, yo.

RT: It was Balanda that did that. It wasn't Yolŋu, it's English words, English language, it came from Balanda hey? They didn't, and don't even investigate your law or learn your law or anything, they just say 'no we already know you're lawless. You have no Parliament, no acts of law.'

MD: Yo.

RT: You have no title deeds because you've just got a primitive, backward system of law hey?

MD: Yo, yo.

RT: So they even stop investigation, we say in English, and they don't continue to work through what is the real situation, hey?

MD: Yo, yo.

RT: Some people will say 'but anthropologists have been sorting through this.' Well they have, but they are still stuck on the words that Balanda used in the past.

MD: Hmm.

RT: And it's that Balanda naming of your culture and now Yolŋu picking up those same words, like your laws, the dreaming, and saying, 'ah we are primitive people, like hunter gathers.' But Yolŋu using those names stops the process in finding the true foundation story in relation to your law.

MD: Yo.

RT: That's the main problem, yeah? But we're running out of time this morning, so I want to come back and we'll talk about this some more in a minute or two hey, yo?

MD: Yo, okay!

RT: Let's return to this conversation in a moment.

MD: Yo.

Story No. 2: Our leaders & elders are servants of the law

MD: Yo, Wamut.

RT: Yo, brother, come.

MD: They (Balanda) don't recognise our law.

RT: Hmm.

MD: They just name it.

RT: Yeah.

MD: With their own names, in their language. They just name it.

RT: Hmm.

MD: They have named it.

RT: Hmm.

MD: But they don't really understand it with the depth of its full meaning and understanding. The real depth of what we are saying is not appreciated.

RT: Hmm.

MD: Do you see it?

RT: Yeah.

MD: Like we use the English terms but most of the time we don't really understand what is the true story, the underlying principles. We don't really understand them.

RT: Yes, so there's the two-way confusion. The two-way confusion, hey?

MD: Yo, yo.

RT: Because you use the Balanda words that you hear the Balanda talking about, like our law is 'the dreaming', 'Aboriginal law is the dreaming', things like 'you're just hunter gathers', and things like that.

MD: Yo, yo, yo, yo.

RT: Ah, or when the Balanda say, 'oh Aboriginal law is just a 'rule of elders', a rule of elders', yeah?

MD: Yo.

RT: Ya dilak, just elders.

MD: Yo.

RT: Just elders making up the law by themselves.

MD: Yo.

RT: And so you're not seeing – in those English words – that they are making the connections back to the foundational law invisible.

MD: Yo.

RT: See Balanda don't know that you received the law from the creators, yeah?

MD: Hmm.

RT: The creators along the north coast of Australia, through the Djan'kawu, two sisters, and Barama creator agents.

MD: There's a clear distinction that exists.

RT: Yo.

MD: That divides it into Dhuwa and Yirritja, yo?

RT: Yes.

MD: Yirritja story is separate, yo?

RT: Well Balanda don't even really understand Dhuwa Yirritja, so...

MD: Yo, yo, yo.

RT: They don't even understand the children's stories.

MD: Yo, yo, yo.

RT: When it comes to Aboriginal law, Balanda don't even know the kindergarten story, hey?

MD: Yo, yo.

RT: And this is where we're having a problem. How can we have a conversation and give information to Balanda, whether it's government, bureaucrats, politicians, or whoever?

MD: Yo.

RT: Because the politicians and the government bureaucrats, they don't even recognise the dalkarra djirrikay. The political leaders, hey?

MD: Yo.

RT: Not once have they recognised the dalkarra djirrikay, the political leaders in Arnhem Land, hey? Your political leaders.

MD: Yo.

RT: And so they don't recognise your parliament, they don't recognise your law.

MD: Yo.

RT: Even though your law, you've already Wana-lupthun, you ascent to that law.

MD: Yo, yo.

RT: All the citizens.

MD: Yo, yo.

RT: All the citizens, rom watanju walala.

MD: Yo, and while we are at it, the dalkarra djirrikay are not the bosses.

RT: Hmm.

MD: Dalkarra djirrikay. They are just servants to the law, servants they are.

RT: Right.

