The cultural organisation of social difference and relatedness at the border between Australia and Papua New Guinea

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Declaration

The work presented here is original, except as acknowledged in the text. The material has not been submitted in whole or in part, for a degree at this or any other university.

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Abstract

This thesis analyses the field of social relations affected by the international border between Australia and Papua New Guinea, focussed primarily on the people from the Papua New Guinea side. The location of the border and conditions for interaction across it are set down in the Torres Strait Treaty, which contains provisions allowing people defined as “traditional inhabitants” of the border region “free movement” across the border when they are engaged in “traditional activities.”

I argue that the interpretation and enforcement of the traditional inhabitant provisions of the Torres Strait Treaty by agents of the respective nation states has generated a paradox in its application: the deployment of the notion of “tradition” in the classification of subjects and the regulation and restriction of their activities depends on a conceptualisation of the individual person and presuppositions about the nature of sociality that are at odds with the dominant form of sociality among the people whose traditions are invoked.

Over the years since the Treaty came into effect there has been an increasing discrepancy in the material standard of living on opposite sides of the border, and Torres Strait Islanders are now relatively affluent by comparison with their Papuan neighbours. This change in economic conditions has made the prospect of visiting the Torres Strait Islands increasingly attractive for Papuans, but the government response has been to narrow the categorical interpretation of the traditional inhabitant provisions so that they function to exclude many people who believe they should be classified as traditional inhabitants. This has created conditions for competition and rivalry between Papua New Guinean groups over inclusion in and exclusion from the traditional inhabitant category; and contestation over the interpretation of what counts as a traditional activity, with a central role played by agents of the Australian state.
Preface

There are many people to thank. First and foremost, the people of Buzi and Ber supported me for two and a half years during fieldwork and I thank them all. I cannot name all of the people who made my time living in their village productive and enjoyable, but there are a few who I would like to single out for mention. Awati Papu, Badi Gibuma, Banu Namai, Gaisu Daguna and the late Railey Aruba ensured that I always felt welcome at Buzi and made sure that my material needs were met.

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Glossary of vernacular terms used

The language from which each term derives is given in brackets after the translation.

agob – what? (Agob)
aigi – type of banana (Idi)
alup – kundu drum (Idi)
arup – kundu drum (Agob)
augad – totem (Western Torres Strait Language (Kala Kawaw Ya (KKY) / Kala Lagaw Ya (KLY)), translated in early missionary Christian literature in Torres Strait as God, and sometimes used with this meaning among Trans Fly and Kiwai speakers of the PNG mainland.
awiya – cassowary (Idi)
bem – sea (Agob); bem-ketro – sea side, i.e. south, as opposed to karama-ketro, Fly River side, i.e. north.
bidebide – stone axe (Idi)
bikme – cycad (Agob)
biri – nipa palm (Motu)
biu – mangrove species (KKY)
bogal – bow, gun (Agob and Idi)
dangal – dugong (KKY/KLY borrowed in Agob and Idi)
danggab – hornbill (Idi)
dani – strangler fig (KKY)
darumbi – Jew’s harp (Idi)
diben – snake (generic) (Agob and Idi); la-diben – python (Idi), lit. man snake
doeroem – dog (Agob and Idi)
edaramulinye and klope – species of cane with thorns (Idi)
emde – what? (Emde)
Eriya – name of section of Buzi village

gelbe – long yam (Agob)

gide – eucalypt species (Agob)

imi – sago (Idi); thokal imi – thorny sago (Idi)

kai – kava (Agob); Piper methysticum; also widely known as gamada (Kiwai)

kapi-mala – flute made with two pieces of split, narrow bamboo (Idi)

karama – Fly River region (Agob); karama-ketro - Fly river side (i.e. north, opposed to bem-ketro, sea side, i.e. south)

kort – mangrove mussel (Agob)

koze – crocodile (Agob); Kozewud – name of a tree and a place at Buzi, lit. crocodile doorway/passage.

kwendber – tree species (Idi)

kwodor – green parrot (Idi), same species as wuliyera (Nambo)

Kwoekemi – grass species (Idi)

kwokar – species of palm tree (Agob)

kwudubu – raft (Idi)

ma – house, village (Agob)

mabun – originary; of the storytime (Agob)

mai – house, village (Idi)

maimai – cedar tree (Idi)

mankin – cassava (Agob)

