

107. The Third Makarrata way

In this podcast series, Rev. Dr. Djiniyini Gondarra OAM and Richard Trudgen discuss the third Makarrata mediation process. This is a legal mediation process carried out when a treaty has been broken between two corporate clan groups. It is a process for dispute resolution around economic issues of trade, land or shared assets, rather than smaller family disputes.

This third Makarrata process is carried out according to Maḍayin rom, the original Yolngu law, which unfortunately is still seen by mainstream Australians (Balanda) as just a spear fight or ceremony. Richard and Djiniyini alleviate this confusion by discussing the Makarrata process as a series of podcasts. In the [first Makarrata way](#), they explain this is a mediation process ending in a reconciliation ceremony after a murder or serious incident has occurred. In the [second Makarrata way](#) they talk about resolving disputes and finding reconciliation after someone has stolen something such as an object, equipment, an asset, or even a person.

In the third Makarrata way, they look at the process in which one clan invites another clan to sit down with them and work out a broken agreement between them, in a diplomatic way. This is carried out inside the Yolngu chamber of law, with witnesses and protection by guards, or the djungaya, Yolngu police. Therefore it is a safe space, controlled by the Mägaya rom, the way of big peace. The two clans may reach a consensus by agreeing to return to a strong relationship with each other as it was in the past. The offending group might not have known about a treaty agreement that was made generations ago. The conversation process will come to a climax when somebody admits that they have been misusing or abusing shared assets, and the previous treaty or a new agreement is arranged.

This English translation was done in a hurry at our own time and cost by Richard Trudgen.

Story No. 1: Diplomatic meetings

Richard Trudgen: Yo, good morning, Gamarraṅ.

Djiniyini Gondarra: Yo, good morning Wämut.

RT: Yeah we've done that Makarrata way number one, Makarrata way number two but you've got another way to get that Mägaya rom, the law of peace and freedom for all, you want to talk about that way too?

DJ: Yes Wämut. We have already produced Makarrata one and Makarrata two, and in this Makarrata three there is no use of the spear.

RT: Hmm.

DJ: you cannot use any type of thing (weapon). You have to create an sit in a safe place (illegal safe place).

RT: Hmm.

DJ: one at that is established through the Mägaya law (of peace and fairness towards all citizens).

RT: Hmm.

DJ: two corporate clan groups (Bäpurru) will come and talk together in relation to a higher level of law.

RT: Yeah.

DJ: high levels of law in relationship to land ownership or things around the Madayin system of law.

RT: Hmm.

DJ: all these sorts of things where they will agree

RT: OK.

DJ: they will have conversations as to how they can agree to a resolution process

RT: And that can still be called, it's still a Makarrata way, it's still called Makarrata? Is it?

DJ: yes this is makarrata. However do your member when I talk to you about that word djirrwar'yun.

RT: djirrwar'yun, yeah.

DJ: Yeah.

RT: Challenging.

DJ: the meaning of djirrwar'yun, one side, corporate clan group will challenge the other group by saying. Save the clan on the side will say to the other come that's debate with words.

RT: I see.

DJ: you see. Not with a weapon of any sort like a spear.

RT: Hmm.

DJ: there not challenging by running around (and challenging the other party).

RT: Hmm.

DJ: they are sitting in illegal safe place (a clan embassy respected by Madayin law) and they challenge the other side by saying, "come sit with us".

RT: I see.

DJ: that's talk together in a legal way, by using high level of Madayin law.

RT: I see.

DJ: by making requests of each other.

RT: Yes.

DJ: we will also set parameters as to what we can agree to and what we can't agree to.

RT: Hmm.

DJ: what is it that we can trade with each other and what is it we cannot trade with each other. Do you understand what the word buku djułkmaram-mirr?

RT: Yes trading yeah it's the trade.

DJ: Yes trading like, yo.

RT: What can we trade with each other.

DJ: Yeah what can we trade each other.

RT: So come and sit with us in this safe place (Mulka-wäŋa a place of legal sanctuary) and we'll talk together and we'll sortthings out.

DJ: what is this Mulka-wäŋa (legal sanctuary).