MD: Servants.

RT: Let's just talk about that a bit, so...

MD: Yo.

RT: So you're saying the dalkarra djirrikay, the Yolju political leaders, are not the big bosses?

MD: Yo.

RT: But they really are servants of the law.

MD: We respect them, dalkarra djirrikay, because they understand the information. The inside information they know.

RT: Yeah.

MD: But truly they are a servant. Servants revealing, eliminating, revealing whose land it is. You see? We return to the dalkarra (to know the truth). If you know dalkarra song lines you know where it all fits in. Yo, these are the right people, the whole kinship relationship system comes together. Yothu Yindi, the mother's people and the children born from them. Mari-gutharra, the mother's mothers people and the grandchildren, yapa, sister relationship. You will know everything.

RT: Yeah.

MD: Everybody understands before they assent to the law. Who will tell this?

RT: Yeah, so the dalkarra djirrikay are the servants of the law.

MD: Yo.

RT: And I think I could say clearly, they're the servants of the people.

MD: Yo, of course!

RT: Because the people...

MD: Yo.

RT: Because the people give them that ganydjarr, that authority.

MD: Yo.

RT: Through that process, through that process where they are enthroned.

MD: Yo, it's a process like in Balanda law, they have to learn all the law. Even through the university where they get a doctorate or whatever. Like that. There's a recognition even through the Yolŋu processes of law where we pay them respect, to the dalkarra djirrikay.

RT: Yeah.

MD: But entirely, truly, they are just a servant of the Yolŋu people.

RT: Yeah, yep, of the people.

MD: Yo, servants of the people.

RT: Yeah, yeah, of the rom watangu walala, of the citizens.

MD: Yo, yo.

RT: See if we could use this language when we're talking to Balanda instead of the Balanda crazy naming used for Aboriginal law, like 'dreaming', 'hunter gatherer', 'primitive', 'nomad', 'rule of elders', things like that. Hey, because when they're saying rule of elders, they're saying dilak are the bungawa. Now is that right under Yolŋu law, that dilak are the big bosses?

MD: The dilak are the elders Yolŋu.

RT: Hmm.

MD: they are like dalkarra djirrikay. And dilak elders that know our knowledge.

RT: Yep.

MD: It's the dilak that are there.

RT: Yep.

MD: Like I'll give an example for my country. Garla Binyanbi, that's my country. The Dhamarrandji mob, they sat down there. I know my elders and leaders.

RT: Yeah.

MD: And their Djungaya (traditional police, master of ceremonies, lawyer, public servant, manager) and the gutharra, the grandchildren's clan. The elder's leaders.

RT: Yep.

MD: I know them. And will not speak to them.

RT: Yep.

MD: I will approach them in a legal way.

RT: With respect

MD: Yo gurrurruk, gurrurruk rom, with respect, with respect.

RT: gurrurruk, respectfully.

MD: gurrurruk rom, respectfully.

RT: With gurrurruk rom, with respect.

MD: Yo. I'm still a child, a small one. Only now I'm growing. You see?

RT: Yep.

MD: And I'm not going to go too quickly. Not move too quickly. Go slowly, slowly as I move forward. Maybe I'll reach a leadership position later on.

RT: So, you move very slowly in that area of learning about leadership, all that?

MD: Yo, yo.

RT: You don't rush ahead.

MD: Yo.

RT: Because you need to respect the elders who are before you.

MD: Yo.

RT: But can the elders be *liya-gäna*, act like dictators, or do they *malktun*, accompany the way of the law. They are the law themselves or they follow the law?

MD: They follow the law.

RT: They have to follow the law.

MD: *Mari-gutharra*, checks and balances, existed for them. In the system already in the *Madayin* system of law, how to live. Nobody can *guwal-budaphun* (usurp authority over, become the law themselves), nobody can overcome the law.

RT: Yeah.

MD: Forgive me as I am a minister of the word, a teacher of the word.

RT: Hmm.

MD: The Bible says, "do not cross the boundaries what the ancestors have drawn".

RT: Yeah.

MD: Our law is similar, hey.

RT: Yeah, just like the bible says.

MD: Yeah, stop.

