TEXT AND CONTEXT: SOME ISSUES IN WARLPIRI ETHNOGRAPHY

by

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Except where otherwise acknowledged in the text, this thesis represents my own research.

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NOTE ON ORTHOGRAPHY

In the following thesis I have used M.J. Meggitt's spellings for all Warlpiri terms arising in the course of his work. For convenience I have also followed T.G.H. Strehlow's transcription for the use of Aranda terms although for technical reasons I have been unable to transcribe the diacritical marks in his texts, and those used for certain European names and terms. The same applies to the ng sound which has been transcribed as "ng". All Aboriginal words are written in italics, and quotation marks are used to indicate where indigenous terms are taken directly from other texts. In contexts where there is clearly no attribution to another source, I have tried to follow as closely as possible the conventions set out in the Institute of Aboriginal Development (Alice Springs) language course materials.
INTRODUCTION

This thesis is concerned with the way in which particular aspects of Warlpiri ethnography have been inescapably contextualised by intellectual, institutional and political conditions of anthropological practice. Recent literature has opened up new perspectives on the relation between ethnography and its subjects. These concerns do not, however, address the broader political implications of anthropological representation, nor the means by which one form or style of ethnographic writing and analysis rather than another becomes dominant and accepted as valid. Certain conventions developed internationally were decisive in constraining the means by which anthropological knowledge could be constructed and communicated. This situation went largely unrecognised by anthropologists, participating as they were within unquestioned historically and politically determined parameters "authorised" by the Anglophone interpretive community. The dominance of this paradigm was transferred to Australia, where national considerations too shaped the acceptable canons of ethnographic writing.

I examine one "classic modern" Australianist text, Mervyn Meggitt's Desert People, for the way it constructed two key issues in Warlpiri ethnography, "the community" and "descent". I argue that the community, rather than being a formal aspect of a social organisation with clear boundaries and precise referents in relation to political, economic, ritual and social life, may in fact encompass a pragmatic sense of commonality between people towards one another, depending on context and necessity. The insertion of Meggitt's constructs within debates over local organisation which came onto the scene in the sixties significantly realigned perspectives in the Australianist community at a time when the reconstructivist endeavour was at its peak.

The treatment of Warlpiri "descent" by Meggitt was couched in terms of corporate unilineality of the kind put forward by Fortes in the 1950s. However, while I will show that his depiction, when set against his own analysis of the Warlpiri data, is problematic, it was nevertheless received readily into an
accepted discourse for the representation of Australian social organisation.

The ethnographic issues Meggitt was grappling with at Hooker Creek and Yuendumu in the early fifties then re-emerged, with greater immediate impact for the Warlpiri, after the advent of Land Rights legislation and subsequent anthropological research in Central Australia. The genre conventions, and the local modulations of an international practice of anthropology, which had never been imagined to be of anything other than intellectual interest, suddenly became, after Land Rights, embedded in a set of discourses for which they had not been constructed, and for which, I argue, they were unprepared.

I suggest that all ethnographic knowledge is constructed in a particular socio-historical context within a specific power domain (vide Foucault 1980a, 1980b), one which defines the role of the anthropologist as observer and reporter, as well as the mode of representation considered appropriate in its time. The source of this power lies both within the institutional setting of the Academy, and within the broader organisational structures which enable anthropological research at any given site. The intersection of these power domains structure the possibilities of ethnographic representation, and in turn permits the analytic models of Aboriginal society which become acceptable to the intellectual community. However, in the context of the Northern Territory Land Rights Act these models have moved into the broader political arena and have determined the ways in which Aboriginal rights in land can be articulated.

I begin with a brief analysis of some of the issues which have recently arisen with reference to ethnographic representation. The first chapter surveys some aspects of these debates, especially focusing on the perspectives provided by exemplars of the critical movement in anthropology. The approach of Marcus and Cushman (1982) and Marcus and Fischer (1986) is suggested to be limited by its exclusive focus on textuality and interpretation, and I move on to provide some other perspectives on the validation of knowledge and its constitution within an "interpretive community" which provides, through a process of institutional reproduction, the "authentication" on which
anthropological knowledge rests. I then consider the elements of a modernist paradigm in anthropology, and the specific canons of representation which have characterised it.

In Chapter Two I survey certain anthropological depictions which evolved in Australia, and show that from this historical development of the discipline Aboriginal ethnography remained under the control of a particular set of canons of theory and research. This chapter situates Meggitt's *Desert People* within the context of the ethnographic knowledge of Central Australia at the time of his research.

The third chapter looks at the way *Desert People* achieved a paradigmatic status in Australianist discourse, reflecting as it did some of the dominant trends in mid-century anthropological representation as well as some of the more insular concerns of the Sydney school. Its reception at the time of publication, the perceptions of its strengths and weaknesses, are suggestive of the conceptualisations of ethnographic problems in Australia, which in many ways converged with those of the "Africanists". That *Desert People* was the outcome of dissertation research had particular implications for its internal organisation and theoretical orientation. *Desert People* also appears to represent, in its framework and technique, and use of literary devices such as the 'vignette', an uneasy compromise between an earlier mode of "expeditionary" ethnography and emergent perspectives significant to an "international" interpretive community. It nevertheless conforms to the modernist ethnographic genre.

Chapter Four consists of a detailed discussion of a significant ethnographic construction - the "community". Meggitt's depiction points to the difficulties inevitably posed for him by the conditions of field work and by the restraints of the genre conventions in which he had to write. The impact of the "community" emerged in the subsequent debates over local organisation in the sixties, an impact which had further effects in the resurrection of certain of its aspects after the passage of Land Rights legislation.
Chapter Five deconstructs Meggitt's depiction of Warlpiri "descent", which was predicated on Africanist arguments relating to the presence or absence of descent groups in "simple" societies. On the basis of a close textual reading, I discuss the way in which he dealt with the question of matrilineal descent, and examine his approach to the Warlpiri "corporate unilineal descent group". I will also examine what Meggitt had to say directly about Warlpiri kurdungurlu, bearing in mind the approach his predecessors had taken to this topic.

In Chapter Six I outline some of the relationships between anthropological knowledge, the law, and the land claim process. I suggest that the definition of "traditional Aboriginal ownership" resulted from an uneasy compromise between the views of anthropologists and the requirements of the legal system which was charged with discovering a means of recognising Aboriginal rights to land without challenging the dominant legal models which underwrite the dispossession of Aboriginal people. The land claim process, however, has brought forth a new set of representational conventions and a different understanding of the role of the anthropologist in the research.

I then briefly analyse two Warlpiri land claims, which depict remarkably different models of Warlpiri social organisation and land tenure from those put forward by Meggitt, and indeed from each others'. The implications of this as analysed by two recent commentators are discussed, and I suggest that while these commentaries are relevant to anthropological concerns, they do not go far enough. They fail to address the consequences of these new discursive domains for the everyday operation of organisations now charged with the task of administering the Act and its consequent bureaucratic requirements.

In conclusion, I discuss some of the ways in which the consequences of anthropological practice in the post-Land Rights era impact on Aboriginal understandings of "tradition", and the political consequences of this at the present time. I suggest that the land claim process, and its aftermath, has set in train the evolution of new social and interpretive schema among Aboriginal people in the Northern Territory. On the one hand this is resulting in a
re-alignment of political social and economic interests, and on the other seems to be creating a new form of social identity structured by the discursive practices of the Act itself.
DILEMMAS OF REPRESENTATION: MODERNISM AND ETHNOGRAPHY

We do seem to be living in an age where in certain disciplines academic scholarship is not valued very highly - where, in fact, "modernity" rather than truth is consciously aimed at (T.G.H. Strehlow 1967:140).

Ethnography and its critics

Ethnographic writing, its nature and authorisation, has become a significant theme in anthropological debate over the last decade, reflecting wider philosophical, historical and literary concerns. Increasing awareness of the cultural implications for local communities of the global political economy, and recognition of the need to accommodate the voice of a post-colonial 'other' have inspired many to query anthropology's "inscriptive practice" (Marcus and Fischer 1986). Exemplars of this movement have questioned the status of knowledge in anthropology, constituted as it is through the use of particular conventions of fieldwork and writing. Like other, literary, texts, anthropological writing is subject to complex processes of construction and reception; there is no simple or direct relationship between the social world and the writing which represents it.

The critiques have made visible the political and rhetorical bases of authority in anthropology, both in the methods of investigation and the customary forms of "presentation" in the discipline. Prior social, intellectual and political considerations intercede in the anthropologist's observations and interpretations by defining in advance what is meaningful and intelligible in any ethnographic endeavour. "Field work", the classic methodological requirement of the discipline, is essentially an intersubjective process. However, the conventions of ethnographic writing demand that this process (the on-going social relations between ethnographer and subjects, through which the "data" is obtained) be excluded from the final account, or relegated to marginal publications of the mature scholar (e.g. memoirs, biographies of outstanding informants and so on).
Observations based on events "in the field" are taken as representative of ordered structural relationships and processes, through which a "knowable community" ("society", "tribe") can be understood (Marcus and Fischer 1986:90). Theoretical arguments often appear implicitly within the ethnographic text; debates which are current in the discipline may be engaged in from virtually any ethnographic site, and in turn modify the way the subjects of the study are portrayed. Ethnographies provide little possibility for any direct contribution by their subjects. Awareness of these problems has led to a number of new experimental forms of ethnographic writing, which for some signal an "epistemological break" in anthropology (see Marcus and Cushman 1982).

These new forms can be characterised by their attempts to permit "others" (that is, the people who are the subject of the anthropologists' study) to "speak" through the text. The adoption of a "dialogical" or "polyphonic" approach is seen as one which empowers subjects to represent themselves (Clifford 1988:41-52). The "exemplary" ethnographies (e.g. Briggs 1970; Crapanzano 1980; Favret-Saada 1980; Shore 1982), in spite of their differences in approach, have in common "an explicit epistemological concern for how they have constructed [their] interpretations and how they are representing them textually, as objective discourse about subjects among whom research was conducted" (Marcus and Cushman 1982:25). The basis of this attempt is to show that the heart of ethnographic analysis must be in the negotiation between ethnographer and subject of shared realities. Dispersed authority is the attempt to overcome the domestication of the ethnographic text by the controlling author (1982:43).

The ethnographic writings so praised thus constitute de facto critiques of other forms which do not incorporate reflections upon their own constructions as a central part of their analyses (1982:61).

The demand for dialogue rather than a dominant authorial voice undercuts the traditional anthropological distinction between "Us" (the group sharing the ethnographer's own understandings) and "Them" (the objects of study), and the distinction between "Western" and "Other" societies through
which the entire anthropological enterprise historically has been constructed. As Levi-Strauss has remarked, the importance of primitive societies, and the reason for studying them in the first place, lay in the very fact of their difference.

It is insofar as so-called primitive societies are far distant from our own that we can grasp in them those "facts of general functioning" of which Mauss spoke (1977:28).

Anthropology is thus "the science of culture seen from the outside" (1977:55), and the anthropologist's position is "rather comparable to that of the astronomer" (1977:63). Levi-Strauss considers that the problems arising from the fact of the observer's own cultural subjectivity can only be overcome by a strategy of self-distance.

In ethnographic experience the observer apprehends himself as his own instrument of observation. Clearly, he must learn to know himself, to obtain, from a self who reveals himself as another to the I who uses him, an evaluation which will become an integral part of the object of other selves ... To attain acceptance of oneself in others (the goal assigned to human knowledge by the ethnologist), one must first deny the self in oneself (1977:36).

In European structuralism, the apparent objectivity thus produced becomes an essential aspect of its intellectual significance, and contributes a certain cachet as an exotic and difficult field of study. While I cannot further consider the implications here, the reception and diffusion of structuralism, particularly outside Europe, would provide an excellent case-study of authentication at a particular transition point in anthropology. "Authentication", to be discussed further below, refers to the process whereby a new approach or paradigm is accepted into the dominant discourses of a discipline. In those countries whose national traditions in anthropology have focused most strongly on fieldwork and ethnography as their primary methods of authentication, structuralism's popularity was limited and short-lived. This reflects the unquestioned understandings of what "good anthropology" is, which in Anglophone traditions is rooted in a demand for empirical facts on the one hand, and a specific form of analysis on the other. What "authenticates"
anthropological knowledge is far from universal, and depends on circles and traditions the study of which is a field of ethnographic enquiry in itself (cf. Kucklick 1984; Marcus 1991).

While fieldwork has been central to the authentication of "good anthropology" in Anglophone circles, equally important has been the way its results are set out in writing. A good ethnography must "convince" its audience, and ethnographies are inevitably written in a particular context which conditions the readers’ ability to receive them (cf. Chambers 1984). The interpretation and affirmation of a text depends largely on its context, through acts of mutually acceptable communication.²

The means whereby a particular approach or view becomes "authenticated" can be understood through Stanley Fish’s concept of the "interpretive community" (Fish 1980). This refers to the network of connections between individuals and groups who together share basic premises defining the acceptability of interpretations. From Fish’s perspective, interpretation is moved away from the text itself, and transferred to the act of reception. Readers must share the same assumptions as to the "facts" under discussion and the same procedures for analysing them (see also Rabinow 1986:255-56).³

Members of an interpretive community thus have an interest in legitimating, or refusing, claims to authority. In the academic world, this involves a complex network of overlapping interest groups: formal disciplinary institutions in universities, the publishing industry which depends on their production, the interpersonal relationships among members which promote some and not others, the competition between journals, and the entire process of refereeing of individuals and their products. All research must proceed through some funding mechanism, and the formal and informal networks which ensure that some research projects are funded and others are not reflects one of the most powerful aspects of the interpretive community. In the world of science, including social science, authentication of one paradigm and "school" rather than another can have a direct bearing on the actual life conditions and opportunities of people in the world. From this point of view, as Foucault has
insisted, discourse becomes a field of power, and the production of acceptable knowledges becomes a political issue (cf. Foucault 1980a, 1980b).

This power stems from the control over the creation and maintenance of classificatory schema, the definition of facts, the choice of topics and problems, and the rules which determine which forms of knowledge are reproduced, to whom, and how. Thus, the arguments in contemporary anthropology, which have focused largely on textual issues in representation, must be seen in a much broader context.  

The concept of the interpretive community, and the institutional means by which it is constituted and functions, provides one domain of power through which anthropological writing circulates and has influence. However, a further domain of power exists beyond the circulation of discourse within an intellectual or academic community. While the contemporary critiques of anthropology stress the power of the author in ethnography, they fail to even consider the broader political and social implications of anthropological representation. In the contemporary post-colonial world, knowledge and interpretation may be fed back as "truth" to the subjects of the original investigation, and thus transform political, social and cultural understandings, with unpredictable consequences. Traditions of representation, the genre conventions of anthropology, have determined the way in which the world of "others" has been constructed. For most of the twentieth century, these conventions can be understood as the product of modernism.

**Modernist anthropology**

Consideration of modernism in anthropology has meshed with the broader concerns with the nature and history of anthropology's discursive conventions, outlined above. In 1990, the first collection of papers explicitly dedicated to the discussion of modernism in anthropology appeared (Manganaro 1990). This was preceded by four particularly influential publications: Marcus and Cushman (1982), Ardener (1985), Marcus and Fischer (1986) and Strathern (1987). The British anthropologists (Ardener and
Strathern) follow a periodizing approach: "modernism" is used to indicate the period of "modernity", roughly from the 1920s to the 1970s. The Americans (Marcus, Cushman, and Fischer) rely far more on a concept of style, and consider the recent experimental ethnographies to be "modernist".

The question of modernism has been brought forth as a result of the claims of "postmodernism" in many fields and disciplinary areas. There is no space here to summarise, discuss or even further consider the way in which "postmodernism" has developed, much less its uneasy relation with social theory. The inconsistent applications across different disciplines has meant it is virtually impossible to locate a single common interpretation, or even a consistent set of overlapping usages. However, there is an underlying commonality in the concern with epistemology and the consequences of representation (cf. Lyotard 1984; Jameson 1988). The debates on postmodernism (whether used to refer to historical period, or to style) seem to have waned; but, perhaps surprisingly, the issue has been refocused now onto the topic of "modernity", or "modernism", on which theme a number of publications have started to appear (e.g. Holston 1989; Rabinow 1989; Williams 1989). The discussions of modernist anthropology, summarised below, are part of this move in the social sciences.

Ardener identifies Malinowski as the founder of modernist anthropology. He argues that Malinowski "completely rearranged social anthropology" (1985:50) and his traditions were maintained by his pupils until least 1970. Functionalism was anthropology's own modernist innovation; it had parallels, or perhaps common origins, with other applications of a functionalist outlook, notably in architecture, engineering, biology and mathematics. In these areas innovations associated with modernism are connected with technical advances or transformations.

The first technical advance identified with Malinowski's modernism was the method of participant observation through field work (1985:57). The social anthropologist intervened at a particular point in time and space and acted as a sort of "metering device" in the society under study. A "transect" could thus
be obtained from the apparently infinite variables of a given social reality. This results in a depiction of a synchronic system, which provides a means of understanding an "holistic function in the present" (1985:57). Field work provided the method and also a new perspective on social reality.

A second technical advance was the introduction of a set of analytical classifications which isolated and named the structural elements through which every society was organised, or "functioned". These were reified into "institutions", which were reflections at the social level of universal "needs". Ardener (1985:58) suggests that Malinowski attributed a "misplaced concreteness" to these analytical classifications.

A third technical advance was the use of "typicality", or "representativeness". This referred to the idea that any particular field experience could accurately provide a picture of the whole of a "society". Ardener (1985:58) sees this as a "basic paradox" of functionalism. A description of one situation (e.g. one ritual, one village, one community) could be taken as a valid description of all others of the same order in "the society". The present could stand for "any time"; this village could stand for "all villages". It was assumed that the cultural, historical and geographical variables pertaining to any particular "primitive society", or indeed "primitive societies" in general, were more or less constant. Such societies were believed to be characterised by great stability over time; variations were considered to be minimal; these were "traditional" societies. This contrasted with the situation in the West, which was characterised by rapid change rather than stability, and by fine variations rather than uniformity.

Clearly, the modernist phase of anthropology entailed assumptions about the distinctions between "Us" and "Them". By the time Malinowski came on the scene, the idea of the "'primitive' as unhypocritical, in touch with the natural, and at home with the erotic" (1985:59) had already taken hold amongst adherents of the modern. Malinowski's "primitive" was linked to existing ideas amongst intellectual and artistic circles at the time.8
A feature which contributed to the success of modernist anthropology was the perception that the new functionalist approach fitted perfectly with the actualities of the societies studied. It seemed to "work" (1985:59). That it did so was largely the consequence of the conditions under which fieldwork was carried out. Under colonial rule, the subjects of study were kept "unnaturally peaceful", with conflict and unruliness kept to a minimum. "If anthropologists entered, the place was stable" (1985:60).

Customs were codified, murders and violence were punished, conflicts arbitrated, anthropologists were permitted, and change was shunted off into the towns ... Primitive stability, so long posited, was given concrete form in the colonial territories (1985:60).

Ardener devotes much of his discussion to the emergence of structural-functionalism, which he refers to as "consensus modernism", and then introduces Structuralism, which he regards as an expression of modernism which ended in fragmentation among the movements associated with structural Marxism, hermeneutics, and the ideas of Ricoeur, Derrida and Lacan (1985:50). Ardener argues that these concerns declined in the later 1970s and that modernism, in the social anthropological sense, is over. Logically, then, Ardener would seem to be suggesting that traditional forms of social anthropology must also be over.

Strathern (1987), while implicitly accepting a similar periodizing concept to Ardener's, is much more concerned with textual traditions in the discipline, taking as her starting point the anthropology of Frazer, against whose approach and writings she suggests the shift to modernism took place. Post-Frazerian anthropology, she argues, "is utterly unlike what went before it" (1987:251). Anthropology after Frazer was constructed on a model of scientific endeavour, which excluded the literary and achieved its effects by distancing and precision. Nevertheless, Strathern asserts that all writing, whether literary or otherwise, is a kind of "fiction". For the anthropologist, the problem is "a technical one: how to create an awareness of different social worlds when all at one's disposal is terms which belong to one's own" (sic) (1987:256). By fiction, Strathern does not mean that anthropological writing is "untrue" (although clearly Jarvie's
response (1987:273) indicates that good anthropology tells "the truth"). The need to communicate the experiences of others from a writer to a reader requires a certain kind of writing.

[A] monograph must be laid out in such a way that it can convey novel compositions of ideas. This becomes a question of its own internal composition, of the organisation of analysis, the sequence in which the reader is introduced to concepts, the way categories are juxtaposed or dualisms reversed (1987:257).

In consequence, the manner of description, whether scientific or literary, is merely a question of style. Style "signals the kind of fiction it is; there cannot be a choice to eschew fiction altogether" (1987:257).

A distinguishing feature of modernist anthropology was the view that societies were to be seen as organic entities or wholes which could only be interpreted in their own terms. Comparison became "the comparison of distinct systems" rather than the comparison of particular customs or practices from any part of the world (1987:254). Modernism required a disciplined text, a respect for the integrity of ethnographic data, and that the perspectives of the actors ("the native's point of view") be presented. These new demands were encoded in a particular form of writing which characterised the shift from Frazer to Malinowski (Strathern 1987:259).

To conclude, both Ardener and Strathern endorse the concept of modernism as appropriate to the definition of a particular anthropological epoch. Strathern appears to accept Ardener's periodization, but places far more emphasis on the role of particular discursive formations as constituent of modernist anthropology. She takes the view that the central problem of modernism was "manipulating one's own concepts to conceptualise ones constructed as alien" (Strathern 1987:261). It was for this reason that the most influential anthropological writer of the late nineteenth century became, within two decades, not only unpopular but "unreadable" (1987:251).

The question of "readability" again raises the issue of "the audience". It is clear from Strathern's account that Frazer's audience was a "popular" one,
that is, it included many readers from outside Frazer's immediate field. (Indeed, Mulvaney and Calaby (1985:399) suggest that in the late 1920s The Golden Bough "was to the House of Macmillan what the Bible was to Oxford University Press"). After Frazer, anthropology ceased to be "popular" in the same way. Malinowski may well have had great success with The Sexual Life of Savages, but the entire corpus of his work did not have an equivalent impact to that of Frazer's. In the post-Malinowskian era, the "audience" has become ever more strongly differentiated by subdisciplinary and regional specialisms. This is hardly exclusive to anthropology, since one of the most marked features of twentieth century research and scholarship is its hyperfragmentation and specialization. One significant effect of this is to constitute "the audience" ever more narrowly, while the "interpretive community" which supports and sanctions the research endeavour is consequently more and more likely to be self-referential. The constitution of self-referential "cliques" in the various scientific communities might be considered a hallmark of modernism.

Marcus and Cushman (1982:25) concur that over the past sixty years or so there has been a tacit consensus in Anglo-American anthropology in the genre conventions appropriate to ethnographic writing, which they term "realist" rather than "modernist".

Close attention to detail and redundant demonstrations that the writer shared and experienced this world are further aspects of realist writing. In fact, what gives the ethnographer authority and the text a pervasive sense of concrete reality is the writer's claim to represent a world as only one who has known it first hand can, which thus forges an intimate link between ethnographic writing and fieldwork (1982:29).

The construction of an "omniscient author" enhanced the sense of scientific accuracy to which the text aspired, but also removed any context for questioning "what the ethnographer knows and how he came to know it" (1982:32). The use of "case studies", and the legalistic terminology which permeated the analyses, provided a further method of bolstering the legitimacy of ethnographic description as a means of understanding "the real", and enhanced the appearance of intimacy between the ethnographer and his subjects (1982:33-34). While the realist ethnography repudiated evolutionary
thinking it nonetheless addressed itself to the presuppositions of the ethnographer's culture, which still retained a view of "natives" or "others" as irreducibly "different".

Embedded within the genre, then, is the implicit (or sometimes explicit) comparison implied with the culture of the reader. Like Strathern, Marcus and Cushman (1982:48) see this as a central characteristic of the realist genre as a whole. When anthropology was challenged as to its utility, it was claimed that by understanding the cultures of others, "we" could better understand our own. The comparative dimension in ethnographic writing demonstrated the importance of cultural relativity, contributing to the image of anthropology "as a liberal minded discipline in the West" (1982:49).

Marcus and Cushman’s account of realist ethnography is presented as a springboard from which they can discuss the new "experimental" ethnography which they consider indicates a decisive break with the "realist" mode. Marcus and Fischer, in Anthropology as Cultural Critique (1986), continue to use the term "realist", and further specify characteristics of the genre. Their main concern is the degree to which ethnographic writers are alert to and conscious of the issue of how they are writing: "realist" ethnographers do not see this as of significance, whereas "modernist" writers (i.e. those Ardener and Strathern would probably consider "post-modern") are constantly aware of their own rhetorical presence in the text (cf. Marcus and Fischer 1986:57).

Both Marcus and Cushman, and Marcus and Fischer, stress the importance of the relationship between the anthropologist and the "subjects" of ethnography. Above all, the importance accorded to the means of writing is predominant. As indicated earlier, they assert that by permitting the voices, views and perspectives of the "subjects" to enter into the text in a direct fashion, the ethnographer has met the requirement to yield his authority. Although Marcus and Fischer discuss in some detail the importance of criticisms of anthropological practice from a political and political-economic point of view (1986: 84-95 and passim), they appear nonetheless to believe that these questions can be confined to textuality.
Edward Said is probably the best known of recent critics of Western representation, largely through his work *Orientalism*. For Said, anthropology is part of a larger historical whole, the history of colonialism and imperialism, of which it is a constituent part. In a paper delivered in 1987 (1989) he nevertheless appears to believe that the recent moves to expose the fashioning of anthropological authority, exemplified by Marcus and his collaborators, may offer a solution. This is not because political issues can be resolved by writing, but rather because recent approaches in anthropology can permit "others" to be understood as historically constituted rather than ontologically given.9

Cultures, thus, can be interpreted as zones of control or of abandonment, of recollection and of forgetting, of force or dependence, of exclusiveness or of sharing, all taking place in the global history that is our element (1989:225).

Said argues that postmodern theorists, such as Lyotard, have completely missed the significance of the irruption of the non-European world into Western structures of consciousness. The challenge to the "truth" of the great Western narratives has arisen from the crisis in modernism itself which has in part been brought about within Europe by the presence of those who were "others" - particularly those who had been colonial subjects. The presence of these figures in Western domains was a challenge to which modernism could not respond. Europe's failure to take the "other" seriously is "the fundamental historical problem of modernism" (Said 1989:223).

While these perspectives are being widely discussed both by "Third World" intellectuals (e.g. Spivak 1987, Trinh 1989, Chatterjee 1990), and in the context of a debate about "canons" in American universities, there has still been no serious consideration of the effects of ethnographic research and writing when they are brought into conjunction with, and become the subject of, the modern bureaucratic State apparatus. Clifford, in his account of evidence before a native land claim (1988:277-346), seems to have been profoundly struck by the problems posed to anthropological understanding when subjected to forensic procedures in a court of law. Above all, this context requires clarity and simplicity, a "yes" or "no" answer to questions such as "Can
a group be a tribe without a political organization?" (1988:323). In this case, the argument was basically one between historians and anthropologists, but its outcome was determined by the legal definitions permitted by the discourse of the law. Clearly the rhetorical conventions developed in an academic interpretive community were inadequate to explain satisfactorily, or rather convince, a court as to the existence of a "tribe" in Mashpee. However, particularly in those contexts where the modern State is obliged to take cognizance of its indigenous minorities, the theories and practice of anthropology can take on a new dimension (see Benjamin 1988). Where anthropology and legislation are melded, as is the case in Australia’s Northern Territory, a new set of consequences of ethnographic representation can arise.

In Australia, the genre conventions identified above have guided the construction of ethnographic representations. Whether the basic paradigm should be termed "modernist" or "realist" is irrelevant here. The point is that such conventions operated internationally, and constrained the means by which anthropological knowledge could be constructed and communicated. This situation was not recognised by its participants, who were unable to identify the arbitrary, historically and culturally determined parameters of their enterprise. In the following chapter I will show how this dominant paradigm was transferred to Aboriginal Studies in Australia, where particular national considerations as well as the prestige and power of certain areas of the Anglophone interpretive community exerted their own effects on the representation of Aborigines in Central Australia. This will foreground the way in which one particular representative text, Desert People, entered Australian anthropology as an authoritative and classic ethnography.
NOTES

1. In the necessarily brief summaries which follow I have attempted to distil only the most basic elements of these writers' contributions. I am well aware that my treatment of Marcus and Cushman, and Marcus and Fischer, over-simplifies a very complex body of theoretical work, and I do not wish to diminish the significance of their contributions by providing such a brief account. Indeed, an entire thesis could be devoted to the questions raised in this chapter, particularly considering the plethora of commentaries and critiques which have subsequently appeared (e.g. Scholte 1987; Polier and Rosberry 1989; Hastrup 1990; Weeks 1990).

2. Such acts include the presentation of seminar papers, publication in refereed journals, publication of books and monographs for a specialist audience, teaching undergraduate and postgraduate students in a recognised academic environment. Informal discussions with colleagues are also a legitimate part of the communication process. Other activities are not so recognised, for example speaking to non-specialist audiences, appearing on popular radio or television programs, publication of popular or "coffee-table" books, or giving evening courses to fee-paying students.

3. Of course this reiterates Kuhn's insistence on the sociohistorical character of the paradigm in science (Kuhn 1970), but, as Giddens has pointed out, a paradigm need not necessarily possess an internal unity: "the process of learning a paradigm ... is also a process of learning what that paradigm is not" (1976:144).

4. Trinh Minh-ha (1989:157n64) raises a number of issues in reflecting on Marcus and Clifford's contributions to a new anthropological consciousness. She points out that from a number of viewpoints their critiques are hardly carried far enough, and notes that a critique of ethnographic writing must itself reflect on its own writing.

5. Modernist Anthropology: From Fieldwork to Text reprints Strathern's 1987 paper, along with a number of other works which have appeared over the past fifteen years. A recent review compares it with Writing Culture and suggests it is "the most sophisticated statement of 'textual anthropology'" (Stoller 1991:982).

6. Some writers consider the use of "postmodernism" as no more than a pragmatic convenience. Kermode (cited in Callinicos 1989:25) says postmodernism is "another of those period descriptions that help you to take a view of the past suitable to whatever it is you want to do". Others, such as Arac, focus on the misunderstandings consequent upon both disciplinary and national traditions, differences which "obstruct significant direct engagement with the arguments, motives, and implications of various positions" (1986:xiv).
7. Examples of such technical advances would include the use of steel, glass and concrete in architecture, the stream of consciousness in literature, and abstraction and surrealism in art.

8. Ardener (1985:59) echoes Leach’s observation that it was *The Sexual Lives of Savages* ("a modern primitivism for Modern people") which more than any other work drew the attention of "general readers" to Malinowski’s anthropology. But, as I will suggest below, Malinowski’s popularity was generally limited to this work.

9. Said is not an anthropologist and seems to share in the common impression among those in adjacent fields that anthropology has hardly changed its views since the nineteenth century. Since the 1920’s one of the main thrusts in anthropology has been to insist that characteristics such as gender, race, class and sexuality are culturally, socially and historically constructed, not produced by biology or otherwise "ontologically given". Anthropology has been far ahead of other disciplines in this recognition, although there have been counter-moves, most recently from socio-biology. Marcus and Fischer make similar points, accusing Said of "rhetorical totalitarianism" (1986:2).

10. Clifford includes a fascinating account of the problems of defining "the tribe" in the Mashpee land claim (1988:322-323). These difficulties are remarkably similar to those which arise in the Australian context in terms of the definition of the land-holding group.
CHAPTER TWO

FIELD AND TEXT IN CENTRAL AUSTRALIA

In Chapter One I set out some of the major issues which were raised in the 1980s about the nature of anthropology and more particularly, of representation in ethnographic writing. My intention in this chapter is to briefly examine the history of certain anthropological depictions in Australia as they developed in the context of studies of Aboriginal life and to show that, while the dominance of a British structural-functional model became unquestionably important, there were other significant trends and approaches which exerted a continuing influence on new generations of researchers. Echoes of these surface, disappear and resurface at different points in any given ethnography, while other approaches, dismissed or relegated to marginality at one point in time, may appear with a renewed significance as dominant paradigms shift.

My concern is not to thoroughly review this issue for Aboriginal anthropology but rather to situate Meggitt's *Desert People* within the context of the interpretive community constituted at the time of his research. The purpose is to delineate a context for the structure, framework and technique of *Desert People*, its coverage of certain topics retained from earlier research interests, and its omission or sidestepping of certain issues which have become especially important since the advent of Land Rights.

*Desert People* came at a particular conjunction of the anthropological enterprise in Australia. It appeared at the end of a long series of ethnographic investigations, beginning with those in the expeditionary mode of Edwardian ethnology and continuing through the professionalist phase dominated by Radcliffe-Brown and the activities of the Department of Anthropology at Sydney University. While Spencer and Gillen were regarded as the pre-eminent ethnographers of Central Australia for many years, it was Radcliffe-Brown and Elkin, neither of whom were exclusively associated with Central Australian research, who set the scene for the way all anthropology was to be carried out in Australia.
The writings of Radcliffe-Brown and Elkin, and the work of those inspired by them, undoubtedly constitutes the major tradition in Australian ethnography, one which must have influenced Meggitt's approach in terms both of problems and methods. His work also followed studies by three other Central Australian researchers, whose contributions to the ethnographic corpus were largely overlooked or even dismissed by prevailing trends of opinion in Australia. Geza Roheim, Olive Pink and T.G.H. Strehlow had each been marginalised, in one way or another, by the development of a new 'legitimate' social anthropology centred in the Sydney Department. They seem to have had little or no explicit influence on what Meggitt wrote in Desert People, although it is likely that Roheim had a strong impact on his thinking (see Meggitt 1966; cf. Morton 1988:xiv). This is all the more remarkable for the fact that, until Meggitt's arrival on the scene in the early fifties, their work constituted the only advances in the ethnographic knowledge of Central Australia since the time of Spencer and Gillen. The lack of interest in their efforts serves to illustrate the consensus which then existed in anthropology's intellectual community.

Following the appearance of Desert People, a new kind of ethnographic enterprise began to take shape in Australia, one characterised by topic-oriented research within a theoretical framework still strongly influenced by the intellectual currents of contemporary British anthropology. Desert People may have been the last Australianist monograph of the structural-functionalist genre (cf. Morton 1987:304), but it remains the best known account of the Warlpiri, through which all subsequent research has been approached.

Spencer and Gillen and the expeditionary mode

Clifford has remarked that "[t]he theme of the vanishing primitive, of the end of traditional society ... is pervasive in ethnographic writing" (1986b:112). This theme has figured prominently in Australian ethnography until recently. It was certainly decisive for the ethnography constructed in the "expeditionary mode", characterising a particular phase of colonialist anthropology, the avowed aim of which was to salvage a past believed to be in eclipse. Published accounts of these expeditions, which transported 'scientists' to the
remotest regions of the world, portrayed an image which suggested a penetration into an unknown which was equally 'untouched' by the effects of colonial appropriation and settler presence. However, it is perfectly clear from the diary entries and journals of many such expeditionists that they were following, as it were, "the cart tracks of others" (Mulvaney and Calaby 1985:202). Indeed these early ethnographers depended everywhere on local settlers and government officials for supplies, water, mail, companionship and protection. Although it could be seldom glimpsed from their ethnographic reportage, expeditionists travelled always through areas already settled and thus "pacified".

Spencer and Gillen were paragons of the expeditionary mode. Their collaboration in the field commenced in the summer of 1896-97, over which time they observed several stages of the now famous Aranda "engwura" (T.G.H. Strehlow's "inkura") ceremonial cycle. From this emerged their first joint work, *The Native Tribes of Central Australia*, published in 1899, which had an immediate impact upon European scholars of ethnology and comparative religion (Mulvaney and Calaby 1985:180). Following a highly publicised expedition through the Centre to the Gulf of Carpentaria in 1901, a second ethnographic volume, *The Northern Tribes of Central Australia*, appeared. Their third joint publication, *The Arunta*, actually penned by Spencer, came in 1927. It largely followed the text of *Native Tribes* but incorporated additional material from Gillen and data collected by Spencer in 1926.

The guiding principle behind Spencer and Gillen's research was the theme of recording a dying past. Their task was to preserve a record of the "genuine and primitive customs" of Aborigines which were being rapidly modified or lost. Spencer was to later remark (in 1914) that "there are very few parts of Australia now left in which it is possible to study the aboriginal in his natural state" (1966:41). They wrote in a flat, measured style which "typified the best traditions of 19th century natural science" (Stanner 1979:222) but their fixed social evolutionary perspective, upheld by the natural science model, evinced a certain inevitability about the cultural demise of Aboriginal society (cf. Mulvaney and Calaby 1985:212).
Spencer and Gillen’s anthropological preoccupation with Aboriginal religion, clearly apparent from its prominent treatment in their texts, stemmed in large measure from its scholarly importance in Europe. Frazer was particularly influential in guiding their ethnographic interests and he was a frequent correspondent during their time in the field. It was Frazer, with his own questions and ideas, who in fact led the course of many of their enquiries (Kuper 1988:103).5

However, Spencer and Gillen’s interest in Aboriginal ritual life also reflected the orientation and conditions of their field work practice. Observing at first hand the daily lives of Aborigines by living among them and sharing their social environment was never of course envisaged at this time as a sine qua non of anthropology. Expeditionary field work was nevertheless strenuous, and in carrying their own supplies and equipment, Spencer and Gillen were never able to stray far from the base camps they established. Particular field strategems were therefore employed which maximised the opportunities to observe and record traditional activities which they might otherwise have not witnessed. Sponsorship of ritual performances became an important logistic requirement for the conduct of field work (cf. Mulvaney and Calaby 1985:207), yet no account or even mention of such matters appears in their published work.

Of particular interest here is the venue of Alice Springs chosen for the performance of the engwura ceremonies featured prominently in Native Tribes and The Arunta. Whereas Strehlow (1971:378) has emphasised the availability of European stores in Alice Springs, Spencer’s biographers state that the determining factor in the choice of Alice Springs was Gillen...Gillen’s prompting, his tribal prestige and official status, probably turned the balance and ensured that a ceremony actually took place at all (Mulvaney and Calaby 1985:173).

Gillen was "'mad with anthropologic enthusiasm'" (Stanner 1979:110) and his insights into Aboriginal social and religious life, derived from long association with Aboriginal men, were substantial. It is not entirely clear how
competent Gillen was in the Aranda language, but Spencer certainly depended greatly upon his interpretive skills for understanding what was being said. More significantly, however, it was in his capacity as Sub-Protector of Aborigines that he was most indispensable to the partnership. Strehlow emphasises this in referring to Gillen’s “fearless” role in the arrest of Constable Willshire on a charge of murdering several Aranda men at Tempe Downs in 1891:

Gillen’s courage was never forgotten by the Aranda; and some years later their gratitude found its expression in the ceremonial festival held at Alice Springs in 1896, where the secret totemic cycle of Imanda was revealed for the first time before the eyes of white men - to Gillen and to his friend, Baldwin Spencer (1978:48-49).

It must be remembered that Alice Springs, then named ‘Stuart’, was at this time the only town of any size between Adelaide and Darwin. Its very location had been determined primarily by the abundance and availability of water, and this of course meant that it was also an important living area for the Eastern Aranda and probably supported a comparatively dense Aboriginal population. Little is known about the nature of the emergent social relations between the Aborigines and the newly settled white residents, although something of the town’s "flavour" is conveyed in Gillen’s remarks of 1901: “The Town of Stuart... appears to be in a moribund condition; ... [it is] probably the smallest in the colony [and] consists of nine buildings three of which are breweries!” (Gillen 1968:47). Gillen and the local constabulary probably were the only representatives of the 'State' in Central Australia, and would therefore have provided the major linkage to significant sources of power, and information, in the region.

Given Gillen’s singular importance as a local functionary, it is possible, even likely, that Aboriginal people would have interpreted the staging of the engwura ceremonies at his instigation in a manner rather different to that intended by the ethnographers. The provision of food and other valued goods, and the very presence of powerful Europeans at the ceremonies may have led to the view that this event presaged the development of a new stage in the
social relationships between black and white in the region (cf. Berndt 1962; Myers 1982a). The Eastern Aranda had by this time become displaced in the heartland of their own country but no doubt like other Aborigines did not consider this a permanent domination. In terms of the wider social and political circumstances, the willingness of the Aboriginal groups involved to perform ceremonies could well have been an attempt to incorporate local Europeans into some form of enduring reciprocal relations (for examples of similar strategies elsewhere see Hamilton 1972; Anderson 1983).

No attention or even account of these matters however, appears in the published work. In fact, any reader of the preface to Native Tribes would interpret the circumstances of the ceremonies of the summer of 1896 to 1897 as a wholly indigenous initiative.