DJ then goes to on to name one of the legal sanctuary that are classed as safe places like on embassy under Madayin law.

RT: Yeah.

DJ: the legal crest of this sanctuary is a brown snake. (This is the one that RT was adopted into)

RT: Yeah.

DJ: then names another legal sanctuary that belongs to his corporate clan. With a legal crest of fire.

RT: Yeah.

DJ: This is a legal safe place for mediation to occur.

RT: Yes and so you'll choose a legal safe place. It might be yours or it might be the other persons, you might go to theirs, if they give out the challenge?

DJ: Yo, yes.

RT: Or if you give out the challenge it will be your legal safe place with the legal crest of fire...

DJ: Yo, yo.

RT: And... but you're inviting them to a law, a place of law where they speak in legal terms. Is that it?

DJ: Yo, yes.

RT: And that legal talk is a special term, it's talking about where people come and they talk Legally, they don't come and talk silly rubbish stuff hey?

DJ: Yo, yes.

RT: Yeah dhäruk- bakmaram they will. So that's another important concept hey?

DJ: and this number three Makarrata product process Wämut is not seen or understood by government.

RT: Right, yes.

DJ: the Northern Territory government has agreed to a process of Makarrata

RT: Hmm.

DJ: but they are completely ignorant as to what it means.

RT: Yeah most people are Gamarran, Northern Territory government, most people are ignorant as to what Makarrata means and you can call this Makarrata and it's really a mediation process. Isn't it?

DJ: Yo, yes.

RT: But a legal mediation process.

DJ: Yo, yes.

RT: With the protections of the law on both sides, yep?

DJ: Yo, yes.

RT: Hmm.

DJ: so this is what were talking about here this morning, as to what is the modus operandi, what is the modus operandi in relation to this form of Makarrata.

RT: Yeah that's pulling people away from the picture of Makarrata which Balandajust sort of see as a spear fight, hey?

DJ: Hmm

RT: And it's got nothing to do with a spear fight, this is one, the number three Makarrata. Is one clan challenging another clan. But the English word 'challenging' is abit strong. When you djirrwar'yun, when you ...

DJ: Hmm.

RT: When you put out an invitation to them, is it?

DJ: Yo, yes.

RT: djirrwar'yun is more like an invitation there, to come.

DJ: Yo, yo, yes yes.

RT: Come and sit with us and let's sort out this one problem.

DJ: Yo, yo, yes yes.

RT: And sort out this one problem, hey?

DJ: Yo, yes.

RT: That we've got.

And when you said there, you'll talk together and you'll work out what you can trade. Hey?

DJ: Yo.

RT: What can you trade with each other, what do you mean by that?

DJ: it's like this property. You have stolen from my property. This is my property my land, estate (yirralka). It's my place. I am the wänja waṭaṅu landowner of this place. And you are a different corporate group that are sitting here. And you are using up all sorts of things. You are not listening to me your ignoring me.

RT: Yeah, hmm.

DJ: This is one picture I'm giving you.

RT: So you're inviting them to a diplomatic conversation. Like that is it. Hey?

DJ: Yo, yes.

RT: A diplomatic conversation as diplomats.

DJ: Yo, yes.

RT: In a process of law where everybody is safe.

DJ: Yo, yes.

RT: everybody is protected.

DJ: Yo,yes.

RT: and you would have viewed your Djungaya (peace officer) to make sure that everybody is safe and there is no trouble.

DJ: Hmm ym...

RT: Yeah.

DJ: Yes, our Djungaya (yothu peace officer/s) and our Gutharra (grand child representatives) both the children who were born from our women and our Gutharra (grand child representatives). They'd be there.

RT: Yeah, yeah so there would be witnesses there to make sure it's a safe place foreverybody too.

DJ: Yo, yes.

RT: Because if you cause trouble if you invited somebody to a diplomatic conversation or mediation

DJ: Hmm, yo, yes.

RT: And you cause trouble, that would make, that would shame you at law hey?

DJ: Yo, yes. Yes they will come and they'll bring with them their Madayin law modus operandi.

RT: Hmm, yes.

DJ: And we will bring our modus operandi legal structure(according to Madayin law).

RT: Right.

DJ: you see, Yo.

