In February 1803 Matthew Flinders met a fleet of Malay fishermen on the north coast of Australia, where they had been coming from time immemorial to gather trepang for the Chinese market. Two hundred years later the descendants of these fishermen are regarded as criminals if they dare to come within two hundred miles of this coast.

In 2001 Ruth Balint made an award-winning documentary on the plight of these unfortunate people. The film, shown on SBS, was powerful and harrowing, and should have made a difference. She has now turned the research into a book, *Troubled Waters*, and as she reports, little progress has been made in improving the situation.

The case of Cornelia Rau has highlighted by default the attitude of the Australian media to foreigners. Because Rau is Australian, her detention caused a scandal, while thousands of non-Australians who have suffered as badly or worse merit little press coverage. In the same way, Schapelle Corby’s jail sentence in Indonesia has become a cause célèbre in Australia, while the imprisonment of hundreds of Indonesians in Australian jails, in strikingly inequitable circumstances, with no access to meaningful legal representation, raises barely a ripple in the press, either in Australia or, apparently, in Indonesia.

To be a fisherman from Rote, off the west coast of Timor, is to be utterly without power or representation. Not that they haven’t tried. A group of fishermen wrote to the *West Australian* in 1998: ‘Now we are allowed to fish only in a small area in the middle
of our fishing grounds called the MOU. It is a poor fishing ground so we must fish for most of the year. Our sailing boats are not allowed to carry motors and because of this hundreds of our fishermen have drowned in the cyclone seasons. If the winds and currents are unkind to us and we drift out of the MOU we are arrested and towed into Broome.’

In *Troubled Waters*, Balint explains the context, historical and legal, of the current situation, and she points out a myriad of uncomfortable facts, if one happens to believe in Australian justice and fairness. The MOU (short for Memorandum of Agreement, between the Indonesian and Australian governments) was signed in 1975, with no input from the fishermen who now had to live by it. As Balint says, ‘the absurdity of the MOU is that Indonesian fishermen are expected to stay within set boundaries, to exercise high-tech accuracy, without the technology that would allow them to do so. In its current wording, for example, radios and GPS would not be considered “traditional”.’ And the consequences for crossing these boundaries are devastating. When tried in Australia, with inadequate interpreters, few of these men are acquitted. Their precious, fragile boats are confiscated and burned – if they have survived the stress of being towed by a powerful patrol boat – and huge fines are imposed – in the tens of thousands of dollars – which must be worked off as prison sentences. Rote is one of the poorest parts of the whole of Indonesia, and the families of these men are left, without news of their bread-winners, for months or even years, in a country with no social security, prey to hunger, illness, money-lenders and worse.

Balint puts her case with restraint and eloquence, always backed up by careful research. *Troubled Waters* is a heart-breaking book, made doubly so by the knowledge
that our own government can behave so cruelly to people who are no better off than many to whom we magnanimously supply aid. The fishermen of the Timor Sea ask for little. They have braved a dangerous and difficult way of life for centuries, but it seems that the Australian fisheries departments are proving to be a more lethal threat to their livelihoods than the monsoons ever were. *Troubled Waters*, along with other books like Eva Sallis’ *The Marsh Birds*, should be compulsory reading for Australian legislators and bureaucrats.