During the summer of 1896-7, the natives gathered together at Alice Springs to perform an important series of ceremonies, constituting what is called the Engwura, and this, which occupied more than three months, we witnessed together (1969 [1899]:viii).

A contemporary reading of Spencer and Gillen's ethnography reveals clearly the omission or lack of recognition of many other important aspects of social and ritual life. These omissions most significantly include the mechanisms of Aboriginal attachment to land and country, and the basis for the ownership of tjurunga. Indeed, Spencer was to later concede his ignorance of the latter, noting "it is regrettable that the true nature of the objects thus hidden away...was not known" (cited in Mulvaney and Calaby 1985:128).

While Spencer and Gillen's ethnographic researches were hailed as a great contribution to anthropological knowledge, Spencer was also drawn into the growing question of the policy implications for the increasingly problematic relation between Aborigines and the State. This, as we shall see, became a persistent and significant factor affecting the development of Australian anthropology.
Spencer and Gillen left a substantial corpus of ethnographic material on Central Australia, the full theoretical ramifications of which are still to be worked through. Durkheim of course relied heavily on their texts in *The Elementary Forms of the Religious Life*, and the parameters of understanding Aboriginal religion, totemism and initiation rested on this foundation. However, they studied Aborigines as representatives of a primitive world from which deductions about human social institutions could be drawn. In their accounts, this "past" sets the frame of the analysis, but appears in their writing as a "present". As we will see below, this analytic and representational practice remained dominant in Australianist anthropology until the 1970s.

**The influence of Radcliffe-Brown**

The appointment of Radcliffe-Brown in 1925 to Australia's first Chair in Anthropology at the University of Sydney came during a significant period of change for the discipline, particularly in Britain. For Australian anthropology, his arrival ushered in a new 'professionalist' phase which brought about a substantial change in the implicit goals of the enterprise. As Urry (1983:400) points out, changes in the concerns of anthropology at about this period were accompanied by shifts in the institutional bases of research, and university departments of anthropology were in the ascendancy. The process of this sea-change was more complex than some retrospective constructions would have us believe (cf. Chapter One). Kinship, already a basic aspect of disciplinary inquiry, became critically important in comparative studies, both in Australia and elsewhere. Indeed, the argument has been put that British social anthropology only really began with the publication of *The Social Organization of Australian Tribes* (see Urry 1983:402). The central concerns of Spencer and Gillen, pertaining to the investigation of religion and bearing on the rationality of primitive belief, as Stocking points out, were "no longer the cynosure of disciplinary attention" (1987:323), although Australian interest in this area has never really flagged.

Radcliffe-Brown's influence affected the entire shape and direction of Australian anthropology. Most workers in the Australian field, even in setting out
to amend his views, have nevertheless been unable to ignore them. The Australianist "orthodoxy" (Keen 1984) stemming from his model of Aboriginal society has, in its more or less subtle manifestations, structured the perceptions of Aboriginal territoriality, kinship and social organisation for over half a century.

During his tenure at Sydney Radcliffe-Brown initiated a program for research in Australia, in terms consistent with his views on the urgency with which field work should be carried out. After taking the Chair he said:

"Everywhere throughout Australia ... the natives are either dying out rapidly or they are losing their customs and traditions. Work can be done now which will be impossible in a few years time. In a way, the work we are engaged on is the most urgent in any field of science, since, if it is not done now, it can never be done at all (Letter, Radcliffe-Brown to Rockefeller Foundation, November 1927, cited in Wise 1985:49).

By 1930, the inaugural year of Australian anthropology's flagship journal Oceania, articles appeared which represented the direction of a new generation of Australian ethnographers (see Elkin 1970:15). As already indicated, the publication of Radcliffe-Brown's essay on Aboriginal social organisation in the same year marked something of a crucial moment in the discipline (Mulvaney 1958:314) and a break with the ethnographic traditions of the past (cf. Levi-Strauss 1969:147).

In spite of the 'practical' intentions underlying the foundation of his Chair, Radcliffe-Brown was not an enthusiastic advocate of applied anthropology, although he did establish courses for administrative officers in Australia and New Guinea (Berndt and Berndt 1965:18). Nevertheless, when the withdrawal of funds to the department seemed imminent in 1930, he wrote "anthropology ... can and should be made a science of immediate practical value, more particularly in relation to the government and education of native peoples" (1930:2). No doubt this assertion must be seen in the context of a politically expedient yet necessary justification for maintaining the Sydney department (see Elkin 1970:16). Not only while he was at Sydney but throughout his career, Radcliffe-Brown's overriding concern was with the promotion of anthropology
as a worthy scientific discipline, one which was comparable with the other sciences in its theoretical sophistication and methodological rigour.9

As Peterson (1990:12) has pointed out Radcliffe-Brown did not have to confront the pragmatic implications of applied anthropology in Australia. Not only had he already departed when much of the research carried out during his tenure became available in published form, the very utility of the functionalist concepts with which anthropologists were working did not readily lend themselves to use in Australia. Unlike the case in Africa or New Guinea, both indigenous institutions and the complexities of post-contact existence meant that Aborigines were not amenable to the techniques of administration such as those available in more directly colonial situations. In part this was due to the perception that Aboriginal society was in an irreversible state of decay, and in part a result of the forms of control and "bureaucratic custodianship" to which Aborigines were assigned (see Morris 1989). Aborigines were incorporated into the State through a model of dependency which seemed to leave no room for social engineering through indigenous authority structures.

According to the Berndts (1965:10) Radcliffe-Brown had little to say on the subject of field work methodology. His own early work was conceived in the expeditionary mode10 and his procedures have been subject to recent scrutiny (Hiatt 1968; White 1981; Stocking 1984). Conjecture over Radcliffe-Brown's debt to Daisy Bates has loomed large in the retrospective assessments, largely due to the assertions by Bates that he had appropriated her field data (see White 1981:205-207). There is no doubt that the field research was not carried out in any sense among people leading undisturbed lives on their own country. In fact, it was carried out in areas where Aborigines had been substantially dislocated by pastoral settlement and the intervening presence of Christian missions, and in the case of Bernier Island some informants had been forcibly incarcerated by police (Kuper 1973:60).

The Western Australian fieldwork, together with accounts of earlier investigators (Howitt and Fison, Matthews, Spencer and Gillen) provided the substance of The Social Organization of Australian Tribes (1930-31). Radcliffe-
Brown considered his greatest discovery to be in the identification of the formal properties of Australian kinship systems, but the implications of his treatment of social organisation and territoriality have been much more significant for later research (see Keen 1988:80-81). In his treatment of Aboriginal social structure, he argued that its basic elements were composed of the family and the local group, which he called "the horde", consisting of a group of brothers, their unmarried sisters and daughters, and their wives who had married in from another horde (1930-31:34-36). The core of the horde was the totemically linked patrilineal clan. Radcliffe-Brown asserted that the horde exploited a bounded territory exclusively and "owned" this territory (cf. Radcliffe-Brown 1956:365).

Details of the arguments around local organisation will be taken up again in Chapter Four. However, some critical points regarding Radcliffe-Brown's depiction can be summarised briefly. The model he put forward was extremely formal and static. It did not provide any indication of the significance for territorial affiliations of relations of descent through the mother, although an economic interest in the mother's patrilineal territory was referred to in an earlier report on Western Australia (see Peterson 1986:61). Secondly, he did not account for the potential negotiability of relations to territory through political process. Particularly in the case of break-downs in the transmission of rights arising, for example, from demographic shifts there is much scope for manoeuvre, but Radcliffe-Brown's model permits no room for such process to emerge. Thirdly, his model incorporated no reference to the importance of associations between territory and sacred objects and designs. Lastly, Radcliffe-Brown appeared to have no concept of the sense in which Dreaming tracks are important in both demarcating territory and in conveying certain rights of custodianship over land.

Nevertheless, the 1930-31 model was taken up by Australianists as the basic framework for the study of Aboriginal society and it therefore defined in advance the areas of investigation for later observers in the field. The orthodoxy of Radcliffe-Brown's formulations for Aboriginal society was to remain virtually immune from serious challenge until Meggitt went to the field in 1953.
The influence of Elkin

Under Elkin’s stewardship of the Sydney Department the professionalist phase in Australian anthropology became consolidated. Following the departure of Radcliffe-Brown, Elkin was appointed to the Sydney chair in 1933 and he quickly established his credentials as an authority on Aboriginal matters. As Chairman of the Anthropology Committee on the Australian National Research Council, which funded virtually all the pre-war field work in Australia, he effectively coordinated the pattern of research in Australia, in identifying areas of potential for the students he guided as well as directing the field work of other anthropologists.1

By Elkin’s time, however, the issue of policy regarding Aborigines in Australia had become even more pressing. In his capacity as Australia’s most senior anthropologist he was frequently called upon to provide policy advice, and throughout his career he engendered debate on issues of social change and their implications for Aboriginal welfare. He particularly made his mark in tirelessly promoting the value of anthropology as an applied discipline. As well as publishing extensively on Aboriginal matters in the academic and popular press, Elkin wrote the first comprehensive Australianist text (1954 [1938]) which became a standard work for students and a classic for non-specialist readers.

Like his predecessor at Sydney, Elkin never spent a prolonged period of field research in a single location. His field work in many respects resembles that of the expeditionary mode.12 His Kimberley research extended for twelve months over 1927 and 1928, and was carried out in towns and on stations and missions (Wise 1985:54-58). Although Radcliffe-Brown had apparently urged him to focus on one locality and study “one tribe” (1985:70), the field work comprised a Kimberley-wide survey of social organisation, mythology and ritual, and involved the collection and tabulation of data gleaned from structured interviews with informants (Elkin 1939:20).

He later carried out an extensive ethnographic survey of South Australia in 1930, which included a visit to Central Australia and resulted in his treatise
"Kinship in South Australia" (Elkin 1938-40). During the forties he made frequent but short visits to field sites in the Northern Territory and in 1953 he made sound recordings of Warlpiri ceremonies at Powell Creek.

Elkin's writings focused mainly on two issues. The first was kinship; he wrote on this topic in a typological, synthesizing way, exemplifying the style of Australianist work in the pre-war period. He considered this to be especially important for the "scientific" aspects of anthropology, in light of what he saw as the rapid demise of the Aboriginal population (see Berndt and Berndt 1965:15).

His second major concern was with the role of anthropology in meeting the problems of social and cultural change. From his first published work, "The Practical Value of Anthropology" (1929), to his highly influential paper "Reaction and Interaction" (1951), Elkin advocated the importance of anthropology for understanding the situation of Australian Aborigines. However, this understanding was framed within an undoubtedly evolutionary model; Aborigines had "failed" to successfully adapt to the European mode due to "culture clash". This could be attributed to their prior, specialised adaptations as hunter-gatherers.

"Reaction and Interaction" (1951), on which Meggitt later drew, exemplified Elkin's advocacy of anthropologically informed policy. He distinguished between "intelligent parasitism" and "intelligent appreciation" as two phases in the process of reaction and interaction on the frontier. "Intelligent appreciation" by Aborigines of European ways was an advance from "an external adaptation, making the best of the inevitable, to an inner understanding of the new way and of the part they might play in it" (1951:174). Attainment of this phase could only come about through the enlightened intentions of Europeans who must have "intelligent appreciation in thought and action of the Aborigines' condition" (1951:174). Although Elkin believed that anthropological knowledge had much to contribute to the amelioration of the conditions under which Aborigines lived, particularly in the remote areas of Australia, he really saw no viable social or political alternatives to their assimilation.
One effect of Elkin's approach was his agreement with the N.T. Native Affairs Branch, on behalf of the Australian Investment Agency (Vesteys), to place Ronald and Catherine Berndt at Wave Hill station. Wave Hill at that time had the largest concentration of Aboriginal people living and working in the region (Berndt and Berndt 1987:30-33). Many of these people were Warlpiri Aborigines who had been attracted to the station from areas to the south and south-east and who frequently moved between the station settlement and the bush. Meggitt was to carry out very different research when he arrived to work in the same region shortly afterwards. The Berndts found Aborigines living under intolerable physical and economic conditions; their recommendations for immediate improvement in living standards resulted in strained relations with the pastoralists and the final report drew an angry response from AIA (see Berndt and Berndt 1987:257-8).

The Berndt's study was the first example of anthropological research explicitly addressing the role of Aborigines as economic contributors to the pastoral industry. Its outcome exemplified the powerlessness of anthropology to effect change. While there can be no doubt that Elkin and the Berndts sincerely believed the Wave Hill research would have beneficial consequences, they were working in the absence of any theory of political economy and did not suppose that calls for improvements to the physical welfare of Aboriginal workers on the pastoral frontier would be opposed by those employing them.

Ethnography dismissed

During the period between Radcliffe-Brown's tenure at Sydney and the time Meggitt went to the field there were three ethnographic explorations in Central Australia, each quite different in range, focus, and 'ethnographic vision'. Each of them yielded significant contributions yet each failed to affect the development of anthropology in Australia. The reception of this work is a measure of the consensus implicit in the intellectual framework guiding Australianists until the sixties.
The first researcher, Geza Roheim, produced an enormous amount of writing on the Aborigines of Central Australia. But not until the 1970s did any of his work receive serious attention (see e.g. Hiatt 1975; Hamilton 1979; Morton 1985). No doubt this was largely because he was a psychoanalyst (having trained under Freud's pupil Ferenczi). His depiction of Aboriginal culture in terms of a universal unconscious was far from Australian (and British) anthropological preoccupations of the time, and his presentation of material was disorganised and almost "unreadable" to non-analytically inclined people. Roheim's vision lay in the broad philosophical-humanistic concerns of the European scholarly tradition, something which had little influence on the anthropological community in Australia.15

Roheim's first major work was *Australian Totemism*, published in 1925, which attempted to apply Freud's speculations about the origins of human history to Australian data (Hiatt 1975:5). Field work in 1929 at Hermannsburg gave rise to his most insightful contributions on Aboriginal religion, as well as refining his theoretical orientation (see Morton 1985:37-41). In his most commonly cited work, *The Eternal Ones of the Dream* (1945) Roheim elaborated upon the structure of the pre-Oedipal mother-child bond as the organising theme in male initiation and in myth, the narratives of which reflect anxiety over 'loss of the mother' (Hiatt 1975:8-9).

By all accounts Roheim was an exemplary field worker, meticulous in the observation and recording of data. He had great linguistic skill, unusual for fieldworkers at this time, and was able to elicit from informants with apparent ease the detailed accounts of myth, ritual and dreams he drew on for analysis. As Morton has pointed out, Roheim's interpretation of the sense particular beliefs and practices had for individuals has not been sufficiently appreciated (1985:37). In this respect, Roheim's field work invites comparison with that of others, who, under the supervision of Radcliffe-Brown and Elkin, made relatively little use of Aboriginal exegesis in ethnographic interpretation.

Olive Pink was another Central Australian researcher whose work was largely neglected in Australia. She initially spent some 14 months in Central
Australia in 1933-34, working under the sponsorship of the ANRC as a student of Elkin's in the Sydney department. Elkin was sufficiently enthusiastic about her work on Northern Aranda land tenure to have published an article in *Oceania* in 1936. She wrote of the Northern Aranda as "landowners", a significant usage, and also introduced the term "estate" into the Australianist lexicon. This was later refined and put to good use by Stanner in describing the territory of the local group (Peterson 1986:52). Pink also seems to have been the first to stress the importance Central Australian Aborigines attached to the *kurdungurlu* relationship, which conferred "managerial" rights in territory through the mother's patrilineal descent group. The significance of this relationship to land-holding interests had been largely overlooked until this time (Peterson 1986:61; note that her work on this point was important to Levi-Strauss, see 1969:149).

Myers (1986b:128) has indicated that the significance of Pink's contribution to Central Australian ethnography lay in her attempt to broach the complexities of political process which form the basis for individuals' rights to country. Her Aranda material is therefore instructive for the understanding of territory as a dimension of social relations, which has become especially important in the contemporary research contexts of Land Rights. Her analysis of the range of traditional rights in country and the importance of territory and "dreaming tracks" was a significant attempt to meld Aboriginal concepts with the perspectives of anthropology at this time.

Pink spent nine weeks at Tjilla Well, in Warlpiri country, where she was regularly visited by family groups apparently undisturbed by the growing European presence in the region (Pink n.d.). She also spent a considerable period at Thompson's Rockhole in the vicinity of the Granites in the early 1940's (O'Grady 1977:96). Her Warlpiri material was never published although an important consequence of her sojurn was a series of recommendations, which she initiated, for the creation of reserve lands in the Tanami Desert (Stead 1985:34). She also advocated an 'applied anthropology' which would see future generations of Aborigines making legitimate cultural use of the data anthropologists obtained in the field (1936:284). Interestingly, Pink was also
alert to the dangers of revealing "secret-sacred" representations, and opposed the public screening of Mountford's film of Walpiri ceremonies in around 1936 (Marcus 1987:194). Although many of her concerns find support in the contemporary context, in her time she was regarded as an opinionated eccentric, attributes which apparently did not endear her to the Sydney department (see Wise 1985:115; Marcus 1987:195; Berndt and Berndt 1987:19-20).

A third ethnographer to be 'dismissed' was T.G.H. Strehlow, who had spent his formative years as a boy in Central Australia but who returned many years later as a researcher. For Strehlow, Aboriginal tradition was 'all in the past', extant Aboriginal culture remaining only as a degraded form of something that once was. His perspectives on the decline of tradition no doubt stemmed from his unique experience as someone who had encountered directly the 'first phases' of contact in Western Central Australia.

Strehlow's work has assumed greater significance with the passage of time. He began his full-time researches among the Aranda in 1932 as a recipient of an ANRC grant, administered by the University of Adelaide and the A.N.U. and returned for further research in 1935 (Berndt 1979:85). He later held research posts at the University of Adelaide and was eventually appointed to the Chair of Linguistics, continuing his ethnographic work in the Centre through the fifties and sixties. Strehlow took with him a perspective unique in Australian anthropology. Born and raised at Hermannsburg and becoming proficient in Western Aranda from an early age, he was to carve an identity for himself as guardian of Arandic tradition, to which end he amassed an extensive collection of ethnographic records and artefacts over the course of his career.

By 1934 he had finished the draft of what was to become Aranda Traditions, published in 1947 (see Strehlow 1968:xi). Replete with literary and classical allusions, Aranda Traditions also conveyed a deep sense of the 'great tradition' in Aranda myth and song, and the central place of this tradition in Aboriginal religious and intellectual life. It contained also a theoretically significant discussion of political process in relation to the ownership of tjurunga
(as noted particularly by Morton 1985:19, and Myers 1986b:303n1). However, it apparently did not enthrall its anthropological audience; one of its failings was its 'literary' quality, and it was possible for Elkin to describe it as the work of a "literary scholar", not a "trained anthropologist". Elkin believed that the book had "weakness on the scientific side", and that anthropologists familiar with the extant material on Central Australia "will find little in the book that is new in principle" (1948:273).

The problem with *Aranda Traditions* was that it was situated beyond the limits of discourse then available in Australian anthropology. Appearing at the height of structural functionalism, it seemed to have little relation to dominant themes in the academic context of the time. Its important examination of the ways in which religious knowledge structured Aboriginal society could not be appreciated readily since these concerns did not touch on the formal properties of groups and power as these were understood.

Strehlow’s approach to work in Central Australia contrasted with that of his contemporaries in one other important respect. After completing his initial research with Aranda speaking groups in the early thirties, Strehlow returned to the Centre in 1936 to become a Patrol Officer with the NT Department of Native Affairs. During his camel patrols across the Centre, including treks into Warlpiri country, Strehlow was brought into extensive contact with life on the frontier. He witnessed at first hand the tensions and conflicts between Aborigines, many of whom were still only just beginning to experience the impact of change, and white settlers. In this capacity Strehlow was not only an ethnographic observer but was also actively engaged in representing Aboriginal interests in spite of official indifference to his efforts. This is important in the light of his later position on the issues of Land Rights and recognition by the State of Aboriginal customary law.

**Conclusion**

The marginalisation of Roheim, Pink and Strehlow during the period under discussion is revealing for what it suggests about the criteria for success
in Australian anthropology. Academic recognition was the reward for loyalty to a prevailing canon of disciplinary expectations. Only in recent times have the insights of these writers re-emerged with a renewed significance. This is particularly the case with the work of Strehlow and Pink. The significance of sacred sites, "Dreaming tracks", and *tjurunga* ownership, and the dynamics of political negotiation around these issues for the Aboriginal individual, have emerged as the most significant mechanisms for explaining the extent to which Aboriginal relations to land differ from the clan/"horde"/territory model enshrined in Radcliffe-Brown's understanding of Aboriginal local organisation.

The extent to which the perspectives of these Central Australian field workers were ignored, or at least subdued, is apparent in the use Meggitt made of them in his own ethnography. While he later acknowledged debts to Roheim (Meggitt 1966), *Desert People* contains no reference whatsoever to the work of Pink, and there is scant acknowledgement of the major ethnographic insights of Strehlow and Roheim, their names appearing in the text only to substantiate empirical points made in the context of Meggitt's own interpretations. The intellectual traditions of the Sydney Department, in which he was trained, and the conventions of the time, obviously cannot be held against him, but his approach in *Desert People* illustrates the way in which the dominant perspectives were still based on the "expeditionary" and "salvage" modes of research, and on intellectual perspectives derived not from Australian conditions, but from the prestige attached to an "international" anthropology which had set the agenda for research in Australia since its inception.

Meggitt's example is instructive, however, for the light it casts on the way Aboriginal ethnography remained under the control of a set of canons of theory and research deriving from the historical development of the discipline. Although Australian anthropology was beginning to shift on several fronts when *Desert People* appeared, it was a discipline still very much dominated by concerns and perspectives whose origins owed more to the 'exploration' and 'survey' techniques, than to the reflection of ethnographic problems more thoroughly embedded in Aboriginal perspectives and understandings.
NOTES

1. The periodisation adopted here is not intended to follow Elkin's (1963), but merely to distinguish between different modes or phases in ethnographic outlook and practice while noting as well their continuities.

2. Donald Thomson, for example, definitely identified his Pintubi encounters - in a "Shangri-la out among the spinifex wastes" (1975:5) - in the late 1950s and early 1960s with the expeditionary mode. This contrasted with his earlier, 'isolated' endeavours in Arnhem Land where he was frequently in much closer contact with Aboriginal people at the same time as being much more isolated from any form of European support.

3. A case in point was the 1898 Torres Straits Island expedition led by Haddon, accompanied by Seligman and Rivers, which constituted something of a model for Australian expeditionists (see note 10 below). The South Australian Museum mounted expeditions to Groote Eylandt in 1921-22 and to Charlotte Bay in 1926; Tindale, the 'expedition anthropologist', was present on each one (Jones 1987:72). Several expeditions to the Northern Territory were subsequently mounted by the Board of Anthropological Research under the aegis of the University of Adelaide.

4. Spencer and Gillen of course were themselves influenced by earlier work in Australia. They acknowledged their debt to Fison and Howitt's *Kamilaroi and Kumai* (1880) which in turn was inspired by Lewis Henry Morgan (Kuper 1988:93). W.E.Roth, a medical practitioner, whose extensive contact with Aborigines in north-west central Queensland yielded a great quantity of data, was another influence (Mulvaney and Calaby 1985:385).

5. Frazer also had a key role in seeing through to publication the material from the 1896-7 field period and, because of his immense prestige and influence, was able to promote the reception of the work to a broad European audience (see Mulvaney and Calaby 1985:179 et passim).

6. Gillen referred to himself as a "full-fledged member of the Arunta tribe" and as the re-incarnation of the Great Urungara (Gillen 1968:62). While Spencer apparently believed Gillen to be fluent in Aranda, Strehlow (1971:xxvii and xxxi) points out that neither spoke fluently and that "pidgin" provided the main means of communication.

7. Spencer and Gillen's account of *tiurunga* although significant, is largely descriptive, and written from the material culture point of view. They discuss designs, distribution and use in ceremonies. The question of ownership, transmission and inheritance is mentioned only briefly. See their chapter in *Native Tribes* (1969:128-166).
8. In 1923 the Pan Pacific Science Congress meeting in Australia resolved that a Department of Anthropology be established at Sydney University. Research was to be funded by the Rockefeller Foundation through the newly formed Australian National Research Council. The need for "practical advice on native administration" was stressed, and this was to be furnished by the new anthropology department (see Stanner and Barwick 1979:38).

9. Radcliffe-Brown in 1944 remarked that were social anthropologists to spend too much time on practical problems this "would inevitably reduce the amount of work that can be given to the theoretical side of the science" (quoted in Maddock 1989:170). The requirements of good science, however, did not necessarily conflict with the needs of colonial administration, which he made clear in *African Systems of Kinship and Marriage*, where he remarked: "A wise anthropologist will not try to tell an administrator what he ought to do; it is his special task to provide the scientifically collected and analysed knowledge that the administrator can use if he likes" (1950:85).

10. Radcliffe-Brown's earlier field work in the Andaman Islands had been influenced by Haddon and modelled on the 1898 Torres Straits expedition, and was concerned with the historical reconstruction of the "primitive culture" of Negritos (see Stocking 1984). The work in Western Australia, carried out in 1910-11, was conceived in the same way, but now with the specific intent of resolving the debate over the relationship between totemism and exogamy. It has been suggested that his interest in Australia came from an evolutionary framework, and that he was influenced by prevailing perceptions of Australia "as the refuge of the most archaic forms of human society" (Scheffler 1978:x, and cf. Stocking 1984:146). In a bibliographic note Peterson (1983:144) observes that Radcliffe-Brown's preliminary synthesis, published as "Three tribes of Western Australia" in 1913, "was still close to the field experience and depicts a relatively fluid and flexible system".

11. Most notably the work of Kaberry, the Berndts, Thomson, Stanner, Sharp, Pink and of course Meggitt.

12. Elkin's field work "model", of which the survey is a vital component, is outlined thus:

[A] worker with a special grip of Australian social anthropology moves from tribe to tribe in a selected region, spending from a month to three months here and there as opportunity occurs, obtaining in each a good grip of the kinship system, social groupings, totemic organization and belief, economics and some knowledge of the religious, ceremonial and magical life (1939:19-20).
13. Notwithstanding the evolutionary tone, it may be argued that Elkin's framework had theoretical potential for conceptualising social change. However, it also provides a good example of the way in which Elkin's anthropological perspective served to "[uphold] the privileged and absolute values of the dominant society and its educative (civilizing) role" (Morris 1988:71).

14. Nevertheless it should be noted that in spite of his paternalist conservatism Elkin did advocate the right of Aboriginal people to community land on the basis of their traditional affiliations. In 1944, in Citizenship for Aborigines, he expressed sentiments which remain pertinent to current debates over land rights, namely, that Aborigines had been removed from their land and that the state had an obligation to restore it to them on the basis of proper anthropological understandings of Aboriginal culture (see Wise 1985).

15. Morton has recently drawn attention to the value of Roheim's Australian work, both as a contribution to the study of Aboriginal religion and in terms of our understanding of the role of the unconscious in religion generally (Morton 1988). Strehlow's research has also taken on a new significance in the context of the NT Land Rights Act.

16. The fact that they were considered to be somewhat peculiar individuals no doubt resulted in their work also being perceived as "peculiar" and therefore less likely to be of value. At least in the case of Pink and Strehlow, however, they would seem to have made things worse for themselves through their own defensiveness and hurt at being rejected (see Marcus 1987; Morton n.d.).
CHAPTER THREE

DESERT PEOPLE: FRAMEWORK AND TECHNIQUE

*Desert People* has long been considered a 'classic' of Australian ethnography. It was acclaimed at the time of its publication in 1962, and has since been cited constantly. It is required reading in most courses on Aboriginal Studies and Social Anthropology in Australia. It is also one of the few intensive detailed treatments of a single Australian "society". As an exemplar of dominant trends in mid-century anthropological representation *Desert People* is a standard. Like all such works, it effectively frames subsequent research; no-one could carry out anthropological investigations among Warlpiri people without reading *Desert People* first.

The text is drawn, virtually unaltered, from Meggitt's dissertation (entitled "Walbiri Society, Central Australia") submitted in 1955 at the University of Sydney for the degree of Master of Arts. In its internal organisation and theoretical orientation, the ethnography was guided by the conventions and expectations implicit in the credentialising aspects of thesis ethnography. The attendant limitations these impose on anthropological writing inevitably result in a "conservative text" (Marcus 1986:265). While in his other published work, most notably on Aboriginal politics (1964) and "Gadjari" (1966), Meggitt broke away from the conventional mould, the fact that he did not substantially revise or alter his thesis for publication meant that the most authoritative depiction of Warlpiri "society" has remained embedded within the thesis genre.

*Desert People* has reached a far wider readership over the last thirty years than could ever have been envisaged for the original text. Not only is it recognised as an authoritative work of anthropology, it also appears today as a "popular" work on shelves of "Australiana", and is now displayed in outlets oriented to tourist markets, including bookshops in Alice Springs, and at Australian airports. I know of mining company executives who, wishing to "understand" Central Australian Aboriginal society and culture, have carried the
book as part of their document folio (geological maps, exploration reports etc.) to the 'field'. One or two of them have recommended that their workers encamped on 'Aboriginal land' should read it. Whether or not it is also being read by English-literate Aboriginal people, Warlpiri or otherwise, and in what contexts, is not known to me. However, the use of anthropological texts by Aboriginal people has already occurred in the land claim context, and may become more common where disputes and litigations occur in the future. Despite these changes in 'readership', the text today remains substantially the same as it was in 1955. While there is obviously no requirement that a book should be constantly revised in the light of later developments, the fact remains that the effect of this is to freeze the representation of Warlpiri society, as far as the reading public is concerned, in the conditions of the 1950s.

Meggitt's intentions

Meggitt's preface acknowledges the work of an earlier generation of ethnographers. Spencer and Gillen, the Strehlows, Roheim and Pink are mentioned for their work in Central Australia, although they were concerned with describing "Aboriginal cultures" rather than "analys[ing] social organisation and structure in any systematic fashion" (p.xv)*. In effect, Meggitt contends that the information yielded by these researchers reveals nothing about the structure of Central Australian Aboriginal societies, thus distinguishing himself and his enterprise at once from theirs.

It is important for Meggitt to establish decisively that the Warlpiri were both "unknown" and as "untouched" as might be conceivable. He comments that they "had fewer contacts with Europeans during [early settlement], and their traditional tribal organization survived relatively unaltered" (p.xvi). They had by and large remained beyond the purview of previous researchers in Central Australia and he proposes that his work will thus contribute to "the placing of the central tribes in an over-all comparative framework".4

* In this and the following chapters page numbers only will refer to the text of Desert People (1962).
He identifies three major theoretical intentions. Firstly, he will provide an assessment of contemporary views regarding the significance of actual and putative genealogical connectedness as a determinant of Aboriginal social behaviour, in the light of the views of Radcliffe-Brown (1951:38), contra Murdock (1949) and Lawrence (1937). His research will gauge “the relative importance of locality, genealogy and subsection affiliation” in a range of situations, including birth, betrothal, initiation and death (pp.xvi-xvii). Secondly, Meggitt says he intends to consider “the widely held assumption that, in societies typified by the Australian Aborigines, unilineal descent groups have little or no structural significance” (p.xvii). Here his concern derives clearly from debates in the British social anthropological circles of the period. Thirdly, he will “discuss the changes in Walbiri society and culture that have occurred in response to contact with Europeans and with other Aboriginal societies” (p.xvii), with reference to Elkin’s (1951) model of the Aboriginal response to change.

Meggitt immediately constitutes the Warlpiri as an homogeneous entity, a “tribe” from which comparative conclusions can be drawn regarding Australian societies generally. The Warlpiri thus become a proto-typical Australian society (cf. Scheffler 1978:542n1); because they are relatively less “disturbed” by European contact they are especially appropriate to provide “pure” data on Aboriginal social organisation. In making this claim Meggitt merely continues a long established tradition in Australian anthropology, as indicated in Chapter Two. I will discuss below Meggitt’s approach to the historical record, which clearly creates the claim for the Warlpiri as a distinct and intact Aboriginal population. However, his approach stems from the new perspectives on social structure emergent in British anthropology of the time. In this, Meggitt distinguishes himself from previous Central Australian ethnographers, whose depictions are thus marginalised.

Elkin provided enthusiastic support for Meggitt’s aims and intentions in his Introduction to the published version, written in 1961. He stresses the importance of the ethnography because it had been carried out among a group which had remained “sufficiently independent of the effects of contact to provide the opportunity for a full tribal study” (1962:xi).
Whereas other field workers in Australia had usually found themselves "amongst remnants of a tribe or of several tribes around a Mission, Government settlement, pastoral station, or township", Meggitt had found the Warlpiri still "loyal to their social order" (1962:x,xii). Thus, he was ideally situated to study long-held assumptions about traditional Aboriginal life, most notably the issue of "the horde". Elkin stresses the importance of Meggitt's "community" because it provides evidence that "a much larger and more complex, endogamous community" is the "everyday functioning group" among the Warlpiri (1962:xii). He concludes that this "Aboriginal social order is a rational one", and the "complex, community formation" was not caused by the "influence and attraction of the Mission, Government settlement, or large pastoral station" (1962:xii).

Reception of the text

Meggitt's book attracted considerable attention after its publication. Reviews in Australia were generally favourable. McCarthy praised Meggitt for not being "content to accept long-established assumptions about Aboriginal customs", and described the book as a "benchmark" (1962:540). He commended the questioning of assumptions concerning the determination of marriage-arrangements, and the depiction of the "comparatively large endogamous group, a geographical section of the tribe" (1962:539).

For Marie Reay, Desert People exemplified the progress in Australian anthropology since Warner's Black Civilization (1937). She drew attention to the "excellent discussion" on the relative importance of genealogical connection and subsection affiliation, stating that it forms part of "the most satisfactory exposition of classificatory kinship in Aboriginal Australia yet available" (1966:241). However, she gave little more than tepid support for Meggitt's views on local organisation (1966:239). Reay saw Meggitt's "spirited attack" on the concept of "the horde" as significant, but seemed to think that if he had given more attention to the question of the "food-gathering unit" he would have made a greater and more useful contribution (1966:240).
T.G.H. Strehlow was also generally supportive. He regarded *Desert People* as an "authoritative" ethnography, and was substantially in agreement with the "reconstruction of the original Walbiri social organisation" (1963:22). However, Strehlow argued that Meggitt's inadequate historical sources have led him to make insufficient allowance for ... disrupting forces in certain of the conclusions he has drawn about the social organisation and local groupings of the Walbiri before 1928 (Strehlow 1963:22).

Strehlow asserts that the "splendid isolation" of the Warlpiri had come to an end in 1928 as a result of the Coniston killings, which occurred in a formerly densely populated area. He mentions other impacts including influenza epidemics and Government policies of resettlement, which "undoubtedly had a deep effect on the social organisation and the local groupings of the Walbiri" (1963:22). These disruptions severely destabilised the authority of traditional structures of power:

Undoubtedly one of the effects was the complete absence in 1954, among the Walbiri observed by Meggitt, of tribal leaders, headmen, or chiefs, and indeed of any controlling class of old or important men whose power extended through society (Strehlow 1963:23).

While I will suggest below that there is much truth in Strehlow's observations, it should also be remembered that he held a somewhat cataclysmic perspective on Aboriginal history, in opposition to the "authorised" conventions of reconstructive ethnography. He believed that Aboriginal culture in Central Australia had undergone an irretrievable breakdown after contact with Europeans and therefore no present-day observer could possibly understand "the past".

*Desert People* also received critical attention from outside Australia. Jane Goodale's review in *American Anthropologist* stated that it was "without doubt the best [monograph] that now exists on any aboriginal Australian tribe, and it certainly ranks with the best from other areas" (1963:931). She argued that Meggitt's interpretation and analysis of Warlpiri local organisation and the
kinship system were "theoretically most important for their contribution to the clarification of a long-over-generalized aspect of aboriginal organization" (1963:931). Meggitt's technique of description and analysis successfully combined detailed accounts of "why people do what they do within their own conceptual framework" with "formal structural analysis" (1963:928). This, she said, was used most effectively in challenging the ethnographic validity of Radcliffe-Brown's model of the local group and in describing the complexities of Warlpiri totemism.

However, a rather different evaluation of Desert People came from Britain, where Robin Fox (1967) confined his comments to Meggitt's analysis of "the mechanics of marriage choice". What is of particular interest here is that Meggitt is upbraided for not being "up-to-date" enough in theoretical terms. Fox himself was at this time attempting to introduce an "alliance" perspective into British social anthropology. He asserted that the monograph might have been better had it concentrated more on the analysis of kinship and marriage - spelling it out more clearly - and less on exploration, government, ritual and the rather tedious listing of details of interpersonal kinship behaviour ... Radcliffe-Brown set the pattern of Australian kinship studies, and Meggitt follows in his footsteps more closely than the many overt disagreements with the master might suggest (1967:329).

This necessarily brief survey suggests that Desert People was readily received into the local and international interpretive community largely because, although it seemed to be challenging a number of orthodox interpretations, it was doing so in familiar terms. As well, its reception was no doubt affected by the prevailing nostalgic mode which heralded one work after another as "the last ethnography" because of the supposed cultural demise of Aboriginal life.

Framework and technique

It is apparent from the foregoing that Desert People was received in most anthropological circles as exemplary, as containing something 'new' and yet also familiar. A close analysis of its discursive structure, and of the technical
devices used within it, as well as the depiction of certain aspects of Warlpiri life, indicates that it contains in certain measure all the hallmarks of the modernist text. It nevertheless refers back to an earlier tradition of Australianist studies, while appealing as well to emergent themes significant to an 'international' (although solely Anglophone) interpretive community.

Modernist conventions are apparent from the outset with Meggitt's treatment of "the tribe" as constituting a whole society, notwithstanding variations in population and experiences of the recent past, which are mentioned in the first five chapters. However, the substantial central section of the work displays these conventions most strikingly. We enter here the familiar ethnographic realm of "the kinship system", framed through an examination of norms of behaviour, rules and deviations from them within the structure of formalised kin relations.

There is insufficient space here to consider the technical aspects, let alone the substantive ethnographic issues, relevant to each part of Desert People. Chapter Four, following, will trace out in detail the issues around local organisation and Meggitt's use of "the community". Chapter Five will trace the depiction of descent and the arguments for the existence of unilineal descent groups among the Warlpiri. In the remainder of this section I will highlight some of the techniques pursued by Meggitt in his representations of Warlpiri society, in particular, the construction of the historical past, the depiction of "kinship", and the use of legalistic concepts in the explication of interpersonal relationships. This is clearly far from exhaustive, but is intended merely to provide some illustrations of Meggitt's use of genre conventions.

Meggitt's "historical background"

This is the title given to Meggitt's chapter describing relations between Warlpiri and the broader Australian society up to the time of his field work. By locating this as "background" he is able to imply a time-separation: before the ethnographic present, and "now". One of the main themes running through the chapter is the distinctiveness of the Warlpiri, whose most important
characteristics derive from continuities in belief and action with a traditional past. This then creates the third time referent: the time before white contact. The thrust of the analysis is to link that time with the "now", while minimising the significance of the intermediate period.

The point is made from the outset that Warlpiri associations with Europeans had been "comparatively limited" (p.16), and "their traditional tribal organization survived relatively unaltered" (p.xvi). The main implication of Meggitt's history is to demonstrate how little early contacts with Europeans had affected them. It is not my purpose of course to take Meggitt to task for failing to provide an account which satisfies contemporary demands. However, it is important to understand how "history" functions in Meggitt's text to create certain perceptions of Warlpiri society for the reader. Further, the attempt to deny any real significance to the historical past (or indeed to present-day life circumstances) may have had consequences for Meggitt's interpretations of the social world; this issue must at least be considered. Meggitt could not experience first hand a great many aspects of the life he was representing. This is not to say that the Warlpiri were substantially divorced from the cultural practices of their own past. But it does suggest that the depiction in Desert People followed an established ethnographic approach which necessarily obscured the complexities underlying everyday life on the 1950's frontier. This in turn must substantially complicate any effort to elucidate Aboriginal social organisation through "traditional" structural features, even though this is the avowed intent of the ethnography.

Meggitt's frontier history is structured through the idea of "intrusion". He begins with the separate journeys of the explorers Gregory, Stuart and Warburton between 1855 and the 1870s, who reported signs of Aboriginal occupation and some sightings of people, mainly on the margins of Warlpiri country (pp.17-19). Construction of the Overland Telegraph line between 1870 and 1872 "must have puzzled the Walbiri who lived nearby" but "there are no records of the course of contacts between Aborigines and Europeans in this area during these years" (p.18). The next significant European incursion was the arrival of the first pastoralists, who founded the large cattle-stations now
abutting Warlpiri country to the north and north-west. Relations between Aborigines and cattle-men are characterised thus: "The Gurindji and Mudbara tribesmen living near Wave Hill were from the start more or less friendly, although the settlers shot a number of them for spearing cattle" (p.19). The Warlpiri apparently avoided the many miners who came to the area by 1910, following Davidson's discovery of gold at the Granites and Tanami, according to a source, W. Braitling, "who was present" (p.21). However, an incident when "Walmalla Walbiri" attacked two miners at the Granites, killing one "in an attempt to seize their stores", resulted in a reprisal raid against the Aborigines, some being captured. "Walbiri who remembered the affair told me that, although the Granites was an important ritual centre, most of the tribe avoided the place for years afterwards" (p.21).