RT: Hmm.

DJ: on both our systems of law come out of the foundational law that was given to us by Djan'kawu ga Barama. (The Creator spirits that gave everybody the Madayin law).

RT: Yes, so you both come with your separate modus operandi presentation of the law. We might give that example again. In Scotland one might come from the big hall of McDonald and another one might come from the big hall of the Stewarts.

DJ: Yo, yes.

RT: And. But you enter into the other hall, but you're safe in there because of the diplomatic invitation, to mediate?

DJ: Yo, yes.

RT: To talk through, not to cause trouble, is it?

DJ: And to enter into our treaty making process.

RT: And what you said there, what joins you together, what joins you together is the process, the process given to you by Djan'kawu ga Barama manda (the Creator spirits).

DJ: Yo, from the past.

RT: That's what invites you together.

DJ: Yo.

RT: From way back in the beginning of creation. Is that it?

DJ: Yo, yo.

RT: Yeah that's what joins you together

DJ: Yo, yes.

RT: Gamarran can we come back and talk about this some more because we're going to be

running out of time again this morning.

DJ: Yo, okay.

Story No. 2: Diplomatic process

RT: Yeah Gamarran this is good information.

DG: Hmm.

RT: what you're saying today in the earlier program about this number three Makarrata way of resolving things. It's about a diplomatic mediation thru a process of law, hey?

DJ: Hmm.

RT: I'm wondering if you can give us just an example picture of how you would use it. How you would use this particular Mägaya rom (law of peace and tranquillity) law process.

DJ: Well this process Wämut, the two parties would come together.

RT: Hmm.

DJ: Bunanhamirri not bunhamirr, bunanhamirri.

RT: What's the difference there?

DJ: Bunanhamirri is where the people come together, hey.

RT: Yeah.

DJ: they have arrived in that mulka-wäna legal safe place (Embassy) together, hey. I mean one (of the groups) will come to that safe place and sit down with the other, bunanhamirri.

RT: Yeah.

DJ: Bunhamirr it's fighting.

RT: Yeah

DJ: Hmm, but this one is they are coming bunanhamirri, sit down together and then move into the formal process of the meeting.

RT: Yeah dhäruk bakthun we said a little bit in the last program but say a little bit more about when that dhäruk bakthun, have I got it right?

DJ: Hmm when.

RT: you say it.

DJ: when they dhäruk bakthun, they have a conversation together. Around a particular subject. What is the main concern.

RT: but dhäruk bakthun is you have to talk in a legal way, don't you?

DJ: in a legal process way.

RT: Yes, legal way.

DJ: following the Madayin process way of speaking to each other

RT: Right you have to follow the conversation of the legal conversation... you can't just have...

DJ: Yo, yes.

RT: ...silly stories or just anything thrown in.

DJ: Yo. You can't do that. You need to follow a legal process of Mägaya (the way of Shalom).

RT: Yeah.

DJ: and you need to follow the dhapirrk way of consistency of law from its foundation.

RT: Yep.

DJ: you see!

RT: Hmm.

DJ: Yo, and this is where another term comes in, mununuk'kumnha-mirr bring people together

RT: Mununuk'kumnha-mirr bring people together yes?

DJ: Yo, yo.

RT: Into a ownness of mind body and soul

DJ: Yo.

RT: ñayañu wangany, into a ownness of mind body and soul, hey?

DJ: Yo, Yo.

RT: Yeah.

RT: so that's what the purpose of the meeting is for. The purpose of meeting is to

mununuk'kumnha-mirr bring the people together, those two groups.

DJ: Hmm yo, yo.

RT: And for them to come to a consensus njanju wangany

DJ: Hmm.

RT: ...come to a consensus.

DJ: Yo, because they will come to the consensus if it's going to happen.

RT: Yes what they're going to agree to.

DJ: Yo.

RT: To solve the problem, to solve the problem.

DJ: Yo.

RT: Yo.

DJ: Yo.

RT: What would happen Gamarran if somebody, while you are in the process of having a legal conversation, and somebody starts talking silly stuff or whatever.