Marate – name of one the sections of Buzi village, lit. big village (Agob)

markai – white people, from the KKY for ghost, now the vernacular term for white people throughout the South Fly District as well and Torres Strait

meiben – originary; of the storytime (Idi)

midamakwakmir idi, species of grass

molas – bullroarer (Idi)
momol – dugong (Kiwai, adopted by Idi)
morte – round yam (Agob)
motai – species of lizard (Idi)
par – species of black palm, similar to tiwi (Agob)
patla, tongo – thin stemmed bamboo species (Idi)
pet-woland – Achilles tendon (Idi)
piplu – species of lizard (Idi)
pisilima – trepang (Tok Pisin, Torres Strait Creole), from beche-de-mer, also known as sea cucumber, sea slug and sea cucumber
pitpit – species of edible cane (Tok Pisin)
polmol – derris root (Agob), also commonly called saz, from KKY
ponggar – wild yam species (Idi)
pudil – grass species (Idi)
puni – tree species (Idi)
rabo – man (Agob)
raskol – criminal (Tok Pisin)
saz – derris root (KKY)
simal – pig (Agob)
simbal – pig (Idi)
tataro – pan pipes (Idi)
thoen – clan (Agob)
thowa – river, creek (Agob)
tiwi – species of black palm with a narrow trunk (Agob)
toboly – species of vine (Idi)
tongwle – leech (Idi)
tulebi – species of wild yam (Idi)
wa – penis (Agob)
wagara – bullroarer (Agob)
wap – harpoon (KKY), adopted by Agob
welwel – Torres Strait pigeon (Idi)
wiyawe – species of black palm with a thick trunk (Agob and Idi)
wongai – species of fruit tree (Manilkara kauki) (KKY)
wuliyera – green parrot (Nambo) same as kwodor in Idi
yindari - tree species (Idi)
Chapter 1: Introduction

This thesis analyses the field of social relations affected by the international border between Australia and Papua New Guinea; the scope of the social field that is the study area is thus defined by the border. It is focussed primarily on the people from the Papua New Guinea side. The location of the border and conditions for interaction across it are set down in a treaty between the two countries, known as the Torres Strait Treaty. The Treaty contains special provisions for people defined as “traditional inhabitants” of the region in the vicinity of the border to be allowed “free movement” to cross the border to engage in “traditional activities” without passports and visas. I argue that the interpretation and enforcement of the traditional inhabitant provisions of the Torres Strait Treaty by agents of the respective nation states has generated a paradox in its application: the deployment of the notion of “tradition” in the classification of subjects and the regulation and restriction of their activities depends on a conceptualisation of the individual person and presuppositions about the nature of sociality that are at odds with the dominant form of sociality among the people whose traditions are invoked.

The opposition between “dividual” and “individual” forms of personhood (along with a set of parallel corresponding oppositions such as gift and commodity forms of economic transaction) has been the subject of extensive elaboration and interrogation in the anthropology of Melanesia. I take the position that these conceptual opposites can and in my study area do co-exist in tension with each other in a range of social processes, including most especially in response to the border regime.

This tension has created particular conditions for competition and rivalry between groups over inclusion in / exclusion from the traditional inhabitant category; and contestation over the interpretation of what counts as a traditional activity between various local interests, with the vital involvement of
the state. I regard the state as providing another interested perspective, and I reveal not merely the fact of competing interests among indigenous protagonists but the total field of power within which these occur. But neither is the state a monolithic or singular agent: it is given effect through the actions of people who are already enmeshed in local relationships and they have their own motivations and aspirations that are not always consistent with the abstract programs designed by distant politicians and bureaucrats.

The social organisation of culture difference and the cultural organisation of social difference

Fredrick Barth’s (1969) introductory essay in the edited volume entitled ‘Ethnic Groups and Boundaries: The Social Organisation of Culture Difference’ remains a touchstone for the anthropological study of borders. Barth was primarily focussed on the definition of boundaries between ethnic groups, in which particular cultural differences signified distinctions between social (ethnic) groups. He contested the then-prevalent conceptualisation of cultural difference by which:

practically all anthropological reasoning rests on the premise that cultural variation is discontinuous: that there are aggregates of people who essentially share a common culture, and interconnected differences that distinguish each such discrete culture from all others (1969:9).