Referring then to the new political status of the Northern Territory, Meggitt says that although attempts were being made to incorporate Aborigines within the ambit of administrative policy, out of concern for their fate, the failure to legislate for the regulation of "Aboriginal-White intercourse" exacerbated conflict in the settled areas:

A number of settlers had so many cattle speared that they had to abandon their stations. In a few instances, the natives' persistent ambushing and murdering of station-hands drove the Europeans away (p.23).

After the Commonwealth Government assumed administrative responsibility for the Northern Territory in 1911, Baldwin Spencer was appointed Chief Protector of Aborigines and Meggitt notes that many of his recommendations, including the creation of an Aborigines Department, anticipated subsequent policies.9

The pattern of contacts between Warlpiri and Europeans up to the mid-twenties is characterised as "sporadic", with bush people wandering in and out of stations out of "curiosity" or for casual work. Meggitt says that Warlpiri told him they were satisfied with this arrangement so long as it did not jeopardise their independence. However, "from 1924 to 1929 Central Australia
suffered the most severe drought in its history” (p.24). Meggitt considers this to be a critical event which "hastened" the movement of Aboriginal people to locales of European settlement which in turn had irreversible consequences for the future conditions of Warlpiri life (pp.24, 336). A brief discussion of what has come to be known as the "Coniston massacre" immediately ensues. Stressing the role of thefts of food from the old prospector Brooks as the principal Warlpiri motivation, events of the massacre itself are averred to in two lines: "A policeman led a small punitive expedition to the Lander, where he surprised several Walbiri camps and shot the occupants" (p.24). The following remarks conclude Meggitt’s account:

The shootings left the people with a long-standing distrust of Europeans and to an important degree reinforced the authority of the older men of the tribe to dissuade their juniors from becoming entangled with white men. The effects of this attitude are seen today in the continued adherence of many Walbiri to the traditional rules and values (p.25).

The remainder of the history refers to the employment of Warlpiri in wolfram mines near Mt Doreen in 1931, the settlement of Mt Doreen station by Braitling in 1933, the appointment of T.G.H. Strehlow as the Administration’s first patrol officer in 1936 (his duties included "the recording of native customs") (p.27), the extension of mining at the Granites and the very gradual and partial incorporation of Warlpiri as workers in European ventures. Two pages describe the establishment of Government-controlled settlements: at Haast’s Bluff (1941), Yuendumu (1946) Phillip Creek (1951), the population of which was shifted to Warrabri in 1956, and Hooker Creek (1949). Meggitt attributes the move to Hooker Creek to the "old feuds" and "armed factions" which caused "bloodshed" at Yuendumu (p.29). By 1955, two-thirds of all Warlpiri were living on settlements under the "supervision" of the Native Affairs Branch. The remainder lived on cattle-stations "where patrol officers visited them regularly to investigate their welfare" (p.29). Legislative changes making Northern Territory Aborigines "wards of the Commonwealth Government" close this historical background:
The Department may recommend that Aborigines who attain certain standards of living be exempted from the provisions of the Welfare Ordinance and granted full citizenship. I do not know of any Walbiri who have been exempted (p.29).

Meggitt's account offers a narrative coherence which connects names, dates, 'facts', and 'events', in the familiar style of a frontier history. Yet, at strategic junctures, the Warlpiri respond to events with behaviours and attitudes marking them as "other". Rather than the Warlpiri occupying a central role in the account, they are almost peripheral to the unfolding of events. The account 'naturalises' the frontier situation, populating it with a specific set of familiar white figures: explorers, pioneer cattle-men, itinerant European bushmen and prospectors, policemen and Protectors. But there is little suggestion of differentiation among the Aboriginal people involved (other than the distinction between "elders" and "juniors" mentioned below): as against the cast of white characters, they are "as one" - "the Warlpiri". Their responses are portrayed in terms of violence, fear and distrust, helplessness, and desire (for "new foods", "warm clothes", "independence").

My intention here of course is not to criticise Meggitt for failing to provide a "history" which accords with current genre conventions and consequent limitations. However, it is necessary to briefly remark on some consequences of his treatment of "the past" since this necessarily affects his interpretation and analysis.

The relations between Warlpiri people and the pastoral industry is touched on briefly by Meggitt in a number of places. But the overall effect of his treatment is to deny that these had any significant consequences. Many Warlpiri people, and their neighbours, had been involved in the pastoral economy for up to twenty-five years, and while Meggitt indicates some of the most trivial changes (e.g. in diet, use of matches and razor blades, the wearing of "ten gallon hats, gaudy shirts and high-heeled boots" (pp.107, 253)), he does not address at all those which were more significant.
Conditions of life on the stations were appalling, so much so that the labour force itself was in decline. Between 1944 and 1946 Ronald and Catherine Berndt, at the behest of Professor Elkin and on behalf of Vestey's, (the Australian Investment Agency, then owners of Wave Hill and other stations in the area) carried out surveys investigating how the Aboriginal labour force could be augmented by "bush blacks" (i.e. largely Warlpiri), who were seen by the company as a cheaply exploitable natural resource. The Berndt's found that the labour difficulties could be attributed to the very hard conditions under which Aboriginal people were working and living, and made a series of recommendations (see Berndt and Berndt 1987:230-249, 259). Strangely, Meggitt makes no reference whatsoever to the Berndt's work at Wave Hill.13

The decline in the labour force could not be attributed only to increased morbidity and mortality among workers. In fact, there had been a rapid decline in the rate of reproduction itself, with Aboriginal women on some stations having as few as 1.04 children surviving, compared with 2.0 among "bush women" (Berndt and Berndt 1987:185). Both reduced fertility and a high infant mortality rate must have been the cause of this, and there is no reason to think it was a wholly recent phenomenon. It is certain that the population parameters of pre-contact Aboriginal people in the area had been fundamentally altered by the 1950's. Interestingly, Meggitt denied this absolutely: in 1961 he asserted that the Warlpiri population had not suffered any noticeable decline "in the past 30 years" (1961:172).

Apart from the obvious loss of life during frontier conflicts with Europeans, and the effects of the rapid spread of untreated venereal disease on female fertility, the Aboriginal population in Central Australia had been profoundly affected by epidemic diseases. The influenza epidemic of 1918 raged through Aboriginal populations in Central Australia (see Strehlow 1978:158-59; 1971:xxxv), while other epidemics such as measles, to which Aboriginal people had never been exposed, must also have taken a substantial toll (Kimber 1990). There is now a substantial literature on the effects of early-contact epidemics on Aboriginal demography (see the literature survey in Campbell 1985). However, astonishingly little attention has been given to the
consequences of this for Aboriginal social life. Changes to the demographic profile since the late nineteenth century must have had substantial effects on the transmission of knowledge, the maintenance of ritual responsibilities over land, as well as patterns of betrothal and marriage. Urry (1979:5-9) is one of the very few recent scholars to have considered the effects of demographic change (and catastrophe) on the reconstruction of social organisation. Strehlow of course insisted that, after "the coming of the white population" both the traditions and the "indigenous folk" suffered shocking casualties. "About four-fifths of the original families in the Aranda-speaking areas have vanished without leaving any descendants; and the Kukatja, the Matuntara and the Andekerinja have fared no better" (1971:xlv). While the situation for the Warlpiri possibly would have been less disastrous because the region offered much less inducement to pastoral settlement, it is inconceivable that there were no effects at all.

Conversely, the bringing together of large groups of Aboriginal people into stable settlements can have equally significant effects: apart from detaching people from their economic patterns and immediate land utilisation, settlement life can intensify ritual, result in the emergence of new forms of local identity and changes in power relations between local groups and categories of persons (e.g. men and women, elders and juniors).

Meggitt's "history" also fails to consider the strategic decisions and initiatives which Aborigines could take in the new and unpredictable conditions of the frontier (cf. Myers 1982a). For some Aboriginal men the stations provided an opportunity to escape some aspects of their own social order. Rose, for instance, in considering station history in the VRD area, comments "There was freedom from obedience to their elders and the freedom to obtain women ... many [young men] saw in station life an opportunity to advance their own interests" (1991:86). Read (relying on an interview with Alec Wilson of Yuendumu) suggests that at least some station communities came into being when young men seized women to whom they were not betrothed and fled to stations for protection (Read and Japaljarri 1978:147n21). As well, of course, many Aboriginal women formed (or were forced into) relations with
non-Aboriginal men, thereby gaining access to new knowledge and resources, and disrupting patterns of marital betrothal and reproduction.

While conflicts between Aborigines and whites were frequent and significant, co-operation must also have occurred. For example white men, in order to have access to Aboriginal women, were obliged to create ongoing social relationships with local Aboriginal men, while the "itinerant" population, miners and bushmen, must have depended to some extent on continuing toleration and even direct assistance at times from the local people. Meggitt's account plays down both co-operation and conflict, and simplifies social relations into those between two monolithic sectors, "whites" and "Aborigines", thus obscuring the "complex interplay of wildly differing strategies and objectives" (Rose 1991:53).

The Coniston shootings have taken on an extraordinary importance in contemporary representation of Warlpiri history. In land claims, in recent historical accounts, and now in Warlpiri self-representation on film, the "Killing Time" has received extensive attention. By contrast, Meggitt's account is bland and inconclusive. His interpretation focuses on Aboriginal attitudes ("a long-standing distrust"), and on the reinforcement of the authority of "the older men of the tribe" who, he says, had tried to keep younger men away from entanglements with whites (p.25). However, the point of his discussion is to further shore up the 'traditionalism' of the Warlpiri: "the effects of this attitude are seen today in the continued adherence of many Walbiri to the traditional rules and values" (p.25). The weight of Meggitt's analysis of the causes of conflict between Warlpiri and Europeans is materialist. He gives no weight to the significance of ritual factors in Warlpiri responses to the presence of whites wandering about their country. For example, the attack by Warlpiri on miners at the Granites (p. 21), a major ritual site, is represented solely as an attempt to 'steal' European commodities. The effect is both to simplify and rationalise frontier relations; material needs on both sides brought about interaction, sometimes conflict, but the Warlpiri nonetheless remained outside the sphere of frontier society, a unified social group maintaining its traditions.
The importance of material concerns, however, seems to disappear in the present day life of the settlements. Meggitt suggests only that settlement life was "more than comfortable when compared with the arduous existence in the desert" (p.332). Men were increasingly turning to paid employment, which not only allowed them more time for leisure - "singing and dramatizing the dreamings, gossiping and brawling, love-making and match-making" (p. 333) - but it also helped them to elevate their "social status in the plural society". But there is singularly little account of day to day economic life.

Meggitt compiled ethnobotanical listings of floral products which he says were of dietary significance and he identified several animal species which were hunted for food (p.5-15; cf. Sweeney 1947). Mention is made of daily food-gathering excursions (pp.50, 52) but their organisation is discussed in the past tense (pp.49, 244). Elsewhere (1957:143) he wrote that flesh was not easily obtained for much of the year, and that "vegetable foods normally form something like 70%-80% of Walbiri diet". Settlement superintendents were responsible for distributing "rations" (p.153), which are referred to as an adjunct to traditionally obtained food items in ritual (p.231), or as one of the more desirable aspects of settlement life, in that people could forego the exertions of hunting (p.332). The marked absence of any discussion of food and its distribution (cf. p.154) is all the more perplexing given the inclusion of a photograph (facing p. 92) showing a scene from the "mess-hall at Warrabri". Neither is there any discussion of the use and redistribution of cash, especially that obtained from pastoral employment, or the availability of highly desired commodities such as flour, sugar, tea, tobacco, clothing and alcohol.

In conclusion, the "historical background" does little to address the social impacts of the European presence, or the economic and political incorporation of Aborigines on the frontier. The selection of the "facts", and the way the narrative is constructed, serves to highlight and uphold the underlying theme: the maintenance of the "traditional" in the life of present-day Warlpiri.
"Kinship", of course, has been central to the development of Aboriginal anthropology. The complexity of Aboriginal kinship systems provides one of the most distinctly "traditional" aspects of Aboriginal societies. Meggitt devotes a considerable amount of his text to kinship in different contexts. He begins by offering a cursory depiction and diagrammatic representation of the distinctive structural features of Warlpiri kinship. The schematic depiction itself, however, is presented with no clarificatory discussion. This suggests that the "reader" is already a specialist, fully conversant with the interpretation of such representations, which function as a marker of Australianist expertise. When non-specialist readers encounter these conventional representations they are made decisively aware of their own inadequacies (as countless students attest). However, in the case of Meggitt's diagrams, their cryptic quality is particularly evident, particularly in relation to "real" versus "classificatory" relationships.15

Without questioning the utility of such diagrams for the understanding of social organisation, they can have the effect of "freezing" kinship and social relationships into seemingly rigid patterns. In fact one of Meggitt's strongest achievements in Desert People is the way in which he contested rigidity and insisted on the importance of genealogical ties as prior to and more important than membership of other kinds of categories, most notably subsections. This is a very important point: but putting it in this way obscures the nature of sociality in a "society" with only around 1400 or so members (cf. p.31), very few of whom would associate on a day-to-day basis. In a small-scale society, membership of "groups" is likely to be far less relevant than the kin tie between individuals involved in any on-going social situation. The distinction between "real" and "classificatory" relatives loses its particular significance when, in any given case, a person classified as "MMB" is probably closely related as "brother" (through genealogical ties at an ascending generation) to a "real" MMB.

However, membership of "groups" may become more significant where large numbers of people are gathered together on a more permanent basis, such as on cattle stations and settlements. They must be brought into a
kinship framework, which can be done in a number of ways (including by the use of subsection identification), but the closeness of the relationship may then become an issue. Meggitt, in stressing the importance of the genealogical principle, may have been utilising a framework which closely approximates the thinking (and practices) of Warlpiri people, not because genealogy has some automatic priority over group membership, but because, under pre-contact conditions, there would have been few occasions on which to separate them. The use of subsection identification had probably become much more important on the pastoral stations, while the question of genealogical "closeness" may well become an issue when distant kin became permanent co-residents.

A further feature of Meggitt's treatment of kinship is his use of the "dyadic relations" model, which he centres around the marital relationship. The analysis moves then to nuclear family relationships (parent-child and sibling), and then to others such as MB-ZCh and grandparent-grandchild. Each set of relationships is abstracted from the wider set articulated in the kinship system. It is quite unclear to what extent this textual movement accords with Aboriginal perceptions of the primacy of these relations, or merely models the analysis on the implicit bilateral Western kinship model. The question of how an Aboriginal classification system might actually operate phenomenologically is thus averted by the very attempt to model Aboriginal classifications.

Meggitt's treatment of Warlpiri kinship reflects Radcliffe-Brown's view of kinship terminology as "the basis on which the behaviour of one person to another in Australian society is regulated" (Radcliffe-Brown 1930-31: 45). The use of a "legalistic" approach, and a focus on "regulation", is characteristic of the modernist genre (cf. Chapter One) creating an uneasy formalism which, in Desert People, does not always sit comfortably with the actual contents of the analysis. Meggitt has solved this problem by using the "vignette" in conjunction with a description of norms, rules and regulations.
"Legalist" conventions and the use of the vignette

In his lengthy treatment of dyadic kin relationships, the legalist framework is particularly evident, and is redolent of Africanist concerns with elucidating the basis of "order" and "custom". As Marcus and Cushman (1982:33-34) have pointed out, "legal reasoning" entered the canons of the genre as a means of legitimating arguments under circumstances where "scientific" procedures and reasoning could not be invoked. However, it is also clear that Meggitt was struggling with an awareness of the dynamic and flexible character of Warlpiri social relationships, and the inadequacy of formalist, jurisprudential concepts for adequately representing their reality. Meggitt's solution consisted in the posing of passages of carefully worded legalist text against brief vignettes describing actual, real events in which the prescribed principles, norms and expectations were brought into play, not always successfully.

Use of the vignette produces a number of effects in the text which carry the reading of the ethnography into a "hidden" realm of emotion, violence and sexuality. The mechanisms and effects of these technical and representational devices can be most clearly understood with reference to his treatment of "marriage" and marital relationships.

The discussion of marriage begins, following long-standing ethnological concerns with the apparent formality of Aboriginal marriage arrangements, by identifying marriage rules. These specify proper wives for men ("MMBDD", or "MBD") in contrast to others, marriage with whom is seen as incestuous and therefore 'jurally' impossible. He analyses in tabular form the actual distribution of marriage relations in 566 cases, of which 95.8% are within the appropriate categories. Thus, the question of marital relations is posed at once within a framework of "rules" and adherence to them.

Meggitt then goes on to distinguish between "the affective, conventional and jural aspects of the marital relationship" (p. 86), engaging in a discussion
about *jus in persona* and *jus in rem*, the concept of "social person" and the meaning of "claim", "privilege" and "duty":

One person has a claim on another when he can demand specific services from the latter, whose duty it is to provide them ... A person has a privilege when he can act in a specific manner in relation to another person whose duty it is to permit him to behave thus ... The term "rights" denotes briefly claims and privileges (pp.91-2).

In approaching the Warlipiri 'juridical schema' Meggitt departs from a wholly mechanistic model, based on the operation of rules through group membership, and towards an ego-centred, individualistic mode of explanation of rights and duties, based on personal concerns as well as formal relationships. Obviously this was far more appropriate to the interpersonal situations he was observing.16

Meggitt's textual resolution of this problem was the use of the illustrative vignette. Each vignette is constructed as encapsulating an everyday life situation or event which brings forth a range of behaviours, sentiments and attitudes. Most are concerned with the subtle interplay of personal relations and formal expectations in what are presented as concrete social interactions, where conflicts around certain norms are played out and resolved, sometimes in accordance with the "norms" and sometimes flouting them. The ideal of harmony and stability in marriage, the humiliations arising from breaches of etiquette, the consequence of extra-marital exploits on the part of both men and women, and the conflicts arising from competition between co-wives are all treated in this way.

The vignette in some ways resembles the technique of the 'social drama' developed in the Rhodes-Livingstone Institute studies, which used a series of confrontations involving the same actors in order to look at the way conflicts developed and were resolved over time (Kuper 1973:188). Meggitt's vignettes, however, do not follow the extended case study method so strongly identified with Gluckman. Rather, there is discontinuity between the examples; certain actors (such as "Jim Tulum djuburula" (pp. 100, 107, 112-3), "Bulbul djabaldjari"
(pp. 97, 105-6), and "Ginger djabangari" (pp. 89, 98-9) appear in different, fragmentary contexts but there is no way in which a single set of narrative connections can be extrapolated from the whole. The vignette conveys the impression of the ethnographer's deep familiarity with individuals, and a thorough knowledge of all aspects of local life. The vignettes thus seem to provide a much more direct point of entry by the reader into "the native point of view". This is characteristic of "realist ethnography":

The presentation of details through the analysis of spatially and temporally bounded situations or events has constituted a common form of representing real life in realist ethnographies. Not only does such analysis indirectly tend to validate the sense of an ethnographer's intimacy with his subjects, but it also provides perhaps the perfect synthesis of interpretive and realist goals: the concepts of analysis overlap, and are often identical, with the basic terms in which the situation can be described (Marcus and Cushman 1982:33).

In his treatment of the marital relationship Meggitt indicates how, in spite of "rules governing the administration of punishment" (p.100), emotion may often intervene with the result that the rules are ignored. The following illustrates firstly the tone of the authorial text, and then the contrast posed by the vignette which illustrates it.

Should [a] couple elope, the wife's kinsmen and the husband and his close agnates are obliged to follow them ... Some men said that the husband could spear his wife but most disagreed with this. They asserted that his action would certainly lead to a fight with his wife's father. Thus, the woman's relatives retain certain privileges over her and should defend them from infringement by the husband. But when elopements actually take place and tempers become heated, the rules governing the administration of punishment are often ignored.

Some years ago, Paddy djabaldjari lived at Birrundudu station. Also in the camp was Ned djungarai, the son of Paddy's late elder brother. Ned's djangala [sic] wife was a "real larrikin" who had a succession of lovers. Moreover, she had illicitly acquired certain ritual knowledge about which she gossiped in the camp. Several men, including Paddy, told her father to punish her, but he was 'too lazy and weak' to act. Eventually, Jim Tulum djuburula, who was her "M.M.B." and Paddy's close "Sr.S.", enticed her to live permanently with him. When her father still did nothing, a party of Ned's older agnates, including Paddy, attacked Tulum and the woman. Tulum was severely wounded.
In the melee the nangala [sic] "ran into" a boomerang that Paddy had aimed at Tulum and was killed. As a result, Paddy spent four or five years in jail at Alice Springs.

Not only Paddy, but all the men with whom I discussed the affair, insisted that he was most unlucky, for he was merely trying to injure Tulum and not the woman. Everyone blamed her death and Paddy's jail sentence on her father's failure to discipline her (pp.100-1).

Enclosure of the vignette as a kind of writing within the analytic text serves to underline the "actuality" of the events so depicted. The shifts between description and narrative mark the movement between abstraction and example, the composite ethnographic creation and the individual subjects from whose experience it is derived. There is also the sense of shift between interpretation and unmediated observation. The two types of writing are juxtaposed in order to faithfully represent the reality of Warlpiri life and to substantiate the veracity of Meggitt's propositions.17

Although the vignette seems to allow "real people" and "real events" to enter the account, however, no explicit reference is made to the contexts in which the depicted events took place. Meggitt neither describes the circumstances in which he became engaged with particular social situations, nor the status of his knowledge "about" them. He may have been present as an eye-witness at certain disputes, he may have overheard others discussing the events in question, or he may have been directly informed by one or other participant (see e.g. pp. 101, 106). In some cases he seems to have learnt of particular events simply through gossip (see e.g. pp. 95, 98), even from non-Aboriginal people. Without questioning the integrity of the information, its foundation remains obscure.

Time, too, is obscured in the vignettes. Several refer to events which occurred "some years ago" (e.g. p. 107), while others recount incidents which were continuing after Meggitt's initial departure from the field (e.g. pp.99, 108). Each vignette, however, is textually constructed in terms of the "ethnographic present", homologous with the synchronic perspective of the ethnography as
a whole. The vignette becomes a kind of 'proof' for paradigmatic propositions derived from discourses far removed from everyday life at the settlements.

A sense of disjunction between text and vignette becomes particularly noticeable in the "normality" of the discussion of marriage rules, as against the sexuality, emotion, violence and conflict depicted in the vignettes. The "norms" for behaviour between husband and wife (see pp.92-6) are explicated in the text; the vignettes however depict marital relations as a site of constant struggle and disharmony. Although Meggitt asserts that his observations confirmed that the "ideal" of "permanent, stable unions" was generally achieved (p. 103), the vignettes focus almost exclusively on the extra-marital, amatory exploits of both men and women, suggesting that the jural realm cannot contain actual behaviour. Issues of loyalty, jealousy, self-esteem, vengeance and passion are highlighted as pivotal moments in the social drama of everyday life. In particular, a large section of the text focuses on the question of adultery, which would seem to be a major preoccupation of the whole community (cf. pp. 97-108). Meggitt reaches the conclusion that

It was impossible in the circumstances to estimate accurately the incidence of adultery among the Walbiri. To judge from their remarks to my wife and myself and from observed situations, most of them probably commit adultery several times during early married life, while for a few it is a pastime to be pursued on all occasions (p.107).

The representation of Warlpiri life in this part of the text is extraordinary for the attention given to certain aspects of sexual behaviour, as well as to the graphic depictions of violence around the question of infidelities of women. Meggitt argues that

The emphasis given in this account to the sexual and reproductive aspects of marriage reflects the great importance that the Walbiri themselves attribute to them (p.108).

The "legalistic" concerns sit uneasily with the domain of feeling and emotion, and the textual movement between them seems to reach almost absurd proportions at times. For example, Meggitt states that extra-marital
affairs on the part of a woman do not diminish the rights of her husband in reproduction, but it is unlikely that he will distinguish between this jurally sanctioned claim and that which he has on her sexual services. In such cases, it is a man's "self-esteem" which is at stake, and he is "entitled to berate and beat his wife, and so are her own mother, father and brothers" (p. 97). If a man entices a woman from her husband's camp,

[T]he aggrieved husband and his agnates should thrash the enticer and spear him, although not fatally. The wife should also be beaten by her brothers and then speared lightly in the thigh, so that she will "sit down quietly" in her husband's camp (p. 100).

A man "can never be entirely sure of his own wife's fidelity" (p. 106). For old men, the uncertainty is often justified.

Although [old] men are remarkably virile, and copulate regularly with their young wives, the latter often prefer the embraces of the handsome young men who swagger around the camps in ten-gallon hats, gaudy shirts and high-heeled boots (p.107).

The discussion of marital relations suggests that there are striking inequalities between spouses in practice. For example, maternal negligence results in much harsher treatment than paternal dereliction (p. 93). Ideally a man should provide enough food for his wife and children but if he does not do so it is unlikely that the wife's relatives would force a quarrel "merely for such reasons" (p. 93). "[M]ost men are more concerned to maintain male solidarity than to redress the wrongs done to women" (p.93).

While "all men roundly condemn female adultery as a shameful business", "male adultery is regarded with complacency and some amusement by most men, except of course the cuckolds themselves" (p. 104). Women who infringe the rights of their husbands are far more severely punished than unfaithful men. Many Warlpiri women "resent" a morality which permits husbands to "fornicate with impunity" while providing severe physical penalties if they themselves do not "remain chaste" (p. 106). Leaving aside the odd uses of language here, it is notable that in spite of the repeated insistence on these
aspects of conflict and struggle between men and women (not only as husbands and wives, but also as brothers and sisters, fathers and daughters and so on) Meggitt does not bring forward the operation of relative power relations between the sexes as a specific focus of analysis. These struggles are embedded in the text and rendered as a "natural" aspect of Aboriginal sexual life. This has the effect of situating gender relations as a function of interpersonal, and usually specifically sexual, dynamics rather than allowing a broader structural view within a total framework of social practices.18

More recently, Bell (1983) has focused on aspects of this issue in her work among the Kaytej and other groups neighbouring the Warlpiri, and there is no need here to analyse these specific points any further. However, it must be emphasised that the systematic depiction of women as possessing a "different" form of spiritual connection to fathers, ritual and country, with no ritual life of their own and no significant relation to "totemic" rites or powers, gave little reason for subsequent analysts, whether anthropologists or lawyers, to consider the relations of women to land as a matter for serious consideration. The insistence on patrilineal descent as the fundamental principle of social organisation (to be discussed below in Chapter Five), combined with the representation of women as subordinate and powerless, made it unlikely that any substantial rights would be derived through the maternal relationship.

In conclusion, Desert People is evidently structured through conventions typical of the modernist ethnographic genre. The depiction of "the Warlpiri" as a unified, homogeneous entity, the marginalisation of the historical past as fundamentally irrelevant to the analysis of a Warlpiri "present", the treatment of kinship through legalist discourse, and the effort to introduce a sense of flexibility and immediacy through the use of the vignette, underpin the way in which Warlpiri social, economic and ritual life is depicted. In the following two chapters, I will present a detailed analysis based on a close textual reading of Meggitt's concept of "the community", and of the role of descent groups, as the basic explanatory frameworks of local and social organisation. Some of the evident ambiguities and confusions may be attributed to the strains in the
account brought about by the very conventions in which it is written. The significance of this becomes apparent subsequently when Warlpiri social life is subjected to a different kind of scrutiny and analysis, in the context of the legal-bureaucratic requirements of the State in the era of Land Rights in the Northern Territory.
NOTES

1. Even a cursory examination of the Social Sciences Citation Index reveals that citations of *Desert People* have not diminished over time. Between 1971 and 1988 citations in anthropological journals actually increased. Citation is of course a marker of authorisation of written work, and an index of the degree to which it is taken seriously by others in the area of study. It can also provide a correlate of social networks in the scientific community (cf. Garfield 1984). For a discussion of the rhetorical functions of citation, see Lutz (1990:618).

2. There are some notable differences between the successive editions of the work published between 1962 and 1986. Only the first edition contains the final chapter entitled "Reaction and Interaction", which is an attempt at applying, both theoretically and discursively, Elkin's 1951 model of social! change. Accordingly, Elkin's acknowledgement of this reference to his own work was later expunged from the 'Foreword'. Meggitt's own prefatory remarks are subsequently attenuated, obscuring the precise period (from 1953 to 1955) over which his major field work was carried out. Absent also are the contextualising comments he made about the priorities of his research. The photograph featuring the "painting at Ngama cave" (facing p. 28) has also been dropped, possibly reflecting increasing awareness of Aboriginal sensitivities about exposure of certain visual material.

3. In the Lake Amadeus Land Claim, for example, a key witness disputing the legitimacy of other claimants relied on information as to traditional matters of land and ritual obtained from both published and unpublished work by T.G.H. Strehlow. He contended that possession of this knowledge legitimated his status as a claimant, even though he had not obtained it from his personal participation in rituals. The judge accepted his claim (Annette Hamilton pers. comm.).

4. Elkin would seem to have had a grand vision for research in Australia, whereby a series of studies under his aegis would eventually fill out the Australian ethnographic map.

5. The influence of Levi-Strauss' kinship studies did not come into prominence until the end of the 1950s with the debate between Leach and Fortes, discussed in Leach's preface to *Rethinking Anthropology* (1961).

6. Meggitt's work, although clearly derived from Australianist concerns, also is redolent of issues developed in African studies, especially lineage theory, problems of jurisprudence, the sources and resolution of conflict (cf. Kuper 1973:187). The genesis of these concerns lay in Malinowski's seminars at the London School of Economics in the 1930s. Participants included Evans-Pritchard, Schapera and Richards, and Kaberry and Stanner who had already completed periods of fieldwork in Australia financed by Rockefeller Grants. Pink and T.G.H. Strehlow had also been
financed from this source, but had not studied under Malinowski and hence neither addressed nor contested a Malinowskian sensibility in their work (See Kuper 1973:90-92; Elkin 1970:29).

7. Meggitt's insertion of 'historical background' effectively foregrounds the social analysis and is not granted any substantial weight in the ethnography as a whole. There is a certain irony here, given the wealth of oral history which subsequent investigators have been able to recover about the so-called 'early days'. Inevitably, one wonders to what extent our knowledge of the Warlpiri might have been constructed differently had Meggitt focused on the memories of his older informants. In the early 1950s, these would have included people born in 1880s and 1890s, who would have had first hand experience of the earliest connections between Warlpiri people and the wider Australian society, and who obviously would have interpreted this experience somewhat differently to the way 'contact' situations are so often represented. Meggitt's treatment of history can perhaps be attributed to what Thomas (1989:24) has referred to as the strategic establishment of "a discursive space" for social anthropology, traceable to Radcliffe-Brown. Thomas argues that the neglect of 'history' by Radcliffe-Brown was not through "oversight", but "was effected through a series of exclusions which have had far reaching consequences for the discipline" (1989:19) - especially, we might add, in Australia.

8. Merlan (1978:76) refers to the diaries kept by members of the Overland Telegraph expedition as revealing source material. Some of the diaries yield detailed information about several encounters between the construction party and Aborigines, much further to the north. I have not investigated whether similar information exists on contacts with Warlpiri people; the telegraph line appears to have only skirted the eastern margins of Warlpiri country as depicted on Meggitt's map (facing p.4). The point which needs to be made here is that Meggitt himself would not have sought to locate such information for an investigation of the kind he had set himself.

9. In his officially commissioned report published in 1913, Spencer made a complex series of proposals for long term ameliorative reform which were given only token implementation by the Commonwealth. Those of his welfare policies which were eventually adopted merely underwrote current administrative practice (Mulvaney and Calaby 1985:306-311).]

10. It is clear from a narration by Engineer Jack Japaljarri (Read and Japaljarri 1978), a Warlpiri man who journeyed to Wave Hill in 1928, that the severe drought afflicting Central Australia at this time did not necessarily figure in people's decisions to travel to new localities. In this fascinating account, the primary motivation for walking to Wave Hill is given as the desire for tobacco. Moreover, it was never envisaged by Engineer Jack and his companions that they would actually remain at Wave Hill, but in the aftermath of the Coniston shootings there was understandably great reluctance to return to their country. Read makes the observation that (contra Meggitt) "a good deal of what can appear
to have been a conscious choice to abandon desert homelands would be better described as accidental" (1978:147). Long (1989:17-18) indicates that the drought conditions of the mid-1920s prompted an influx of people into places like Hermannsburg, but he makes it clear that, in the case of the eastward movements of the Pintupi, "there is little real evidence for a direct causal link between emigration and the weather" (1989:38). The point he stresses is that for a large part of Central Australia a range of options, affected by varying conditions over time, directed Aboriginal choices to leave their homelands and that no one proposition or assertion can satisfactorily explain the process as a whole. In Meggitt's account, it is possible that the drought-enforced movements he refers to, and to which he attributes so much weight as an "impetus" for change (p.332), were not unlike those "retreats" to richer areas Strehlow (1965:126) describes for the Western Desert. These extended in some cases for up to hundreds of miles.

11. Meggitt offers a somewhat confusing description of this sequence of events; while it includes references to ration depots at Tanami and the Granites, little information is provided about the extent to which specific groups of people lived at or frequented these different centres, nor of the relations between them and the cattle station communities. An interesting account of events at Tanami before and after the establishment of the 'settlement' in 1945 is given by O'Grady (1977). Relations between different groups arriving here, some of whom had come from as far away as Flora Valley Station (a distance of 300 miles), were often hostile leading to frequent outbreaks of fighting (1977:101-104). Owing to the shortage and poor quality of water at Tanami the population was relocated to the Granites in early 1946; however, here the availability of water was conditional on people supplying their labour to the miners (1977:108). All Aboriginal people at the Granites, some 150 in all, were then "transferred" to Yuendumu.

12. Meggitt seems to accept Warlpiri residence on settlements and cattle-stations as an unremarkable aspect of their adaptation to non-Aboriginal expectations about their way of life, citing "improvements" in their welfare and "increasing economic stability" (p.340). This overshadows any real consideration of how the reproduction of the Warlpiri political economy would have depended on patterns of mobility arising from what Hamilton (1987:49) has referred to as "the absence of fully-articulated mechanisms of social and economic incorporation into the developing frontier society". Speaking of northern South Australia, Hamilton views Aboriginal mobility as a significant adjustment to frontier conditions, which ensures access to and preservation of vital resources, including ritual connections in which people make substantial economic investments.

13. Meggitt's lack of attention to the Berndts' work (apart from an unspecified reference to their observations on the ritual of penis-offering at Wave Hill (p.263)) is particularly intriguing for another reason. The idea to set aside an area as a reserve on an A.I.A. lease, which was eventually to become the Hooker Creek Reserve, and Meggitt's initial
field site, originally came from them, although official documents would probably indicate that the proposal emanated from Patrol Officer Sweeney (see Berndt and Berndt 1987:18,262). The events leading to the establishment of Hooker Creek are obscured in a bureaucratic maze of reports and files. An examination of information in the first Warlpiri land claim book (Peterson et al 1978), transcripts of evidence and oral histories taken from the first arrivals (NT Dept of Education 1977), together with the Berndts' own recollections, clearly shows Meggitt's account of how the Warlpiri with whom he worked actually came to live there to be somewhat deficient. It is true that, apart from brief articles (e.g. Berndt and Berndt 1945), their work was not published until 1987, then in a possibly "sanitized" form. However their original report, *Native Labour and Welfare in the Northern Territory*, went to AIA and the N.T. Administration in 1946. This document is still under embargo at the AIATSIS library. While Meggitt may not have had access to their written report, he could certainly have spoken to them about it and he must have known about the conditions on the pastoral stations (see e.g. his paper (1955) on the Aborigines of Limbunya Station owned by A.I.A.).

14. Interestingly, one of the first video productions made by Warlpiri people at Yuendumu was a dramatic reconstruction of the massacre, entitled Coniston Story. Michaels (1987:41) relates how for contemporary Warlpiri the story of this event 'explains' the incursion of Europeans and is becoming part of a creative discourse around the significance of 'story' and 'place'. In this way the story resembles an "origin myth" for present-day Warlpiri. On the mythic significance of the massacre for Europeans, see Ginn (1985).

15. For example, each of the two diagrams is said to "indicate the distinction made between actual and classificatory relatives within certain categories" (pp. 82-3), but it is singularly difficult to deduce from the diagrams how to read these distinctions. In the first diagram, at its centre is a male ego, below whom appears "NGUMBANA, GANDIA" (mmbdd speaking), while in the second diagram a male ego is again at the centre, followed by: "GALJAGALJA, GALINJANU" (wife speaking). The distinction between mmbdd and wife is presented as one between actual and classificatory relatives, but it seems really to refer to the distinction between genealogical mmbdd and actual wife (who is, of course, a "mmbdd"). The critical aspect in the terminological usage would seem to derive from the affinal relationship, i.e. certain terms are appropriate in the context of a real marital relationship, rather than to the general universe of all "mmbdd".

16. It is notable that much ethnographic research over the last two decades in Aboriginal Australia has focused on egocentric relations within a framework of negotiation and strategy, rather than through formalised rules in a socio-centric framework (see Hiatt (1984), who surveys the significant contributions in the doctoral corpus of the 1970s). While Meggitt's focus on "the real" was in one sense innovative, its significance was difficult to grasp when so heavily embedded in the legalist analysis characteristic of the time.
17. The contrast between the two types of writing is also marked by the change in mood. The subjunctive is the overall mood of the text - "men should copulate only with their wives" (p. 81), while the vignettes employ an indicative mood to express "what happens".

18. Meggitt was not the only anthropologist of the time to be concerned with questions of adultery and sexual jealousy. L.R. Hiatt's *Kinship and Conflict* (1965) reflects similar concerns. The emergence of new ideological currents around sexual behaviour in the late 1950's, reflected in Sydney in the Libertarian movement under the influence of Professor John Anderson, would seem to have been influential here (pers. comm. Nic Peterson) and was reflected in work on Aboriginal sexual life.
In more recent years the more or less total collapse of local organization has also dissuaded some fieldworkers from serious attempts at reconstructive study. But, past and present, the great inhibitor seems rather to have been the ruling conventions of interest (Stanner 1965:4).

In the preceding chapter I discussed the way in which Desert People was constructed and received. It can be seen to lie squarely within the genre conventions of modernist anthropology, and to have been informed by theoretical considerations arising from recent trends in British social anthropology. Powerful echoes of earlier Australianist writings are suggested by the material relating to ritual and initiation, which follows on from the earlier preoccupations of Spencer and Gillen. Yet Meggitt is also clearly engaged with an analysis of social structure, which derives from the perspectives of Radcliffe-Brown, against whom he was writing.

Meggitt's construction of "the community" was a novel move in the conceptualisation of Australian local organisation. It represented the first major empirical refutation of Radcliffe-Brown’s definition of the horde, the veracity of which had been virtually unquestioned until Elkin expressed his doubts in 1950 (see Hiatt 1984:13). Meggitt considered the community to be the primary land-holding unit for the Warlpiri. This departure from the "classic model" fuelled the subsequent debate over local organisation, which grew in importance during the 1960s. While this debate was at that time confined to academic anthropological circles, it later became fundamental to the way in which models of Aboriginal land-holding entered the political arena in the context of Land Rights legislation. On this issue alone it may be said that Desert People has achieved a lasting significance.

Following the debate over local organisation which burst forth in the sixties (especially by way of the dialogue between Hiatt (1962, 1966) and Stanner (1965)), interest in Aboriginal local organisation shifted away from the
formal properties of social groups and towards an ecological perspective on the structure of 'the social', inaugurated especially by the Man the Hunter conference. Among the few writers to mention Meggitt's community was Joseph Birdsell, who in 1970 argued strongly against the validity of Meggitt's and Hiatt's views, and by implication those of Elkin (1962) and Berndt (1959).\(^3\) Following legislation for Land Rights in the Northern Territory, attention was once again focused on "the community". Maddock (1981:99) put forward the view that this construct could be considered the "strongest candidate" for the land-holding unit. Gumbert (1984) suggested that "the community" corresponded to a "middle level" grouping, and should be considered acceptable as the land-holding group at least for the Warlpiri and some of their neighbours. Morphy and Morphy (1984) disputed that Meggitt's "community" was an entity at all, let alone the land-holding group,\(^4\) while Sutton (1985) also disagreed strongly, indicating that Gumbert had neither critiqued the concept of the "community" in pre-settlement times, nor indicated how "such a wider grouping might be identified today in practice" (Sutton 1985:17). Peterson (1986) however, did examine some of the conceptual weaknesses underlying Meggitt's account. While these analyses are important, particularly in the contemporary context, my account will focus on the way "the community" emerged in terms of the intentions, understandings and ethnographic conventions relevant to the time of Meggitt's fieldwork and writing in the 1950s. In what follows I am not attempting to critique Meggitt's account in the light of some better and more 'accurate' ethnographic knowledge, but rather to see precisely how his depiction was textually constructed and to consider why this might have been so.