DJ: if it happen like that the Djungaya (peace officers) and the grandchildren representatives (the third party representatives) will say, "Hey are you troublemakers or what, if so we won't continue the conversation".

RT: That would close down the process quickly.

DJ: Yeah, yeah it would be closed, the process for a long time, until, hey...

RT: Hmm.

DJ: ...a time when they were ready to come back.

RT: Yeah, and show respect to the process, hey?

DJ: Yo, yo.

RT: They come back and show respect to the process.

DJ: Yo, yo.

RT: You said there before this manda these two groups would try and talk this out, mununuk'kumnha-mirr (bring the people together, those two groups).

DJ: Hmm.

RT: Come together, oneness of mind, body and soul and they would try to establish a treaty between them and agreement between them, hey?

DJ: Hmm, hmm.

RT: Depending on the trouble, whatever the trouble was, hey?

DJ: Hmm, hmm, hmm.

RT: And that agreement would be, would be respected by everybody because it's stuck in a legal situation, through a legal process ?

DJ: Yo, yo.

RT: Yeah. What do you call that, what would you call that agreement, that treaty agreement Gamarran? Has it got a special name in Yolngu Matha or not?

DJ: the past they would call it yindhirranj

RT: yindhirranj

DJ: Yo, a strong agreement that you can not break.

RT: yindhirranj

DJ: you know that

RT: Yeah I've heard that word way back at Ramingining.

DJ: Yeah?

RT: Yeah.

DJ: Yo.

RT: I'm trying to get a picture around it, yindhirranj, like a...

DJ: this would be something you would agree to not break it

RT: Yeah it's an agreement at law.

DJ: Yo, a legal process that you wouldn't break.

RT: Y indhirranj. Yeah.

DJ: You can't change, you can't change it.

RT: Yes.

DJ: Hmm.

RT: It would be like the English word treaty you establish between...

DJ: Yo.

RT: ...not just between those Yolŋu, those Yolŋu, but between the two Bāpurru corporate clan groups

DJ: yes the two Bāpurru corporate clan groups, not the Yolŋu the two Bāpurru corporate clan groups.

RT: Yeah so it's between the two corporate groups in total.

DJ: Yo.

RT: And it binds, we would say in English, it 'binds' all the people of those twocorporate clans groups, they're all controlled by that agreement.

DJ: Yo.

RT: Yeah, so it is more like the word, some sort of treaty, yeah?

DJ: Hmm.

RT: Yeah.

DJ: To do with something big issues. Something that it's not to do with minor troubles like family troubles or workplace troubles but something that's a major issue, something that (where).... you're family is not benefiting, or the other party has snatched (literally) out of your hands, you see?

RT: So it's something used in cases of fairly large disputes between two corporateteclan groups.

DJ: yes with big issues. Yo.

RT: Yeah.

DJ: Yes where the other corporate clan group has taken something away from you, and they are now owning it.

RT: Something that they have snatched away from you, taken away from you.

DJ: Yo.

RT: Your mulwaṯ assets and things.

DJ: Yo.

RT: Yeah.

DJ: Yo.

RT: So this is an economic resolution in some ways which...

DJ: Yo.

RT: ...a lot of Balanda think that Yolju don't have anything to do with and here we see it again.

DJ: (laughing) of cause we have things like this in our law.

RT: (laughing) of cause it does at your law.
And ah so if it was an economic dispute over assets ownership

DJ: Hmm.

RT: ...and use of assets ownership...

DJ: Yo.

RT: Well let's good Gamarran, let's come back and we'll pick up on this conversation again.

We've got two more programs this morning and we'll work through an example of how this incredible way of finding peaceful resolutions. We can call,.. It's another form of Makarrata but it's a mediation form of Makarrata, mediation hey?

DJ: Yo.

Story No. 3: Economic assets

RT: Yo, Gamarran it's a good conversation were having.

DJ: Yo, yo good.

RT: And about this number three way that makarrata can happen, hey?

DJ: Hmm, hmm.

RT: You say this mediation method is not to be used in workplace problems or smallfamily issues, it's to be used in big economic...

DJ: Hmm, hmm, hmm.

RT: ...disputes between Bapurru corporate clan groups. Around mulwaṭ assets ownership.