RT: Don't cross the boundaries that the ancestors have drawn.

MD: *bilin*, finished completed.

RT: And those ancestors you're talking about are the creators spirit *Djan'kawu* (sisters) and *Barama*?

MD: Creator spirit *dja mala*, they were like representing someone.

RT: Representing.

MD: Representing someone. I don't know, maybe *Wanjarr* the great creator spirit.

RT: They were representing the great creator spirit.

MD: Yo.

RT: *Mimay'*, the undistinguishable, unknown one.

MD: Yeah, yeah, yeah.

RT: Yep.

MD: Making the way.

RT: Hmm.

MD: Constructing a path, you see?

RT: Yeah.

MD: Because they don't want lawlessness, anarchy.

RT: Yeah.

MD: Anarchy even in the Yolŋu law. No.

RT: They don't want lawlessness.

MD: No. Yo. This is their dja, aim.

RT: Hmm.

MD: Maybe treating Yolŋu, the land and the ringgitj alliances, and the gurrutu relationships in a good way, mägaya rom (legal way of peace and harmony)...

RT: Yeah, yeah, yeah, yeah.

MD: Respecting one another, you see?

RT: So the rom law should create that state of mägaya the big peace?

MD: Yo.

RT: The big peace, the protection for all.

MD: Yo.

RT: Protection for all.

MD: Yo.

RT: Yeah, brother let's come back again because we're running out of time again. Let's come back and face each other again.

MD: Face each other again yo, yo. Okay move on.

RT: Yeah, yeah.

Story No.3: Confusion causes disbelief in Yolŋu law

MD: Yo, Wamut, I want to return to talking about the meaning behind law.

RT: Yo, yo.

MD: Yolŋu law and Balanda law. Why don't they recognise each other?

RT: Yep.

MD: Yolŋu and Balanda law. They don't recognise each other. Why, what for?

RT: Yep, and let's just go back to when Balanda arrived here in Australia.

MD: Yo.

RT: They brought their own language, culture and law. Everything. Their own parliament and their military.

MD: Yo.

RT: They brought all their stuff with them and their matha, language. And so they established their language, their way of doing things, their law, their Parliament, everything.

MD: Yo.

RT: And they were ignorant in relation to your languages, right?

MD: Hmm.

RT: And when they first arrived in Sydney it took them one, even two years, to learn 'yo' and 'yaka'?

MD: Yo, yo, yo.

RT: Even learning the words 'yo' and 'yaka' meaning yes and no, took them maybe one year to learn, hey?

MD: Hmm.

RT: So, they're not going to learn the deep meaningful law, the deep academic law. The gurranjay matha, the academic language or anything, they're not going to learn any of that. We're just learning that now in Arnhem Land, 200 years later, hey?

MD: Yo.

RT: The Balanda were very confused, so they named your culture, hey?

MD: Hmm.

RT: It's not because they're bad or anything like that, it's because matha language is very different, culture is very different, their way of doing things is very different, history is very different, and things like that, hey?

MD: Yo.

RT: So if we want to turn this around, Yolŋu have to start learning different words and terms. Not using their terms or words. Like some of the words Balanda have placed down or named like 'your law is the payback law', hey? Is that true? Your law is just 'payback'?

MD: Yo? I don't know what do they mean by that? I'm not quite sure what they're saying.

RT: What they mean by that?

MD: Yo, yo.

RT: What they mean by that, is that your law is all about revenge. There is no law, there is no mägaya big peace law, there's no mägaya way to sort it out. It's just revenge, you just want to quickly 'payback'. That's it, no law, nothing, no process to work through it.

MD: Hmm.

RT: Like let me say it straight, like 'primitive' people who are lawless. Like just the same way Yolŋu think about Balanda, hey? A lot of Yolŋu think Balanda are lawless, got no legal processes, they've got no intellectual meaning. And they just make law up in their heads. They go to sleep at night, they think of a new law, they make it up and they make this law straight away in the morning, hey?

MD: Yo.

RT: A lot of Yolŋu think that about Balanda yeah?

MD: Can I ask you about scripture, word of God?

RT: Yeah.