Meggitt's account of the community is not situated in a single section of the text but is embedded in a number of different contexts throughout the book. Although presented most importantly as a territorial unit which functions as a social group, Meggitt also discusses its economic, political and administrative aspects in different chapters. Thus, a close textual reading is required to tease out the implications of his account, which is full of ambiguity and confusion. The following discussion will trace "the community" through the text, in order to highlight some of the indeterminacies around it. It will be suggested that the
notion of the community is in part the result of concerns with sources of structural order and the bases of political and social power, which were coming into dominance in British social anthropology in the 1950s, together with the more parochial issues arising from Australianist concerns post Radcliffe-Brown.

As would be expected, "the community" appears first in the context of the chapter devoted to "local organisation" (pp. 47-74). Given the overwhelming importance of this issue for Meggitt's arguments, it must be remembered that his field research was almost wholly based at settlements. He had little opportunity even to visit the country, let alone to observe Aboriginal people living from bush resources (cf. p.4). He notes the "considerable disagreement about the composition and significance of localized hordes among Australian tribes" (p. 47). Because there is "little reliable information about Aboriginal local organization in the literature" (p.47) (thus discounting the work of Pink on the Northern Aranda), his "new data", pertaining reliably to the past, will make a significant contribution.

The shifting temporal perspective is conveyed technically by an oscillation between the past and present tenses. The past tense is used where reconstructions may be inferred, and the present tense for behaviour which was observable on the settlements. This is a creative means of dealing with the implicit dilemmas arising from the modernist genre whereby the ethnographic present is used 'as if' the ethnographer has observed pre-contact social life at first hand. Nevertheless, this creates interpretive difficulties for the reader who may not always be clear about the inferential or observational status of the data. Given that, as has often been pointed out, local organisation is the first aspect of Aboriginal life to disappear from observation as a result of a significant European presence in Aboriginal country, the claim to be able to satisfactorily reconstruct local organisation in Desert People assumes a particular significance.6
Warlpiri "divisions"

The term "community" is central to Meggitt's analysis yet the account of local organisation opens with a description of the four major "divisions" or "countries" which go to make up Warlpiri territory 'as a whole' (p. 47). In spite of the fact that most Warlpiri were no longer living in their former areas the divisions were still providing an active organising principle among people on the settlements where Meggitt worked. The four countries were occupied in former times by named groupings, given as the Yalpari (Lander), Waneiga, Walmalla and Ngalia Warlpiri, which in Meggitt's estimation could have ranged in size from about 200 (p.47) to 300 or 400 (p.69) people.

The people in these groups lived in territories of between seven thousand to fifteen thousand square miles (p.47). Meggitt relies largely upon the accounts of early explorers in putting forward his estimates of the different population densities for each country, and observes that Ngalia country was relatively richer and probably supported a larger population than the others. Most of the 4-500 Warlpiri at Yuendumu and Mt Doreen in the early to mid-1950s were Ngalia. Although Meggitt suggests that this is due solely to the relatively larger Ngalia population (p. 48), it is worth noting that these places of settlement are both located within Ngalia country.7

The boundaries of these named countries are delineated on Meggitt's map (facing p. 4). These are only approximate locations, because, he says, "I was unable to visit all of them while I was in the desert" (p.48). For the Warlpiri, the boundaries "are fixed, validated and remembered" through the agency of myths, and the older men, says Meggitt, had "no difficulty in defining the limits of their own country fairly precisely" (p.48).

Without necessarily bringing into question the accuracy of Meggitt's boundaries, the consequences of this form of representation are significant. The effect of presenting a fixed and bounded image of "countries" in a two dimensional space is to obscure the subjective manner in which Aboriginal people are likely to speak of "country". Western-style mapping was completely
alien to Aboriginal people as is obvious to anybody who has tried to map "country" using the conventional techniques. Descriptions of country vary depending upon the location, both social and geographical, from which the person is speaking. Thus, for a speaker at Hooker Creek, the details, even of his own country, may be described in vague and imprecise terms unless it happens to be close by. Requests for descriptions of country in the immediate locality will be referred to an appropriate person but only actual physical presence within a given terrain will yield a full and precise picture.

The map depicts country which "the Walbiri now consider to be their own" (p.1), and makes an explicit contrast between "traditional bounds" and "later extensions". The "community limits" appear within the territory designated as "traditional", although Walmalla country does extend beyond this area in the vicinity of Tanami, the site of former gold-diggings and a ration depot. What Meggitt refers to as "later extensions" to the traditional country incorporates the settlements of Hooker Creek and Phillip Creek, and the ration depots at Teatree and Tanami. In fact, these were traditionally associated with other groups (Gurindji, Warumungu, Anmatyerre and Kartangarrurru respectively) but Warlpiri people had been drawn to them because of the European facilities there. The concept of "extensions" obscures the reasons why Warlpiri people were living in these locations. Recent writers have shown how Aboriginal people apply indigenous processes to legitimate their entitlement to lands they have come to reside on more-or-less permanently in the context of European settlement (see e.g. Hamilton 1982, Myers 1982b, Peterson 1983). Meggitt himself provides an example of this process (p. 288-89), and the issue is taken up again in the discussion of conception dreamings and settlements (p.73). However, the depiction in the map could be taken to mean that these areas became part of Warlpiri territory through some 'normal', indigenous pre-contact process of territorial expansion.

As already mentioned, Meggitt attributes the boundaries between areas to the operation of religious myths, which he describes as
stories [which] not only plot the totemic tracks and centres but also specify the points at which the custody of the songs, rituals and decorations associated with them should change hands as the tracks pass from one country to another (p.48-9).

This can be compared with Strehlow's account (1968:154-60) which describes the way in which territory is demarcated by the 'handing-over' of song cycles.8

Having established the locations of the "countries", Meggitt goes on to stress the importance of "country" as a primary identification for individuals. Co-residents formerly identified one another as walaldja ("my own countryman"), a term which apparently was only "still in common use among older men" (49) at the time of his field work. The reason for this qualification is unclear, particularly since the term is still in common use among Warlpiri people today.

Certain features distinguish walaldja from other Warlpiri, the most obvious of which were dialectal variations among the four main groups. The matter of linguistic variation was explicitly brought to Meggitt's attention, in relation to articulation style (talking "light" and "heavy") and in the use of specific vocabularies said to be held in common with other groups, e.g. "Pidjandja" and eastern Kimberley peoples. Meggitt sees these cultural markers as evidence for the distinctiveness of each country, although it has been noted by a number of authors that this kind of linguistic usage is consciously held and manipulated by individuals as a form of identity marking rather than the unconscious product of dialectical difference (see especially Strehlow 1978:90-1).

While these differences produce "a mild ethnocentrism" such that "relations among the four groups in some respects resembled inter-tribal relations", Meggitt hastens to remark that "the residents of all the countries also thought of themselves as members of the superordinate Walbiri tribe, which was distinct from all other tribes". To add weight to this conclusion, he states that "the groups never displayed to each other the intense and continuing hostility that Strehlow (1947) has said characterised the interaction of some of
the divisions of the Aranda" (p.49). However, elsewhere (p. 246) Meggitt remarks that conflicts between communities could no longer occur because of "European penal sanctions". Thus, the conclusion that inter-country disputes seldom took place in the past must have been based solely on informants' statements.

The residents of the four main countries are said to have been economically self-sufficient (p.49). Meggitt comments that they were free to wander "anywhere in the district", although it is not clear whether the term district is meant to be the equivalent of the term "country" or whether it refers to a more inclusive area. People used the resources of their own country but would share these with other Warlpiri during periods of scarcity (p.52). In good seasons, in autumn and early winter, people "congregated in one or two large groups" (p.49). As food resources diminished this aggregation would break up into progressively smaller units until by the time of late spring and early summer only the smallest of groups, consisting of the immediate family and perhaps a couple of related dependents, could operate effectively (p. 50). What is lacking in this configuration is, of course, the "horde".

There was no single prevailing pattern which determined the composition of the foraging groups. Rather, a range of factors came into play, but kinship ties were significantly involved, at least as far as Meggitt was able to deduce from his observations of the hunting and foraging activities taking place at Hooker Creek and Yuendumu, where these activities are said to "continue". He concludes that these groups cannot be regarded as "simple patrilineal and patrilocal hordes" because [their] composition was too labile, too dependent on the changing seasons, the alternation of quarrels and reconciliations, the demands of non-agnatic relatives, and so on. ... [T]he unit might perhaps be termed a horde, but it was one whose personnel were recruited on a number of different bases that varied from one occasion to the next (p.51).

This depiction of the Warlpiri food-gathering unit is constructed against Radcliffe-Brown's definition of the horde, and significantly it is at this juncture
that the idea of the "community" is introduced, following the definition given by Murdock. Meggitt (p. 51) states that:

I shall henceforth refer to the largest group of countrymen as the community - "the maximal group of persons who normally reside together in face-to-face association" (Murdock, 1949, p.79).

The characteristics of this social entity are listed (see p.51) and then immediately the following remark is made: "The labile subgroups within the community which were larger than the residential family units, may be referred to as bands or hordes" (p.52). Thus, groups larger than the family but smaller than the community do exist, but since they are not recruited on the basis of any particular principle they can have no structural significance.

Meggitt then briefly discusses the links between people from different countries. These include food-sharing in times of scarcity, where people move to neighbouring countries by appealing to actual kinship ties, and informal visiting between countries to keep up friendships. This leads him immediately into a discussion of the use of space in the Hooker Creek settlement which focuses on the difference between men’s and women’s country, and the way the presence of sacred places and other ritual markers affects freedom of movement. Thus, use of space in the settlement situation is taken as representative of use of space by the Warlpiri in general. Similar factors affect inter-community relations, including apparently pervasive notions of "embarrassment", "shame" and "fear".

Ceremony and community

Although some factors may restrict informal visiting between countries, ceremonial events bring together large numbers of visitors, especially in respect of circumcision, subincision and specific ceremonial cycles such as Gadjari. Meggitt comments "this pattern of activity may still be observed today" (p.54). He then goes on to discuss "usual practice" on ceremonial occasions when invitations were apparently "freely extended" to Warlpiri from other countries to attend large gatherings for the performance of initiation and associated ceremonies. When ceremonies were concluded in one country, members of
the the host community were invited by their guests to visit their own country to participate in similar activities (p. 55). Meggitt says that this inter-community pattern of gathering for ceremonial purposes, during which up to five hundred Warlpiri may be assembled, was still able to be observed at the time of his field work. He points out that gatherings of this size were "more common in the desert than is generally realized" (p.55), citing Strehlow's observations of parties of several hundred Aranda congregating for four or five months at a time (Strehlow 1968:65). In these passages the terms "country" and "community" appear to be used interchangeably.

While Meggitt suggests that important ceremonial occasions invariably brought members of more than one community together (which does not help establish the unity and distinctiveness of the community per se), in a later section, on "government and law" (p. 244 ff) he suggests that in good seasons these events did provide a situation in which "the whole community camped together in close face-to-face contact" (p.244). Men hunted, women gathered, and at night "the men acted in ceremonies attended by all the camp". It is not clear to whom "all the camp" refers. If the ceremonies concerned were major secret-sacred events such as Gadjari, then what must be meant is "all the men". Alternately he could be referring to other, non-exclusive ceremonies, substantial parts of which could be attended by "all the camp" including women and children. One implication might be that the inter-community gatherings pertained to secret-sacred ceremonies, but other types of ceremonies also brought many people together including members of different communities. However, Meggitt is entirely silent on these points; he does not specify what these communal ceremonies were, but notes that "[s]erious religious ceremonies and initiation rites also took place...in which all the community members had specified roles" (p.245).

Notwithstanding the lack of clarity, Meggitt uses the ceremonial context to provide evidence of a situation in which community members were drawn into the maximal level of face-to-face interaction. However, it is also far from clear how these events were in fact related to the "countries" (now "communities"). There is no indication of the regions from which people were
drawn to the gatherings or ceremonies, from which directions they usually came, or how the decisions were made as to which community would host the ceremonial gathering. All we know is that one community would act as host, and some group of the assembled guests would invite them the following year. The timing and duration of ritual festivals was clearly dependent on availability of food and water resources, particularly if numbers in the hundreds are supposed to have gathered together for months. This may have been possible in well-watered areas of Aranda country, but the availability of similar bounty in Warlpiri country is less certain.

Peterson (1986) has drawn attention to the difficulties involved in estimating the time-span of ceremonial activities prior to settlement. He points out that while a ceremony may be actively in train for several months, the period of maximal gathering may be relatively shorter. He doubts Strehlow's estimates of numbers and duration (1986:42; cf. Strehlow 1968:65), and suggests that two kinds of large aggregation should be recognised. The first is that which arises from seasonal variation in climate, and the second is the irregular ceremonial aggregation which depends on the unpredictable availability of one or two specific local resources (1986:48-49). Thus, ceremonial gatherings are opportunistic and cannot be expected to occur on an annual or other regular basis.

Meggitt however describes them as annual events, and the way this is presented at this point in the text implies it was the common pattern before settlement. However, much later in the book, he comments:

Nowadays, seasonal periodicity is still an indirect stimulus to ceremonial and other activity, because it affects the economic enterprises of European employers; they usually have to suspend pastoral and transport operations in the summer wet season, and this enables Aborigines to gather for rituals (p.247).

Indeed, it can only be inferred that if important ceremonies were held on an annual basis, this was the result of residence on settlements (and stations), with a certain level of resource availability due to the presence of artificial water
supplies provided by whites, rations which could be stored or redistributed (especially flour and sugar), perhaps some cash, and perhaps some assistance with transport. It is clear that pastoralists released their Aboriginal labourers during the summer season, provided them with bags of flour, and in some cases may even have transported them.10

While Meggitt's discussion of the ceremonial aspects of "country" seems to indicate a high level of regularity and precision in the arrangements between "countries", a close analysis reveals much ambiguity in the discussion. The relation between ceremonies and "countries" is not spelled out, and the identification of the occasions on which the maximal face-to-face "residential" group would meet, and for how long, seems tenuous in the extreme. The reason for these descriptive difficulties can in significant measure be attributed to the attempt to depict a "past" through observations of the present while filtering the actual conditions of the "present" out of the account, so typical of modernist anthropology.

Community camps

During large ceremonial gatherings, as well as in the permanent camps on Warlpiri settlements, people's camp sites were determined by their primary "community" affiliations. Camps on settlements tend to fall into divisions oriented to the main "countries", an apparent formality in arrangements which must have consolidated Meggitt's perspective on the community as a discrete residential unit. This depiction, however, fails to allow for the likelihood that the choice of camp site, whether semi-permanent or temporary, is more the result of individual choices tempered by the presence of kin from the individual's "country". The result of a series of individual choices of this kind thus provide an apparent "unity" to the group.

Significantly, nowhere does Meggitt provide information based on the direct observations he may have made on the social interaction within settlement camps. There is, furthermore, no indication of how the new conditions of settlement life may have changed camping patterns (cf. Hamilton
1979:23-35). This omission is particularly striking, given that these semi-permanent conglomerations of individuals, drawn from several "communities" and now living together, must have seldom if ever occurred in pre-settlement times. How, if at all, were camp arrangements influenced by the presence of stores, for example? No indication of settlement layout, including its European components, is provided. He also fails to indicate how fluctuations in camp population, disputes, changing weather conditions, crises in social relationships, deaths and the arrivals and departures of visitors all have an impact on the social and physical organisation of the camp, although he later mentions that camps have a limited life-span, in the context of their abandonment following a death (p.318).

Marriage and community

The issue of boundedness is then discussed in the context of intercommunity relations as expressed in marriage, disputes and trade. Men had said to him that "community endogamy was the norm" (p.56). They asserted it was desirable because it minimised inter-community conflicts over women, but in other contexts the same men praised community exogamy because it created wide networks of affines, which also made intercommunity quarrels less likely. He says his own analysis of genealogies revealed that endogamous marriages slightly outnumbered those made between communities, but says "the difference is not statistically significant" (p.57). In intra-community marriages, the couple "lived in the same country as the parents of both", on different occasions with "the husband's father, his father's father, his brothers, his brothers-in-law, his male cross-cousins, and so on" (p.57). Rules of avoidance, he says, prevented people from living near mother's brothers, mothers-in-law and sons-in-law of the husband. In intercommunity marriages girls went to live in their husbands' countries, but, if very young, (Meggitt suggests seven or eight years old) a wife may live for a year or so in her country. Thus the degree of community distinctiveness cannot be estimated by reference to marriage arrangements.
Totemic country

While the discussion of "the community" to this point is full of uncertainties, the clarity of the exposition deteriorates from the point where Meggitt introduces concepts of "country" other than those which led him to identify "country" with "community" (p. 58). A new element, the "totemic country", is introduced. He says that this concept refers to "the larger domain of the community", but "it also refers to various more or less discrete subdivisions of that district" (p.58-9). The term nguru applies to both levels. This term has a range of meanings, any of which may be invoked depending on the context (as indeed it does among the Pintupi, Luritja and other neighbouring groups). There follows what must be one of the most obscure statements ever made with respect to territorial organisation:

A man may define a country in terms of the subsection affiliations of the totems believed to reside there, or he may be referring to the ties that unite all the people whose individual conception-totems were found in one locality, or he may be speaking of the quasi-localization of totemic cult-lodges (p.59).

He gives the term "dreamings" to all of the totems, and introduces the notion that the "local reference" of a Walbiri dreaming may be a track (yiriyi) or a country (nguru or ngurara), "which, like walaljdja, means 'own country'" (p. 59-60). "Tracks" refer to the paths of "dreaming-heroes" or "members of a dreaming species" which either entered Walbiri territory or originated within it, travelling about, "creating topographical features, performing ceremonies, introducing customs and laws, and depositing spirit-essences" (p.60). They travelled into other areas, where their tracks may be unknown to Walbiri, or they may have entered the earth or sky in Walbiri territory.

The "local" dreamings emerged from the earth at a particular place, remained there, and then returned; they may also have been mobile, but only within a restricted area. The sites of a given dreaming "are not necessarily confined to the country of one community". Presumably this refers only to the "travelling" tracks of ancestral heroes such as the mamandabari heroes. The terms Meggitt applies to the relations between communities and dreamings are
indefinite, or at least hesitant: he says each community tends to be concerned more with some dreamings than others; in the examples he gives he uses the terms interested in, says certain dreamings are peculiarly theirs, that one community stresses one complex rather than others. However, rain-tracks are held to be important by all communities.

These descriptions fail to specify clearly the nature of the relationship between "dreamings" and "countries". However, their relations with people are discussed in terms of incorporation of dreamings into the kinship and subsection systems, which he describes as "a second-degree relationship between local organization and the subsection system" (p. 61). Having described the operations of the subsection system, Meggitt states "Every dreaming 'belongs to' one or more of the four father-son couples of subsections in the tribe, and 'belonging to' in this context can most easily be defined by denotation" (p. 62).

As an example, he discusses a localised "possum-dreaming" site close to Yuendumu. The possums, he says, "were, and are still are, members of the djabaldjari and djungarai subsections simultaneously" (p.62). Other possum sites may also be of the same subsection couple, but in some cases a particular dreaming in one area may be of one subsection pair, but the same dreaming in another area may be of another pair. There is nothing in the text to indicate whether the affiliation of the dreaming species is determined by the attributed subsection of the "country", or whether the country takes its subsection designation from the "dreaming". Nor is any explanation given of why a given "dreaming" may be identified with a different couple of the opposite moiety depending on the "track" with which it is identified. This discussion is ambiguous and imprecise as to processes linking "country" in the sense of "community", with "country" as a manifestation of a "dreaming".

The whole issue is further complicated in relation to long tracks, where all members of one patrimoieties may refer to the dreaming as "father", or even where a site may be connected with both patrimoieties, as in the case of the three native-bee dreaming countries skirted by the mamandabari dreaming.
Certain very long tracks "may change subsection and even patrimoieties affiliations at certain points on their courses" (p.63).

Aware of some of these confusions, Meggitt explains that the use of the term "country" to denote dreaming-sites "merely expresses the classificatory aspect of Walbiri totemism - the view that people, natural species and localities form an inter-connected whole (Elkin, 1954, chap. VI)" (p.63-64). Thus it has no necessary implications for "residence"; members of non-associated subsections may reside in a country, others may visit the place and use its resources. Another sense of the term "countryman" arises from the notion of people having conception-dreamings relating to a limited geographical area, which Meggitt suggests are not formally recognized as constituting groups but rather reflect a sentimental attachment, "ties of die Heimat" (p.67). Yet another sense of "countryman" arises from the cult-lodge organisation; where lodges are connected by a common dreaming track, or different countries of the one dreaming, the bond between members of all lodges "tends to transcend community or country limits" (p. 69).

There is no longer at this point any way of linking a specified group of people, a specified territory, and a set of residential and economic practices, or of ritual undertakings. The analysis has dis-articulated the three levels of Radcliffe-Brown's "horde", but has failed to specify any coherent alternatives. What is suggested instead is an almost unlimited variety of means whereby people can claim affiliation to "country", and the term "country" itself can only be understood within its context. Among the many modalities of connection to country Warlpiri men can "shift from one to the other with almost bewildering rapidity" (p. 69).

Strangely, only now does Radcliffe-Brown's "horde" explicitly enter the text (p.70). Meggitt summarises Radcliffe-Brown's account of the local group, or "horde", and implies that his own account is an improvement on earlier ones, based as they were on "descriptions of tribal life then available". (p.70, my emphasis). He goes on to assert that "the community" was the only group among the Walbiri which possessed some of the attributes of the horde, but
it was "a much more extensive, populous and complexly-structured group than that which he [Radcliffe-Brown] had in mind" (p.71). He concludes that "it would be misleading to apply the term 'horde' ... either to the Walbiri community or to any of its component groups" (p. 71). This does seem to contradict his remarks noted earlier, that "labile subgroups within the community ... may be referred to as bands or hordes" (p. 52). However, he suggests that the Warlpiri case supports Elkin’s view (1953:417), who is cited as having "demonstrated that evidence from other tribes also invalidates it" (p.71).

Political dimensions

Meggitt much later in the book returns to a consideration of the "community", now with regard to the patriline in the context of land-holding rights. While I will discuss the "patriline" in detail in the following chapter, it is important to note here that the relation between patriline, patrilodge and community is crucial in Meggitt’s depiction of land-holding, and this too is replete with ambiguities.

Meggitt says that "patrilineal descent is the main determinant of lodge membership, which by inference also involves community affiliation" (p. 207). The inference to which he refers is presumably drawn from the connection between the lodge of a man’s patriline and its dreaming, which is nearly always located within his community country (p.207). Members of a patriline uphold its local territorial connection, notwithstanding the effects on the pattern of local organisation through settlement residence, by performing rituals which "still refer indirectly to such localities" (p. 211). Lodge ceremonies involve the maintenance of natural resources and so "help to validate the community’s claim to the products of its own territory" (p.214). Meggitt is now explicit: the primary land-owning group is not the patriline but is rather the much wider incorporative grouping of the community:

Neither the patriline nor its associated lodge "owns" a defined tract of land on which its members reside or hunt to the exclusion of other people; but, when all the ritual relationships between lodges and
dreaming-sites are summed, they constitute in part the community's title to its country and to the resources of that region (p.214).

The community would thus appear to be not only the primary landholding entity but also the major political unit. Indeed, after having earlier stated that the community "had custody of totemic sites within its territory" (p.51), Meggitt later asserts that:

The community was the largest unit that could be said to have "a corporate title to all the territory normally occupied by (its) resident members" (vide Oliver and Miller, 1955, p.119) and to constitute an active group and not merely a social category (p.243).

It is not at all clear from Meggitt's account, however, whether community title as such is recognised by those who take community territory as their own country. Meggitt's depiction of the inter-relation between communities and their component, totemically affiliated patrilines would suggest that they do not. Rather, title to territory is vested in the religious property of the patriline, although rights to utilise the territory are exercised by the collective membership of the community in economically exploiting it (see Morphy and Morphy 1984:52). As Peterson (1969:30) has pointed out, participation in ceremonies relating to localised dreamings is determined by actual ties of kinship, particularly with affines who are often from other communities. It would therefore be difficult to substantiate Meggitt's claim that the rights of the patriline over ritual and incorporeal property are in fact recognised as being exercised on behalf of the community as a whole.

In Meggitt's discussion of Warlpiri "government and law" the political dimensions of the community are made explicit. In order that the community is rendered as a basic element of the political structure Meggitt first establishes the social and political integrity of the Warlpiri as "one people" (p.242). According to Meggitt,

[the Warlpiri] assert that they have always been a people distinct from others, that they have never been members of any wider confederation or "nation" of contiguous tribes (p.242).
The size of Warlpiri territory, the difficult terrain, and the pattern of economic exploitation meant there was a "limit [to] the frequency of actual or surrogate inter-personal communications involving the entire tribe" (p.242). Thus, in its dealings with other, contiguous groups "the tribe as a whole did not function as a political or administrative entity" (p.242). Smaller, component groups (of unspecified composition) could and did act independently on behalf of "the people as a whole". The communities were, says Meggitt, "the largest groups with political and administrative functions ... [and] each was ... autonomous in its everyday affairs" (p. 243). The community constituted the largest level of political organisation. As Meggitt saw it, the community was an autonomous entity with distinct 'political' and 'administrative' functions.

The depiction of the community as an organised aggregation which coalesced around its dealings with other, similar political entities is made in the context of the need to locate the source of political order in Warlpiri society. Meggitt concludes that there were no special institutions or structures of authority set up to govern. While the communities were the most significant groups with "political and administrative functions" (p.243), they "had no recognized political leaders, no formal hierarchy of government" (p.250). Meggitt could also find "no class of permanent warriors", no "military leaders, elected or hereditary " (p.245). As well, the authority of ritual specialists of high ceremonial status "did not extend into secular affairs" (p. 248) and there was no "solidary group of old men who wielded political power throughout the tribe" (p.250).

The burden of Meggitt's discussion here is to show that "kinship and community provide the framework within which the Walbiri make significant decisions" (1962:187). The source of continuity in this apparently unregulated regime derives from "an enduring master-plan" immanent in religious precedent.

What people do now should as far as possible duplicate what is believed to have been done in the dreamtime, for this provides the ultimate sanction for any activity. ... [T]he norms of the religious and kinship
systems ... met most contingencies ... there were few approved alternatives (p. 247).

Hiatt has made the observation that Meggitt's objectives in elucidating indigenous forms of Warlpiri political life (the subject of a separate paper by Meggitt published in 1964 but based upon the material used for Desert People) stemmed from the influence of British social anthropology's concerns with African political systems in the 1950s.

The question Meggitt therefore asked himself was whether in traditional Aboriginal society there is a structure of government which can be described independently of the individuals who, as it were, pass through it (Hiatt 1986:9).

The regulation and legitimation of group behaviour was not the responsibility of any particular class or status of men. Rather, in various fields of action,

the ascription of authority to particular men on particular occasions depended largely on considerations of kinship status and, by extension, of descent-line and moiety affiliation. ... [T]his frequent variation in the extent of the authority that an individual exercised from one situation to another militated against the emergence of a class of permanent leaders of community enterprises (p. 249).

Thus, the twin constraints of community affiliation and kinship position are defined as the crucial determining factors in decision making and the maintenance of order. However, in the light of my foregoing discussion concerning the many ambiguities and difficulties with the specification of "community", it is difficult to see how valid this depiction can be.

The present

The whole question of the autonomy, integrity, corporativeness and juridical constraints implied by Meggitt's treatment of the community comes into sharp focus when, at the end of Chapter 5, he comes to consider what he
refers to as "recent changes in local organization". Writing in the present tense, Meggitt says:

The traditional Walbiri communities no longer exist as separate residential and economic units. The big, permanent camps on government settlements and on cattle-stations are taking their place, and of these groups the former are having the greatest effects on local organization (p.71).

He relates how, before the establishment of the government settlements, the Warlpiri had tended to keep to their community domains even while they had gravitated towards centres of European settlement. The Yalpapi who had over the years moved to stations along the Lander River had more or less stayed in their own country. Similarly, most Ngalia remained in the vicinity of Mt Doreen, the wolfram mines at Mt Hardy and Mt Singleton, while the Walmall had gravitated toward Tanami and the Granites. The Waneiga had "for years been slowly dispersing - to the western gold-fields, the Victoria River stations and Tennant Creek (p.72).

With the establishment of Yuendumu, Hooker Creek and Phillip Creek there was "an extensive reshuffling of groups in the process of moving them", and these settlements, says Meggitt, "will probably become the foci of new community divisions" (p.72). Moreover, "[t]he physical separation of these two settlements [Hooker Creek and Phillip Creek] from the traditionally demarcated countries doubtless facilitated the adoption of a new definition of the community" (p.72-3). At various points in the text the extended interactions between members of the settlement population is interpreted in "community" terms (e.g. see pp. 72, 235, 237, 250). In particular, the idea of excluding ritual participants from another community from any role in directing performance was an attitude which apparently had been extended to settlement membership. Meggitt cites the example of a Waneiga man from Wave Hill who, as an important Gadjari leader, made an extended visit to Hooker Creek in 1954. His involvement in discussions over the conduct of forthcoming Gadjari was limited to matters affecting "Wave Hill Walbiri", and he was not authorised to participate in or question decisions made by his fellow Waneiga counymen
at Hooker Creek. This man had apparently confided to the anthropologist that the Hooker Creek ritual leaders had commenced ritual proceedings prematurely, but that he could say nothing about this openly. This was because

even though he was a member of the master patrimoiety and had acted in the ceremonies, he was still only a visitor with no right to interfere in local [Hooker Creek] affairs (p.244).

The new forms of settlement identity to which Meggitt alludes under the rubric of "local organisation" are perhaps most clearly brought out in his reference to the creation of new sacred boards relating to the Hooker Creek locality. It is important to point out here that in depicting this process of taking new country Meggitt does not refer to or describe it in community terms. Rather, it is the Hooker Creek group who took the necessary steps involved in getting the boards:

The [Hooker Creek] men told me that, until they possessed these boards of their own, they could not rightfully claim this country as their own, country that once had belonged to the Gurindji tribe (p.289).

The emergence of settlements and other locales of semi-permanent residence no doubt had an effect on the way Aboriginal people themselves were perceiving the new forms of sociality which were encompassing them. That these new perceptions would have influenced Meggitt's understandings is hardly surprising. However, the difficulty of interpretation arises when novel concepts of social life, brought about by the dynamics of a highly unstable and complex new regime, are projected onto a past which is being recreated by the ethnographer in response to the demands of disciplinary expectations. The way in which Meggitt was forced to explicate local organisation did not derive from his immediate encounter with day-to-day reality. The categories in which he was obliged to analyse the data forced him to seek discernable social groups. The expectations of Australian ethnography and the genre conventions within which it was constructed made it impossible for even a sensitive and dedicated researcher such as Meggitt to provide a completely believable and coherent
account. Neither the actual dynamics of the present local and "community" structures, nor an accurate reconstruction of an unrecoverable past were available to his analysis. Thus, neither his present nor the Warlpiri past, at least in terms of local organisation, could emerge clearly from his ethnography.

Conclusion

In attempting to draw out precisely what Meggitt meant by the concept of the "community" it becomes clear that we are dealing here with a complex array of associations and interactions, taking place in a range of social environments, many of which were not available to direct observation. The total context of Warlpiri social interaction must be considered. I am not suggesting that Meggitt was in some basic sense "wrong" to identify something which can be labelled "the community". Rather, the difficulty emerges from his struggle to impose a particular concept of social order, one with precise and fixed boundaries and clearly delineated features, onto a situation which, on the one hand, was profoundly different from that of pre-colonial times, and on the other may never in fact have been able to be described in these terms.

I suggest that there is another way in which Meggitt's "community" could be understood, which may illuminate some of the obscurities and ambiguities in the construct. This would involve removing analytic emphasis from the organisational dimensions of group formation and focusing instead upon the question of identity. Myers (1986b:72) has stated much more recently, with reference to the neighbouring Pintupi, that "the formation of a group should be seen as a social accomplishment, and not simply taken for granted".

Meggitt's community, rather than being a formal aspect of a social organisation with clear boundaries and precise referents in relation to political, economic, marital, ritual and social life, may encompass a shifting sense of commonality between people towards one another, depending on context and necessity. When this identity is given a name (e.g. Ngalia, Walmalla etc.) this does not in itself create a social group with defined boundaries, either socially or spatially. Rather, it could be seen as a form of mutual recognition whereby
those who so identify on particular occasions share something in common as against "others". The necessity to invoke such sense of collectivity may arise relatively infrequently in pre-colonial conditions (perhaps only on the occasion of large ceremonial gatherings, or when visitors or refugees arrive from distant areas). In the context of conditions during Meggitt's fieldwork, however, mutual recognition among "countrymen" would have become an everyday matter through which people could articulate and explicate their behaviour to one another, and to the anthropological enquirer. Thus, a new sense of commonality could come to occupy a far greater subjective significance under settlement conditions, especially when the settlement itself was located in one area to which certain people (and not others) may have had legitimate claims.

While this interpretation may go some way to explicate the complexities of Meggitt's account of the community, of course it does little to assist with the determination of how land and ritual property was held if we assume, as I think we must, that "the community" was not in fact endowed with corporate capacities in this respect. The resolution of this problem is usually made through reference to some smaller level of grouping, which, after the Land Rights Act, became known as "the local descent group". The following chapter will look at how Meggitt dealt with the question of descent, and whether this treatment in any way illuminates the complexities around land-holding among the Warlpiri.
NOTES

1. Meggitt however does not explicitly discuss Elkin's query. Elkin remarked that "The local organization in many tribes is not the clearcut patrilineal patrilocal exogamous group occupying a definite territory which some text books imply" (Elkin 1950:17-18). Peterson (pers. comm.) has suggested that Elkin's doubts were at least in part stimulated by Sharp's published work (e.g. 1934) and by Stanner's largely unpublished materials on the Daly River region, from the 1930's.

2. The concept of "community" as a means of describing Aboriginal groups in the European-Australian context was used by Berndt in 1959 in the sense of "Gemeinschaft" (1959: 105-6). This was opposed to the use of the term "tribe" as a means of primary identification (cf. Birdsell 1970:132). Today, of course, the concept of "community" has taken on a specific signification in the discourse on policy practice in Australia. The relationship between the contemporary usage, as in "The Yuendumu community", and Meggitt's "community", is worth more consideration than can be given to it here (cf. Michaels 1986; Rowse 1990).

3. Birdsell had written extensively on human-land relations (e.g. 1953) and he had worked closely with Tindale. Both adhered to the classical "horde" model. Birdsell's critique was directed against "the Sydney School", whose members, he said, had chosen to "substitute chaos for a generalized and generally ordered set of systems" (1970:115).

4. The Morphy's suggest that Meggitt's argument is "obscure"; the community "appears to exist" because Warlpiri society seemed to Meggitt to be "too loosely structured for power to be vested in groups at a lower level" (1984:52). They object to his assertion on the grounds that rights to land could be exercised by members of the "community" who are not members of any of the patrigroup units which constitute it (1984:52). The Morphy's argument depends on the notion that Meggitt supposed that Warlpiri patrigroups were similar to the clans of north-east Arnhem Land. In fact, as we will see below, Meggitt would not go further than asserting that the patrilineals' features and functions were "analogous" to those of patrilineal descent groups elsewhere (Meggitt 1962:215). A further criticism by the Morphy's is that the communities, as Meggitt describes them, "have never been seen on the ground" (1984:52). Virtually all of the Aboriginal social groups ever seen "on the ground" consist of the small land- using groups encountered by early observers, and the groups gathered together on stations, missions and settlements. While the Morphy's discussion is important and illuminating on many points, their assertion that Meggitt's use of the concept of "community" emerges simply from his inability to explain the existence of the patrigroups at a lower level of social organisation is not convincing. Meggitt did "explain" their existence in some detail, but, he could not obtain any satisfactory evidence that they functioned exclusively as land-holding units.
5. Meggitt’s comments at the inaugural Aboriginal Studies Conference in 1961 however indicate that he was only too aware of the limitations the genre conventions placed on anthropological research. This conference, which resulted in the formation of the Australian Institute of Aboriginal Studies, was dominated by the familiar theme of the need for fieldwork “before it [was] too late” (Rose 1967:156). Stanner insisted that time “has now nearly run out everywhere” (1963:xvi). Berndt vigorously asserted the need for further studies of “traditional Aboriginal society” (1963:399-400). Meggitt’s intervention in this context was striking. He argued that there were few significant gains to be had from the continued focus on "traditional" life and remarked that:

none of the Australian field work with which I am acquainted (and I include my own) has produced data on which can be based what I take to be a valid structural-organizational analysis of Aboriginal society (1963:216).

He urged, by contrast, that research should focus on “the structure of the social phenomenon that has almost completely replaced the traditional society” (1963:216). Given his own awareness of the limits of the reconstructive approach, it is odd that he never made any attempt to modify the text of Desert People, or even include a discussion of these issues in a revised Preface. Thus, the circulation of knowledge about “the Warlbiri”, through Meggitt’s text, has been able to continue within the constraints of the genre, even though the author himself queried the wisdom of this practice the year before the book was published!

6. The people resident at Yuendumu and some of the cattle stations, such as Mt. Doreen and Willowra, were living within “Warlpiri country” in one sense, but the majority would not have been primarily identified with the main residential areas. Limitations on movement would have meant that many would not have been able to visit distant home areas often, if at all.

7. The difficulties in estimating Aboriginal population numbers are notorious. The reliability of explorers’ estimates, for instance, has been considered by Mulvaney (1975:61). Most of Meggitt’s figures were derived from the Native Affairs Branch (p. 31). As Smith has pointed out, “official” statistics are also unreliable and affected by common "myths". "[C]hanges in official and other statistics have routinely followed the changes in the myths" (1980:3).

8. Meggitt does not refer to Strehlow’s observations here, even though he would seem to have been the first person ever to note this. Nor does he refer here to Pink’s work on the Northern Aranda, who abut Meggitt’s “ngalia Walbiri” (see Pink 1936:277n3). Pink points out that at many points boundaries cannot be specified and that certain stretches of country (the least habitable) could be considered “"no-man’s-land"” (1936:283-285).
9. Meggitt does provide significantly more detailed information on this point in his subsequent monograph (1966) on the Gadjari ceremonial cycle.

10. Gurindji people at Daguragu (Wave Hill) have told me that this was common in the region in former times. McGrath (1987) also recorded that workers were permitted to leave the stations during the wet season. Employers would provide them with rations and "some managers transported them to their destination, while others permitted them to take station packhorses or donkeys and drays" (1987:106). The station bosses, however, had final say on the departure dates.
CHAPTER FIVE

DESCENT, RITUAL AND RESPONSIBILITY

What looks very strange in retrospect to the present author is the fascination exerted on most anthropologists' minds by the idea of "descent". If its exclusive use, its privileged status, is objectively unwarranted, there is room for a critical study of the explanatory value of the concept, or rather of its relation to the anthropologist's mental make-up and subjective - if collective - needs (Dumont 1966:231).1

The previous chapter analysed some of the difficulties in Meggitt's construction of the Warlpiri community. That his account can be seen to contain flaws, however, in no way implies that Radcliffe-Brown's model of the patriloclal exogamous horde was valid. Meggitt could not find any bounded social unit which unambiguously linked groups of people to a specific locality or country. In putting forward "the community" as an alternative to "the horde" Meggitt believed he had identified a unit which displayed at least some of the features he sought. Yet his analysis is not altogether convincing. While it would be tempting to attribute this to the effects on local organisation of recent history and settlement life (cf. Stanner 1965:18; Birdsell 1970:122), it could also be the result of an effort to pursue a particular paradigm ill-suited to the empirical reality. Significant features of that paradigm have nevertheless now passed into legal existence as criteria for traditional ownership under the Northern Territory Land Rights Act, as a result of which there have been some particular dilemmas encountered by anthropological research and debate in the past decade.