Instead, he argued for the primacy of ethnic groups as socially constructed, the boundaries between which may be crossed, and the cultural markers of which may change over time. The reality that ethnic boundaries may be crossed and that the content of the culture to which cultural identity refers may change does not affect the fact that boundaries between enduring ethnicities may still be maintained. Barth argued that ethnic groups cannot be understood by reference to any objectively defined set of cultural characteristics, rather they should be understood as organisational categories in social interaction, categories that are
based both on self-ascription and prescription by others. The boundary between categories thus becomes a crucial site of analysis: ethnic groups are not simply an epiphenomenon of cultural difference, but are the result of social organisation that marks out collectivities. These collectivities are based on principles of inclusion and exclusion on grounds usually described in terms of cultural differences – the problem as Barth saw it was that when analysed, the folk model of who is an ethnic us and who is an ethnic them does not account for the facts mentioned above, of the ability of people to cross boundaries between groups, and the change in cultural differences over time, so that in some instances an ethnic difference is maintained when culturally two groups may be all but identical.

Barth’s argument is that ethnic groups derive from social organisation that delineates groups with reference to cultural differences but they are not determined by them; hence the sub-title of the book in which his essay appeared: *The Social Organization of Culture Difference*. Barth’s essay was widely influential, and effected a paradigm shift in anthropological approaches to understanding social differentiation. Social groups were no longer seen to logically and necessarily result from – and thus be explained by – differences in culture. Rather, social differences had to be analysed in terms of the ways in which boundaries were defined and maintained, so while cultural differences could be deployed to these ends there was nothing inevitable about the relationship between social boundaries and cultural difference.

The focus of this thesis is the boundary that is defined by the international border between Papua New Guinea and Australia. It is not strictly comparable to the boundaries between ethnic groups that were the subject of Barth’s essay; this is a boundary that was imposed from outside rather than generated out of strictly local processes, although I argue that in recent years it has taken on some of the characteristics of an ethnic boundary. Instead of looking first to the ways in which cultural differences are used to mark out social boundaries, in this
thesis I analyse the effect that a state-imposed social boundary has had on the people divided by it, how they make sense of this boundary, and their responses to it. As well as looking to the social organisation of culture difference, I argue that it is necessary in this instance to also account for the cultural organisation of social difference. In doing so I pay particular attention to relatedness, for two reasons. First, the divisions created by the border cut across a complex network of historically pre-existing relationships. Second, I argue that the international border, with the Treaty that defines and regulates it, is a site where contrasting culturally inscribed notions of relatedness exist in tension. It is from this tension that the specific processes of differentiation are realised in social action – but always against the background of the power of the state. The title of this thesis is thus a deliberate inversion of Barth’s formulation, but it also makes explicit the other side of the same coin as difference, which I express not as sameness, but as relatedness: The cultural organisation of social difference and relatedness at the international border between Australia and Papua New Guinea.

The research setting

The people who live along and near the south coast of Western Province in Papua New Guinea have a keen sense of their own deprivation. Among Papua New Guineans this does not make them unique or even unusual: reactions to the inequities of the colonial regime often involved elaborate visions of social and political revolution associated with aspirations of material prosperity; and disappointment at unfulfilled hopes of economic development that were held for the post-colonial independent nation state is widespread. There is however something unique about the circumstances in which the people of this region experience and comprehend their physical conditions of existence, for they live adjacent to the international border with Australia, and the neighbouring Torres Strait Islanders, who are Australian citizens, represent a stark point of comparison and contrast with their own situation.
Figure 1: Map of the Torres Strait border region

Under the traditional inhabitant provisions of the Torres Strait Treaty there is a section of the population living near the border who frequently visit the islands of Torres Strait, and in doing so they observe firsthand the relative affluence of the Islanders. Those who are allowed to cross the border have some, albeit limited, opportunities to engage in the cash economy of the islands. While on the one hand they are made acutely conscious of the wealth differential between themselves and the Islanders, the possibilities to trade with and to work for the Islanders allows them to acquire a range of manufactured goods that are highly valued but difficult to obtain back home. Indeed, for some people the attraction of the cash economy on the islands leads them to focus their energies there rather than on the subsistence tasks involved in gardening, hunting and fishing.

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1 The Seabed and Fisheries jurisdiction lines effectively comprise the geographical border between the two countries; the nature of the border is discussed in detail in Chapter 3.
Those who are not classified as traditional inhabitants and therefore not allowed to cross the border to visit the Torres Strait Islands have no such option, but they too are conscious of the nearby presence of the Islanders and the superior material standard of living that they enjoy. This awareness derives from several sources, including the physical proximity of some of the islands; interaction with those Papua New Guineans who are categorised as traditional inhabitants; and, occasionally, with Islanders who visit the New Guinea mainland or the town of Daru. Many who are currently excluded from the traditional inhabitant category were in the past able to visit the Islands, and in their history and mythology the Torres Strait is a part of their known world; it is local, not distant or foreign.