MD: Yo, yo.

RT: Yeah, if you want to.

MD: Acts 17 tells us: 'God who made the world and everything in it, being the Lord of Heaven and Earth, does not live in temples made by man. Nor is He served by human hand as though He needed anything. Since He Himself gives to all mankind, life and breath and everything and He made from one man every nation of mankind to live on all the face of the earth having determined allotted periods and boundaries of their dwelling place that they should seek God and perhaps feel their way towards Him and find Him. Yet He is actually not far from each one of us.'

RT: Yeah.

MD: For in Him we live and move and have our being, even some of your own poets have said, for we are indeed His offspring.

RT: Yeah.

MD: This is Paul's encounter with the dalkarra djirrikay political leaders, people in Athens.

RT: In Athens when Paul was with the political leaders there, yeah.

MD: Yo, here he speaks of deep meaning and mystery.

RT: Yeah.

MD: That the Lord is the owner or the whole wide world.

RT: Yeah.

MD: Even us Yolŋu, somehow it is God divine purpose and intentions of his being that he put us here.

RT: Yeah.

MD: In this place, this land.

RT: Yeah, yeah.

MD: What is wrong with what he is given to us, what is wrong?

RT: Yeah.

MD: Then there is something in the law, that something about himself.

RT: Yep.

MD: That is going to come later.

RT: Yeah.

MD: Just like Moses explained things and all the law.

RT: Yeah.

MD: Later on Yolŋu, us Yolŋu will be here.

RT: Hmm.

MD: Us Yolŋu in the bible law, we can see it. Can you see it?

RT: So you can see there in the scriptures...

MD: Yo.

RT: The same as what God Waŋarr is saying to you through the creator, our ancestors they're called, I like to call them creators.

MD: Yo.

RT: Angels sent by the creator spirit.

MD: Yo.

RT: You can see the same line and story lining up, same, same, same, even though your stories are 40 – 60 thousand years old and the bible stories here are only a couple of thousand years old, hey?

MD: Yo, yo.

RT: But look at your example you're giving me brother. How many Balanda Christians think your law, your culture came from God the creator, how many Balanda Christians?

MD: I don't know. I'm not going to judge them. Now what I'm giving you is the evidence that the law of God, how God Waŋarr worked his law.

RT: Yeah, yeah.

MD: His law.

RT: Yeah, yeah.

MD: How ŋayi (he; she; it, neutral pronoun) exists in the māgaya law, law of big peace.

RT: Yeah.

MD: Law that ṅayi worked out.

RT: Yeah.

MD: Law he constructed for his reason and purpose for his law. Maybe so we could live in a peaceful way.

RT: Hmm.

MD: Process that he instigated for his own son.

RT: Yeah, yeah.

MD: Hmm, yo.

RT: But a lot of Balanda Christians, we've even got Christians that are flying around Arnhem Land now saying your law is pagan, evil, no good, hey? Right, is that true? Some? Hey?

MD: Well some are saying that.

RT: Some are saying that.

MD: Yeah, it's ok. But they have got to look at their own law first. Balanda law.

RT: Right.

MD: There's a lot of thing happening, yo.

RT: But brother, what I'm saying is, why do they say that? And I'm saying it's because the confusion, marr-dhumbalyun, that's created because Balanda create a naming, because Balanda name your culture, rather than those people spending how many years they need to learning it. I've spent 40 years now investigating your language, your law, your culture. I've worked on it now for 40 years or more now, hey?

MD: Yo.

RT: Rather than them investigating, they just believe that disgusting language, the names that previously have been laid down. Right, they just follow that.

MD: Yo.

RT: And they end up destroying the wonderful, wonderful process and systems. The wonderful gift that has been given to Yolŋu around the māgaya rom. About the peaceful law, to look after the citizens and everything else. They destroy even God Waŋarr's handiwork, yeah? Now even people with good hearts, good intentions can go the wrong way, hey?

MD: Yep.

RT: And follow the wrong things because they don't really know your law. And that's what I'm talking about.

MD: Yo, yo.