The contradictions and lack of clarity regarding group, territory and ritual in Meggitt's text are especially striking when considering the relation between patrilines and the community. In some respects, of course, the patriline comes closest to the Radcliffe-Brownian horde, yet Meggitt could not find it to have a clear land-holding function. However he did describe patrilines as corporate unilinear descent groups. In this chapter, I will analyse Meggitt's approach to descent and the descent group, and consider the anthropological background against which Meggitt's representation of descent was constructed. This is
developed with reference to papers by Fortes (1953) and Berndt (1955), which Meggitt explicitly, though briefly, addresses. The purpose of this discussion is to show how theoretical debates in anthropology were brought into prominence in the Warlpiri context, and possibly constrained the kind of account Meggitt was able to provide. I will then examine Meggitt's treatment of *kirda* and *kurdungurlu*, the "owner-manager" relation, which has become an issue of great importance in legal arguments over "the local descent group" in the Northern Territory.²

Given the more or less subtle influence over many years of the north-east Arnhem Land model in discussions of Aboriginal social organisation, it is instructive to compare Meggitt's treatment with Warner's discussion of the Murngin. Warner's depiction leaves very little doubt about the existence of discrete, territorially based groups recruited by a clear descent principle. This principle is patrilineal, and descent traced through the mother refers to "the outside" of the clan (1937:27). Thus Warner's account unambiguously supports the existence of patrilineal descent groups with clear and socially recognised relationships to specific territories.³

Meggitt seems to have been fully conversant with Warner's ethnography. While this is hardly surprising considering the precious few Australian ethnographies then available, Meggitt's familiarity with the work was also the product of prior undergraduate research focused on *A Black Civilization*.⁴ Indeed some aspects of Meggitt's ethnography seem to owe a great deal to Warner's approach (e.g. "local organisation", "family and kinship system", "age-grading"). The notable differences between the two texts can be seen in the predominant importance for Warner of questions around magic, totemism and ritual, which take up far more space in the text than any discussions of social structure.

Warner's analysis of lineage, descent and locality is mostly to be found in his chapter on "Local Organization". As we have seen, Meggitt failed to attribute any comparable role to the descent group and/or component lineages among the Warlpiri, substituting "the community" as the basis for group
relations to land. However, Meggitt explicitly indicates his intention to examine Warlpiri patrilines in the light of Fortes' statement that: "unilineal descent groups are not of significance among peoples who live in small groups, depend on a rudimentary technology, and have little durable property" (1953:24). Berndt (1955) took issue with Fortes on this point, and Meggitt sets out to "examine Walbiri patrilines in the light of this query" (p.211).

As we shall see, Meggitt argues vigorously that the patriline can be seen as a unilineal descent group (p. 211ff). However, this is embedded within a much longer account of formal aspects of Warlpiri kinship, some of which need to be briefly outlined here for the bearing they have on the way Meggitt represented "descent" in general.

As I have already indicated (see Chapter Three) Meggitt devotes considerable space to an analysis of kinship in terms of dyadic relations between kin-statuses. These are inevitably ego-focused, and hence the sociocentric aspects of kinship do not appear until the substantial central section of the book.

Subsections, spirit-entities, moieties and matrilines

One chapter (Chapter 10) is devoted to a depiction and analysis of the Warlpiri subsection system, including a brief discussion of terms and comparison with neighbouring groups' usages. These are "new systems", said to have diffused into the central desert no more than 70 or 80 years prior to 1950 (p.168). The discussion of subsections rests heavily on the notion that these are not in themselves discrete and functional social units, but rather offer "a summary expression of social relationships" (p.169); hence, they are not determinant of decisions, which are guided more by questions of genealogical relatedness and local community affiliation (p.173). The arrangement of subsections into patrimoieties has significance for Warlpiri men because
it summarizes in a fairly univocal manner their system of classificatory
totemism ... The Walbiri dreamings are linked primarily with cult-lodges,
each of which includes men of two subsections; the one couple of
subsectionss comprises men of several patrilodges and is therefore
associated with a number of dreamings (p.186).

Nevertheless, in a somewhat more cautious vein, Meggitt concludes that
"behind these arrangements there is again the notion of genealogical
connection" (186). As I will show below, the patrimoieties are accorded
overwhelming significance in Meggitt's discussion of kirda and kurdungurlu. The
"real", as against purely structural, importance of the patrimoiet remains
unclear, except in certain ritual contexts.

Subsections can be seen to have a relationship with locality, but it is an
indirect one, deriving from "spiritual" rather than "residential" relations.

Certain localities "belong to" the dreamings of particular lodges within a
pair of subsections; but this is a spiritual and not a residential tie. That
is to say, unlike the Aranda situation (Spencer and Gillen, 1927, I, p.
354), the couples of subsections are not associated with individual
"hordes" and their territories; instead, all the subsections are represented
in each of the four communities. Moreover, as the smaller bands within
the community were unstable in size, composition and duration, no
consistent relation between these groups and subsections could exist
(p.187).6

Meggitt's Chapter 11 begins the discussion of moieties and descent
lines, with reference to discussion of the framework of kinship roles which
determine norms. The "matrix of interconnected statuses" is not homogeneous,
and significant statuses are grouped to create "subsidiary frameworks, or
descent lines", which in turn are aggregated into moieties, while subsections
stand between them and gain significance from articulation with them (p.188).

The first of these to be considered are the endogamous generation
moieties. These are unnamed but are reciprocally termed "jalbaru-gulangu"
(glossed as "equivalent status - belonging to") and "ngauwu-gulangu" or
"guiju-gari" (meaning "flesh-having"). The terms are not modes of address and
are rarely if ever used. Furthermore, Meggitt could find no significant social behaviour expressing the operation of this principle of grouping apart from what appeared to him to be their function in allocating ritual roles in Ngalia women’s *jauwulju* (*yawulyu*) and *djarada* (*jarrarda*) ceremonies, which he concedes he did not witness (p.189).  

Meggitt next considers exogamous matrimoieties and matrilines. The meanings he gives for the reciprocal names borne by the matrimoieties reflect the significance of the notion of "shame" in Warlpiri thought, and arise directly from practices connected with avoidance behaviour towards actual and classificatory mothers-in-law and towards circumcisors and sub-incisors. "Shame" and "fear" characterise these relations for individuals. Therefore, since the opposite matrimoiety includes a man’s actual and classificatory mothers-in-law it is "the location of shame" ("gunda-ngga") or "the origin of shame" ("magunda-wanu"), whereas his own matrimoiety by contrast is "lacking shame" ("magunda-wangu") (p.191). Meggitt records the use of other terms, including those with reference to "anger", and to expressions of "sorrow" and "sympathy", although he is not clear on the derivation of the latter usages in matrimoiety terms (p.192).

It is certainly implied that the matrimoieties constitute some kind of actual grouping, although the evidence Meggitt brings forward for this is extremely slight. For instance, he describes the use of the term "gundangga" for all members of the opposite matrimoiety, but says it is used as a term of address for men only, and rarely outside "joking" situations" (p.192). The examples given by Meggitt of particular behaviour between members of opposite matrimoieties can be just as adequately interpreted as the markers of interpersonal relations between individual kin. There is certainly scope for uncertainty here, more especially since Meggitt stresses at once that the matrilines are much more structurally significant.
Matri- and patri-spirits

Meggitt's discussion of matrimeoieties and matriline provides an introductory framework for the discussion of the patriline. This, however, is preceded by an account of the role of matri- and patri-spirits, beliefs in which provide a basis for principles of collective identity derived from transcendentational sources (p.207). The existence of spirit entities provides an ontological explanation underpinning the differences between agnatic and uterine kin.

Meggitt draws a distinction between "guruwari" spirit entities, which appear to be the equivalent of Strehlow's nganti or "life-cells" (1968:88), and the existence of "bilirba", a spirit which animates all common members of a patrilodge. He does not, it seems, have any difficulty in summarising these complex concepts. Whereas the guruwari is acquired personally, the bilirba reflects the common heritage of the lodge (p.207-207).

Significantly, community boundaries apparently also have bearing upon the way in which distinctions are to be made between guruwari and bilirba:

\[T\]he dreaming essence of the lodge ... is not quite the same thing as the guruwari spirit-entity that becomes a person's conception-dreaming. The eagle-hawk bilirba, for instance, is the concentrated expression of all the eagle-hawk guruwari existing in all the eagle-hawk dreaming-sites in the country of a community (p.207: my emphasis).

The following statements indicate the way in which Meggitt depicts the commonality following on from possession of a common matri- or patri-spirit:

[C]lose brothers, as lodge-mates, share a common patri-spirit ... Furthermore, if the men have the one mother, or mothers who are sisters, they also share a common matri-spirit (p.130). ... [T]he affection [a man] feels for his sister clearly extends to her children. The latter are also members of the man's matriline and share his matri-spirit (p.138). ... Father's father and f.f.sr. are thought to be like senior siblings, and son's children like junior siblings, an attitude reinforced by the fact that the men involved are generally all members of the one cult-lodge and share the same patri-spirit (p.141; see also pp.163, 302).

The discussion of the matriline indicates that its members, like those of
the patriline, share a common spirit called bilirba, but "the matrispirit does not represent any particular natural species or object and has no other title to distinguish it from the spirits shared by members of other matrilines" (p.92). The lodge patri-spirit is possessed by both men and women, but it is more significant for men because they are the custodians of patri-spirits on behalf of their female agnates, and a man's personality has as a constitutive element this patri-spirit (p.210). In ritual, Meggitt reports that the sacred string cross used in initiation "is imbued with the lodge patrispirit that the agnates share" (p.299). Furthermore, during initiation the lodge patrispirit enters the initiand by means of the design on the cross (p.302). The relatively greater significance of the patrispirit is indicated also by the fact that the lodge totem returns to its spirit home after death, whereas the matrispirit dissipates completely (p.317). Nevertheless, possession of both the matri- and patri-spirit is important:

Possession of each spirit betokens membership in a category or grouping of social persons, and the two kinds of grouping have more or less complementary secular and ritual functions in Walbiri society. The beliefs may be regarded as symbolic expressions of a principle of complementary filiation (p.207).

Warlpiri matrilines do not constitute identifiable local units. The members of a man's matriline could be scattered throughout Warlpiri territory but some members of it would act as a group during circumcision ceremonies, in disputes related to marriage and at death (p.193). In part, Meggitt attributes this to the effects of recent population movements, and states that he had to rely on statements from informants about participation in ceremonies which involve the matriline. Because of "the shallow time depth of known genealogies" there is ordinarily no real discrimination between a man's "matriline" and the network of all his "maternal kin", who are also members of the same community (p.194). However, when the matriline "functions on significant occasions" it can be seen as a group "whose collateral limits tend to be set at the range of the matrilateral parallel cousins of the central figure" (p.194).
Genealogically, men were rarely sure of details at their grandparents' generation level and hence could not accurately specify who were the members of their matriline. The matriline practically was defined as a group which comprised "the M.M.B., mother's mother, mother's mother's children, m.m.d. children, m.m.d.d. children and the m.m.d.d.d. children" (p.194). Matrilines lack any distinctive unifying symbol, such as a name, and Meggitt suggests that average membership is thirty or less, of whom only about ten, the M.M.B., mother's brothers, M.Z.S., and brothers, are of significance to a mature man. Forty distinct matrilines, he says, "can be referred to actual people" including the "lines of a man's own M.M.B., mother's father, father's father, and F.M.B., and those of separate sets of 'M.M.B.', 'mother's fathers', 'father's fathers', and 'F.M.B.'" (p.194).

The mother's mother's brother controls a "person's betrothal", advises on the selection of a circumcisor and "consequently, on the choice of the matriline of the boy's future wife" (p.195). Meggitt explicitly contrasts the importance of the M.M.B. with that of the father and father's father, as members of the lodge ("banba") line. He asserts this with what is said to be a direct quote from an informant: "'One line supervises the dreaming matters; the other superintends the betrothal matters. This division makes quarreling unlikely'" (p.195). A man is primarily concerned with the matriline from which he receives a wife, which he calls "djuraldja", but since the woman's father is also influential in her betrothal, he is also referred to by this term.

The kinship terminology distinguishes four matrilines of descent but Meggitt spends some time establishing the legitimacy of recognising a fifth line of descent, that of the "mother's father", who is also the wife's M.M.B. In this discussion he refers to Spencer and Gillen (1899:59), Elkin (1953; 1954), and Berndt (1955) with reference to the Arabana, the Karadjeri and the Murngin respectively, in order to demonstrate how "the importance of specifying in genealogical terms the status of desirable affines is reflected in the recognition of extra lines of descent in the kinship system" (p.196). He then diagrams the way in which circumcision, ritual guardianship and betrothal "bind intersecting reciprocal marriage lines together" (p.196).
Up to this point in the text, it might be thought that in spite of the shallow

time depth and lack of residential connection, the matriline nonetheless

possesses a distinct unity and identity, particularly in relation to life crisis

rituals. However, in the context of marriage arrangements Meggitt goes on to

state that "a man's marriage lines are implicit in the kinship structure until a

wife is selected for him" (p.198), unless a particular matriline has already

become a "djuraldja" line for him through marriage of a brother or sister. Thus

in theory a man may have as many "djuraldja" lines as he has wives, although

in practice a man is likely to marry into only one or two matrilines. Structurally,

the arrangement of matrilines precludes the development of a tradition of

inter-marriage between certain lines, whereas by contrast the kinship structure

permits "continual association of particular pairs of patrilines in marriage"

(1962:198). This would certainly seem to undercut any enduring matriline

identity.

Meggitt goes on to extend the contrast with the patriline. The members

of a matriline, in the context of ceremonies accompanying a man's death,

do not regard these bonds as having the ritual significance of those

between members of a patriline. The distinction they make is primarily

between social and cult affiliations, between flesh and spirit. A Walbiri

man does not inherit ritual objects, knowledge, or status through his

matriline (p.200). 11

Meggitt asserts that the central interest of a M.M.B. in a youth's

circumcision is not derived from his position as senior matriline member but,

rather, it "is connected with his status as an 'elder brother' - that is, as a

quasi-agnate" (p.200).

For these and other reasons, Meggitt concludes that "[t]he matriline is

in certain respects a corporate group, but it is organized on a contingent basis"

(p.201). He refers then to Leach (1951:24) who stated that arranged marriages

are usually brought about by a group of resident males who constitute a

corporate group. Meggitt contrasts this with the Warlpiri situation, where the

men who arrange marriages "do not normally reside together but assemble in
order to deal with the matter" (1962:201). The reference here to Leach clearly
derives from his (Leach's) contention that arranged marriages are usually
brought about by a group of resident males who constitute a corporate group.
To argue about "residence", in the context of a nomadic society, seems
somewhat misplaced. Furthermore, how such 'assemblies' are arranged, and
by whom, is left unexplained.

Meggitt uses the term "matriline" rather than "matrilineage", since it is
"neutral", although he also states that these are really "dispersed sets of
matrikin" (p.201). He refers to Fortes' (1953:25) characterisation of African
lineages here and implicitly uses Fortes' criteria for the determination of a
unilineal descent group. Thus, the matriline is "ideally a descent line ... not the
nucleus of a localized descent group". It is not a "single legal personality" and
the men of a matriline "are not necessarily jurally equal in the eyes of outsiders"
(p.201). Further, "specific genealogical relationships single out the particular
matriline that is selected to deal with a given betrothal or death" (p.202).

Peterson (1969) has explored the implication of Meggitt's analysis of the
roles of matrilines and patrilines, in terms of a distinction between ritual and
secular affairs. His analysis covers ritual versus secular rights in the acquisition
of women, in the lodge ceremonies, in circumcision, and in relation to conflict
resolution such as in the fire ceremonies. His important conclusion is that what
is usually discussed in Australian studies as the kinship system is in fact the
ritual/political system, and that kinship "is based on principles of matrilineal
descent" (1969:34). It is nevertheless clear from Peterson's account that the
"Walbiri matriline" is a small and contingent grouping, which can better be
described as "a small ego-focused group of uterine kinsmen" (1969:29).12

In conclusion, it is difficult to sustain the view that Warlpiri "matrilines"
possess any substantive enduring corporate existence as distinctive social
groups. If the matriline has little time depth, if genealogical reckoning is as
imprecise and indeterminate as Meggitt suggests, if so-called community
affiliation can, in a given circumstance, be more important than actual matriline
membership, and if there is no recognition by outsiders of the unity of the
group, the question of why the term "matriline" is invoked at all might well be posed. Peterson's description, above, seems to provide a much better understanding of the flexible principles whereby matrikin come to participate in decisions concerning betrothal, circumcision and death. The invocation of "the matriline", like that of the matrimoity, seems to have arisen as an effort to construct Warlpiri ethnography through a structural model, additionally influenced by the intellectual prestige attaching to Africanist-influenced social anthropology. Ostensibly, this brought to a new level of sophistication the use of descent constructs as the central means of analysing 'simple', 'tribal', communities. While in many instances this may be fully justified, it may also be misleading when the concrete ethnographic situation does not entirely lend itself to this form of analysis.

Patrimoieties and patrilines

Meggitt's Chapter 12 is devoted to this topic. Although he has already referred to patrimoieties in the context of subsections, and patrilines by contrast with matrilines, this chapter is largely devoted to a discussion of the relationship between patrimoity, patriline, patrilodge and "dreamings", in the midst of which is situated the argument that the patriline does constitute a unilineal descent group on the African model, together with a discussion of kirda and kurdungurlu. In order to consider the first of these, I will sketch in the arguments put forward by Fortes (1953) and Berndt (1955), to which Meggitt explicitly addresses himself.13

Fortes' paper "The Structure of Unilineal Descent Groups" represented a critical advance in the elaboration of models for descent theorists, and was widely hailed as a major contribution to contemporary British social anthropology. The African segmentary lineage systems portrayed in ethnographies since the 1930s had, argues Fortes, clearly distinguished African societies from "the classical simple societies" of Australia, Melanesia and North America. Fortes emphasises these distinctions in terms of the size of groups and their territories, and the structural consequences of these differences for social organisation (1953:17-18). Fortes entered a claim for the specificity of
African social structure in this paper, and it was this specificity which Berndt and Meggitt rejected.

In contrast to Malinowski, whose functionalist perspective meant that "[t]here is no order of priority [among institutions], except by criteria that cannot be used in a synchronic [functionalist] study" (1953:20), Fortes argues that social structure, as most visible in the structure of unilinear descent groups, provides the basic and determining feature of societies such as those in Africa. Malinowski's models, he suggests, were dominated almost exclusively by the empirical example of the Trobriand Islands which, he says, has required twenty years of anthropology to place in its proper perspective (i.e. as a 'simple society') (1953:19).

Fortes stresses the great importance, in African ethnography, "given to the part played by descent rules and institutions in social organization, and the recognition that they belong as much to the sphere of political organization as to that of kinship" (1953:23). As a consequence of this ethnographic work, Fortes says, it is now possible to formulate "generalisations about the structure of the unilinear descent group, and its place in the total social system" (1953:24).

He then refers to Forde, who had suggested in a generalist work that "poverty of habitat and of productive technology tend to inhibit the development of unilinear descent groups by limiting the scale and stability of settlement" (1953:24). Fortes thus makes the remark, which was to become well known in Australia, that "unilinear descent groups are not of significance among peoples who live in small groups, depend on a rudimentary technology, and have little durable property" (1953:24).

Fortes distinguishes between 'lineage' and 'clan', as did Berndt (1955) subsequently in the Australian context, contra Radcliffe-Brown (see below). Fortes states that

British anthropologists now regularly use the term *lineage* for these descent groups. This helps both to stress the significance of descent in their structure and to distinguish them from wider often dispersed
divisions of society ordered to the notion of common - but not demonstrable and often mythological - ancestry for which we find it useful to reserve the label clan (1953:25).

The African lineage is corporate in the legal and jural sense, and is also the primary political association (1953:26). All members are to outsiders jurally equal "and represent the lineage when they exercise legal and political rights and duties in relation to society at large" (1953:26). The lineage is presumed to have perpetuity as a corporation in time (1953:26-27). Where there is a risk of a lineage dying out jural fictions may be applied to enable the lineage to persist (1953:27). Lineage genealogies conceptualise the presumed perpetuity of the lineage (1953:27). Lineage structure can be distinguished from the field of kinship, which defines a personal set of social relations for each individual (1953:29ff). A lineage also exhibits a structure of authority whereby not only the lineage but each segment of it has a head who makes decisions concerning its affairs, usually backed by moral sanctions couched in religious terms (1953:32).

Fortes is uncertain on the role of religious institutions in the corporate lineage, describing the issue as "complicated". "Cults of gods and of ancestors, beliefs of a totemic nature, and purely magical customs and practices" are, he says, "associated with" lineage organisation (1953:35, my emphasis). The implication is that religious phenomena are not determinant but are merely symbolic of lineage structure. Common locality is important, but not sufficient, for a lineage to act as a corporate group. A lineage must be able to "get together for the conduct of [its] affairs" (1953:36). Thus, in Africa the lineage is "generally locally anchored" (1953:36) although a compact nucleus may be enough to act as a centre for a dispersed group. Local ties are however of secondary significance for there must be common political, kinship, economic, or ritual interests for structural bonds to emerge. This final point seems to indicate that ritual bonds themselves can, after all, under some circumstances provide a basis for "structural bonds".

In summary, Fortes identifies a number of characteristics of the unilineal descent group which for him is a lineage and not a clan. He makes the
unequivocal assertion that social units of this kind will not be found in societies designated by him as "simple". Berndt (1955) took Fortes to task on this, using the Murngin (Wulamba) as his main ethnographic example.

Berndt's paper is extremely complex, and there is no space to examine it in great detail here. It seems to include a number of inconsistencies, possibly even errors, some of which Radcliffe-Brown critiqued subsequently (see below). The critical issue concerns the role of "lines of descent" and "local descent groups". Berndt identifies three forms of descent as significant to the Wulamba (Murngin).15 Having described these "lines" in terms which suggest they are actual social groups, he goes on to consider Leach's (1951) contentions regarding "local descent groups"16 made in remarks upon which he selectively draws in the following quote:

[T]he corporate group of persons who have the decisive say in bringing about an arranged marriage is always a group of co-resident males representing, as a rule, three genealogical generations. ... In a unilaterally defined descent system where a clan... ceases... to be a localized group, then, in general, it ceases to be corporate unit for the purposes of arranging a marriage. The corporate group which does arrange a marriage is, in such circumstances, always a group of males who, beside being members of the same lineage or clan, share a common place of residence (Leach 1951:24, cited in Berndt 1955:91).17

Leach in fact limits the potential basis for membership of a local descent group to three possibilities (although he does imply that others might exist). The first involves patrilineal descent and patrilocal residence, the second matrilineal descent and avunculocal residence, and the third is matrilineal descent and matrilocal residence together with matrilateral cross-cousin marriage (Leach 1951:24). Leach is at pains to distinguish between "local descent groups" as actually existing local groups of people - "a concrete reality" - and "descent lines" in a diagram of the kinship system - "an abstract reality" (1951:53). Berndt, ignoring the question of "residence", goes on to conclude that the Wulamba patriline is a "local line" and a corporate body, not merely a diagrammatic device. The patriline, as Berndt defines it, is

the agnatic unilineal descent group which can be brought into focus by
consideration of its corporateness, its sense of common acting and belonging, its oneness as the babaru. I would prefer to call the members of this babaru, in totality, a unilineal descent group... or corporate descent group (1955:95-6; Berndt's emphasis).

The clarity of this model, however, is complicated by the commonality of the linguistic group. Although Berndt asserts that each descent group (babaru) is corporate, and the male members have "a sense of belonging to a common stretch of country, of sharing a common sacred background" (1955:97), the linguistic group is made up of several such groups who not only occupy the same ground, hunt together, join in sacred ceremonies together, and so on, but also speak a common dialect which distinguishes them from other linguistic groups. As a linguistic group, these parallel descent groups have in common sacred emblems, songs, sections of mythology, and patterns or totemic designs (1955:97).

This description of the linguistic group immediately submerges any distinctive corporate identity which may be attributed to each descent group. Nevertheless, in spite of the confusions and ambiguities in his account, Berndt concludes that the babaru is a unilineal descent group which is corporate. This leads us to Meggitt's (p.211) partial quote from Berndt, which in full reads:

The point arises here as to whether corporate descent groups of a unilineal nature are common in Australia. They have not been discussed for elsewhere, and the issue remains for empirical investigation. I would suggest that they are present (1955:102; my emphasis).

Radcliffe-Brown's stinging response to Berndt's paper (1956:363-67) identifies numerous inconsistencies and conflicting interpretations of terms in his account of the local organisation of north-eastern Arnhem Land. He disputes Berndt's implied claim to have "discovered" corporate descent groups in Australia, believing them to display the same kind of features characterising the system of "local patrilineal clans" he himself had earlier documented. He concluded that Berndt's description of the clan is "an unsatisfactory description of an unusual, even extraordinary, type of social structure" (1956:366). Whether this is indeed an extraordinary type of social structure, or whether we are dealing here with questionable descriptive and analytic categories, derived from outside
of the Australian context and inherently unsatisfactory for the purposes of accurate analysis, is at least a possibility to be considered.

Although the issues raised in the debate above are complex and confusing, Meggitt did not attempt to unravel the difficulties but instead applied himself directly to the analysis of the Warlpiri patriline, claiming it to be an example of a "corporate unilineal descent group" (see paragraph two, p.215). I will now analyse the grounds on which he makes this claim.

He begins the discussion with a consideration of Warlpiri descent lines (p.204-5). Terminologically, there are five patrilines of descent, the FF's, MF's, FMB's, MMB's and classificatory MMB's which is also the WMF's. While making a distinction between the patrilines of actual and classificatory relatives, Meggitt attributes distinctive functions to each patriline. Thus, a man's "banba" (own FF's patriline) is distinguished from all others in his father-son subsection couple. Own FMB's patriline is distinguished from all other FMB patrilines, for the FMB was once ritual guardian for ego's FF. Patrilines of MMB and classificatory MMB are important because "their lodges may participate in the man's own lodge ceremonies." As well,

[When the father replaces the father's father as a lodge leader, the mother's brother's patriline tends to assume some of the privileges previously exercised by the F.M.B. patriline (p.205).

Meggitt thus writes as if the terminologically identified patrilines are indeed actual groups acting in a unified fashion. This issue was raised earlier in relation to the Murngin data by Radcliffe-Brown (1951), who used the term "descent" to indicate a "line" of terms on a kinship diagram (see Goody 1969:104-6). Leach then argued that Radcliffe-Brown did not "make clear just what is the degree of correspondence between these descent lines and the local descent groups which constitute actual Murngin society" (1951:33). It was in response to Leach's propositions regarding the differences between the two that Berndt (1955) addressed the issue. Radcliffe-Brown's critique of Berndt's paper includes the remark that in his (i.e. Radcliffe-Brown's) schema patrilines were, as social divisions, "purely imaginary" (1956:364).
Nevertheless, it is clear that for Meggitt the patriline was definitely 'real'. He brings forward strong evidence to support a socially recognised unity and coherence for any individual person's patriline, based on the possession of common spirit-identity and, for initiated men, common access to and participation in lodge rituals. I will now briefly list the main features of his argument, which is constructed in response to Fortes' listing of the criteria discussed above. (For the sake of brevity and coherence I have not followed precisely the textual order of Meggitt's discussion).

The patrilines are "de facto exogamous units" but this is derived from the prescriptive marriage rule rather than purely from descent group membership. Indeed, Meggitt believes that it is more accurate to see this as "an indirect reflection of matriline exogamy" (p.214). Neither is the patriline "the 'primary political association' within the tribe" but it is "involved in indicating a person's political status (for what that is worth among the Walbiri), because lodge and community affiliation are commonly related" (p.214). On this point Meggitt's text is not easily understood. He conflates political status, which is contingent upon community affiliation, with ritual status which depends upon lodge membership, without explaining the precise nature of the relation between them.

Like the matriline, the patriline was never a residential group, and its members did not "occupy", presumably for the purposes of obtaining a living, a defined area to the exclusion of outsiders (211). Nevertheless, the criterion of locality is met by the fact that the men of the patriline live, or lived, "in the country of one community" (p.211). Meggitt states that the men of a patriline "gather together regularly to perform revelatory and increase ceremonies and to assist other lodges in such affairs" (p.211). The patriline's "local" aspect, its "anchor", derives from the ritual links between its lodge and specified dreaming sites.
But here arises the relation between the patriline and the patrilodge. If the mainstay of corporate identity depends on ritual rights and responsibilities, it could be argued that the corporate group must be the patrilodge, not the patriline (cf. Peterson 1969:29). Whilst Meggitt estimates there to be about forty patrelines with an average membership of thirty to thirty-five, only about ten persons in each of these are members of the associated patrilodge (p.205-6). Of course, it could be said that the patrilodge maintains rights and responsibilities on behalf of its non-initiate members, including the unborn.

Although Meggitt indicates that the patriline only establishes "an indirect local reference" through its associated cult or dreaming lodge (p.211; my emphasis), it is this relation with the "dreaming" which defines the continuity of the group. The patrelines have a limited genealogical depth and span. However, there is "a firm belief" on the part of the Warlpiri in their perpetuity over time. Meggitt states that the lodges endure as "human expressions of the dreamings" which are themselves "timeless". Sacred sites and objects guarantee the corporate perpetuity of the lodge in that the immutability of the landscape requires the lodge to continue its custodial responsibilities. Meggitt asserts that the Warlpiri deny the possibility of extinction for a lodge, and surmises that were such an event to occur "another lodge of the same patrimoiet and community as the extinct group" would take over, and eventually incorporate this dreaming with its own (p.212). Meggitt then refers to the homology that exists between a dreaming and its lodge in terms of the total system of lodges and dreamings. The point he seems to be making here is that conceptually each lodge must continue in order to maintain the whole socio-religious framework. Nevertheless these ties between patri-group (whether "lodge" or "line") and sites and dreamings cannot be mapped as a one-to-one relationship. On the contrary, Meggitt stresses rather that "they significantly reinforce the local organization epitomized by the community" (p.212). The sum of all ritual relationships between lodges and dreaming sites "constitute in part the community's title to its country" (1962:214).

Authority over the group is also derived primarily from the ritual domain. The elders of the patriline control access to the only means by which younger
men can become full social persons. Only in the context of ritual matters does a "merging of identities" among patrilodge members occur. Ritual property, both incorporeal and material (bullroarers and incised boards), are also "symbols of the lodge's corporate identity, which must be passed on to the future members" (p.213). By implication, the patriline is "an enduring corporation that administers [mainly intangible] property" (p.215).

Thus, in spite of many of Fortes' criteria which are not met in the Warlpiri case, Meggitt nonetheless concludes that the patriline

possesses formal features and exercises material functions that are analogous to many of those of patrilineal descent groups in societies elsewhere - for instance in communities of sedentary horticulturalists in parts of New Guinea (p.215).

In spite of the strength of his argument, he at no time makes a direct link between ritual entitlement of patriline members and territorial rights. The community has title to territory, the patrilineal group has title to "ritual property". The relation between them is obscured, even though (as I will show below) Meggitt was well aware of the way in which possession of ritual property conveyed decisive rights over country. For Meggitt the central feature which conveys the enduring quality to the patriline is its exclusive rights over ritual and associated knowledge.

**Kirda and kurdungurlu**

The exclusivity of patriline rights over ritual and knowledge seems unexceptional and in accord with common depictions of Aboriginal practices. However, the discussion of *kurdungurlu*, occurring in the same sections of the text, raises some interesting questions. While Meggitt's overall approach in *Desert People* is to stress the great importance of individual genealogical position as determinant of rights and obligations (as against membership of formal categories such as subsections, moieties etc.) it is striking that the status of *kurdungurlu* is discussed almost totally in terms of patrimoieties.
He states that "all men of a patrimoiet have the right to participate in ceremonies performed for any dreaming in the patrimoiet" (p.68). Thus, the patrimoiet itself would seem to have rights in ceremonioal performance. These may not be evenly distributed, however. Dreaming relations between different lodges in terms of common rights over "tracks", or over different countries associated with one dreaming, are characterised by "a strong bond based on the possession of a shared spirit or soul" (1962:69).

Meggitt gives the terms "gira" (kirda) and "gurungulu" (kurdungurlu) initially as reciprocal terms for the patrimoieties, which have no sociocentric names. Thus, a man will refer to men of his patrimoiet as "gira" and those of the opposite patrimoiet as "gurungulu". The meaning given to the term "gira", says Meggitt, is "'the fathers and sons'" and it is usually glossed in English as "'the bosses'". They are "the custodians of the patrimoiet dreamings, the men who perform the ceremonies to increase these totemic species" (p.203). The term "gurungulu" is rendered in two ways. "Gurungu-lu" means "'those who give the arm-blood for ritual decorations'" and is taken by Meggitt to be "a Warramunga innovation" (p.204) in use by Warlpiri at the Phillip Creek settlement. "Gurungulu" means "'those who may not act in a particular ritual'" and this is the sense in which Warlpiri at Hooker Creek and Yuendumu use the term (p.203). The latter is taken as the "basic" meaning, and is rendered in everyday English as "'the working boys', those who make preparations for other men's ceremonies" (p.204).

Meggitt appears to attribute the importance of the patrimoiet to the practical problems which stem from the small numbers of lodge members available for ritual performances at any one time. If rituals are to be performed correctly, other men of the patrimoiet must be called upon, and he suggests that "because of the small size of the patrilodges, the situation has always existed" (p.204). Perhaps for the same reasons, Meggitt argues that the large number of dreamings may be preserved ritually by the broader participation of other appropriate "community" members (p.206). Thus, a small number of lodge groups can maintain a large number of dreamings. Meggitt suggests that the classification of dreamings in subsection terms may have developed from the
arrangement of subsection couples within the patrimoiety. Father-son subsection couples, and the parallel "father’s father’s" patrilines, constitute a semi-patrimoiety, while the MMB and parallel "MMB" patrilines constitute the other semi-patrimoiety.

A man regards the dreamings of his own and parallel "father’s fathers" lodges as "father" [and similarly with dreamings associated with the subsection couples of the MMB and "MMB"]. ... Every dreaming of the man’s patrimoiety is either his "father" or his "M.M.B.", and, analogously, all dreamings of the opposite patrimoiety are either his "mother’s father" or his "wife’s brother" (p.216).20

Custodians of a dreaming are all members of the same patrimoiety. Ritual rights and responsibilities can be determined in terms of community affiliation and patriline, in a kind of ranked order with countrymen of a particular lodge as most entitled and extra-community patrilines of the complementary semi-patrimoiety as least entitled (p.216). However, it is abundantly clear that the kind of entitlements which Meggitt has in mind can only be exercised by members of the patrimoiety.

The role to be played by the kurdungurlu appears for the first time in a discussion of the practical aspects of the organisation of lodge ceremonies and of Gadjari or the 'Big Sunday' cycle of ceremonies. Particular practical requirements determine levels of ritual participation: "[T]he principles of selection of participants and assistants vary according to the sorts of ceremonies performed and the number of initiated men available to act" (p.220). In this discussion Meggitt indicates at first that when a lodge ceremony is to be enacted,

men of the opposite patrimoiety request the lodge members to undertake the performance. ... Ideally, a senior man of the lodge is asked by his sister’s husband, preferably one who has been his circumcision ward or his guardian, to prepare for the occasion (p.221).

Perhaps because he may have found this arrangement perplexing, Meggitt then comments at once that a similar practice is found among the Warumungu, citing as his authority Spencer and Gillen (1904:197). Note that
Meggitt seems to accord priority to the status of circumcision ward or guardian rather than to the affinal relation of sister's husband, and note also that he does not refer to the identity of this person in patriline terms.21

The men of the patrimoiety of the dreaming are termed "the masters", and the men of the opposite patrimoiety the "working men" (p.222). The latter prepare materials for the actors' decorations but due to the onerousness of the task men of the actors' patrimoiety are also expected to assist in the final stages. Other ritual paraphernalia such as string crosses and decorated posts are, he says, always made "by the working-men [sic] patrimoiety, concealed from the masters; and the makers should use their own arm-blood to decorate them. I never saw this rule broken" (p.223). Not only do the working men carry out these preparations,

they also sing the relevant lodge songs to impart the dreaming essence of the lodge to the objects, which they later hand over formally to the masters. This concealment of the working men from the masters was the only explicit spatial separation of the patrimoieties that I discovered in lodge ceremonies (p.223).

It is notable that Meggitt does not make any remarks here, or subsequently, about the apparent inconsistency involved where the dreaming essence of the lodge must be sung into the objects exclusively by men of the opposite patrimoiety. A number of other respects in which men of the opposite patrimoiety exercise specific roles in ritual are detailed. These include the working men making ground-paintings, clearing the ground appropriately for the lodge ceremony to be enacted (p.223), applying fat and red-ochre to the bodies of the "masters", constructing the elaborate head dresses onto the actors' heads, and other duties. For example,

working men, especially the brothers-in-law of the actors, should apply the patterns, guided by the lodge members, but other men sometimes assist. Throughout the painting, all the men "sing the line" of the dreaming (p.224).
Meggitt stresses that ceremonial performers must come from the one patrimoity and members of the opposite patrimoity can never act. However, the members of the opposite patrimoity may possess indispensable ritual knowledge without which no lodge ceremonies can proceed. Furthermore, at least some among these men are regarded as "permanent custodians" of dreaming sites (p.226-7). They are responsible for re-touching the paintings to maintain the species, and they also must attend when paintings, such as those mentioned at Ngama cave, are revealed to outsiders who must pay for this privilege in meat which is shared by both the lodge masters and the men of the opposite patrimoity.

Thus, Meggitt notes the importance of the kurdungurlu, but in general identifies them only in patrimoity terms. There is but a fleeting reference to the specific actions of the brothers-in-law of the actors in applying the patterns for body paintings (p.224). In the extensive description of Gadjari that follows, the emphasis on the patrimoity becomes even more pronounced. Elsewhere Meggitt writes that "allocation of ritual duties reflects patrimoity alignment more obviously in the Gadjari" (1966:31), although it appears, to all intents and purposes, many of the particular performances which constitute the ritual complex are indistinguishable from the form and intent taken by individual lodge ceremonies.

Gadjari, or 'Big Sunday', is a ceremonial cycle which entered northern Warlpiri territory around the early part of the twentieth century (see 1966:85) and which incorporates aspects of a traditional Warlpiri two-heroes dreaming. The first recipients of this ceremony are identified as the "Waneiga" (one of Meggitt's four "communities") and they remain the acknowledged authorities. All initiated men of one patrimoity (japangardi-japanangka-japaljarri-jungarrayi) are the custodians, "for it is considered too important to be confined to one patriline or even to one semi-patrimoity" (p.227). These Waneiga men term the ritual "father", as may other men of the same patrimoity in other "communities". The latter, however, have no role in organising the rituals.
Meggitt refers at a number of points in the text to the respective roles and duties of masters and working men in Gadjari, including the making of sacred wooden objects which are important in the conduct of various phases of the ceremonies. Only men of the opposite patrimoiety may make and incise each type of board (descriptions of which are given on pages 228-30). When the boards are not in use the makers (and not the masters) must hide them, regularly rub them with grease and ochre, and guard them from any kind of harm. If a stranger or woman steals, damages or even sees one of these boards, the custodians must hack the offender to death with its sharp edges.

During Gadjari senior men of the master patrimoiety select men of the opposite patrimoiety to care for the objects for the ceremonial period. The working men must then be ready to swing them at a moment's notice, at any time, at the master's request (p. 230). The difficult and time consuming nature of the tasks preparatory to each performance is then described. Meggitt sums up the demands made upon the energy and attention of the working men with a 'comment' from a jangala man, who complained to the recorder about the fact that "the masters sleep all day while we work" (p.232).

The tenor of the passage written virtually at the end of this chapter on moieties and descent lines could suggest that Meggitt is trying to diminish the status and importance of the ritual knowledge and obligations held by men in the kurdungurlu role. In spite of their pivotal significance for ceremonial matters, Meggitt seems obliged to stress their subordination to the owning patrimoiety. He concludes:

The patrilines provide the personnel for the lodges that co-operate to support the totemic system, and the patrimoieties classify the dreamings included in the system. As the dreamtime is ultimately the source of the social groups and their titles to the country, the patrilines and lodges indirectly sustain themselves jurally, politically and religiously by their own activities (p.232).

Note the use of the term "indirectly" here. In the light of his own discussion, the patrilines clearly require the participation of non-patriline members at every point in their ritual activities. This bears on the question of
the role of ritual property in establishing the exclusive corporate identity of the patriline. While rights of one kind to the ritual property indisputably inhere in the patriline, the property itself (and associated elements such as designs, songs etc.) cannot be maintained or activated without the participation of non-patriline members drawn from the opposite patrimoiety.

Finally, the question of the relation between ritual property and landholding must be raised yet again. In the chapter entitled "Initiation" Meggitt states:

Each patrilodge possesses several boards associated with its dreaming; and men of the same community as the lodge, but of the opposite patrimoiety, spend hours each day rubbing the boards with red-ochre and fat and chanting the relevant dreaming-songs. ... Men of the master patrimoieties, preferably members of the lodges concerned, supervise the working men, often marking out the designs to be incised; but it is unlawful for the masters themselves to complete these patterns (p.288).