Many of the people who are denied status as traditional inhabitants use those who are allowed to cross the border as intermediaries to trade with people on the Torres Strait Islands. They are rarely satisfied with their returns in this trade, but they perceive their options to be so limited that they persist in producing goods to be traded to the Torres Strait Islands even in the expectation that the traditional inhabitants who facilitate the trade will not give them what they regard as a fair price.

2 The toponymy of the place names New Guinea and Papua is complex and can be confusing as each has been used individually to refer to several different physical and political entities, and they are also used in at least two distinct senses in combination. In this thesis I use the term New Guinea to refer to the large island of which the western half is now within the state of Indonesia and the eastern half within the state of Papua New Guinea (along with numerous other small and large islands). The south-eastern portion of New Guinea was first colonised by Britain and was formally known as British New Guinea until Australia took over as the colonial power in 1904 whence it became known as the Australian Territory of Papua. Combined with the former German colony of the north-eastern part of New Guinea and several other large islands to the north after World War 1, the two territories were separately administered as Papua and New Guinea. The former British colony continued to be known as Papua, while the former German colony to the north was New Guinea. The people of Papua were referred to as Papuans, and this usage continues in the border region today; among Torres Strait Islanders and the people of the neighbouring mainland alike, they continue to be referred to as Papuans, and in keeping with local usage in this thesis I use the term Papuan to refer to the people of the New Guinea mainland adjacent to Torres Strait. I refer to the current nation state of Papua New Guinea by that name, and to people from the former Dutch colony of Netherlands New Guinea, which is now Papua Province of Indonesia, as West Papuans.
When considered from the point of view of access to cash, commodities and the modern conveniences of the industrialised world, the international border, and the Treaty that defines and regulates interaction across it, effectively establishes three distinct categories of people. On the Australian side of the border, people who fall within the category of Australian citizens are beneficiaries of the largesse of a wealthy “first world” nation state. This includes provision of substantial physical infrastructure such as roads, airstrips, jetties and barge landing ramps, modern housing, piped water, telecommunications, electricity, sewerage and the like; and government provided services such as health and education. There are some opportunities to work for wages on the islands, or to migrate to the Australian mainland in pursuit of further work opportunities, and those who are unable or unwilling to work are provided with fortnightly social security cash payments. A second category is comprised of those Papuans who are classified as traditional inhabitants and are therefore able to visit the islands. They receive few of the benefits of the Australian state for themselves, but they are able to trade with the relatively affluent Islanders, and although they are conscious of being exploited, the terms within which they are permitted to engage with the Islanders and the cash economy of the islands are, for most people, preferable to no engagement at all. The third category is comprised of Papuans who are excluded from classification as traditional inhabitants. In categorical terms this includes all other citizens and residents of Papua New Guinea, but considered in relation to the practical effects of the border and the Treaty it is limited to more local networks of relationships and interaction spanning the town of Daru, the villages of the Fly River delta, and the inland villages of South Fly District.

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3 The significant exception is access to medical services: visiting Papua New Guineans are provided with treatment for acute injuries and illnesses, but are not treated for chronic conditions. The Australian government does not regard the provision of medical treatment as coming within the terms of the Treaty, rather it is asserted that such services are provided to anybody presenting at an Australian clinic whether they are in Australia legally or not, and Papuans who are not classified as traditional inhabitants sometimes come to the Torres Strait Islands for medical treatment.
The situation as described above has come about relatively recently. Papua New Guinea gained independence from Australia in 1975, but the Treaty was several years in negotiation and was not signed until 1978. In order to bring it into effect, legislation had to be passed by both Australian and Papua New Guinean parliaments, and this ratification was not achieved until 1985. The traditional inhabitant category is only vaguely defined in the Treaty, and until 2000 there was little regulation or enforcement of who was and who was not granted this status – people who self-identified as traditional inhabitants were largely free to come and go between their home villages and the Torres Strait Islands. In 2000 the governments of Australia and Papua New Guinea agreed on a more restrictive definition of traditional inhabitant which limited this status to people who are “from” one of 14 named villages. Since that time many of the people who are now excluded from the traditional inhabitant category have been attempting to have their status changed, but they have so far been unsuccessful, and the list of 14 “Treaty Villages” is strictly enforced by agents of the Australian government in determining who should be allowed access to visit the Torres Strait Islands under the Treaty. This exclusion is a source of tension and some conflict between some who are and others who are not classified as traditional inhabitants, with those who currently enjoy this special status keen to maintain their exclusive access, and those excluded attempting to be included.