DJ: Yo.

RT: Over land, land use or even issues of legal agreement?

DJ: Yo. Yes Wamut this is our legal process. In the past Djan'kawu ga Barama manda (the Creator spirits) set the foundation for this process.

RT: Right.

DJ: they said, you are to dhäruk bakthun have legal conversations in mulka-wäña (safe haven embassy like spaces). Djiniyini then goes on to name some of those special places.

RT: Yeah.

DJ: It is one law for all of us

RT: Hmm.

DJ: it's a place in process where two Bäpurru corporate clan groups can negotiate together and come to agreement around big legal issues.

RT: Hmm.

DJ: you see.

RT: So in the beginning, the creator spirits Djan'kawu ga Barama manda they set down the law for the different Bäpurru corporate clan groups for them to be able to sort out issues in relation to assets over land, hey? Was it?

DJ: Yo yes over big legal agreements they were given process. Process over issues around asset ownership they could work through in conversation.

RT: Hmm.

DJ: Hmm.

RT: So you can come to an agreement around what you call a Yindhirrang

DJ: Yo.

RT: Like a treaty between those two Bäpurru corporate clan groups, hey?

DJ: Yo. And this , Yindhirrang is a academic term.

RT: This is one of the big academic terms, yeah Yindhirrang.

DJ: Yo like it can be used in relationship to property as in land ownership or large asset ownership on a particular place, or for things like a canoe. A big canoe that had a special legal name or other things like Madayin legal objects or clan crests. Things that have been stolen.

RT: Could be in relation to the ownership of a big canoe?

DJ: Hmm.

RT: A very big canoe, important canoe or to do with...

DJ: Land ownership

RT: ...something to do with the land itself?

DJ: Yo, or legal paintings to do with title deeds.

RT: Or to do with the title deed painting if there's a dispute?

DJ: Yo.

RT: Over the title deed paintings?

DJ: Yo, yo.

RT: Yeah, so really large asset?

DJ: Yo.

RT: Asset control issues, hey?

DJ: Yo, yo.

RT: RT makes a mistake you using the word for gift

DJ: DJ corrects him saying, Yo things like mulwat assets that they have agreed to share together. But one party holds a to themselves and will not share it

RT: Yeah.

DJ: they have snatched away from the other group.

RT: So if that clan wasn't sharing properly, if they weren't sharing those things properly like they should...

DJ: Yo.

RT: ...then you could call them to this diplomatic meeting, yeah?

DJ: Yo , to the process of Mägaya rom (law of Shalom) set down by the Madayin law.

RT: Into a process controlled by the Madayin law, the Mägaya process, the way of the big peace.

DJ: Yo and follow the way to make a legal agreement over it.

RT: A legal process that leads to a treaty agreement between the parties.

DJ: Yo.

RT: Yeah, and...

DJ: it is there in our law a due process pathway.

RT: ...a procedure that creates a due process pathway.

DJ: not a way towards trouble

RT: not a way of trouble or conflict.

DJ: Yo.

RT: So you would call them to this process, due process of law where there is no trouble, no dispute or argument.

DJ: Hmm.

RT: There's just good conversation speaking in a conciliatory legal way with each other.. you can.

DJ: Hmm, yo.

RT: That's a term dhäruk bakmarram, which is different from English where you can speak legally, speak legally in legal polite ways, is it?

DJ: Hmm, yo.

RT: According to the Madayin law, yeah?

DJ: Yo, but they have to be ah.. When you reach the peak of the conversation. Like as you say, what you call the climax of the conversation

RT: Hmm.

DJ: Someone needs to admit to the wrong doing by saying yes it's true, we have broken the agreement. And this is the way forward.

RT: Yeah. So the process, the conversation process should go through until it comes to a climax where somebody admits that they have been using those assets in a wrong way, abusing those assets, taking the assets off you.

DJ: Hmm.

RT: And at that point they gora luka show their remorse.

DJ: Yo, yo.

RT: They eat their shame. They eat their shame and say sorry we've got this all wrong.

DJ: Because how.. it's not.. Their old people a long time ago worked with the other party and said yes to an agreement.

RT: Right.