The significance of this in relation to kurdungurru emerges in his subsequent discussion of sacred boards and their connection with territorial rights. After indicating that the designs on boards are "'maps'" of the dreaming countries or dreaming tracks, it is stated that "the boards form part of a community's title deeds to its territory" (p.288). What Meggitt then says is worth quoting in full:

[When the Walbiri from Yuendumu came to Hooker Creek in 1952, they had no boards of their own to use in the first circumcision to be performed there. They obtained six boards (representing rain and wallaby dreamings) from the Wave Hill Walbiri, who in turn had procured them from other Aborigines at Limbunyah and Inverway. As these dreamings and patterns were intertribal, the Walbiri could keep the boards permanently; but men of the master patrimoiety had to give the extratribal masters large amounts of red-ochre and hair-string for the privilege. For the 1953 circumcision ceremonies the Hooker Creek men manufactured another seven boards of various dreamings, some of which were related to the Hooker Creek locality. The men told me that, until they possessed these boards of their own, they could not rightfully claim this country as their own, country that once had belonged to the Gurindji tribe (p.288-9).]
Obviously, then, Meggitt was well aware of the relation between ritual property and landholding. What is also indicated, however, is the way in which property rights may be subject to change over time, with the question of rightful occupation being settled through the legitimate acquisition of sacred objects, the designs on which must be filled in by members of the opposite patrimoiety to the prospective owners. It is difficult to see how this can be reconciled with exclusive possession of ritual property and associated knowledge as the marker of the corporate identity of the patriline. One might advance the argument here that at least one reason why Meggitt attributed land-title to "the community" arose from the fact that members of both patrimoieties were necessarily involved in the maintenance of ritual property. Finally, what is very clear from Meggitt's account is that the status of kurdungurlu was not derived from individual genalogical ties to an ego, but that it resided in the identity of the patrimoiety.

In the light of the subsequent importance of debates over the kurdungurlu, particularly in land claims, it is of great interest to consider briefly the ways in which Meggitt's anthropological precursors in Central Australia discussed the question. It must be noted at once that singularly little discussion had been given to the topic, and hence Meggitt had little reliable information to assist him in his own analyses.

Spencer and Gillen, as Meggitt noted (p.221), described the kurdungurlu relation in patrimoiety terms for the Warumungu (cf. Nash 1982:158n26). The only other sources for Central Australia were T.G.H. Strehlow and Olive Pink. Their accounts, however, are totally divergent.

T.G.H. Strehlow (1968), whose account is to be found in the context of tjurunga ownership, suggests that the kurdungurlu can be anyone with the appropriate ritual status. He defines "kutungula" as "(a servant) a man who is allowed to assist at ceremonies other than those of his own totemic clan" (1968:177). Strehlow stresses the predominance of the 'owner' over the 'servant', and he does not stress a complementary character to the relationship. Further, the rights over ritual and knowledge are not, in Strehlow's
account, shared equally among members of the njinanga section, but accrue especially in the ceremonial chief.

[The ceremonial chief alone is supposed to have full knowledge of all the decorations associated with his totem; or rather, he is the only man who has the undisputed right to exhibit all of them publicly (1968:124, my emphasis).]

The attainment of kutungula status is depicted as largely the result of interest, personal qualities, and possibly ambition. Although many of the examples he cites indicate that the kutungula is the predominant authority, he attributes this to the effects of change due to depopulation and white contact. Thus, with regard to a long series of "ilia" (emu) ceremonies in Southern Aranda country, it was the kutungula, "the greatest remaining authority", rather than the "rightful owner" who directed the ceremonial performances and the painting of the totemic designs. For the former, "[h]is keenness and ready obedience had brought about his admittance to many secret ceremonies in the capacity of kutungula to totemic clans other than his own" (1968:124).

Strehlow suggests that men would prefer to have as their kutungula members of their own subsection couple (i.e. njinanga section) (1968:132) and that "no class proves an insurmountable bar to the office of kutungula to a group" (1968:149). "Legally [the chief] is at liberty to employ the services of any man who is a fully initiated member of any Aranda or foreign group" (1968:132). There is certainly no suggestion in Strehlow's text that the kutungula can be designated with reference to a matrifilial relationship, even though he quite clearly acknowledges the transmission of rights in sacra through the mother's "tjurunga" (1968:137-139). Uncertainties over the role are reflected in a somewhat puzzling statement attributed to an informant:

We do not know whom to serve as kutungula - Rantjirkaia, the man who claims to know the ceremonies, or Njitia, who is their rightful owner. Njitia ought to listen to the old man who alone saw them performed by our dead fathers a long time ago. Njitia is altogether ignorant of his own tjurunga: how then can he be the chief of Ungwatja? (1968:125).
In Strehlow's text there are nevertheless examples which indicate that the *kutungula* role may be both more structured, and more significant, than the author perhaps wishes to allow. In some contexts a *kutungula* would seem to possess even stronger "property rights" than owners, but this may not be "supported by sufficient legal authority to win general acceptance" (1968:156). Also cited is the case of an aged *kutungula* related as sister's son to an original group of owners who had all died. He refused to pass on the knowledge which he alone retained to the claimant group, who were members of the same *njinanga* section as the owners, because he regarded himself now as the rightful owner of the *tjurunga* of his mother's brother's group (1968:150).

Whereas Strehlow sees the position of *kutungula* as a simple matter of individual ability, intelligence and achievement, Olive Pink's account specifies it in terms of precise, genealogically reckoned relationships. The Northern Aranda *kutungula*, according to Pink, are a man's father's sister's sons (1936:291). The term "Malyanaka mob" is applied to members of a man's opposite moiety:

> The term Malyanaka means "my own people," [sic, et seq] my friends; it is the grouping of four subsections in which a man's sister's sons and father's sister's sons are found (1936:300).

She diagrams the reciprocal *kutungula* association in order to demonstrate "the ritual co-operation which exists between a totemite and his father's sister's son who is called by the former "his *kutungula."" (1936:300). The *kutungula* must request a man to perform the increase rites for his own totems, something which Spencer and Gillen (1904:197-8) are said to have found also amongst the Warumungu. In one case where a clan had died out 'the ownership of its estate' was taken over by a man from some distance away. The dying owner also called for two old men who were the *kutungula* of the new owner. He enjoined all three to look after his estate (1936:300-2). Pink describes the *kutungula* as the "'masters'" of totemic ceremonies (1936:302), and she stresses their importance for maintaining the ritual property of a clan. However, the role of the *kutungula* can be seen as "secular", and his duties are said by Pink to enable the "headman" to give "his whole mind to the correct
performance of his sacred drama, songs and ritual, and later, to give the explanation of it to the younger generation" (1936:302).

Pink is unequivocal on the point of the precise genealogical determinants of the kutungula status. She says that she did not enquire what happens in the event that a man cannot get his own, actual father's sister's sons to be his kutungula, adding that she believes the mother's brother's son and father's sister's son "should normally be the same person" (1936:303n23). The father's sister's son specification means that a man is kutungula for the patrilineal country of his mother's brother, which of course is mother's father's country.

Meggitt's predecessors, whom he no doubt read in the course of his researches, provide a somewhat inconsistent depiction. His own uncertainties in describing the role of the kurdungurlu among the Warlpiri can therefore hardly be considered surprising. Clearly, Meggitt does not associate the kurdungurlu role with a particular genealogical status (contra Pink); nor does he suggest that anyone at all, even a member of a man's own patrimoiiety or semi-patrimoiiety, could become kurdungurlu (contra Strehlow). Of course, these differences could be attributed to variations in ritual organisation between Aranda subgroups (e.g. Western versus Northern), and the Warlpiri. Whatever the ethnographic arguments, however, there is no way in which Meggitt's account could be read as suggesting that some particular individuals, possessing kurdungurlu status, could be included in a single "descent group" with patriline members due to their complementary ritual rights and responsibilities.

Conclusion

Meggitt's treatment of descent and descent groups, like that of the "community", is dispersed throughout his text and the substance of his depiction is not easily extractable. The terms 'descent', 'descent group', 'lineage' or 'clan' do not appear in the index making the task of tracing references to these concepts, and their contexts, additionally difficult. I have shown that on a close textual reading the data upon which Meggitt draws is
clearly enunciated, yet, the interpretation is not always in accord with his analysis. The evidence for the unity and functional specificity of groupings such as matrimoieties and matrilines is strained and partial, and the latter could better be seen as ego-focused groups of matrikin, i.e. an aspect of the kindred, rather than of a descent group. The patrimoieties are given coherence through their ritual functions, but these appear decisive only in the context of Gadjari, admittedly a 'new' ritual to the Warlpiri, and in the identification of kurdungurlu particularly in that context.

The patrilines emerge as significant and meaningful entities, possessing clear ritual functions, but the argument that they constitute the equivalent of a corporate unilineal descent group of the kind discussed by Fortes is not convincing. The decisive relationships for which evidence is put forward in the text appear to occupy only three generations and to be focused on the relation between a man, his father and his father's father. While this may constitute a de facto descent group over time, the principles of recruitment could be seen as those of simple patrifiliation. Precisely this point was taken up by Fortes (1969) in his extended response to Meggitt's (and Berndt's) claims, which warrants a more detailed exposition than space will allow for here. His comments however should be briefly mentioned.

Fortes suggests that for him "an Australian society presents a paradox" (1969:103) because it seems both amorphous and yet internally regimented. The only means by which a "unit of collective life" has some form of exclusive possession of territory is in respect to sacred places; hence, authority over territory, either in the economic or politico-jural sense, is unknown. Drawing as well on the work of Hiatt (1965), Fortes unequivocally accepts that a group's "country" and even its totemic sites seem to lack boundaries, and social groups are not "fixed in composition" (1969:103). He rejects completely that a concept of descent can be imputed to matrilines. In the case of patrilines, which appear to have "more definite structural contours" (1969:115), Fortes accepts that they may be seen as corporate units but queries whether they can be regarded also as descent groups:
The "patriline" seems to be visualized both by its members and by others as unilineally continuous, but it is in fact recruited by exclusive patrifiliation in every generation, not by reference to a patrilineal pedigree going back three or more generations (1969:117).

Fortes concludes therefore that Australian social structure epitomizes what he terms the "kinship polity" (1969:118). While African societies are characterised by jural and political forms articulated through unambiguous descent principles, in Australian societies "compliance with jural and moral norms ... depends upon individual action with the support of kinsfolk ... and the approval of public opinion" (1969:118). Filiation and siblingship, rather than descent group principles per se, are central to the operation of Australian kinship relations. Fortes implies a more dynamic and processural model. This is well exemplified in his concluding remarks which almost seem to pre-empt Myers' (1986b) analysis of Pintupi society:

What is chiefly significant about these inchoately corporate institutions is that they are media of intergenerational continuity and unity of interest amid the evershifting configurations of interpersonal kinship relations. It is to the point that they serve this purpose because they form structural bridges between the internally fluid kinship polity and the external, changeless domain of myth and totemic cult (Fortes 1969:120).

It would appear that Fortes' views were largely overlooked in subsequent Australian discussions of Aboriginal social organisation, but the issues he raised were taken up notably by Scheffler who, in a major theoretical work on Australian kinship, devotes an entire chapter to the analysis of Warlpiri kinship and social order. Here he suggests that Warlpiri patriline should, "if designation is necessary", be described as "patrifilial kin groups" (1978:522). Scheffler insists that Warlpiri moieties, patrilines and patrilodges really are no more than egocentric categories which have for a variety of reasons been misunderstood by Western anthropologists, which in consequence has led to "numerous additional false hypotheses and tangled theoretical constructs" (1978:523). There is no need here to analyse Scheffler's position further; his insistence on the priority of kin class over social category is well known and, I would suggest, is unfalsifiable. However, the point to be made here is the way Meggitt's ethnography entered into a very important set of debates carried on
outside Australia, focusing on theoretical issues in kinship analysis, which nonetheless had singularly little long-term effect on the way local understandings of these issues proceeded.

Within Australia, *Desert People* was received uncritically and with great acclaim, and few if any anthropologists looked carefully into the issues raised by Meggitt's analysis. His construction of Warlpiri social order was added to the other ethnographic accounts encompassing 'whole societies', and thus the structural significance of the matrimoieties, patrimoieties, and matriline was easily absorbed into an accepted discourse for the representation of Australian social organisation. Even more, Meggitt's arguments for the patriline as a corporate unilineal descent group seemed to cause no difficulties or hesitations, and while some were unsure about his designation of "the community" as the land-holding group, the issue seemed one of merely academic interest, with the study of kinship and descent occupying its own autonomous terrain. It could hardly be expected at the time that these depictions would be brought out and re-examined in a totally transformed historical, bureaucratic and legal context. Who could then have been aware that the ideas through which anthropologists understood Aboriginal 'tradition' (which they themselves knew was in the process of change) would be taken into law? This chapter has attempted to address those aspects of Meggitt's treatment which were later to emerge in the context of Land Rights. The way this came about, and the representation of the Warlpiri in the Land Claim process, will be the subject of the following chapter.
NOTES

1. I do not intend to analyse the "anthropologist's mental makeup", with regard to the importance of descent constructs in Australian anthropology. However, I will be suggesting that there has been a strain towards identifying descent and descent group principles as structurally central in Australian societies, even though in some cases the ethnographic account does not always support the interpretation. Meggitt's *Desert People* is a case in point. Dumont's remarks occurred in a paper questioning the validity of the reduction of types of marriage to forms of descent. He suggests most writers consider that double descent underlies classical Australian forms (e.g. the Kariera, the Aranda) which depends on supplying implicit matrimoieties even when they are not in any sense socially recognised. He argues instead for the absolute priority of the alternating generations.

2. For most pre-Land Rights anthropologists this relationship was understood primarily as an aspect of purely ritual import. The effort to have "managers" included with "owners" in land claims has resulted in specific genealogical ties being stressed as a universal aspect of the relationship. This will be discussed in more detail below, and in Chapter Six. Writers who have addressed the question of "owner/manager" relationships in post-land rights anthropology include Hiatt (1984), Maddock (1981; 1983), Morphy and Morphy (1984), Scheffler (1984), and Peterson (1986).

3. Warner's account of course need not be taken as definitive. Merlan (1988:21) points out that Warner stresses "perpendicular" relations of kinship rather than "lateral" connections of intermarriage, and this has definite consequences for the analysis. Warner himself at certain points indicated the overriding importance of the "kinship organization" over "local organization" in contexts of intra-clan disputes (cf. Warner 1937:34). The point of my comparison, here, however, is that Warner unambiguously describes a form of unilineal descent group with clear territorial referents for the Murngin. By comparison, Meggitt's treatment is full of hesitations, uncertainties and unclarity. If "clans" (or component groups such as patrilineages) with distinct territorial referents were present among the Warlpiri, Meggitt would have described them, presumably in terms comparable to those used by Warner. That he did not do so must be interpreted as the consequence of the ethnographic reality he was observing, which presumably did not lend itself to such a description.

4. Reference to a major essay written by Meggitt can be found in Elkin's papers together with other material on student assessment (see Folder F/2/544 in Box No. 195).

5. This statement by Fortes has been quoted frequently as being relevant, if inaccurate, in the Australian context (cf. Peterson 1986:68).
6. What Meggitt means by "residential" in this context could be construed as referring to 'ownership rights', or possibly he could be implying the dimension of the 'secular' as against the 'sacred'. In any case, it is clear that he is drawing a contrast with the Aranda situation, as represented by Spencer and Gillen, and is stressing once again overriding unity at the level of 'community'.

7. On the basis of her informants' statements Munn (1973:14n4) has disputed Meggitt's suggestion that alternate generation equivalence is expressed in women's ceremonial organisation, although she concedes she did not observe any women's "bush" yawalyu. See also Dussart (1988).


9. In a later paper based on the same Warlpiri data Meggitt appears to give more significance to the organisation of participants in "secular" social events in terms of matrimoietiy affiliation although he is emphatic in stating "the moieties ... in their entirety do not function as corporate social groups" (1972:73). The attribution to the moiety of the sorts of feelings which it seems would arise only in relation to affines and certain matrikin (i.e. "shame", "fear" etc.) nevertheless seems to imply some form of corporate identity over and above that deriving from immediate kin relations.


11. The dichotomy suggested here by Meggitt distinguishes between bodily and spiritual components, but no Warlpiri terms or examples of usage which would lend support to this distinction are provided. Later he characterised the distinction between the noumenal and the phenomenal as "the Walbiri gloss on Durkheim's distinction between the sacred and the profane" (1972:71). Since Durkheim, an opposition between 'sacred' and 'profane' has very much been part of the accepted canon in Australianist studies (cf. Hiatt 1975:1-3), although as far as I know, no close linguistic and/or semiotic investigations of relevant indigenous concepts have been carried out. Morton (1985:89-95) discusses in detail the heuristic value of the sacred/profane distinction in the study of Aboriginal religion.

12. Nevertheless, Peterson (1970:214n3) suggests that the Warlpiri "possessed double unilineal descent groups". Presumably he thought the degree of corporateness of the matrilines sufficient to warrant this description (but cf. 1969).
13. There is no way of knowing to what extent the arguments about the prevalence of unilineal descent groups was actively being followed in Australia at this time. Fortes' paper was published in 1953, the same year in which Meggitt went to the field, and he may therefore not have even been aware of it at the time. It is possible that the issue was pressed upon him as a significant one only at the time of writing up his data, and even then possibly only in consequence of the publication of R.M. Berndt's 1955 paper on the Wulamba.

14. Fortes says that "We often find in Africa ... that a person or descent group is attached to a patrilineal lineage through a female member of the lineage. Then if there is a danger that rights and offices vested in the lineage may lapse through the extinction of the true line of descent, the attached line may by some jural fiction be permitted to assume them" (1953:27). However, as we shall see below, the role of kurdungurlu is generally represented as a distinctive one not merely brought into being as a result of jural fictions in the context of lineage extinction (but cf. Strehlow's view, summarised below).

15. Berndt's discussion of "descent lines" is curious, to say the least. Three "significant" forms of descent are described as a man's patriline (babaru), his mother's patriline (maribula) and what he calls the "line of inheritance", the patriline of a man's MM (ngadibula). The mother's patriline contributes flesh to a man's physical being and because of this a man must always assist in the ceremonies of that patriline, which will be in the opposite moiety (1955:89). The "line of inheritance", he says, "strengthens patriliney" (1955:90), because the MMB and FF are members of the same moiety and may even be, in theory, the same person.

16. Central to this definition of a local descent group is the right to bestow women in marriage. This is, to say the least, remarkable given that in Arnhem Land, and elsewhere in Australia, the rights to bestow women are not vested in the bride's patriline but generally in her mother's patriline (see e.g. Hiatt 1967; Maddock 1969; Hamilton 1970).

17. Berndt's citation of Leach is odd: he cites a number of sets of pages but quotes directly only from page 24. Leach raised the question of the Murngin (Wulamba) situation in the first place because of the presence of matrilateral cross-cousin marriage, which in the Kachin case automatically implied corporate groups of wife-givers and wife-receivers. He uses "Murngin" materials to argue that matrilateral cross-cousin marriage cannot be explained with reference to an imaginary structural system where "marriage classes" marry in a circle (1951:32-34); Radcliffe-Brown (1951), he says, has shown that this model is invalid for the Murngin and he (Leach) has shown it to be invalid for the Kachin. While this argument takes us away from the main concerns of this chapter, it is nevertheless worthwhile to take note of Leach's conclusion in which he remarks: "I suggest that the concept of local descent group developed at the beginning of this essay may have important analytical implications in many cases where the pure descent concept 'lineage' lacks precision" (1951:53). This would suggest strongly that for Leach the
local descent group should be contrasted with the "lineage", which in the present context could be equated with Meggitt's "patriline". The subsequent equation of the patriline with the "local descent group" in land claims becomes particularly mystifying since, as Maddock has pointed out, the concept of "local descent group" in the Land Rights Act seems to have been derived, via Berndt, from Leach (Maddock 1980:119; see also ALC 1980b:paras. 110-120).

18. Meggitt (1966:30) has also defined "gurungulu" as "those outside the ritual". He later defined the dreamings designated by the term "gurungulu" genealogically: "Men of the opposite patrimoiety are gurungulu (those who may not act in his patrimoiety's rituals - in Walbiri English, the workers); and the dreamings of that patrimoiety are his 'brothers-in-law' and 'mothers' fathers" (1972:69). Nash (1982:145-147) has subjected Meggitt's definitions to further analysis focusing upon etymological sources.

19. This is described as follows:

Some dreamings ... such as rain, jaribiri snake, eagle-hawk, the two kangaroos, Acacia coriacea, the initiated men, and women's digging-stick, are ritually important enough to identify lodges. Many others that are associated geographically, classificatorily, or mythologically with them also come under the care of those lodges (p.206).

20. Meggitt immediately goes on to say:

The allocation of dreamings among the subsections has thus apparently followed simply from genealogical considerations. Granted that a man may call a dreaming "father", the rest of the classification follows automatically (p.216).

This interpretation must be queried as it would appear that such organisation would more likely follow on from sociocentric categorising rather than individual genealogical arrangements.

21. In the context of initiation, however, the genealogical relation is stressed in Meggitt's description of the formal preliminaries to the summer ceremonial season: "[A] sister's husband should draw the attention of men of the lad's patriline to the fact that he appears to be ready for seclusion" (p.281). Meggitt's avowed intention in the chapter on initiation is to demonstrate the significance of the involvement of structural groupings in various ritual activities.

22. Described by Meggitt as one of many "historically determined specializations of a more basic and archaic initiatory complex that was once widespread throughout Aboriginal Australia" (1966:88) Gadjari was, at the time of his field work, the "predominant religious cult of the Waneiga Walbiri" (1966:83). While southern Warlpiri men of the Walmalla
and Ngalia communities had been participating in Gadjari since about 1945 (1966:25), they claimed that the important rituals for them continued to be those connected with the "gumbaldja" complex, which was independent of Waneiga Gadjari (1966:85). Meggitt's focus on the role of the patrimoieties in determining ceremonial organisation generally may have been significantly influenced by the importance of Gadjari to the Warlpiri at Hooker Creek. It is possible that he interpreted the organisation of the lodge ceremonies through the experience of Gadjari, which may itself have led to the Warlpiri placing more stress on patrimoieties than they may have done prior to its incorporation into Warlpiri ceremonial life. The role of large regional ceremonies in restructuring localised ritual would seem to be a subject of great potential importance to scholars in the Australian field.

23. The impression of subordination is exaggerated by use of the terms "master" and "working men". Other terms in use in Central Australia could give a rather different perception of the relation between the two roles. For example, among Aranda people the term "policeman" is frequently used for kurungurlu, thus stressing authority rather than subordination. Other glosses for kurungurlu include "manager", "boss", "worker", "mailman", "helper" and "traditional trustee" (Maddock 1983:213). Note also the use of "steering committee" by an Aboriginal witness, Jimmy Bindery, in the Warlpiri, Kukatja and Ngarti Land Claim (Transcript of Proceedings, 1983:58), and other examples. It is interesting to note that the terms "worker", "manager", "boss", "trustee" and "steering committee" refer to modern forms of capitalist and bureaucratic relationships of control, whereas others ("mailman", "helper") tend to belong to older forms of organisation in the pastoral industry.

24. Strehlow does indicate that "less frequently" men may be invited to take the role of kutungula by members of the clan to which their own mothers and their own mother's brothers belong (1968:149). This, taken together with his references to matrilineal men acting as kutungula elsewhere in his account, suggests that this practice may have been much more common than Strehlow was willing to allow, given his almost obsessive insistence on the exclusive rights of njinanga section members to ritual knowledge and property (cf. Morton n.d.). This could even account for his suggestion that anyone could be a kutungula.


26. If I was to present a genealogy of studies pertinent to the question of Warlpiri kirda and kurungurlu I would have to examine in detail the analyses which followed on from Meggitt's ethnography. Included would be Peterson's discussion of "owners" and "workers" in the context of secular and ritual links (1969), and most importantly his analysis of the "buluwandi" (1970). In summary, Peterson stresses that "[t]he patrimoieties form the basic division in all important Walbiri ceremonies. One patrimoietiy owns each ceremony and is termed kira or owners and the other patrimoietiy is termed kulungulu or workers" (1970:201-2). However, in the analysis which follows he emphasises the role of
matrimoieties in the actual events of the ceremony. Even more significantly, he argues that the specific actions of owners and workers can best be understood as being derived from structural relations connected with marriage exchange, with great emphasis being placed on the individual relationships of the participants. The overall pattern of the ceremonies, Peterson argues, can best be interpreted in terms of a model of ZD exchange.

Nancy Munn in *Walbiri Iconography* (1973) refers to *gira* in the first instance as the father-son subsection couple, associated with "an ancestor", i.e. a dreaming, but she states that

in an even wider classificatory sense all men of the same patrimoietyi as the lodge owners are also *gira* of the rituals, while men of the opposite patrimoietyi are *gurungulu* (those who must construct the ceremonial objects, "workers") (1973:25).

She takes issue with Peterson's interpretation (1969:32) that "[t]he primary relationship between the owners and the workers is that of WB/SH and MB/ZS" (see 1973:26n14). Munn disagrees with Peterson's emphasis on affinal/matrilateral relationships and argues instead that her Warlpiri informants regarded particular patrilodges of men "as especially important *gurungulu* for rituals belonging to closely intermarried lodges of the opposite moiety". Her interpretation is that patrimoietyi relationships provide a symbolic model for domestic relationships: by implication she rejects a distinction between secular and ritual links. Later in her monograph she examines *banba* (fertility) ceremonies among the Warlpiri and here calls the *gira* "'the masters'" of the ceremony (1973:183-4). The analysis of *banba* contains much that is intriguing, in both material and interpretation, which would take this writer too far into the ethnographic particularities. However, the point should be made that analytically Munn gives pre-eminence to patrilodge identity in spite of the stress on complementarity which appears in her account (see especially 1973:184 and 187). Particularly interesting is her recounting of a remark by an informant regarding a kangaroo *banba* ceremony. The informant remarked that

the patrilineal lodge owning the ceremony might ask the workers to prepare the ceremonial paraphernalia by saying, "You make meat. It will be born then. It will have fat. I want to eat." He also explained in English, "You make'm father, I want to eat." The ceremonial constructions reembody the ancestor and as part of this process aid in continuing the supply of kangaroos in the country; that is, in effect they reembody the kangaroo as well (1973:185-86).

A number of much more recent studies bearing on the *kirda* and *kurdungurlu* relationship amongst the Warlpiri have been made. Two significant contributions have come from Dussart (1988) and Glowczewski (1991).
27. In direct response to Fortes' criticism Meggitt was to later change his mind about 'matrilines of descent' and instead speak of "matrilines of filiation" (see 1972:84n7).

28. The constitution of descent groups occupied an enormous amount of anthropological discussion in the 1960s. One of the critical issues was whether or not ambilineal, non-unilinear or cognatic systems of descent are possible at all. For example, Scheffler (1966) took up the issue and noted that many anthropologists, such as Goody (1959, 1961) Fortes (1959) and Leach (1962), argued that such groups should not be considered to be descent groups. He concluded that the notion of "descent" was not appropriate in these contexts. The nature of descent groups was raised in the Utopia claim (to be discussed in Chapter Six) where the inclusion of non-agnates (e.g. kurdungurlu) was proposed, but the pursuit of theoretical arguments was set aside in Justice Toohey's famous remarks about "the minefields of Cambridge scholasticism" (ALC 1980b:para. 117).
[Anthropological principles lie very much at the heart of the inquiry to establish traditional ownership ... But the hearing of the land claim is not an exercise in anthropology. It is an inquiry conducted within the framework of the Land Rights Act, with the nature of the inquiry and the principles to be applied dictated by the Act itself (Aboriginal Land Commissioner 1980d:para.18)

In the previous chapters I analysed in some detail Meggitt’s representation of “the community” as the Warlpiri land-holding unit, and the way in which descent constructs were used textually to convey a model of social organisation which does not accord readily with the data he recorded. Almost three decades after Meggitt’s departure from the field the Warlpiri were called upon to make and substantiate claims to land under unprecedented legislation. Before considering the depictions of Warlpiri social organisation arising in the land claim context, it is necessary to sketch in the elements of this novel intersection between anthropological interpretation, Aboriginal social life and the Australian legal system.

I will first briefly outline some of the relationships between anthropological knowledge, the law and the land claim process. The definition of “traditional Aboriginal owner” underlines the concrete effects of the Aboriginal Land Rights (Northern Territory) Act (hereafter called the Act), and so will be discussed particularly in relation to the role of anthropological representations in the formulation of the legislation. Since passage of the Act certain practices and expectations have grown up around the role of anthropology in land claims, concerned largely with the research process, the writing of the claim book, and the role of the ‘expert witness’. This has resulted in an entirely new set of practices and approaches to research in this domain, and the generation of a body of knowledge the anthropological status of which is very much contested. The claim book is the writing of a new kind of "anthropology", perhaps marking a new genre (which may include other
documents produced as a result of the Act). The anthropologists working in this context may well constitute a new kind of "interpretive community", some members of which may be drawn from the Academy, while others have only the most tenuous links with it.

**Anthropology and the "traditional Aboriginal owner"**

The intersection between anthropology and law brought forth by the Act seems to be without parallel. Anthropological constructs, and anthropological research, are crucial to the means by which Aboriginal people present claims to land. This intersection has engendered several difficulties (cf. Neate 1989, Chapter 7) but it should not be forgotten that in spite of sometimes vigorous opposition, involving repeated legal challenges, the full resources of the Northern Territory Government, private funds, and an array of top legal talent, most claims have been won either in whole or in part. My purpose here is neither to criticise the role of anthropology in the claim process, nor to overestimate its importance. Rather, I am concerned with showing how the relation between anthropology and law in this context has produced some anomalies and puzzling problems for the nexus between anthropological representation, knowledge, and contemporary Aboriginal life in the Northern Territory.¹

Anthropology's new role became apparent first in "the Gove Case" (*Milirrpum and Others v. Nabalco Pty Ltd and the Commonwealth of Australia* (1971)) of 1970.² As is well known, Mr Justice Blackburn was unable to find that the means whereby Aboriginal people were attached to land could be accepted as a property right under Australian law. As a result of this finding and given the determination of a new Labour Federal Government to provide a mechanism for recognition of Aboriginal Land rights in the Northern Territory, Mr Justice Woodward was asked to preside over a Commission requiring him to investigate

"The appropriate means to recognise and establish the traditional rights and interests of the Aborigines in and in relation to land, and to satisfy
in other ways the reasonable aspirations of the Aborigines to rights in or in relation to land' (Woodward 1973:iii).

It is not my intention here to present any complex analysis of the proceedings of the Woodward enquiry. Rather, I will indicate some of the considerations which went into Mr. Justice Woodward's findings, embodied in two Reports, as these came to bear on the definition of "traditional Aboriginal owner". Mr Justice Woodward, it should be remembered, had previously appeared as Q.C. for the Yolngu claimants in the Gove Case. The first, or interim, report set out findings of fact, drew attention to problems, and invited greater public participation especially from Aboriginal people (see Woodward 1973:para.6). The second report contained more detailed consideration of problem areas and included a draft of proposed legislation. Whereas in the Gove case only two anthropologists were closely involved as expert witnesses (Professors Berndt and Stanner) (Berndt 1981:12), in the Woodward enquiry the anthropologists involved reads like a roll-call of the interpretive community of the time (Biernoff, Brandel, Calley, Denham, Hiatt, van der Leeden, Maddock, Meehan, Rowley, Schebeck, Silberbauer, Stanner, Turner, Wallace, Williams, Woenne-Green). It is impossible, however, to estimate the contributions each of them made, and what importance Woodward attached to their submissions. Berndt does not appear in this list because he was engaged on behalf of the Northern Land Council (see Berndt 1981:13). Peterson was engaged as Woodward's adviser. Notable by his absence, among these senior figures was T.G.H. Strehlow. Eames attributed Strehlow's subsequent unrelenting hostility to the Land Rights Act in Central Australia to this snub: "[H]is resentment against Woodward for failing, in his opinion, to acknowledge his eminence in the field of Aboriginal law of central [sic] Australia had made him an implacable opponent to the legislation" (1983:274).

The First Report

Acknowledging the definitional problems inherent in the terms used by anthropologists, and the difficulties of expressing Aboriginal perceptions, ideas and arrangements, Woodward states that "some Aboriginal concepts related to land-owning have no parallel in European law" (1973:para.28). He continues:
The most important and widespread of the rights in land that lie outside European arrangements is the managerial interest of a nephew in the country of his maternal uncle. Everywhere the religious rites owned by a clan ... could not be held without the assistance of the managers whose essential task it was to prepare the ritual paraphernalia, decorate the celebrants and conduct the rite. The agreement of managers had to be secured for the exploitation of specialised local resources such as ochre and flint deposits and for visits by the clan owners to their own sacred sites (1973:para.28).

Woodward mentions the descriptive utility implied in the term "tribe", a grouping which he prefers to call an "ethnic bloc". In seeking to identify "the basis of Aboriginal social organisation" he considers the dialectally discrete "sub-divisions" of the ethnic bloc (1973:paras.33-36). While the dialect group could represent a "key social unit", he asserted that this is usually found one step lower down the scale, at the level of the clan. I use this expression to mean a local descent group: a sub-division of a dialect group larger than a family but based on family links through a common male ancestry, although those links may be back beyond living memory (1973:para. 37).

To help explicate the situation, Woodward constructs a model through considering "the point of view of a typical Aborigine of Arnhem land in the years before white contact" (1973: para. 48). After describing the role of "the clan" for such an individual, he concludes that in the past there would "have been no difficulty experienced in recording the allocation of country between land-holding clans or dialect groups. Today the degree of difficulty will vary from place to place" (1973:para.59).

The implication here is that, prior to European settlement, land-holding would have been simple and unambiguous, and problems with the models are purely the result of the changed social conditions. He clearly decides that land-holding is a function of membership of a descent group; if a dialect group held land it could only do so because it was a descent group (1973: para. 62).

Woodward suggests three, not entirely different ways in which the vesting of title to Aboriginal reserve lands could be achieved. Firstly, title could
be handed over to a council, members of which would be Aborigines (1973:para.102); secondly, smaller areas of land could be handed over to particular communities; or thirdly, land could be handed over to traditional landholding groups (1973:paras. 103-4).

In spite of the consideration given to the role of the clan as land-holding group, Woodward seemed at this stage to prefer the option of taking the contemporary, residential community as the legally recognised land owning entity (1973:paras.50-51). The "community" he refers to here is not Meggitt's "community", but rather the contemporary political and social grouping found on settlements, missions and so on. Nevertheless, problems would arise from the difficulties in drawing dividing lines between community areas (1973:para.109). Peterson has commented on Woodward's preference for the community model, although there seems to be some ambiguity about whether this approximates Meggitt's "community" or the contemporary "community" (cf. 1986:72n3, 73). Maddock has stated that Hiatt had recommended to the Commission that, for economic purposes, land rights should be vested in communities rather than descent groups, since the former had customary rights to resources (1983:223n5).

On the other hand, giving title to "traditional land-holding groups"

would have the advantage of most closely approximating Aboriginal law. Further, membership of clans and clan boundaries should always be capable of precise definition; though not without long and painstaking enquiry in some instances. Such a system has been supported by most anthropologists who have responded to my request for information and opinions (Woodward 1973:para.111).

Thus, although there was some disagreement, the "clan" model was favoured by those anthropologists who were most influential in their submissions (see Turner 1980:151). Even though a "clan" model may involve difficulties, particularly those arising from the managerial relation (Woodward 1973:para.114), it was seen as more beneficial in "traditional" terms.
Woodward took cognizance of some of the multiple ways of acquiring interests in country other than those involving links with the identity of the father or mother. Modes of 'ownership' mentioned in his report include place of conception (1973:83); place of birth (1973:83); place of death of a male relative (1973:76); links through sharing the dreaming track of a common ancestor (1973:78); succession by people of one clan to the territory of another whose members have all died (1973:para 46); and the attainment, by unspecified means, of specialised knowledge for another clan's ritual estate (1973:81). None of these, however, are automatically covered by the terms of the Act, although no final consideration seems to have been given to the consequences.

It seems likely that the decision to adopt the "traditional" group model was taken in the belief that firstly, this would permit at least some Aboriginal people to make successful claims (since it was not a restrictive model and did not stipulate any specific descent rule), and secondly, it would be administratively and legally far more manageable than a number of other alternatives, such as the model proposed by the Finke River Mission, which would have involved granting title directly to each of the hundreds of small groups of landholders (see Eames 1983:274).4

The Second Report

As mentioned above, in the period between the First and Second Reports, there were a number of interventions from various interested parties. The issue of what kind of group should hold title seems to have been the major issue of concern. The three major choices, adumbrated earlier, were the council or trust basis, the community basis, and the clan basis. Although in the Second Report Woodward says that the "community" basis reflects "a fairly clear consensus of Aboriginal opinion", the Northern Land Council, advised by Berndt, opposed this view and favoured a council or trust system, largely on the basis that Woodward's "statement of the significance of the community ... undervalued the continuing importance of the clan structure" (Woodward 1974:para.82). He indicates that the rejection of a community basis for
land-holding would have the effect of giving "the maximum possible authority to the older men of importance in the clan structure" (1974:para.82). These arguments in the end prevailed and Woodward recommended the use of a trust which would provide an opportunity to show proper respect for older traditional leaders and thus to temper the growing powers of the community councils with due regard for traditional values (1974:para.89).

From one point of view, then, it could be suggested that Woodward's findings on which the subsequent Act was based were heavily influenced by the north-east Arnhem Land situation (see 1973:para.57; 1974:page 145) as well as by representations aiming to strengthen the traditional powers of clan elders. This was at the expense of, on the one hand, more flexible forms of social organisation, and on the other, of the emergent forms of identity apparent at the level of the community or indeed of other forms of grouping.5

The bulk of the text of the Second Report deals with the many details which arise in the context of providing legal recognition of Aboriginal Land Rights. The suitability of the "clan and land trust" model receives no further detailed scrutiny, but in the context of "reversionary rights" (1974:paras.191-216) it becomes clear that the intended framework of claims depends powerfully on the degree to which Aborigines can demonstrate "tradition". Claims to pastoral leases, for example, would vary greatly in strength. At one extreme there would be close religious and cultural ties with the land, evidenced by a detailed knowledge of myths and ceremonies affecting that land. At the other extreme, persons of mixed descent would assert some tenuous connexion through their mother or grandmother which might amount to little more than another man's saying that he grew up in a particular area and regarded it as his home country (1974:para.195).

Clearly the ability to demonstrate religious ties has become especially significant. However, even these cannot be regarded as simple due to the existence of "usage or managerial rights" or "some totemic connection".
Woodward goes on to say, in reference to Professor Berndt's statement, as quoted by the Northern Land Council:

[There are for Aborigines two levels of ownership, the primary or religious level and the secondary or economic level. And although the patrilineal descent group (which I have called the clan) is the basic landholding unit, as Professor Berndt points out,

'... a man or woman can have a stake in more than one site or one local group: moreover, he or she can have rights in the sites and local group territories of maternal relatives, under specific conditions' (1974: para. 196).

The role of Professor Berndt in the framing of the Act has received comment in a number of places (see e.g. Keen 1984). Whether or not his views were of overwhelming significance they would seem to have carried a great deal of weight in the final definition of "traditional Aboriginal owner".

Woodward was apparently convinced that the kind of investigations required by the definition in the Act would serve appropriately for "traditional" Aborigines, but not for those who lived on pastoral leases. He thought that, were a traditional definition used to establish reversionary interests, the result would be very expensive:

Particularly if non-Aboriginal interests were represented by lawyers, it would be easy to imagine a series of hearings lasting over a number of years, involving a great deal of evidence from Aborigines about their oral traditions and further evidence from anthropologists and others who were either familiar with the area and the people related to it or had been specially commissioned to investigate and report (1974: para. 197).

Woodward must never have expected that claims under the legislation would involve in almost every case precisely the array of participants, and expenditure of money and energy that he so feared. Presumably, he was satisfied that the adoption of his definition of traditional owner would be sufficiently applicable in every claim to meet possible objections and therefore would avoid the need for extensive investigations. In consequence then, the
draft for proposed legislation for the "Aboriginal Land (Northern Territory) Act 1974" incorporates in its preliminary definitions the following:

'Traditional Aboriginal owners' means in respect of an area of land, a local descent group of Aborigines who have common spiritual affiliations to a site or sites within that area of land, which affiliations place the group under a primary spiritual responsibility for that site or sites and for that land, and who are entitled by Aboriginal tradition to forage as of right over that land (1974:162).

The intention would seem to have been that 'the local descent group' was "intended to signify clans" (see Woodward 1973:paras.27-62; 1974:paras.142-5). As Layton suggests:

Any early claim which set out to prove the Commission wrong on this central issue would have greatly widened the scope both for political attacks on the Act in public and legal criticism at the hearing of the claimant's ability to prove their case by more precise criteria (1986:153).

Thus the early claims were obliged to conform to the definitions in the Act in order to avoid any suggestion that it may possess deficiencies or to give ammunition to those political interests vehemently opposed to the Land Rights Act.