RT: And they're following those disgusting terms like 'payback', 'no law', no 'system of law', and things like that. Or the anthropologists say, 'they just follow one thing like the song lines' or something, hey? They don't look at whole information in relation to your evidence.

MD: Yeah.

RT: We're out of time again brother. Can we come back? We've got one more program this morning and we'll continue to talk about this a bit more, yeah?

MD: Yo.

Story No.4: We want the big peace Mägaya

MD: Yo, Wamut.

RT: Yo, brother come.

MD: Like right now, Yolŋu and Balanda don't recognise each other.

RT: Yeah.

MD: They have created a naming us and we have created a naming them.

RT: Them, yeah.

MD: Yet we are not recognising the true deep law that exists. Its true meaning and it's complicated processes.

RT: Yeah. We're naming each other's culture.

MD: Yo.

RT: Which is the wrong name.

MD: Yo.

RT: Rather than knowing the real law on both sides. On the Balanda and Yolŋu side.

MD: Yo, yes this marr-dhumbalyun rom, confusing law exists on both sides.

RT: That's confusion around law on both sides.

MD: Our Yolŋu law, it's like the mägaya big peace law and ḍärrpik, consistent with the source law.

RT: Our law, our Yolŋu law is the law of the big peace, mägaya we call it.

MD: Mägaya.

RT: It's like that word Sholom.

MD: Yo, in the Hebrew.

RT: Yeah like the Hebrew word Sholom, the big peace.

MD: Sholom.

RT: Yeah.

MD: Yo.

RT: And you also said that our law is also the consistent law from the foundation, the ḍärrpik law, yo?

MD: This law of ours is like you have said. There was the Yirritja creator, Barama and the Dhuwa creators, Djaŋ'kawu sisters.

RT: From the ancestors our law comes from them, yeah?

MD: From there it came.

RT: Hmm.

MD: They came and gave the law to us. Not all the law. Not the whole law. But enough law to keep the Mägaya, peace.

RT: The foundation law they gave you. Those creators came and they give not the whole law, but the foundation law to keep the peace. Yep.

MD: Yo, yo. How to live, how to look after our country, respecting and things like that. We know the law about everything. Our environment and how to exist and looking after one another.

RT: Yeah.

MD: You see?

RT: Yeah.

MD: Looking after each other, caring for each other.

RT: Yeah.

MD: Even for the ringgitj alliances between distant groups. Djulam (win-win way exists), tracks exist for trading alliances and buku djulkmaram exchange trade, other forms of economic trading.

RT: Yeah.

MD: All through a process of law.

RT: Yes.

MD: Not through a disrespectful, lawless legal process. Do you see it?

RT: Yeah, yeah, yeah, I'm with you.

MD: Not disrespectful, illegal processes, no. We should accompany a process of law. You see. Do Balanda people have law like that?

RT: Yes Balanda have law like that, they have the foundation law and they have the processes of law.

MD: Yes, and where is the law, I'm telling (asking) you now as a Yolŋu person.

RT: Yeah.

MD: And where is the Balanda foundation of law?

RT: The foundation law for Balanda, we'd have trouble finding it, hey? We can't find it. It's way back in the past. But there is no clear distinct foundational law that we know of, hey. And that's the big difference, Balanda can't go back to their foundation law. But you know your foundational law for 40 – 60 thousand years back. You've still got it today because you still practice that and you still ascent to that law, that foundation law, hey? Through the Wana-lupthun, through the assenting ceremonial process.

MD: Yeah, yo.

RT: Yep.

MD: The dhudi-dhawu (bottom story) is what is the mägaya rom (the Law that creates the big peace). There is a reason for every action we work through. There is a reason for it.

RT: Hmm.

MD: Why we straighten things up and making sure that the law is mägaya, peaceful, yuwalk, true, and dhapirrk, consistent with its source law.

RT: Mägaya, yeah.

MD: Dhapirrk, consistent with its source law, yeah.

RT: So you have systems that make sure the law is mägaya, is peaceful and tranquil, looking after the citizens, protecting their rights, all that type of stuff, all in that one word mägaya. And you have systems that make sure it's also dhapirrk, consistent with the source law. That's your main...

MD: Yo.