DJ: a long time ago. Only between that particular corporate clan misuse the particular asset and broke the agreement.

RT: I see. So, this would usually occur, is in the past even many generations ago there's been agreement that was forged between two corporate clan groups, two Bāpurru.

DJ: Hmm.

RT: But it was ok back then and it worked well, but people now are misusing and abusing...

DJ: Hmm.

RT: ...that agreement and not following the real...

DJ: Yo.

RT: ...law that was set down in that yindhirrang agreement that they agreed to, hey?

DJ: Yo in this, listen to me Richard,

RT: Hmm.

DJ: this here comes out through the Gapan and Milak (the ceremonial legal practice that happens in the Mulka-wāṅja sanctuaries [embassies of the different clans]. The Gapan and Milak points towards the ceremonial dress of the peace officers employed in this process.) The Gapan and Milak means that the time of war, where soldiers were present has been halted. I time when soldiers Warriors were active

RT: Hmm.

DJ: at this time they make an agreement. Long time ago. Yeah.

RT: Right, that agreement could have come out of a dispute in the past, hey?

DJ: Hmm, hmm.

RT: Dispute in the past.

DJ: time of trouble. Hmm.

RT: Yeah. There could have been big trouble in the past.

DJ: Yo.

RT: And they've made that agreement. Come to a shared agreement, a shared use of an asset or whatever. Hey?

DJ: Hmm. Yo.

RT: And but now people are not using it properly.

DJ: Yo.

RT: now they're breaking the law in a real way.

DJ: ym...

RT: Yeah.

DJ: so these are the examples I'm giving you. It could have been over a canoe that had a very important name over it. Maybe Madayin title deed paintings to do with land, property that belong to somebody.

RT: Yo.

DJ: Yo. How do they come by it? What was the agreement forged by the old people of the past.

RT: Hmm.

DJ: these sorts of things.

RT: Yeah. So this is where it can be used, in this diplomatic mediation, it can be used in those areas of big things.

DJ: Hmm.

RT: Where shared assets or thing to do with Madayin law objects at law or land itself and the (RT uses the wrong word again here for gift) the assets of that land?

DJ: Hmm, hmm. (This time DJ did not pick him up on it.)

RT: Or the shared title deeds or something to do...

DJ: Yo, yo.

RT: ...between two groups hey?

DJ: Hmm, yo.

RT: Yo. And then they can come to an agreement but part of that agreement might be also where for them to get back to a mägaya-mirr situation (to a state of Shalom).

DJ: Yo. Where the two groups can come to a agreement. Yes okay I will return whatever to you, because we have not followed the the way of mägaya (the Shalom law) according to the way that our old people in the past agreed to.

RT: Yeah.

DJ: so they would return whatever it was

RT: Yeah.

DJ: they would follow the agreement.

RT: So they might agree to return to a strong relationship with each other as it was in the past. The offending group might even admit to the fact that they have not stuck to the mägaya way. The peaceful way of the agreement as the old people in the past had established. Let's return back to that.

DJ: Yo.

RT: Or there might be another situation where somebody has to actually make apayment for what they've done wrong, yeah?

DJ: Yo, yo.

RT: But let's come back and talk about that on because that will take a while for usto work through.

DJ: Hmm, hmm.

RT: let's come back and meet each other face-to-face again.

DJ: yeah, okay off you go. Let's come back face-to-face again.

RT: Yeah.

Story No. 4: Assets and usage between clans

RT: Yo, Gamarran we're talking about that number three way for Makarrata the third way which you can use the process of makarrata for...

DJ: Hmm.

RT: We could call it big legal agreements like a...

DJ: Hmm.

RT: ...like a treaty that has been broken between two Bāpurru corporate clan groups.

DJ: Hmm.

RT: And you can call them together, call people together through a diplomatic process of law, yeah?

DJ: Hmm.

RT: And sometimes then the group that's broken the law, the group that's broken the law, sometimes they might have to agree to make a payment to satisfy the aggrieved group.

DJ: Yo yes they need to make payment to return thanks to normal. This is one way.

RT: Can we just talk about that how that would work?

DJ: well in their conversation. Say they're having a reconciliation conversation around a canoe that has a big legal name on it.

