Adding insult to injury, some students hoisted flags half-mast and upside down and ‘students from other institutions cheered the departing ones most lustily’ (p. 165). Leeper, no doubt distraught at such a conclusion to the ‘rebellion’, was left with few students in residence—and more financial problems. Council, not to mention Leeper, at the outset of the incident had been shocked by the unprecedented action of the students. Poynter notes briefly that, like the press, the Council saw ominous similarities with the maritime and shearers’ strikes (pp. 159, 164).

*Doubts and Certainties* reveals that Alexander Leeper, above all else, was a man of passion. Though his four main passions are identified as the ‘Anglican Church, the Classics, the Act of Union and the British Empire’ (p. 2), Leeper’s passion for the college he created, Trinity, remained throughout his long life. One other, perhaps less obvious passion, can be added to this list and it becomes clear as *Doubts and Certainties* unfolds. That is, a deep and passionate love for his first wife Adeline, and for his second wife Mary. The love letters between them show clearly that married life suited Leeper. Indeed, he praised ‘what a beautiful thing marriage is, and married love’ (p. 150). Life with Leeper would not have been easy, however. Leeper was also a famous controversialist of his time and ‘believed in enemies, as some believe in ghosts ... and like them he found everywhere evidence to confirm his belief’ (p. 4). His first wife, Adeline, and second wife, Mary, it can be concluded, bore the brunt of the anxiety surrounding his battles. Despite this, the family unit was an extremely close one. The seven children of Leeper’s marriages were intelligent and gifted children, many of whom became distinguished in their own careers.

This biography, with great detail and enormous research, skilfully characterises the ambiguities and inconsistencies of Alexander Leeper’s character. It explores in depth the work he undertook pioneering the building of Victorian and Australian institutions. His attitudes toward women’s role were extraordinary for his time: He believed in higher education for women and that women in the Church of England would soon be ordained. His greatest legacy remains the collegiate ideal in university education: the university college as an academic institution, nurturing students from all backgrounds, not only the idle social elite.

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Ralph Birrell begins his excellent study of the development of Victorian mining law with a quotation from Thomas Jefferson which states that laws and
institutions must keep pace with progress and change. Birrell’s book traces the way in which mining law in Victoria met the changes in social attitudes and changing technology in the mining industry. He points out that the first laws, derived from British Laws and institutions, were designed to force the miners to return to their previous occupations; not surprisingly the miners resisted these laws. According to Birrell, the failure of the government to develop a set of mining laws that had applicability to all sections of the population was a contributing factor to Eureka on 3 December 1854. The review of mining that followed Eureka was the commencement of a long period of continuous review that shaped Victoria’s mining laws. These were copied by the other Australian colonies and New Zealand—with amendments to suit the local conditions.

The book is organised in twelve, basically chronological chapters, the first nine of which trace in detail the development of mining law from 1851 until the turn of the century when the body of Victorian mining law relating to gold and other minerals was almost complete. In each chapter, Birrell provides a comprehensive background to the existing laws; the political thoughts and the people involved; the perceived reasons for the reform of mining law, and the effect of the legislative changes that were made. Readers will appreciate Birrell’s clear and concise style that makes the information readily accessible to his readers.

Chapters 1 and 2, covering the legacy of British laws and institutions and the prelude to Eureka respectively, set the scene for Chapter 3 which deals with the Government’s response to Eureka. The Commission appointed to Enquire into the Conditions of the Goldfields, although set up prior to Eureka, did not meet until after the event, so the members would have had this at the forefront of their thinking as they conducted their inquiries. Their Report recommended wide ranging changes to mining law, most of which were incorporated in the resulting legislation—a New Act for the Better Management of the Goldfields (18 Vict. 37). Birrell provides a concise overview of the Commission’s recommendations, and the changes brought about by the Act.

One of the Commission’s more controversial recommendations had been the establishment of Local Boards to oversee mining in each of four mining districts. In the legislation, Local Courts (rather than the recommended name of Local Boards) were established at Avoca, Ballarat, Beechworth, Bendigo and Castlemaine. Chapter 4 (Guided Democracy and the Local Courts) of Birrell’s book provides an excellent summary of the roles and working of these Courts. He believes that there was little doubt that, given the problems that caused the Eureka rebellion, the Local Courts reduced overall tensions on the goldfields. This chapter fills a gap in knowledge of these little known courts that operated for only two and a half years, yet had an important impact on the development of mining law in Victoria.

The middle chapters of Staking a Claim cover the further development and refinement of goldfields law culminating in the Mines Act of 1897. At all stages, Birrell places the amendments to the law in the social and technological context of the day. For example, in regard to An Act for Amending the Laws Relating to the Goldfields of 1857 (21 Vict. 32), he points out that weaknesses in the original Act were becoming apparent and it no longer met the needs of the mining industry. He argues that the separation of the judicial and legislative functions of
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the Local Courts, which occurred in the amending Act, was essential because of the increasing complexity of the deeper mining now being undertaken and the greatly increased use of machinery. Within this part, Birrell devotes two chapters to specific topics—one to Chinese miners and the law, and the other to mining by companies. In regard to the Chinese miners, Birrell points out that many European miners had a semi-permanent mine that they used as a 'cash flow', but left deserted while chasing another rush; if unsuccessful they would return to their original mine and continue working it. The Chinese miners considered these mines to be deserted if no one was currently working them, so they moved in and commenced mining. Naturally enough this caused conflict and was one of the reasons for the restrictive laws passed to control Chinese immigration.

Chapters 10 to 12 cover changes to the Victorian laws in the twentieth century, other Australian mining legislation, and some of the other laws related to mining. The development of coal mining and the search for oil and gas, which commenced in the 1930s, were among the factors that necessitated changes to mining law in the twentieth century. Among the other laws related to mining, Birrell includes such diverse items as the Gunpowder Statute, protection of the environment and a brief overview of Mabo and native title. In his concluding remarks, Birrell points out that the goldrushes of the 1990s have been prolific partly because there is an adequate body of mining law in each State.

Staking a Claim is an important addition not only to our knowledge of mining and the law, but also to our understanding of the new technologies and changing social attitudes of the time. The book includes a chronological table of all Victorian mining legislation as an appendix. The book is well written and generously illustrated with photos, sketches and diagrams that enhance and explain the text. It is recommended for those with an interest in mining, the law and social and economic history, as well as for the general interest reader.

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This is a difficult book to assess, the difficulty being due as much to its virtues as to its vices. Davidson states at the outset that 'This is a book about what it has meant, and what it means to be, a citizen of Australia' (p. 1). However, this simple declaration conceals a wide ranging discussion of themes and issues ranging from different concepts of citizenship to the legal and social limitations of Australian democracy.

In tracing the twists and turns of what it meant to be an Australian, from the time when being Australian meant being a British subject to modern ideas of multiculturalism, Davidson uses a model or ideal of citizenship which draws on a