Anthropology and the Act

The relation between the terms settled on in the legal definition, and the understanding of anthropologists, has acquired a considerable body of literature (see e.g. Peterson and Langton 1983, *inter alia*). The words settled on as a legal definition derived from anthropological concepts, but as Neate has pointed out "they have taken on a life of their own" (1989:42), and the definitions are now considered not to represent or "model" traditional Aboriginal social organisation. Sutton states:

It is often supposed that land rights in the N.T., with its legal concept of 'traditional owners', attempts to give formal recognition to an existing customary land tenure system. In general terms this may have been
what the framers of the Act ... had in mind. But the Act was also a piece of social engineering, not merely a matter of simple justice ... What land rights in the N.T. introduces is a new, if tradition-derived land relationship system. This system is not simply a form of tenure but a system of administration, a subsystem of Australian politics and economics (Sutton 1985:17).

Mr. Justice Toohey reiterated this point in his Utopia report, suggesting that anthropologists' views on Aboriginal social organisation in any given claim cannot be decisive; the outcome is determined rather by the interpretation reached by the Judge in the light of the Act (ALC 1980b:para.89). With respect to the local descent group, for example:

Claims are usually determined with regard to the way in which they are presented, [and] evidence which shows that people share the characteristics of 'local', 'descent' and 'group' will not be rejected merely because their grouping is novel to anthropology (Neate 1989:49).

We can see that this is precisely what has happened. Aboriginal people involved in different claims, even if they are from the same group, can be found from one occasion to the next to have different forms of attachment to land. In the Warlpiri claims to be discussed in the next Chapter, in some cases the same individuals have been listed as traditional owners in two different claims on different bases. This may seem to be merely a matter of pragmatics, persuasiveness, and legal interpretation. But this leaves the question of anthropological knowledge in a very odd position, especially since most anthropologists believe that their job is to understand and interpret the operative principles of Aboriginal social life as correctly and as accurately as possible (cf. Tonkinson 1983-4:182). To be told that for the purposes of the Act and all the consequences which flow from it, including negotiations with developers, rights to decision-making over mining agreements, rights to participate in royalty distributions and so on, the "real" form of Aboriginal social organisation is an anthropological irrelevancy seems to fly in the face of commonsense. In response to this objection, it is often suggested that once a finding has been made in the favour of a particular group of claimants, the actual construction of the "list of traditional owners", and subsequent negotiations particularly in relation to "affected communities", are completely
free from any necessary relation to the findings in a given land claim (under the operation of Section 24).

While this may be technically correct, there is no doubt that one effect of a successful claim is to give at least a substantial endorsement to the position of some individuals over that of others. This endorsement may be modified within Land Council contexts, for instance, but the "broader community" (such as the representatives of developers and mining interests) does not necessarily see it this way. The Commissioner's findings and his list of "traditional owners" are taken as definitive; it may be understood by Aboriginals and non-Aboriginals alike that consultations with these individuals should suffice. Some of the consequences of this will be explored further in the Conclusion.

Research and writing in the land claim process

While the role of anthropologists may have been important in the Gove and Woodward investigations, their participation has now become institutionalised. By 1992 the majority of claims have been lodged and most have been heard, and a well-established set of procedures and practices has emerged. Anthropologists have little if any role in the initial stages of a claim. Claims are as a rule lodged with the Aboriginal Land Commissioner at the Supreme Court by lawyers of the relevant Land Council, acting ("on the instructions of") as the agents or representatives of Aboriginal people whose statutory right is to have their application "investigated, reported on, considered and disposed of in conformity with the statute" (Neate 1989:158). Notice is served also on other bodies, such as government agencies and private interests, particularly in the pastoral, mining and tourist industries. Hearing of the claim is then determined by the capacity of the Land Council to conduct anthropological research and have the claimants made ready to give evidence. Applications have almost invariably been lodged without any anthropological advice as to whether the areas concerned will sustain a claim.

The research for a claim and the preparation of a claim book has become the major responsibility of anthropologists engaged by the Land
Councils. Minimally, a claim book will contain a description of the land claimed, a history of the claimants, giving reasons why they are no longer resident on the land if that is the case and demonstrating continuing attachment to country covered by the claim; a description of the system of land tenure and social organisation, and linguistic groups; an account of sacred sites and dreaming tracks on and near the claim area; and a list of claimants organised according to the major local descent groups. Also included will be remarks as to the advantages to be derived by the claimants from a successful claim, a statement as to rights to forage over the land in question, and a schematic diagram or map of the area claimed and its surroundings.

In commissioning the research and the writing, Land Councils draw upon a network of potential researchers who have prior experience in anthropology, preferably in the area for which the claim is being prepared. Unlike the anthropologist typically engaged in field work for dissertation research, who in a sense is embarking upon a totally new experience of discovery, the land claim researcher is expected to be already an experienced fieldworker with a reasonable level of understanding of the Aboriginal people concerned and often with some linguistic skills in the local language.

The principal anthropologist recruited to prepare a claim must be sufficiently qualified to be able to appear as an 'expert witness' in the legal meaning of the term (cf. Freckelton 1987). While the majority of anthropologists involved in a claim hearing will be employees or consultants of the Land Council, during the court proceedings others may be asked to provide supporting submissions and to give evidence. Since these will usually be senior people from a well-recognised academic background and position, their testimony and views may be given additional or even overwhelming significance by the Land Commissioner. The case of the involvement of Professor W.E.H. Stanner in the first Warlpiri claim, and the subsequent use of his testimony, will be discussed in the following Chapter.

The principal anthropologist will preferably be known to and trusted by at least some of the Aboriginal claimants. The reason for this is not merely to
facilitate the research process, but also to ensure that matters pertaining to secret ritual may be discussed and if necessary disclosed to those preparing the claim. The Act requires that claimants disclose such information in order that “primary spiritual responsibility” over sites in the land can be demonstrated in evidence. This material is not included in the claim book, however, unlike much secret/sacred information obtained by earlier generations of anthropologists which formed a substantial component of their ethnographies. Such information is only revealed in ‘closed’ hearings barred to women and uninitiated Aboriginal men, and transcripts of such evidence are held in confidence. Nevertheless, the anthropologists must be able to elicit this information in order to establish that these, and not other, Aboriginal people actually hold the requisite levels of ritual knowledge to satisfy the Act’s requirements.

Over time, as increasing numbers of anthropologists have been brought into the various phases of land claim research, a network of people often known to one another has come to constitute a new ‘interpretive community’ within Australian anthropology. Some among them may, at different times, be required to take on the role of anthropological consultant to the Land Commissioner of the day. As Tonkinson has pointed out, “there is very little in the nature of formal delineation” of this role (Tonkinson 1983-4:184). The consultant assists the Judge, not the Aboriginal claimants, and the role requires an unfamiliar separation from other anthropologists assisting claimants or indeed objectors. Difficulties arise for the consultant since anthropologists “have often expressed very different interpretations of parts of the Act in some of the earlier claims” (1983-4:182). It is not surprising, then, that quite novel issues have arisen in this interpretive community, particularly in relation to moral and ethical responsibilities, which as Tonkinson has noted, “are endlessly discussed but never satisfactorily resolved” (1983-4:188).

This has had the effect of creating a difference between those anthropologists who have engaged directly with the land claim process, and their colleagues, particularly within the Academy. Some of course have "a foot in both camps", and may have been active in publishing material raising the
issues for anthropology in the land claim context. It is nevertheless difficult to avoid the conclusion that there is an implicit status hierarchy, with people employed by Land Councils as "anthropologists" being considered very much separate from and unrelated to the broader anthropological community in Australia.

Thus, the interpretive community in Aboriginal Studies, which was until the Land Rights era relatively unified, at least in its discursive practices, has now developed fractures depending on the extent to which individuals have been incorporated into this new context. An indirect consequence of this is that Land Councils have often been obliged to hire relatively junior and inexperienced people to carry out sensitive and difficult research tasks. The problem of 'independent science' versus 'Aboriginal control' also continues to simmer, and as I will show in my Conclusion, has significant implications for the practice of anthropology post-Land Rights.

Research strategies

Land claim research requires a number of very different practices from academic research. For example, the time frame tends to be highly constrained by availability of appropriate researchers, the schedules of hearings for claims, and available budgets. Although any given claim may take years to reach a settlement, the time spent on the research is limited. In academic research the anthropologist lives in a community continuously for twelve or more months, and from that direct and intimate personal experience builds up a model of social life. However, in a land claim the type of information required is constrained by the requirements of the Act, and by the submission requirements of court hearing schedules. Moreover, there is often a particular urgency in claim research imposed by the fact that many of the most knowledgable claimants may be aged and perhaps even dying. This is particularly important in those claims where the claimants have lived away from their country and may themselves have relatively less direct experience of traditional life.
In many cases the claimants are scattered over wide areas and researchers may only become aware of the existence of some individuals through genealogical data that has been obtained in order to satisfy the requirement of putting together a local descent group. Whereas field work in anthropology is traditionally representative, constructed out of an idea of "typicality" (cf. Chapter One), in land claim research it must be comprehensive enough to include full details of virtually all claimants.

No claim can proceed without establishing that a local descent group has a 'primary spiritual responsibility' for sites on the claim area. Necessarily then, the anthropologist becomes involved in the often difficult and time consuming task of locating and mapping sites which may not have been visited by claimants for decades. Such sites are likely to be located in inaccessible areas and often require trips with numbers of Aboriginal people for days or weeks at a time in areas with unmade roads and no water supply. These visits may be crucial to the success or otherwise of the claim and require that the information is recorded with absolute accuracy such that it will hold up in court under cross examination. 10

While the collection of genealogical information has long been an integral aspect of field work in Australia its function has been primarily methodological and its purpose mainly analytic. Genealogical material is necessary for the verification of a kinship 'type', of marriage rules, and for establishing terminological equivalence between relatives, for example. It is also extremely useful in determining the extent of the networks between communities of people and fluctuations in demography. Genealogies thus produced would tend to represent meaningful social groups, usually on a kindred model. In rare cases, genealogies have been recorded and updated over many decades in communities by missionaries concerned with family structure and continuity (e.g. the Finke River Mission at Hermannsburg). Nevertheless, in spite of their obvious importance, genealogies collected by the anthropologist do not as a rule appear in the final published account (except
perhaps one or two for illustrative purposes), and their accuracy or otherwise is never questioned.

In the land claim, however, the collection of detailed genealogies has become a *sine qua non*, and their accuracy may be tested both by examination of Aboriginal witnesses, and by cross-examination of the anthropologist. Unlike the genealogical material gathered in the course of 'pure' research, land claim genealogies are shaped and developed by the exigencies of legalist reasoning. Since the constitution of the local descent group and the identification of traditional owners rests on a wholly genealogical concept of relationship, apparent inaccuracies in genealogies can lead to the validity of a claimant or a claimant group being brought into question. Furthermore, when anthropologists discuss the lives of their informants or present a published genealogy they generally take care to preserve the privacy/anonymity of the informants by disguising the identity of individuals or even changing the details of place and incident. These procedures are reversed in the land claim, where the specificities of genealogical relationship are required to be openly presented in their entirety.

With growing perceptions of the need to empower women in the land claim process, a model for research has emerged whereby every claim has both a male and a female researcher. This results in a division of labour whereby men's and women's ritual and spiritual life come to be separately researched and represented in the conduct of the claim in court, but not in the claim book, in order to uphold the distinctiveness of these domains in Aboriginal social life and accord with Aboriginal customary practices.

In spite of these radical departures from field work as it is conventionally understood in anthropology, the authors of claim books inevitably refer to their research as "field work". This legitimises their expertise and emphasises the continuities of their research activity with traditional, academic work, following the canons of modernist anthropology.
The claim book genre

Whilst the conduct of research for a land claim is constrained in the various ways mentioned above, the actual construction of a claim book is even more closely determined by the necessities of the Act.11

Nevertheless, in its organisation and content the writing of the claim book replicates many of the discursive traditions of modernist ethnography. It provides an even more uniform characterisation of the social world of its subjects; here there is even less scope for the consideration of individual differences, understandings and interpretations. The variations and negotiability in the relationships within Aboriginal groups, and indeed in their identification with country, what Myers (1986b:128) refers to as the process of "claim and counterclaim", is wherever possible filtered out of the text (but it cannot always be suppressed in Aboriginal evidence). The impression to be gained through the claim book is thus remarkably mechanistic and rigid.

Regarding the common mode of research and writing for the claim book, the complexities of the tasks involved often require a number of people to be engaged by the Land Council to assist the principal researchers. Such people might include linguists who provide expert advice (see Chapter Seven), historians, specially knowledgable local whites, cartographers, video makers to record site visits, archaeologists and surveyors. Thus, the research process itself may become highly fragmented and the customary relationship between researcher, the informants, and the text is transformed. In writing up the research results the separate contributions of the various parties may be submerged into a common text under the guidance of the principal researcher or, as may often happen, even under the control of staff of the Land Council.

Thus, in the case of those conducting research for claims who do not appear as authors of the final text, the classic relationship between author and work is disturbed. It is impossible to determine in many cases precisely who is responsible for the final version which becomes the definitive account for the purposes of the court. This must be one of the very few genres in academic
writing where the final product can be the outcome of multiple, unacknowledged researchers but also where one person after another can take over the writing process. In some cases (see e.g. Northern Land Council 1980) no direct authorship is attributed and the document is said to be 'prepared by the Land Council' while those contributing to the research are listed separately by name. Since the Land Council and its lawyers are ultimately responsible for the claim book and its contents the customary recognition of authorship, and of the right of a researcher to utilise the results of his or her research is disrupted.¹²

In sum, a claim book is constructed out of a clear set of institutional, rhetorical and political conventions (cf. Clifford 1986a). Perhaps, then, it could be described as a new genre of ethnographic writing. Yet it is atypical, in that the relationship between genre and audience, mediated by the Act, is more fragmented than is normally the case, for example, in literary works. Further, the claim book by itself constitutes only a portion of the land claim discourse as a whole. Included with it must be all of those events which uphold its veracity, in particular Aboriginal evidence and the performances required of them in the course of the claim. The claim book's 'audience' consists of numerous individuals and groups, each with disparate interests and concerns. The audience is composed of the participants in the land claim process - other land claim researchers, lawyers, the Land Commissioner and in some cases the claimants themselves. But, the claim book may circulate widely, to mining company personnel, bureaucrats concerned with Aboriginal administration, policy researchers, journalists, tourist developers, specific government agencies (such as the NT Conservation Commission), not to mention inquisitive dissertation writers. However, unlike published ethnography, which will be sold to university and other libraries and be available for purchase wherever books of this nature are sold, the claim book does not enter the network of the commodity.

While this genre seems to be unproblematic in the legal context of which it may be considered an aspect, it is far from clear how the information recorded in land claims is to be viewed in the context of the 'truth value' which
anthropologists would normally expect from a descriptive and analytic ethnographic text. In my analysis earlier I suggested that Meggitt's depiction in Desert People was influenced both by debates within Australianist anthropology and by wider international currents. The modernist traditions within which Meggitt was writing required him to put forward specific interpretations of his data even where his own researches and experiences seemed to cast doubt on those same interpretations. Nevertheless, Meggitt's ethnography indicates the existence of a complex and often flexible mode of social, economic and ritual transaction. His account can be contrasted with the representations found in claim books put forward in Warlpiri land claims. As a result of the requirements of the Act and the rigours of court procedures, much of the textual density and ambiguity of interpretation disappears. In its place is an apparently straightforward framework which specifies a model of individual, group, land and spiritual responsibility, within which the lineaments of Meggitt's Warlpiri ethnography cannot in any obvious way be discerned. The main elements of the Warlpiri claim book depictions will be the subject of the following Chapter.
NOTES

1. Maddock (1989) has discussed many of the issues considered here. However, his principal concern is to explicate the problems which arise for anthropologists when dealing with the law, particularly in their role as expert witnesses, as educators of lawyers, and through the unreasonable expectations placed on them in preparing a claim. In the final section of his paper he raises the question of whether or not anthropology is "advancing" through the involvement of anthropologists in land claims. He appears to believe that anthropologists can continue with their usual research activities provided they can "keep statutory criteria out of their analyses" (1989:173). These usual procedures he sees as informed by "purely scientific" considerations. He refers to Morphy and Morphy (1984:46) who query the value of the "body of knowledge about Aboriginal social organization" being gathered through the preparation of claims, since it is not obtained in a "neutral context". Models of social organisation in land claims, they say, "are significantly influenced by ideological and pragmatic objectives".

2. Cf. Barwick, Beckett and Reay (1985:40). Anthropologists of course were quite extensively involved in various aspects of the Australian legal system, particularly in assessing Aboriginal evidence in courts. T.G.H. Strehlow's involvement in the trial of Rupert Max Stuart, a Western Aranda man accused of murder in 1959, is one of the best known (see McNally 1981). Anthropological writing, and advocacy, also played a part much earlier in policy matters, as I have indicated in Chapter Two.

3. This rather extraordinary statement is an index of the extent to which the "model" being developed referred back to a "traditional past" as determinant, and the way Arnhem Land loomed large. There is no consideration of how an "Arnhem Land Aborigine" can be "typical" of all other Aborigines, nor of how the Commissioner is able to represent something "from an Aboriginal point of view", let alone one which supposedly existed in pre-contact times. The statement indicates the importance of the reconstructivist enterprise in the framing of the Act.

4. The Finke River Mission was (and remains) fiercely opposed to the underlying concepts of the Land Rights Act. My own experience leads me to think that the Mission's view may have been derived from the idea of imitating individual or family property rights on the Western "real estate" model, rather than a recognition of some form of group or collective title. Subsequent events in the area may well be taken to indicate that this view reflects the predominant family-group oriented views of the Western Aranda which, while perhaps having some basis in "traditional" land tenure, also reflect the progressive effects of Lutheran Christian ideology over a period of almost a century.
5. The effects of the Act were thus to shore up the most conservative and "traditionalist" views of Aboriginal society. It is difficult to avoid a comparison with the constitution of "tradition" in the South African situation, and an unsympathetic view could see this as yet another colonalist stratagem to distance non-dominant segments from the mainstream of social and economic power (cf. Spiegel 1989). Counter to this, however, it should be recognised that the view of Aboriginality reflected here was part of the anti-assimilationist ideology of the 1970s. The recognition of the rights of Aborigines to "difference" stems in part from the idea that Aboriginal people were the prior land-owners of the whole of the Australian continent and were dispossessed. Thus, what in one way can be considered a conservative view can in another be seen to lead to the recognition of "sovereignty", as is currently being pursued by many Aboriginal people and groups today.

6. Keen notes Berndt's own observation that "he 'personally struggled' with the judge over his desire to equate the clan with the local descent group" (Keen 1984:44n2). According to Keen, the term "local descent group" was derived by Woodward from the 1964 edition of the Berndts' book *The World of the First Australians*. Woodward's statements are not at all clear regarding which anthropological advice most influenced his thinking, and why. The Berndts are not listed among those who made submissions or gave evidence to the Commission, presumably because they were representing the Northern Land Council (see Woodward 1974:147-150).

7. This may mean that the person preparing the claim has less close knowledge of the local people than someone else, for example the local missionary or schoolteacher. Such people may be called upon to give evidence as "experts", but Land Councils, while seeking their advice, would not be able to entrust them with claim preparation.

8. Some land claim researchers in Central Australia have in the past expressed concern that this legislative requirement could undermine the authority of senior ritual custodians. However, such views perhaps underestimate the ability and inclination of Aboriginal people to control 'cultural' information now given to anthropologists.

9. Notwithstanding my remarks above, it is perfectly true that the requirements of even limited disclosure in a court setting can provide a wider circulation of usually restricted information than would have occurred in the past. I will discuss the possible impact of this, especially where links to land have atrophied and are then recovered in the Land Claim process, in my Conclusions.
10. Site visits in relation to Land Claim research often have far reaching consequences for local understandings and social dynamics. The obvious joy and elation of Aboriginal people at being once again in their "own country" may be offered in evidence as part of the claim to "traditional attachment". But it can also result in certain people obtaining access to information which their associates lack. Again, this will be discussed in my Conclusion.

11. The written presentation of the claim book is constrained specifically by the Practice Directions formulated by the first Land commissioner in 1977, revised and re-issued by Mr. Justice Maurice in 1985. The new Practice Directions place extremely stringent requirements on the way the results of research must be submitted (see Neate 1989:186-7).

12. Of course some anthropologists have been able to use their experiences in published papers. Most of these, however, address the particular context of land claims. The circulation and use of research information is explicitly contested by the contract required by Land Councils, which specifies that all information acquired should remain the possession of Land Councils and local communities.

13. The "collectivization" of the final claim book is added to by the customary practice of its circulation among Land Council lawyers and other outside anthropologists, for comment and endorsement before final submission. After it is tendered in evidence during the hearing, and the authors have been cross-examined, Aboriginal witnesses testify to "test" its claims. After the court process and the final decision is over, the claim book can be read by anyone (see Neate 1989:161-2). This raises further the limits of an "anthropological" discourse and the constitution of the interpretive community.
CHAPTER SEVEN

KNOWLEDGE, LAW AND LAND: TWO WARLPIRI CLAIMS

This chapter is concerned with the way in which depictions of the relationship between group, land and ritual among the Warlpiri, radically different from those of Desert People, have developed in the context of the Act. Meggitt's classic ethnographic account, with all its complexities, confusions and obscurities virtually disappears from view, to be replaced by not just one, but several different models of the group-land-ritual nexus, each of which is, by contrast with Meggitt's, extremely spare.

The legal and bureaucratic context of land claims obviously calls forth a different approach and a different final ethnographic product. However, as will be seen below, the degree of difference raises some interesting and significant issues. In all Warlpiri land claim books Meggitt's ethnography is inevitably referred to and brought forward as authoritative, especially at points of support for a specific assertion or argument. The presence of substantially different anthropological propositions to those being pursued in the claim book is nevertheless ignored, effectively 'silencing' much of Meggitt's text. While at the legal level, in relation to the success of a given claim, this may be of little or no consequence. However, this does raise a series of concerns about the relation between representation and knowledge, especially insofar as uses are made of land claim "ethnography" as a body of authorised knowledge outside the anthropological domain. The perception that the land claim (claim book and judge's report in particular) has been 'authenticated' in a court may affect not only the understandings held by non-Aborigines in a number of contexts (predominantly bureaucratic, legal, and development interests) but also those of Aboriginal people involved.

The present (and future) effects of the land claim process on Aboriginal people's own understandings will be discussed in my Conclusion. In the present chapter I will indicate briefly some of the main issues which arose in two Warlpiri claims, and show the way in which quite different models of land
tenure were put forward. The role of the expert witness in the evolution of this process will be considered, and I will then briefly examine two of the major papers in the recent literature which have considered broader issues of anthropological interpretation.

I should point out that an account of the actual events and conflicts surrounding each claim, and of the personalities and ideas expressed by the participants, would cast an entirely different light on the materials to be discussed in this chapter. A project incorporating interviews with the participants, and having access to the full body of written materials would produce a much more complex, and probably more interesting account. In the analysis following I am necessarily bound to rely wholly upon the publicly available documents. I am well aware of the omissions and limitations of this approach.

Before proceeding to discuss the two claims, it is necessary to mention briefly the sequence in which they were heard by the Commissioner. There were two hearings prior to the first Warlpiri claim, one as part of the Ranger Uranium Enquiry and the other being the Boroloola Land Claim. In both cases, the basis of the landholding groups was accepted by the Commissioner as the patrilineal clan. Children of female members were not included as claimants and there was but brief mention of their role (see Neate 1989:76, 402n272). Similarly, in the first Warlpiri claim an exclusively patrilineal basis of recruitment to the local descent group was accepted without question, although evidence was advanced regarding the inclusion of kurdungurlu. The next claim of importance in the Central Australian context was the claim to Uluru. Here a model of ambilineal descent was put forward and, in spite of close cross-examination of the anthropologist over its suitability as a means of constructing a "local descent group", the Commissioner found there was nothing to prevent such a form of descent from being accepted (see ALC 1980a:paras. 23-34). This marked a dramatic shift away from the patrilineal model, and without doubt opened up the possibility for the inclusion of matrifiliates within the local descent group.
Less than two weeks after the release of his findings on Uluru, the Commissioner began to take evidence in the claim to Utopia Station, although it was some months before anthropological evidence was presented. Here it was argued for the first time that *kurdungurlu* should be included as traditional owners, together with the members of the five patriclans put forward as owners of the claim area. The Commissioner agreed with the anthropological evidence, finding that it was reasonable to regard the members of each patriclan and the *kurdungurlu* as making up the local descent group (ALC 1980b:120-121). However, on the advice of his consultant, Basil Sansom, the Commissioner excluded *kurdungurlu* on the grounds that only *kirda* discharged "primary spiritual responsibility" (ALC 1980b:paras. 127-143).

Finally, in the Willowra claim, *kurdungurlu* were accepted both as members of the Warlpiri local descent groups, and as satisfying the test of primary spiritual responsibility for the first time. Thus, whereas Meggitt had argued that the "community" was the Warlpiri land-holding group the first Warlpiri claim established that the local descent group was made up exclusively of members of patrilineal descent groups, while the Willowra claim permitted the full inclusion of *kurdungurlu* as traditional owners. The following analysis deals with the way in which the claims were constructed in the claim books, and how the Commissioner responded in his findings. As will be shown, the participation of 'expert witnesses' other than those preparing the claims was particularly important to the outcomes.

"Claim to Areas of Land by the Warlpiri and Kartangerurrur-Kurintji" 2

This was the first claim to be heard in Central Australia. It was an immensely complex proceeding, and the fact that it could be brought together at all is a testament to the determination and perspicacity of the researchers. An initial hearing to consider a portion of what was eventually claimed was convened in 1975, prior to the establishment of any bureaucratic structure for the land claim process. There was no anthropological input at this point, save for a copy of *Desert People* taken to the hearing by legal representatives of the fledgling Central Land Council (Eames 1983:268). The passage into law of the
Land Rights Bill in January 1977 took place within an intensely adversarial and often acrimonious political environment, engendered by powerful elements in the Northern Territory hostile to the legislation (1983:271-273). It was in the midst of this unpredictable situation that research for the claim proceeded, beginning in 1976 before the Act was passed and continuing right up until late in the hearings in 1978. There was no precedent in the Centre for the conduct of a claim, and while it is not suggested that this had any discernable effect on the outcome, it is certainly worth noting that this factor, in combination with the enormity of the area involved, distinguishes the first Warlpiri claim from all others in Central Australia.

The areas under claim comprised some 95,000 square kilometres of unalienated Crown land, separated largely by pastoral leases, the southern of which was designated as 'Area 1' and the northern 'Area 2'. There were 1,127 claimants directly involved, over one hundred of whom gave oral evidence. The hearing, held over thirty-four days between November 1977 and May 1978, produced over two and a half thousand pages of transcript and received 176 submissions, including the claim book, genealogies, maps, and other documents (but not Desert People) (see ALC 1979).

Three claim books were produced. Two early drafts were written at a time of great uncertainty about the anthropological and legal frameworks for claims, and the third, updated version was submitted to the Commissioner in 1978, after a substantial amount of evidence had already been heard. It is to the third version (Peterson, McConvell, Wild, Hagen 1978) that the Commissioner refers in his report on the claim, although unlike subsequent claim books it did not in itself constitute a complete indication of the scope of the anthropological evidence presented.

The claim is described by Hagen as "minimal", meaning that the information in the claim book is far from complete. From the outset, landholding units are designated as "divisions", and while the social entities to which the divisions refer are not made clear, the relationship between them is further obscured by "company" relationships.
"Company" relationships arise when clans composed of the same pair of subsections lie on the same dreaming track and thereby possess the same ancestors. Usually, but not always, the areas of land for which these groups have primary responsibility are contiguous. Ritual responsibilities are complementary and, in some circumstances shared. Groups so related generally see each other as close classificatory relations (1978:ii).

The concept of "company" is invoked because the information available to the researchers did not allow for groups to be separated neatly into "their respective patriclans". A careful reading of the last paragraph on page (ii) in the preface indicates that Hagen is attempting to set the scene for the method of presentation in the remainder of the book. The model of company relationships, and its almost impenetrable complexity as presented by Hagen cannot be in any sense traced to an existing ethnographic depiction of the Warlpiri. The English term "company" relations has come to be used in the land claim context, and can sometimes nowadays be heard from Central Australian Aboriginal people, to describe situations where two apparently genealogically unrelated groups of the same subsection-pair perceive each other as equally connected to a particular tract of land. The necessity for a 'term' arises in part from the fact that in the traditional anthropological model, members of a descent group are supposed to be exclusively associated with particular dreamings and country.

The second major factor in the structure of this claim is the use of "tracks" as the basis for "determining divisions": "Because a single clan generally holds more than one major dreaming track we find some situations where a particular patriclan appears under more than one divisional heading" (1978:iv). The third is the introduction of the concept of "heartland", as some kind of area of priority through which tracks pass and which provided a form of determinant identity for all the individuals said to be linked to that area.

Meggitt (1962) never spoke of 'heartlands', but Stanner (1965:12) stated that
under traditional conditions, there could be no doubt over what might be called the 'heartland' of any group's estate. This gave it 'a habitation and a name', or co-ordinates of existence which were those of no other group (1965:12).

The claim area is described as being "owned by Walbiri clansmen" although parts of it belong to members of the "Kartangerurru-Kurintji". These terms refer to "linguistic groups commonly called tribes" which are not landowning units. The Warlpiri, it is said, are further divided into "sub-tribes or communities". Meggitt is invoked at this point but as we shall see, the main thrust of his land owning model is virtually ignored:

Like the tribe these communities are not land-owning units but reflect natural topographical and physical divisions ... For both the Warlpiri and the Kartangerurru-Kurintji the main land-owning group is based on the patrilineal clan (called patriline by Meggitt 1962). It is the claims of these clans that are dealt with here (1978:1-2).

While many sites are indicated, many hundreds more were unable to be included. Most sites, it is said, lie along tracks of "heroic ancestors", but others belong only to a limited space where dreamings are highly localised. As an indication of the detail involved in the songlines and associated stories, Meggitt is again referred to, this time in relation to the content of his Gadjari monograph.

Only at this point in the text does the question of research, responsibility and authorship arise. The work is described as "collective", resting on forty months "working as anthropologists", "on different topics", "at different localities", "in different years" and with varying levels of linguistic competence. As well, the authors have had "the benefit of an extensive literature to draw on in the case of the Warlpiri" (1978:3-4). The claim book goes on to assert that "we are not the authorities on the matters of land ownership, only the recorders on behalf of the traditional owners"(4).

A model of systematic variation in land tenure according to regional environment is put forward (1978:4ff). The Warlpiri are described as located between the "Yolngu" of North East Arnhem Land, and the Pintupi of the
Western Desert. In the Yulngu (sic) case a diagram stresses exclusive patterns of land ownership as "estates" forming cell-like blocks, traversed by dreaming tracks. The Pintupi are represented as possessing "estate heartlands" surrounded by named places and traversed by dreaming tracks. The Aranda are also discussed because, although they are a 'desert people', they are said to live in a rich environment. The notion that local organisation is a direct function of environment is supported here by reference to Strehlow's key paper "Culture, Social Structure and Environment..." (1965). The intention of the discussion is to provide an explanation for the importance of "heartlands" and "tracks" in the definition of country in the claim area.

It is stated that "the traditional land owning unit is the exogamous patrilineal clan" (1978:6). In conjunction with close relatives in other clans (particularly the kurdungurlu, or workers) these kirda carry out their religious responsibilities. These are described with reference to Munn (1970:142), and the book then enters a plea for the view that the importance of sacred sites does not diminish the cultural significance of the whole landscape. Finally, the discussion of the traditional pattern of land tenure considers the way clans may take over "the custodianship of the title deeds for clans dying out" (1978:7). This is presumably included to indicate why this led to some "custodians own descent lines changing the areas they owned [sic]" (1978:7).

The pattern of 'land use' is discussed with reference to Radcliffe-Brown's model. While stating that the relationship and use is "complicated", the suggestion is made tentatively that there was a pattern in which senior clan males lived in their own country (and died there) whereas others living with them would come from different land owning groups, often including daughters' husbands (1978:7-8). Meggitt (1962:49-51) resurfaces here in relation to foraging rights, said to include "the whole of the associated community areas". A pattern of gathering and dispersal is described as typical of the pattern of land use, while large ceremonies are mentioned as occurring only very occasionally. Permission to use land may be refused to outsiders, but relatives had the right to expect access to resources even beyond the places linked to
close kin on the same ancestral track. Thus, ecological factors were intrinsically significant to the articulation of land ownership and use.

The claim book then provides a fairly lengthy history section (some thirteen pages, as against the nine pages devoted to land ownership) and is predominantly concerned with an administrative history. It traverses the frontier history with which we are familiar from Meggitt's account, and then it describes the efforts to create reserves and the foundation of settlements. The Berndts' anthropological work on Vesteys' stations and their assessment of the conditions under which Aboriginal people were living there are briefly mentioned. This history demonstrates that Aboriginal people had lived all over the area in the past, and that large parts of it had previously been proposed as Aboriginal reserve lands.

The substance of the claim, with reference to Areas (1) and (2) then begins. For claim area (1), a number of named mythological tracks are identified and indicated on a map. Brief details are then given about each track, and a list of principal owners identified by name and subsection follows. In some cases the groups are said to possess "heartlands" outside the area under claim, while other groups and individuals are described as having some kind of association or interest in the area. Thus, in relation to the "Marlujarra" track in Area (1), the primary group listed is said to be associated via its heartland with a "possum" dreaming, however their links to the Marlujarra track gives them "an interest in the Waite Creek area, which is the primary spiritual responsibility of the members of the clan associated with division 8, claim area 1" (1978:25).

Thus, the model first identifies a dreaming track, then lists names of individuals said to be associated with it and discusses the rights of others, not included as principal owners, to some kind of connection with the area. The status of the "divisions" is left completely obscure, and no specific group is identified terminologically as a "local descent group". The inference is that the list of people associated with designated sections of the tracks are to be considered such, but this is never explicated.
Area (2) seemingly posed different organisational problems. The huge area involved, the lack of topographical variation and difficulties of access created obstacles; and, although the authors do not mention it, the fact that very few Aboriginal people would have been able to visit most of the area since early settlement days was an additional difficulty. Nevertheless, "thousands" of named places were identified (as can be seen on the site map accompanying the Commissioner’s Report; ALC 1979, Ex. 172A).

The approach is similar to that taken for Area (1), beginning with the "kajirri" (i.e. Gadjari) track. This is divided into halves, with different subsection pairs identified as the principal owners for each section. Other groups said to have a close relationship are identified. The same strategy, dividing up each track into sections and then identifying principal owners for each section, is followed for a number of other divisions. It is unclear which amongst the total of twenty four divisions relates specifically to localised rather than 'travelling' dreamings.

The complexities of the presentation for Area (2) are clearly related to the large number of "groups" which seem to have interests in the different areas associated with the dreaming tracks. For example, "Division 9", designated as "Mala, Marlu, and Ngarrka", is described as a lodge closely involved with kajirri and fire ceremonies. It is divided into two sub-groups, described as two clans responsible for this division, in a close company relationship due to proximity of the ngarrka track (cf. Meggitt 1966:106-113). "Lesser tracks" associated with group 9a are mentioned and it is said to stand in a close company relationship with claim area 1 division 3 and claim area 2, divisions 9b and 23. They also have a close relationship with the group associated with Claim area 2, division 6, which belongs to the same moiety (1978:55).

The claim book includes a map of what are described as patriclan heartlands for Claim Area 2, although a map referred to as "number 8" which is said to contain information on dreaming tracks is absent. It concludes with a discussion of outstations in the area, the present social and cultural
importance of the area to the claimants, with notes on matters such as number of Aborigines to be advantaged by a successful claim and strength of traditional additional attachment.

Without in any way bringing into question the great effort required for the research and construction of this claim book, it is undeniable that it departed profoundly from Meggitt's account. It constituted a wholly novel means of establishing relations to land through giving priority to dreaming tracks and "heartland" areas as the determinants of group identity, and asserted that patrilineal descent groups could be identified with these areas. While criticisms of this proceeding have been made (see my discussion of Maddock below), it is nevertheless to the point that this means of presenting the great quantity of complex material is highly creative and capable of flexible interpretation. It is particularly noteworthy that at no point in the claim book is the actual composition of the "local descent group" spelled out and associated with country, leaving it open for Aboriginal evidence to be given primary interpretive weight by the Land Commissioner.

While the claim book was of course very significant, it seems clear both from transcripts and the Commissioner's Report that it was the testimony of Professor W.E.H. Stanner which was decisive. Stanner was brought into the claim by specific invitation from Mr. G. Hiley, Counsel Assisting the Commissioner. Hiley wrote to Professor Stanner, asking him to submit answers to a series of questions pertaining to his understanding of Aboriginal relations to land (see Transcript of Proceedings 1978:2216-7). Responding, Stanner provided a definition of the local descent group which the Commissioner later quoted. It was

a small association of persons of both sexes and any ages each of whom is kin to every other person in the group through the paternal and grand-paternal line from a common ancestor or founder. It is characteristically localised or territorially based in that it is publicly identified with (1) a natural species or phenomenon (its 'totem') and (2) a tract or tracts of land, or with one or more places, distinguishable from any and every other such tract(s) and place(s). Each and every Aboriginal person 'belongs' in a full sense, and can 'belong' in that...
sense, to one and to one only such group, to which he owes major allegiance (ALC 1979a:para 66).

Stanner held that members of this group shared "common spiritual affiliation" to sites on the land to the extent that "every member of a patriline is in some sense animated by the 'patri-spirit' of his clan" (Stanner 1978, cited in ALC 1979: para 67). As to the meaning of "primary spiritual responsibility", the Commissioner agreed with Stanner's notion of what it meant in Aboriginal life: "'responsible for duties towards whatever is believed to be spiritual at that site'" (ALC 1979a: para. 67).

Questioned on the role of kurdungurlu, Stanner stated that they "have more a duty and obligation than a right. Theirs is a dutiful set of tasks owed and rendered in response to the kirda's rightful claim on their services" (Transcript of Proceedings 1978:2232). Stanner added in evidence that he believed "[s]ome duties [of kurdungurlu] can come in time to be seen as rights". On being questioned about entitlement to ownership of a site, which kirda themselves "are not allowed to actually visit" and which is maintained by the kurdungurlu, Stanner replied that this was "limited to Arnhem Land and Central Australia" and that he had "no experience of that at all" (Transcript of Proceedings 1978:2224)

Stanner's remarks in evidence on "company relations" as possibly constituting "co-ownership" agreed with the concept of country put forward in the claim book. He added, however, that he believed it was to avoid conflict over claims to country or ceremony that groups entered into "company" (Transcript of Proceedings 1978:2233). On the question of whether or not Aborigines themselves use a term that translates as "company", Stanner said: "I think it is an attempt by Aborigines to say in English something which they cannot say in their own language" (Transcript of Proceedings 1978:2235).

Stanner said that he believed the notion of "heartland", a term he invented (1965:12) as a means of designating that part of the country which is specifically owned by a group, was a misnomer (Transcript of Proceedings
1978:2218-2219). He indicated that he had ceased to use the term, since all he intended by it was that some areas possess better resources than others. This seemed to be an attempt to avoid any implication that such areas were somehow separable from others of significance to the group.

After having found in favour of the claimants in the first Warlpiri claim, the Commissioner in subsequent claims referred back to Stanner's evidence. However, he was to reach different conclusions in different claims. In his findings for the Willowra claim, as we will see, the Commissioner referred to Stanner's "anthropologically impeccable" definition of the local descent group (ALC 1980c:para. 129) but no longer felt bound by it. He remarked on the way material had been presented in evidence and commented that interpretations of Aboriginal concepts depended on the way questions to claimants were framed (ALC 1980c: 93, 105). Now, the terms "local descent group" and "common spiritual affiliations" were not to be regarded as technical anthropological expressions, nor did they "have any generally accepted meaning among anthropologists" (ALC 1980c:paras. 88, 90). The "expert witness" gave evidence from the viewpoint of his own expertise, that is, anthropology; but this no longer pertained to the definition of traditional Aboriginal ownership under the Act.

"The Lander Warlpiri/Anmatjirra Land Claim to Willowra Pastoral Lease"

In the period 1979-80 events in the land claim arena moved extremely rapidly, and claim followed claim, the implications of each for the next being cumulatively significant. The difference in approach, context, description and models which occurred in the various claims over two years is dramatic. The Willowra claim stands as a significant departure from previous representations of the Warlpiri local descent group. In Utopia, the claim book had argued for the inclusion of kurdungurlu as traditional owners (see Hagen and Rowell 1979). This was rejected finally, not on the grounds of the constitution of the local descent group, but because "primary spiritual responsibility" had not been established for this category of claimants. This obstacle was finally overcome
in Willowra, and kurdungurlu were included as members of the local descent group and found to share primary spiritual responsibility with kirda.