RT: Yeah.

DJ: it's an asset that has a big legal name on it.

RT: Yeah.

DJ: a canoe

RT: So they might be talking about an asset like a big canoe in the past?

DJ: Yo.

RT: A yakumirri canoe, so it's not just an ordinary canoe it's...

DJ: Yo it is yakumirri (has a big legal name over it) Yo yes .

RT: It's a big special one that was shared between two groups, hey?

DJ: Yo yes and one group hasn't been able to get access to it.

RT: And one group hasn't been able to get access to it?

DJ: Yo ym... to an agreement ym... (RT repeats below in English)

RT: Coming to agreement and return to the terms of the agreement that the old people set down?

DJ: ym...(RT repeats below in English)

RT: Maybe they will say, yeah ok please forgive us?

DJ: ym...(RT repeats below in English)

RT: As we haven't followed the way of peace established by the old people...

DJ: ym...(RT repeats below in English)

RT: ...our legal terms of the agreement that we agreed to with your group...

DJ: ym...(RT repeats below in English)

RT: ...in the past, that our old people established.

DJ: ym...(RT repeats below in English)

RT: And now we want to establish a new process where we can reciprocate payment, wiping out our debt to you.

DJ: ym...(RT repeats below in English)

RT: We will pay back our debts by going and cutting out a new canoe.

DJ: Yeah ym...(RT repeats below in English)

RT: They might say we'll cut and construct a new canoe for you, ym... that has a big name on it?

DJ: ym...(RT repeats below in English)

RT: You see and we'll deliver that into your hands.

DJ: ym...(RT repeats below in English)

RT: If we are both agreed with that, then everybody will be happy and say yes, that's a good way.

DJ: ym... option ym...(RT repeats below in English)

RT: Ok, good. But if they say no to it? Then another option exists...

DJ: Hmm yo.

RT: So ym... they might decide to, so what other option might they take up?

DJ: ym... (RT repeats below in English)

RT: Hmm.

DJ: ym...

RT: Hmm.

DJ: ym...

RT: Yeah.

DJ: Yo.

RT: So we will just return ym... back to you because we broke the law, broke the agreement of the old people.

DJ: Yo, yo.

RT: Hmm.

DJ: ym...(RT repeats below in English)

RT: And if that is the agreement they come to, a way of peace, no trouble, then they say, yeah ok that's good, we'll return the canoe to you, into your hands.

DJ: ym... (RT repeats below in English)

RT: Then we might say, we'll use it to catch all sorts of different things, but if you want to use it, you ask us and we'll let you use it.

DJ: ym... (RT repeats below in English)

RT: Hmm.

DJ: ym...

RT: Yeah, so we're sorry we broke that treaty between us, using the canoe inappropriately not letting you have it.

DJ: Yo, ym... (RT repeats below in English)

RT: Yeah so they'll let that ym... come back to that other group and they can control it, they can look after it, hey?

DJ: Hmm.

RT: And they might still lend it back to the other group but it's in their hands now, in their control, yo?

DJ: Yo.

RT: Yeah, so Gamarran as you said this is usually used in terms of economic disputes over assets (RT uses the word gift here instead of assets). Yeah?

DJ: Hmm, (DJ corrects RT's stake above using the term for assets. Mulwat) (RT repeats below in English)

RT: This is a mediation process to deal with corporate clan nation asset disputes.

DJ: (RT repeats below in English)

RT: Not family disputes.

DJ: not family disputes ym...(RT repeats below in English)

RT: This is a process for dispute resolution around really big asset issues between different corporate clan ym... groups.

DJ: ym...(RT repeats below in English)

RT: This Makarrata number three way, is a dispute resolution around large asset issues Mulwaṯ where promises are made at different levels including inside ym... legal chamber and somebody has broken that promise, they can come to this process to resolve that dispute.

DJ: Hmm, hmm.

RT: Yeah, thank you for talking about this Gamarran this third way for Makarrata, hey.

DJ: Hmm.

RT: And this is our last program this morning.

DJ: Hmm.

RT: So we'll come back another day.

DJ: very good thank you. Let's return to it again.

RT: Yeah, to talk more about the law.