RT: Checks and balances at law when...

MD: Yo.

RT: When you work through the process of law, yeah?

MD: Yeah and we need checks and balances in place. Like responsibilities exist even for Yothu Yindi mother's people and children, Mari Gutharra grandparents grandchildren, and Yapa sister relationships. They all know, making sure it is consistent to the law, yo.

RT: That's important what you just said, so even in your gurrutu kinship system across many clans. Mari Gutharra, Yothu Yindi, Yapa Watangu sister owners and all the others, yeah.

MD: Yo.

RT: The rom watangu walala, we call it the citizens law, there's the checks and balances for all those different groups, to make sure that law is consistent with the source law, dhapirrk at your law, at the djalkirri source law and is mägaya mirri, and is protecting the rights of the citizens, hey.

MD: Yo.

RT: Peace and tranquillity for citizens, yeah.

MD: Yo.

RT: Now I don't think any Balanda know that. That's why they say, Aboriginal law is just a law of the elders. All the authority is in the hands of the dilak elders. But that's not correct, that's incorrect.

MD: Yo.

RT: Your law is your law, not the *liya-gäna* dictatorship type rule. Can't be *liya-gäna* dilak elders, hey?

MD: Yo, yo.

RT: Yo, yo.

MD: No it can't be.

RT: So Balanda say, 'oh Aboriginal law is a rule of elders', Yolŋu should say, no it's the rule of the citizens, of the rom watangu walala. Of all our citizens, hey?

MD: Yeah.

RT: Hey.

MD: Yeah, of course.

RT: From the youngest to the oldest.

MD: Yo, yo.

RT: And across different clans we're all checking each other, checks and balances, hey.

MD: Across all of them.

RT: Yes.

MD: Across the gurrutu kinship system.

RT: Right.

MD: Mari Gutharra, Yothu Yindi (across all the different relationship groups that have responsibility and authority at law), all of them know their responsibility.

RT: Yes.

MD: Yeah.

RT: But we have to use the English language back again. See, what you're explaining to me here is what Balanda call the 'democratic system', hey?

MD: Yeah, it's the democratic system. There is a democratic law in existence. But it's going back to the foundation *luku* (the first footprint created by a living being in the sands of time). We want *mägaya*. What is *mägaya*. *Mägaya*. We want *mägaya*.

RT: You want *mägaya*, you want that peace, tranquillity.

MD: We want to be achieving *mägaya*.

RT: Is the most important thing.

MD: Yo, yes this is what we want.

RT: Yeah.

MD: Not what people desire.

RT: Yeah.

MD: Not lawlessness or some form of dictatorship.

RT: Not just what people desire or lawless, anarchy or anything like that.

MD: Yo, yo.

RT: But *mägaya*, which is *mägaya* peace, which protects people's rights. For male, for female, for children, for old people, for everybody.

MD: Everyone.

RT: For all. For everybody, protecting their rights, yeah.

MD: Yo.

RT: And that protection of their rights comes from that *djalkirri* foundation law. That's what you're saying. You're saying our system is a bit different from democracy because we also put a lot of emphasis back on that *djalkirri* foundation law. So we don't lose that. What was given to us by the creator spirits, hey? *Barama* and *Djaŋ'kawu* sisters.

MD: Yo.

RT: What was given back then by the Great Creator Spirit through those creator agents, hey?

MD: Yo.

RT: It's what people want to always get back to because that protects our rights as citizens, our property, even our mulwaṭ our assets on our estates, our land, our country our yirralka estates. And our authority that comes to us through our ringgitj alliances, the authority that comes through that, hey?

MD: Not just on the land, but over the water also.

RT: Yep.

MD: Not just over the bushland but in the rivers and the water both fresh water and salt water.

RT: So not just over the land but also over the seas and the waters, the rivers.

MD: Yo.

RT: The billabongs, everything.

MD: Yo.

RT: Your yirralka we call it the estates, our estates.

MD: Yo.

RT: And we're out of time this morning, we need to come back another day and keep talking about this a bit more.

MD: Okay, get out of here.

RT: Yo, everyone... yo. Move on.

MD: Yo. Yo.