Kayleen M. Hazelhurst (ed.), *Popular Justice and Community Regeneration: Pathways of Indigenous Reform,* Westport, CT: Praeger, 1995, 228 pages.

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Popular Justice is a collection of 11 essays about efforts in Australia, Canada, New Zealand and the United States to do something about "justice," broadly defined, within Indigenous communities. Hazelhurst presents an overview of three sorts of current efforts to indigenize justice: improved justice service delivery (via the development of para-professionals, family conferences and so on), crime prevention (through life skills and employment training) and the most significant, community healing approaches. The chapters themselves are of two sorts: technical discussions of new programs and hopeful ideological statements about the merits of indigenous justice concepts and practices. Among the more interesting chapters, Hylton summarizes recent research concerning social policy in Canada and efforts to reform Indigenous justice. Angelo details the history of indigenizing Tokelau law, Olsen et al. describe Maori youth justice programs, especially the influential family group-conferencing model. Yazzie and Zion describe what they call the "macrojustice," of the Navajo peacemaker court, which they say will "Slay the Monsters" (social problems) through traditional dispute resolution. O'Donnell treats mediation practices in Australia, focussing on the issues such as the neutrality of the mediator and confidentiality. The strongest chapter describes the efforts to create an Aboriginal justice system in an Ojibway community. Hoyle examines the issues in operationalizing a holistic justice system based on the idea of justice as healing, especially the problems of codifying social processes, of delineating broad value statements which guide practice and the problem of legitimacy as a consequence of the diversity of world views of community members.

A critical assumption underlying many of the chapters is that the establishment of community-based justice will lead to the thoroughgoing restoration of Indigenous communities. All of this is connected, somehow, to gaining legal jurisdiction to practice "traditional" ways, or perhaps, updated, but still traditional ways. While in many communities and among some scholars there is pessimism about the ability to change the justice system and create alternatives, there is nonetheless a messianic flavour to the current debate about restorative justice. There is bound to be disappointment for those communities which unrealistically carry out justice practices of their own choosing. Indeed, this is already the case. Scholars and communities concerned with justice might think in more modest terms about what is possible with indigenization. Instead of proposing that indigenous justice will radically transform communities and redeem individual lives, justice systems might be constructed with the simpler goals of regulating relations between families, of dampening conflict between individuals, of providing justice in a timely manner and of ensuring a measure of peace and tranquility on reserves and urban settings. Indeed, the whole emphasis on equating justice with healing overlooks the more mundane in favour of the dramatic and spectacular. What once primarily concerned practical issues of getting along is now spiritualized.

There are other problems with this volume. Some chapters either assume an edenic approach, uncritically and implicitly downplaying conflict in earlier periods; others focus exclusively on the trauma of colonialism. Both approaches move the analytic lens away from nitty-gritty issues of community relations and regulation and towards the vague and grandiose goals of community healing. The implicit and explicit use of binary models of "Euro-Canadian law and justice and Aboriginal law and justice" mistakenly assumes that Indigenous communities are uniform and that Euro-Canadian law and justice is both uniform and unchanging. Chapter 9, page 172, tells us, for example, that within Euro-Canadian culture "social order is hierarchical," but in Aboriginal culture "individuals are important and should be given freedom. Disorder is corrected through rehabilitative and restorative action." But surely major themes in the history of European and North American law are the creation of civil liberties and the efforts to rehabilitate criminals. There is some germ of insight to these binary oppositions, but they are misleading and treat the current discourses about earlier practice at face value.

Another cost of binary logic is the failure to carefully consider justice systems which seem westernized. The U.S. tribal courts, which actually have significant civil and criminal jurisdiction, are thought to be imposed, Western-style institutions, to facilitate control by the state and to emphasize individualism rather than communal values. Consequently, analysts have not looked at how various tribal courts actually approach the critical issues of how individual, family and tribal relations are balanced, and how indigenous practices are integrated into the legal processes. Only the Navajo Peacemaker Court, an alternative to the Navajo court, is carefully examined. This is a shortsighted mistake; there is something to be learned from the relatively autonomous U.S. courts that cannot be found in the various small-scale and impermanent diversionary projects reported in this volume.

Jane Fishburne Collier, *From Duty to Desire: Remaking Families in a Spanish Village,* Princeton: Princeton University Press, 1997.

Reviewer: *Winnie Lem*
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Jane Fishburne Collier offers us an engagingly written and theoretically informed ethnography that explores the development of a "modern subjectivity" in an Andalusian village which has undergone dramatic socio-economic and demographic changes since 1963. Using ideas derived from both