In preparing the Willowra claim book the researchers (Wafer and Wafer) would not it seems have had the benefit of the Commissioner's decision for Utopia, although they were almost certainly in personal communication with other anthropologists involved with that claim. It differed significantly from the first Warlpiri claim in that it was for the conversion of a Pastoral Lease, purchased by the Commonwealth Government on behalf of the station's Aboriginal community, involving a much smaller area of almost 5,000 square kilometres abutting the eastern border of the Warlpiri and Kartangarurru-Kurintji claim area. The group of claimants were predominantly Warlpiri, a number of whom were listed also in the first Warlpiri claim (See ALC 1979a:36, 39, ALC 1980c:20ff).

In their Introduction, the authors of the claim book establish continuities between the present day residents of Willowra and the traditional past by emphasising their qualities of "stability", "conservatism", "dignity" and "self-respect". It is asserted that "the traditional authority structure, which is intimately linked with land ownership, is still relatively intact", and that "the people of Willowra are living on, or close to, land they traditionally occupied" (Wafer and Wafer 1979:1). Their recognition by other Warlpiri as having strong "adherence to traditional beliefs and practices", and the fact that "Willowra is symbolically and actually an important "generator" of traditional life elsewhere, the authors say, in no way impedes the management of "a viable cattle operation, with minimal assistance from Europeans" (1979:1-2).

The authors next outline the "traditional pattern of land tenure". The claim area is described as being formerly occupied by "people within the Warlpiri linguistic group" but there are nevertheless neighbouring Anmatjirra "local descent groups" responsible for dreaming tracks which cross the Willowra boundary. A relationship of interdependence characterises intercourse between Lander Warlpiri and the Anmatjirra. Meggitt's depiction of the boundary between the two groups is questioned, although the authors endorse his
suggestion, which is quoted, that "[t]he Yanmadjari ... occupy a special place in the affections the Walbiri, who regard them as 'half-Walbiri and one people with us'" (Meggitt 1962:40). The model of "country" for the Lander Warlpiri/Anmatjirra is put forward in the briefest of terms, following the Warlpiri and Kartangarruru-Kurintji claim book. It is stated that "the Warlpiri do not conceive of their country as consisting of discrete blocks with clearly defined boundaries ... but rather as the area surrounding a number of tracks" (1979:5). Each group is said to be closely associated with an important site which belongs to that group alone, although there can be some overlap. This invites comparison with the notion of "heartland", used earlier, but the term is now omitted. "The term 'heartland' referred to the area where a local descent group had the highest density of sites. We have not adopted the term 'heartland' in this claim" (1979:5).

In a single reference to what the authors call Warlpiri/Anmatjirra "clan structure" it is stated that the "clan or patriline" is a group of people descended from a common ancestor through the male line, and that these people "may not be able to trace the links with the other members of the clan, but they believe that they share a common ancestry" (1979:5). Each patriline is "kirda", one of the Warlpiri terms for "father", for a range of dreamings and associated sites. The authors then assert that the meaning of the term "kurdungurlu" is "contained in its etymology". "As the suffix -ngurlu means 'from', kurdu-ngurlu probably means 'from the son/daughter' (woman speaking) or 'from the nephew/niece' (man speaking)" (1979:6). The meaning is thus specified genealogically:

A man's kurdungurlu (in the narrow sense) will be his sisters' sons and daughters (as well as his own daughters' children), while a woman's kurdungurlu (in the narrow sense) will be her own and her sisters' sons and daughters (as well as her brothers' daughters' children). ... [T]he members of the kurdungurlu group are the sons and daughters of the female members of the patriline. These people are kurdungurlu for the country of the patriline (1979:6).
"Secondary kurdungurlu" is the term the authors use with reference to all the members of the opposite patrimoity to the kirda, whose assistance may be called upon "in circumstances where the full kurdungurlu are not available" (1979:6). The ritual relationship between kirda and kurdungurlu is represented as one of mutual complementarity, with both groups functioning as an organic whole with regard to responsibility for dreamings, physical maintenance of sites, and ceremonial performance.

A relatively substantial part of the land tenure section is then given over to a discussion of the subsection system and "how it works". However, "[w]hat is of primary importance to the Warlpiri is not subsection membership, but membership of a local descent group" (1979:11).

The authors go on to say that Willowra people regard themselves as "all one family". It is a community which is "very close knit because of common descent or marriage links" (1979:12). Further to this, the authors point out that for any particular dreaming, the members of the two subsections who are kirda will have a "blood relationship" with people in each of the other subsections. Others will have rights as "classificatory" relatives and it is argued therefore that primary spiritual responsibility for dreamings is not borne by the kirda and kurdungurlu groups alone. In "cosmos maintenance" (Munn's (1973:31) term), the community at Willowra is to be regarded as "a unity" (1979:13).

A group comprising both kirda and kurdungurlu meets the definition of traditional ownership in the Act, say the authors, firstly because the kirda and "their" kurdungurlu "are linked by descent" (the FF of the former being the MF of the latter), and "their descent affiliates them with a particular locality". Secondly, both have "common spiritual affiliations" because they "inherit a dreaming or dreamings associated with the site or sites" through descent, the kirda through their father and the kurdungurlu through their mother. Thirdly, members of both categories have "primary spiritual responsibility" for that site or sites, by being equally knowledgable and equally obliged to participate in ritual life, albeit in different roles (1979:14).
The history section of the claim book has as its primy focus the successive pastoral claims made on Willowra, beginning in 1878, with the first recorded formal lease dating from 1923. However, a heavy significance is placed now on the "Coniston massacre", by inclusion of a selection of archival, literary and oral evidence (1979:24-26). The emphasis in this part of the account is on the dramatic dispersal of people away from their country in the Lander area. Events leading up to the purchase by the Commonwealth on behalf of the Willowra community of the Pastoral Lease in 1973 concludes the historical account.

While this summary hardly does justice to the details of this claim book, it serves to highlight the major differences between this and the first Warlpiri claim, heard just two years earlier. The Commissioner's findings in favour of the model put forward by the anthropologists were on this occasion not swayed by his earlier acceptance of Stanner's views, which were so persuasive to him in the first claim. Now, the Commissioner found that interpretations of Aboriginal concepts depended very much on the way questions to claimants were framed (ALC 1980c: paras 93, 105). Now, terms such as "local descent group" and "primary spiritual responsibility" were seen as expressions containing ordinary English words to which meanings could be given according to the evidence. A local descent group could be "recruited on a principle of descent deemed relevant by claimants" (ALC 1980c:para 89). On primary spiritual responsibility, the Commissioner's view was that members of a group need only "possess associations of a spiritual nature with sites on the land in question, share beliefs about the spiritual significance of the sites" (ALC 1980c: para 90).

The evidence of linguists seems to have been especially decisive in this claim. David Nash and Ken Hale supported the view that neither kirda nor kurdungurlu could act independently of the other in relation to spiritual matters. Hale provided Warlpiri terms ("jitjatjura" and "palkarnu") meaning "in unison" or "jointly responsible" to describe the relationship between the roles of kirda and kurdungurlu. In evidence led by counsel for the claimants, he commented that in Warlpiri both roles are spoken of as being equal or "level" (see Transcript of
Proceedings, 1980:297-303). Use of the word *lipiriti*, a borrowing of "level", to describe the relationship satisfied the Commissioner that "primary spiritual responsibility" is shared (ALC 1980c: para 106-7).¹⁰

We can see then that a wholly different model of the relationship between knowledge, law and land has emerged in the Willowra case, one which is at odds with the first Warlpiri claim. In some ways perhaps, it comes closer to Meggitt’s concept of "community" in that it is more inclusive; but it does not designate "community membership" with reference to "countries", and it constructs a new form of descent group along with a number of new statuses, more particularly a distinction between primary and secondary *kurdungurlu*, yet still defines this specifically in genealogical and therefore universalistic (rather than individual) terms. What significance then should be placed on these quite radical transformations in the representation of Warlpiri social reality?

**Anthropological critiques**

As might be expected, these issues have been addressed in a number of places by anthropologists concerned with the intersection between anthropology and the claim process. Here I will discuss only two of these, Maddock (1981) and Keen (1984) (although other discussions can be found in Palmer (1983); Scheffler (1984); Bern and Larbalestier (1985)).

Maddock’s primary concern is with the definition of "traditional Aboriginal owner", given the successive transformations in the three texts from *Desert People* through to the Willowra claim (Maddock 1981:91). His implicit assumption is that the Warlpiri constitute a unified entity with a common body of customs and practices. Any ethnographic investigation should yield consistent, if not identical, bodies of data. He asserts that "[t]he people who are being described are much the same, and it is inconceivable that their traditional land tenure could be changing rapidly enough to explain the differences between our sources" (1981:86). He concludes that "[i]n principle, there is no reason why our sources should not agree in their ascriptions of ownership. How, then, to explain their disagreement?" (1981:86).
The definition of 'traditional Aboriginal owners' in the Act is according to Maddock "thoroughly anthropological" because it was constructed "from materials of the kind that anthropologists have assembled under such headings as social organization, totemism, and local organization" (1981:87). Those who wrote the definition were therefore using English legal language to express the actuality of Aboriginal land ownership, about which there was, in the late 1960s and early 1970s, wide consensus among anthropologists: "land was owned by descent groups totemically related to the land in the male line" (1981:87).

Maddock begins with an examination of Desert People, in terms of its discontinuities in the depiction of landholding with passages written by Munn (1970, 1973) and by Peterson (1969, 1970). The inconsistencies between the views of Peterson and Munn are really matters of emphasis, yet what he calls the "the Munn-Peterson concept of ownership" (1981:89) differs from Meggitt's attribution of proprietorial interest to the community. Maddock argues this is a consequence of the problem of translating into English what is "covertly present in Warlpiri thought and action" (1981:90). As an example he cites Meggitt's use of the concept of "title" (see 1962:288) to distill into one word "the legal essence" of Warlpiri relations to country (1981:90).

Turning to the first Warlpiri claim book, Maddock asserts that the attempt to equate the landowning group, called the patrilineal clan, with Meggitt’s patriline is misleading. "[t]he claim book is apt to leave an impression that Meggitt, too, saw this group as having ownership of land" (1981:91). As we have seen, Meggitt ascribed title to the community; the patriline’s relationship to land is but one of the elements through which the community exercises the rights of ownership. Maddock thus takes the authors to task for failing to indicate Meggitt’s view. There is certainly some justice in this observation, yet Maddock analyses the situation purely in terms of terminological understandings of law. He suggests that the difficulties with the claim book arise primarily from difficulties of translation and "understanding" of one "society's statute law in its application to the other" (1981:91), implying that the authors were misled by their own presuppositions that "patrilineal descent groups own land" (1981:92). Maddock goes on to consider Stanner's
assertion that the position of *kurduŋurlu* involved duty and responsibility rather than right. He suggests that this could nonetheless place *kurduŋurlu* into a position of primary spiritual responsibility unless their position could be understood as one of purely personal duty and obligation to *kirda* (1981:93; cf. ALC 1979a:para.55). There was never any suggestion in the claim, says Maddock, that Stanner’s evidence conflicted with the contents of the claim book, yet it could be inferred that the authors either deliberately or through misconception failed to put forward *kurduŋurlu* as landowners because they had not adequately taken in Meggitt’s “more complex” account (1981:92).

Next, Maddock attributes the Wafers’ inclusion of *kurduŋurlu* as claimants to the fact that the people at Willowra “regard their community as a unity” (Wafer and Wafer 1979:13, cited in Maddock 1981:94). The Willowra example is one in which “the Aboriginal views of things” would not support “our legal conception of ownership” (Wafer and Wafer 1979:13, cited in Maddock 1981:94). Significantly, Maddock omits any consideration of the role of the (non-Warlpiri) Uluru land claim in the Land Commissioner’s experience, which had no doubt been powerfully affected by the non-unilineal presentation then put forward (ALC 1980a). Indeed, as Maddock is aware, the inclusion of *kurduŋurlu* since the decision in the Utopia claim did not hinge on questions of descent or the constitution of the local descent group at all, but rather was a question of the equivalence, with *kirda*, of spiritual responsibilities.

Maddock attributes an especial significance to the role of individual anthropologists in the decisions by the Commissioner in the Utopia and Willowra claims. Diane Bell assisted the Commissioner in the hearings for both claims, and in both cases agreed with the Land Council; Basil Sansom also assisted with Utopia, arguing against the Land Council, but was not called for in Willowra.11

Maddock refutes any suggestion that the differences between the three views of land-holding could be the result of the forensic context: “[I]n neither the Warlpiri nor the Willowra claim was it suggested that the traditional owners definition stood in the way of a recognition of genuine ownership” (1981:97, my
Nevertheless, each of the sources differs in the statement of which
groups or entities should be regarded as those holding title to land, and, after
subjecting the various claims to a number of "tests", he reaches the conclusion
that, on balance, Meggitt's communities remain the "strongest candidates" as

It would take us very far from the present brief to comprehensively
consider all the factors which would have led to the omission of kurdungurlu
from the first Warlpiri claim. Among these factors would have to be the
observation, above, that any effort to include them would have possibly brought
forward challenges to the claim by those opposing the Act; that there had been
no earlier experience on which to base claim proceedings; the fact that the
field data did not lend itself readily to Meggitt's or to any other clear and
unambiguous interpretation; and the fact that presumably the claimaints
themselves were unlikely to make statements indicating the desire to include
kurdungurlu, considering that they would have had only the haziest idea of what
was going on. However, three of the anthropologists involved in the first claim
did go on to argue for inclusion of kurdungurlu as traditional owners in later
claims. Peterson, co-author of the Mt Allen Claim Book, commented in the
hearing for that claim that:

The general consensus, the unquestioned consensus, amongst both
anthropologists and lawyers at that time was that "local descent group"
was just another way of saying "patrilineal descent group"... [B]ut in the
light of the Willowra interpretations it is quite clear that the kurdungurlu
do fit in quite easily (Transcript of Proceedings, Mt Allen, cited in Neate
1989:252)

By this time of course, the legal interpretation of traditional ownership had
almost completely submerged the anthropologists' own perspectives; clearly
if a given model was acceptable in Willowra, it would be equally valid in Mt.
Allen.

The second major commentary to be discussed here is Keen's (1984).
He has analysed significant aspects of the fusion between anthropological
discourse and statutory interpretation in relation to indigenous criteria of land
ownership. A major point of Keen's argument is that the Commissioner has been able to exercise his interpretive discretion in such a way as to successively advantage Aboriginal claimants from claim to claim, but in so doing the anthropological understandings which informed the original definition have been dislodged and rendered no longer operative:

In broadening the definition, [the Land Commissioner] has torn it from its anthropological roots and converted it into a set of somewhat arbitrary criteria which, strictly speaking, do not amount to a recognition of Aboriginal land tenure at all (1984:24).

Keen's discussion is framed around the proposition that the original definition was inadequate, and could have been broadened, without "distorting customary law" (1984:24). The issue of interpretation is not merely academic but has very real consequences for the way Land Councils exercise their opinions over traditional ownership, in which they act autonomously. The definition of traditional owner, Keen says, was clearly "derived" from anthropological discourse, which "involves the translation of indigenous descriptions into an anthropological metalanguage" (1984:29). The definition incorporates "one anthropological term of art", i.e. "local descent group", with everyday words and expressions including "responsibility", "affiliation", "land" and "entitled".

Keen identifies the Uluru, Utopia and Willowra claims as the three which most clearly departed from what he calls the "orthodox model" (1984:25) of Aboriginal land tenure. Reviewing the Commissioner's judgements in a number of claims, including these three, he points out that in many cases the difficulties with the 'local descent group' arose from the fact that a number of people comprising the landholding group frequently consisted of members of more than one lineage. He shows that in a number of claims the Commissioner accepted that local descent groups existed without specifically defining which form of grouping in any given case was the 'local descent group' (1984:29-30). In relation to the inclusion of children of women agnates of a landholding group, i.e. "managers" or kurungurlu, Keen attributes the primary role in broadening the definition to Maddock, "an anthropologist with legal training"
Keen’s careful analysis shows that the issue of interpretation was clearly in the Commissioner’s mind as claims began to succeed using models further and further from the "orthodox model". The Commissioner set aside the meanings given to the expression "local descent group" in anthropology, insisting that "[t]he words 'local', 'descent' and 'group' are ordinary English words to which a meaning can be attached" (ALC 1980b:para.117, cited in Keen 1984:32). Keen concludes that the Commissioner’s departure from the "orthodox model", a trend which was set by the Utopia and Willowra claims, rendered the definition of "traditional Aboriginal owners" arbitrary. Consequently, he believes, application of the definition "has not always led to the recognition of rights in Aboriginal terms" (1984:40). With regard to his reading of "group", the Commissioner has not allowed for the identity of individual land-holding groups as "abstract entities" independent of their membership at any one time, while his insistence on common descent overrides the principle of recruitment by filiation. As well, the Commissioner has incorrectly taken "common spiritual affiliations" to be an attribute of groups, evidence of which is considered on the basis of the extent to which "knowledge" is revealed, in some cases by only one person (1984:41). Yet "spiritual connections" between a person and a site are entailed in membership of a group, knowledge not being a requirement. Thus, "the Commissioner’s insistence that members of a group must possess a level of knowledge in order to have common spiritual spiritual affiliations to a site is neither internally consistent nor in accordance with Aboriginal custom" (1984:41). Thirdly, Keen questions the validity of the Commissioner’s "arbitrary" and "quantitative" approach to the disposition of sites in relation to the land claimed (1984:42), which seemingly is intended to guard against a proliferation of opportunistic claims.

Conclusion

Both Maddock and Keen, from slightly different perspectives, are attempting to come to terms with the relationship between anthropological
representation and "reality". Maddock sees the situation as one in which an objective body of customary law and practice should be discoverable by the anthropologist. He attributes the failure to replicate a single model across the three Warlpiri examples to the effects of a situation in which

the anthropologist is trying to make sense of inside realities by accommodating them within an outside conceptual framework, the terms and structure of which he does not properly understand (1981:100).

Thus, the discrepancies in the depictions of Warlpiri land tenure arise from the anthropologists' conceptions of ownership, drawing on a category in their own society. In particular, the sources become confused when the anthropologists make jurisprudential analyses of their own.

Keen too is concerned with interpretive exegesis, and the conflict between anthropological and legal usages. Above all, in land claims the interpretation of Aboriginal land-holding is obscured by the intrusion of statutory language. He concludes that the language of anthropology has no place in legal codification.

Both Maddock and Keen are concerned largely with the consequences of these legislative conditions for anthropological analysis, and for findings of 'traditional ownership' in claims. However, in a very real sense their concerns are too late. Since the advent of the Land Rights legislation in the Northern Territory, these definitions and procedures have become fixed in law and, in many respects, in practice. The elaborate machinery now in place to administer post-Land Rights Aboriginal affairs has been for over a decade structured around these legal usages. In this context, anthropology has taken on a specific relation to the State, quite unlike its role at the time of Spencer, Radcliffe-Brown or Elkin.

Anthropological representations have now entered the legal system and the bureaucracies of Aboriginal affairs, and in the process matters of intellectual and scholarly speculation have become embedded in a new set of discourses for which they were never intended.
Anthropologists were drawn into this situation with no prior preparation nor any warning as to the legal consequences of their involvement. They also had little understanding of how their research and expertise would be used and evaluated. The problems highlighted by Keen and Maddock could not have been foreseen by either the anthropologists or the lawyers involved at the beginning of this process. However today the outcome has had a far more profound effect in the day-to-day work of the various agencies charged with the administration of Aboriginal lands. These include the Land Councils, the Aboriginal Areas Protection Authority, the Conservation Commission, the National Parks and Wildlife Service, among others. All of these bodies employ anthropologists (and/or archaeologists) on their research staff.

Developments on Aboriginal land must proceed through at least one, if not several of these bodies. Those most likely to require access to Aboriginal land include the Department of Mines and Energy, Bureau of Mineral Resources, the Tourist Commission, the Department of Transport and Works, CSIRO, Telecom, the Department of Defence and the Departments of Health and Education. As well, there are private investment and development interests such as tourist operators, mining exploration interests, and so on. It is the intersection between these bodies, and those charged with dealing with their demands on behalf of Aboriginal people which creates "the humdrum daily struggle of the administrative bodies spawned by the Act" (Sutton 1985:17). At least some of those so engaged will be anthropologists, usually qualified by at least an Honours Degree from a recognised anthropology department. They, and others (field officers, research officers, land management officers and so on), are charged with an array of tasks most of which centre around locating and negotiating with "traditional Aboriginal owners" for any areas where development proposals have been made.

This kind of "anthropology" is not recognised as "anthropology" readily in the mainstream academic world. Instead it is part of the new interpretive community of "practical" anthropology, produced by the Land Rights Act, which has become increasingly detached and isolated from anthropology in the Academy. Yet this is the "anthropology" which is currently most closely
involved with the emergent Aboriginal reality in the Northern Territory. This "anthropology", constrained by the operations of the Act and its discourses, determines the terms in which the countless meetings, discussions, negotiations and intersections between Aborigines and the new bureaucratic power structures which have incorporated them must proceed.

One of the major effects of the Act has been to "define Aboriginal customs and concerns in relation to the single issue of 'ownership' as opposed to more complex assortments of rights" (Myers 1986a:148). The "fetishization" (to use Myers' term) of certain features of Aboriginal land tenure in the claim process has meant that Aborigines have suffered "the subordination of their own values and sensibilities to Euro-Australian ones" (1986a:148). This process has now been consolidated and embedded in a vast corpus of documents, reports, statements, discussions and transcripts of evidence: not only for land claims, but now for every issue which has come under the purview of the Land Councils.

It is no longer conceivable to suppose that the discursive practices of Euro-Australian and Aboriginal domains can remain separated. Through the operation of the Land Councils, through mass media, increasing literacy, greater experience in self-representation and negotiation at both local and national levels, Aboriginal concepts of their own social order are changing. In the Conclusion, following, I will suggest that some of these changes can be attributed to the operations of the Act itself, and can be seen as a case study of representation re-fashioning reality.
NOTES

1. Among the submissions taken as evidence in this claim was a detailed paper by Professor Roger Keesing outlining the principles of cognatic descent whereby a descent group could be constituted (Keesing n.d.). Keesing's familiarity with "Pacific" rather than "African" models of descent groups suggests that, had such a perspective entered the situation earlier, definitions and findings might well have been rather different.

2. The claim book was prepared by Nicolas Peterson, Patrick McConvell, Steven Wild and Rod Hagen. Peterson was an anthropologist, Wild a musicologist, McConvell a linguist, and Hagen the CLC anthropologist. In addition to these authors, four other people were acknowledged as assisting, providing geographical, historical, linguistic and genealogical information.

3. The term "company" seems to have been derived from Stanner, who used it to refer to "zones of indeterminacy" shared by "contiguous groups without clash over title". "Company" places "were not the exclusive possession of any one descent-group" (1965:12). He acknowledges Pink's observations on this point (Pink 1936:283). Meggitt certainly did not use the term.

4. This demurrer seems to have two functions: firstly it reflects the view that the researchers are subservient to the Aborigines in matters of knowledge, and secondly it deflects criticism away from the authors if representations are subsequently rejected or contested.

5. This can be seen to be related to Meggitt's description (1962:210). Keen (1984:33) has also assessed these views.

6. The sequence of claims in the Central Land Council area was as follows: the Commissioner's Report for the Warlpiri claim appeared on 4 August 1978; evidence began to be taken for the Alyawarra and Kaititja Land Claim on 2 October 1978, with the Commissioner reporting on 30 November 1978. The Uluru Claim commenced on 2 April 1979, and the report was released on 31st August. On 12 September, the Utopia claim hearing commenced, and the Commissioner's Report appeared on 30 May 1980. The hearings for the Willowra claim commenced on 21 April 1980 with the report appearing on 30 June 1980.

7. The authors do not go on and finish Meggitt's statement, which reads: "Indeed, both the hills [Mt. Barkly and Mt. Leichhardt] and the tribes themselves [Warlpiri and Anmatjirra] are often referred to as "djuraldjja-gida", which means two descent lines that exchange women in marriage" (1962:40). The relationship between them can thus be seen as one of affinal rather than descent connections. However the Wafers suggest that since most Willowra people have some Anmatjirra ancestry, the two groups can be considered together. Their discussion of the
relation between linguistic group and land ownership is sidestepped by the following statement:

Since land ownership for all these people is based not on linguistic affiliation, but on membership of a particular local descent group, it is not relevant to unravel further the complex matter of language allegiance (1979:4).

8. While the Lander Warlpiri situation is clearly contrasted with the way "other groups" relate to their land, no explicit example is given. It is interesting, however, that the idea of discrete named "countries" was put forward for the Anmatjirra and Alyawarra Land Claim at Utopia (see Hagen and Rowell 1979). The issue of Arandic land tenure by comparison with that of the Warlpiri is the point here, since "Anmatjirra" people are included in both claims but the models put forward are quite different.

9. Discussion on this point in the claim book is complicated. The position of kirda and kurdungurlu are put forward in terms which equate patriline, subsection membership and associated terms (1979:9). In effect, members of all subsection couples are shown to be demonstrably descendants of any one founder pair, some as kirda and some as kurdungurlu.

10. Morphy and Morphy (1984) discuss the way in which the translation process in land claims can be used to fit the contentions of one or other party. They discuss Hale's translation in the Willowra Claim of the term "tudalka", which he indicates is a term used to indicate group unity between kirda and kurdungurlu. They comment that the affinal implications of this term could call into question the distinction between secondary and primary kurdungurlu which gives primacy to descent relations. Therefore "[T]his provides another example of the way in which the perceived requirements of fitting the evidence to the constraints of the Act, in this case the bias towards relationships of descent, influences the way in which Aboriginal evidence is used" (1984:66n6).

11. Maddock highlights the fact that Sansom, in the Utopia claim, described kurdungurlu as "enablers", but "only those of the patriclan ... can fairly be said to involve 'primary spiritual responsibility'" (ALC 1980b: para 132). Sansom's absence from the subsequent claim by implication permitted a different understanding to emerge since there was no anthropological challenge to the models in the claim book. The role of individual anthropologists of the interpretive community in the claim process is a touchy question, which may only receive scrutiny far in the future.

12. What, however, can be meant by "genuine ownership"? Elsewhere, Maddock (1982:76n8) mentions the fact that the word "ownership" is by no means a settled issue in English land law. It is unfortunate that this ambiguity in English jurisprudence has not been more fully explored in the commentaries on statutory definitions of Aboriginal ownership.
Maddock may query the statutory interpretation of the word "ownership" in English law, but he appears to be quite definite about its status in anthropology (see 1981:87).

13. I mentioned earlier the common use of Section 24 of the Act as a means of arguing that the actual findings of traditional ownership in a claim are irrelevant, providing the claim succeeds. Section 24 requires Land Councils to compile registers of traditional owners. Traditional ownership must also be investigated and determined wherever outside interests become involved in Aboriginal land. I will return to this issue in the Conclusion.

14. Maddock had earlier warned in an unpublished paper that some Aboriginal people regarded as part of a land-owning group would not be covered by the definition of "traditional owner". He specifically addressed the problem of "managers" (Maddock n.d. 14). Keen (n.d.) then responded, putting the view that the wording of the Act would allow flexibility rather than imposing constraints. Maddock later expressed his disappointment at the outcome of the first Warlpiri claim, saying that kurdungurlu could have been included and this would have been consistent with Stanner's evidence (1979:19). This was published some four months before Maddock was to give evidence in support of the Utopia claim book.
CONCLUSION

The argument in this thesis is that no form of anthropological research is ever completely "neutral". All research is influenced, grows out of, and is penetrated through by concerns arising from outside the immediate context of field research. There is no simple relation between "reality" and its representation. However, in the case of the Land Rights Act, its operations may ultimately re-fashion the understandings, perceptions and practices of Aboriginal people in the Northern Territory and elsewhere, at which point the anthropological researcher will be unable to discover anything which has not, in part at least, been filtered through this new paradigm.

Wilmsen (1989:7) reminds us that "the contemporary existence of foragers is due to the playing out of historical processes that has [sic] assigned dominance to some groups and subordination to others". However, the very use of the term "foragers" derives from an earlier paradigm, stemming from the constitution of indigenous minorities as common participants in an economically determined regime (vide the Man the Hunter symposia). As Wilmsen writes, anthropological studies have too often been used out of context by governments and business agents as legal buttresses for disenfranchising foragers... both from their lands and from a share of the profits from capital development of those lands. [Furthermore] the presentation of indigenous concepts in the form of legal rules organised in Western categories encourages the use of ... distorted rules in artificial ways that will damage native intents and interests (1989:8,9).

These issues are well-understood by those working in the framework of formal Aboriginal organisations in the Northern Territory, but have received very little consideration in the anthropological literature. Among the exceptions are essays by Smith (1984), Myers (1986a, 1989), and Hamilton (1990). In the following discussions I will refer briefly to some of the questions they have raised.
Two major themes have appeared in this context. The first, and more readily dealt with, is the question of the status of anthropological knowledge as an independent "science". The second is a far more complex issue, and depends on an analysis of the present and future effects of anthropological representation on Aboriginal people's understanding of their own circumstances, and of the uses they are making and will make of these representations.

I mentioned above (Chapter Six) that the relationship between "classic" academic anthropological research and its subjects has been profoundly disrupted by the claims of the emergent Aboriginal power structures, and their constituent discourses. No longer is it possible for anthropologists to situate themselves as neutral "others" searching for "objective" accounts of Aboriginal communities. "In their growing desire to exercise some control over the processes that define their reality, Aboriginal people see anthropologists... as human actors accessible and responsible to Aboriginal expectations" (Myers 1986a:138). In consequence the spheres of relevance acceptable to Aboriginal communities and organisations are increasingly defined by what they perceive to be their immediate social, political and economic aspirations, together with a nascent discourse on Aboriginality itself which makes the kind of project undertaken by Meggitt in 1962 not merely redundant but unsupportable.

Nevertheless, and somewhat ironically, ethnographic knowledge from past endeavours can take on a renewed significance for Aboriginal people when they are called upon to demonstrate their rights with reference to "tradition". This is precisely what has occurred as a result of the Land Rights Act in the Northern Territory. The elevation of "traditional knowledge" into a potent political instrument has profoundly re-defined the parameters of Aboriginal influence in contemporary affairs. Central to these developments are the effects of the land claim process itself.

In the mid 1980's I was confronted with an example of such dilemmas when engaged in consultations and negotiations over resource development
in Warlpiri country. Representatives of the developers held aloft a copy of
the Aboriginal Land Commissioner's report for a Warlpiri claim, and asserted
that this had determined ownership for the area of their interest. Since the
Commissioner's findings had related to specific areas marked on a map as
"heartlands" for which, they asserted, there were no development proposals,
they could not see any need for further research or consultations. By
contrast, a series of meetings with Aboriginal people beforehand had
indicated that they had already seen the "list of traditional owners" for the
relevant areas, and that they considered the list to be not comprehensive
enough to meet their own perceptions of traditional ownership. Clearly both
groups represented vested interests: the developers wanted to be able to
proceed with minimal cost and time loss; the Aborigines wished to ensure
that all of those with a possible claim as "traditional owner" had been
included on "the list". Similar difficulties over "inclusion" or "exclusion" can
and do erupt over virtually every development on Aboriginal land. It is trite
but necessary to state that the neat definitions of the Land Rights Act, while
certainly meeting the legal requirements and providing a means of
recognising Aboriginal entitlement to land, frequently fail to meet the
perceived interests and understandings of Aboriginal people.

Diane Smith (1984) has drawn attention to the many practical
problems consequent on the definition of "traditional owner" under the Act.
The use of Section 24, which requires Land Councils to construct and
maintain lists of traditional owners (which need not accord with those in the
Commissioner's report), is often invoked as a counter to suggestions that
the Commissioner's findings are definitive (cf. Neate 1989:368). In this the
Land Councils "have a large degree of legal flexibility and autonomy in their
approach" (Smith 1984:88). Smith argues, however, that such registers are
mechanisms for the advancement of vested interests and dominance by a
"class" of traditional owners, who "can in turn determine the access of others
to that class, [and] define the genealogical lines and political networks within
which this may happen" (1984:100). The problems of constructing lists of
"traditional owners" are inevitably compounded by the consequences of land
claim research and consultations, which set in train a series of
destabilisations of existing power structures and redefinitions of influence and rights individuals, families and communities.

The Land Rights Act requires that "tradition" be regarded as definitive of rights. As suggested above, the very notion of "traditional" Aboriginal forms of organisation was itself constructed out of anthropological models which specifically excluded the consequences of post-colonial adjustments (cf. Spiegel 1989). New political structures have been superimposed on social alignments developed over many decades in the context of the pastoral industry, missions and government settlements. New forms of social identification, political alliance and shared understandings have begun to emerge and seem to be increasingly determinant of Aboriginal political and ideological responses across the national spectrum, and indeed internationally.

Conflicts and re-alliances can be attributed to a great number of concrete practices associated with land claim research and requirements. Only a few can be mentioned here. Since "tradition" has become so determinant, access to "traditional knowledge" has emerged as a primary means whereby claims can be put forward and "legally" recognised. However, the nature of "traditional knowledge" is not specified in law. Presumably, those who fashioned the definitions in the Act assumed that traditional knowledge (especially ritual and religious knowledge) was passed down as part of the active process of education and legitimation. Hence, literate Aboriginal people, or those who are able to gain access to "traditional knowledge" through written or other archival sources, are able to be differentially advantaged over others who are neither literate nor aware of these repositories of information. The utilisation of non-oral and experiential sources as a means of gaining new knowledge, and validating claims to land-holding, is very different to the system of slow adjustments worked out within groups and networks of Aboriginal people from direct experience.
A very pronounced shift in empowerment has occurred in many Central Australian Aboriginal communities as a result of the Act (see Hamilton 1990). Until the 1970s the Aboriginal people most likely to have influence were those most able to access the structures of European power. They were therefore likely to be the least "traditional" in orientation. Aboriginal people in some areas have been subjected for decades to strong pressure to abandon their commitment to Aboriginal tradition. Under present conditions, however, those with demonstrable access to traditional knowledge are the most advantaged. Now, the more remote communities, and the older members among them, have become the new sources of power and influence, the ones able to influence the outcome of land claims and of negotiations over what happens on their land. Furthermore, they also have new access to economic resources where royalty payments for resource developments on their lands are in force. This has placed the less traditionally-oriented individuals at a distinct and somewhat sudden disadvantage.

One result of the recognition of this state of affairs, however, has been the effort by many such people to re-integrate themselves into "traditional" religious and other authority structures. The Land Claim process itself has aided in this. Site visits, for example, bring together groups of people who may have been separate for many years - younger people who have lived in towns, for instance, together with their older relatives from "bush" communities. In demonstrating their communal "spiritual responsibility" to the anthropologists, and then to the Judge, groups composed of the more knowledgable and those needing to learn are engaged in a process of mutual "education". Those with facility in both the "traditional" domains, and in those of the wider legal and bureaucratic context, may well be able to extend their political advantage considerably beyond anything which would have been available to them otherwise. Thus certain individuals in many parts of the Northern Territory can appear as traditional owners in a number of claims, and on lists of traditional owners for virtually anywhere within their extended kinship network.
It should also be recognised that a great many Aboriginal people have little understanding of what is involved in these processes. This occurs in part because only some of them are included in the "consultation process": namely, those already identified as "traditional owners", together with others who are able to put themselves forward to take advantage of the situation. For the remainder, the important thing becomes having their names listed on the papers carried around by the Land Council anthropologists and lawyers. The precise reasons why some names should be included, and others excluded, may be completely mysterious to them. What comes into prominence, however, is family membership, no doubt in part inspired by the relentless dedication to genealogical recording consequent on the definitions of the "local descent group". Since numerous researchers will have taken genealogies at different times, and enquired of often non-literate people as to their immediate family connections, the notion has arisen in many areas that any family membership should be enough to qualify people to be included. This sets up an endless series of arguments, claims and counter-claims, and efforts further still to explicate them through the use of genealogical data.

Other consequences of the land claim process should not be overlooked. The re-establishment of ties to areas which have not been visited in decades, together with the recirculation of myths and song-cycles connecting them has created new dilemmas of interpretation. Inevitably much knowledge has been forgotten and lost over the post-colonial period. Whereas conflicts in recollection and interpretation may not have had any great consequence in former times, today the legal process requires absolute specificity and agreement as to where, for instance, "dreaming tracks" are. This may even be carried to the extent of trying to "map" tracks and sites on satellite photographs. There is no doubt that Aboriginal cognitions of mythological space had little in common with that of the modern cartographer. Nevertheless, Aboriginal people are constantly being asked to specify, in more or less accurate and duplicable terms, the locations of "places" and areas of significance. In court, they may be asked questions such as "How wide is a Dreaming Track?" (See Transcript of first
In consultations over resource development, or other projects, they are asked constantly to specify exactly how far the boundaries around a "sacred site" extend (cf. the recent arguments relating to Coronation Hill, and the Alice Springs "Flood Mitigation Project"). These conceptualisations of space and the way in which they are required to be explicated are quite alien to Aboriginal thought, and call forth a realignment of physical understandings, and the construction of a new "geo-body" of their own landscape (cf. Tongchai 1987, Vol.1.).

The proliferation of bureaucracies requiring consultations, discussions, input and representation from "traditional" Aboriginal people has resulted in the need for many to stand forward and be included on boards, deputations, governing bodies, and consultative committees. This has resulted in some individuals gaining influence and access to resources stemming from these roles. This can convey short-term advantage but for many it can become an onerous burden.

However, there is another side to the effects of the new legal and bureaucratic regime in the Northern Territory. While there have been fractures, conflicts and fissions (and no doubt will be many more in the future) there has also emerged a new context in which a collective discourse among Aboriginal people themselves has been established. In part this discourse depends on the terms and concepts embedded in the Land Rights Act itself. In part, too, it arises from the bringing together of Aboriginal people from many different locations and social backgrounds, into new frameworks of thought and meaning. The distinctions between urban and "bush" people, between "Top-Enders" and "Centralians", between members of different language groups, between the old and the young, and between men and women, begin to lose their force in the contexts where Aborigines are required to present a united front over issues which are considered by the State to be of concern to them. This unity cannot entirely overcome the internal fractures and power struggles, and sometimes appears more spurious than real, but nevertheless it is providing a totally novel condition through which a new common identity as "Aboriginal people"
is being forged, not only in the Northern Territory but by extension to the other Aboriginal people encountered through the requirements of the nation State itself, and its own definitions of Aboriginality.

Geoffrey Benjamin used the example of the Warlpiri, as represented by Munn (1970), to discuss the difference between the social conceptualisations of "Aboriginal" groups and those of the nation States which encapsulate them. He compares the way in which order and power are embedded within the very frameworks of sociality in these societies - or, as Meggitt (1962:247) says, are immanent in "an enduring master-plan", the Dreaming - with the formal, externalised structures through which modern nation States organise their citizens (1988:28n34). Thus there would seem to be a basic discordance between the fundamental principles of Aboriginal social groups and those of the modern nation States which currently determine their options and destinies. Anthropologists, constrained by the history and social location of their own discipline and its genre conventions, have been led to seek comparable sources of order and power, at a structural level, to those recognisable by the modern nation-State. This has led to a concern with formal, identifiable unitary structures through which power and authority, rights and obligations, might be understood to flow. However, while this may be fully justified in some cases, it may be less convincing in others, of which certain areas in Aboriginal Australia might be exemplary. These issues, while confined to the framework of academic discourse, may be of little more than arcane intellectual interest.

However, when anthropological representations become entangled with the formal processes of a modern bureaucratic state, and embedded in its legal frameworks, the consequences are unpredictable. What will occur in fifty years, for example, when competing groups of Aboriginal people seek to redress perceived wrongs through recourse to the law? Will the representations of anthropologists, such as Warner and Meggitt, be brought forward as convincing evidence as to "tradition" into the courtroom? Or will the claim books of Wafer and Wafer, and the Land Commissioner's Reports, be found to be of decisive legal significance?
Beyond these issues lies a deeper level of implication for Aborigines in relation to land. It seems clear that the definitions and procedures under the Land Rights Act occurred as a result of a legislative necessity to recognise rights in land without recognising anything approximating sovereignty or "nationhood". The model of land-tenure under the Act, while differing remarkably from that applying to non-Aboriginal lands in Australia, nonetheless resembles a model of "real-estate" and its aims are to establish ownership of land through certain defined criteria which can be found to apply to some but not all (cf. Myers 1989). Anthropological knowledge has been recruited into this process. Without it, it is unlikely that any Aboriginal interests in land could have received legal recognition. However, now that the political aspirations of Aboriginal people have moved to a different agenda, and are beginning to merge with that of other indigenous peoples collectively identifying as "First Nations", the role of anthropology is taking on a new and very different significance.
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