Before the colonial partition of Torres Strait and New Guinea in the 1870s and 1880s there was frequent interaction and movement across what is now the international border; people traded, went on headhunting raids, participated in each other’s cults, intermarried and occasionally migrated. “Pacification” occurred early in the colonial era, and interaction increased significantly as many Papuans came to work in the burgeoning marine industries in Torres Strait from the late 19th century, trade increased in volume and frequency, and Torres Strait Islanders took the message of the Christian missionaries to their northern mainland neighbours. Some Islanders from the islands closest to the New Guinea coast made food gardens on the neighbouring mainland and lived for extended
periods with Papuan relatives and friends, and there was permanent migration both ways between the islands and the mainland. Villages on the New Guinea mainland were formed early in the colonial period at the urging of the colonial regime, with previously small dispersed mobile groups settling on the coast and riverbanks to facilitate easier transport to the islands and easier access for colonial officials travelling from their headquarters at Daru.

The colonial partition separated the Torres Strait Islands, administered by the colony of Queensland, from the neighbouring New Guinea mainland, which was administered first as a British colony, then from 1904 as an Australian Territory. The colonial border had substantial practical effects for the people living in its vicinity as those in Queensland were subject to a quite different governance regime from those in British New Guinea, later Papua. Most important however was the definition of a categorical difference between Papuans and Islanders, which laid the basis for many of the developments that were later to follow, including the genesis of a distinct Torres Strait Islander identity, the rationalisation for the location of the post-independence international border, and the increasingly restrictive regulation of cross-border activities.

Although the colonial border resulted in differential treatment of subjects by the respective colonial administrations, and Torres Strait Islanders were in many respects better positioned than Papuans in relation to the forces of the global economy and colonial governance into which they were drawn, by the time the Treaty was drafted the Islanders still had only limited access to the Australian cash economy, and relied in substantial measure for things such as food, canoes and house building materials on trade with neighbouring Papuans; there was a degree of interdependence. While the colonial regimes regulated some cross-border activities – most especially the commercial engagement of Papuans as labourers on the Torres Strait pearling luggers – there were a range of other cross-border movements and interactions between Islanders and Papuans that were allowed to continue without government interference or regulation.
With independence for Papua New Guinea imminent in the early 1970s, formal negotiations between Australian and Papua New Guinean representatives commenced over a treaty that would define the location of the border and prescribe the terms of interaction across it. The primary purpose of the treaty was to define a categorical distinction between the citizens and territories of the two nation states. However, in recognition of the longstanding relationships between the people who lived on opposite sides of the now-international border, and in the process of negotiation and compromise to reach agreement over the terms of the treaty, the special provisions referred to above, allowing the free movement of traditional inhabitants across the border to engage in traditional activities, were included in the document that was eventually agreed. The “principal purpose” of these special provisions is stated in the treaty as being “to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants including their traditional fishing and free movement.”\(^4\) The category of traditional inhabitant is defined by several criteria, including that they must “maintain traditional customary associations with areas or features in or in the vicinity of the Protected Zone [i.e. Torres Strait] in relation to their subsistence or livelihood or social, cultural or religious activities.”\(^5\) Traditional activities are defined in broad terms, and it is explicitly stated that “except in relation to activities of a commercial nature, “traditional” shall be interpreted liberally and in the light of prevailing custom.” The “right of free movement” is limited by being subject to laws relating to immigration, customs, quarantine, health and criminal activities.

Over the course of approximately the last 30 years there has been an extraordinary change in the economic conditions on the islands of Torres Strait, as the Australian federal and Queensland state governments have invested in physical infrastructure, improved the available range of social services, and instituted numerous programs aimed at economic development and welfare.

\(^4\) Torres Strait Treaty Article 10.3.
\(^5\) Torres Strait Treaty, Article 1.1m(iii).
support. Although the rate of welfare dependency is high, some people are able to supplement their incomes by commercial fishing, and there are a number of salaried positions with government agencies on each island, many of them associated with monitoring and enforcing the border.

The situation on the Papua New Guinea side of the border, by contrast, has not improved in the same way – many Papua New Guineans of this region consider themselves to now be economically worse off than they were before independence. In this context, the ability to cross the international border and enter the islands of Torres Strait by virtue of the traditional inhabitant provisions in the Torres Strait Treaty provides a valuable opportunity to gain access to money and the things it can buy. The amounts of money circulating on the islands and the availability of commodity goods that are difficult or impossible to obtain at Daru, let alone in the villages, makes access to the Torres Strait Islands highly desirable. By contrast, although until recently Torres Strait Islanders had need of many things that they could only obtain from mainland New Guinea, such as building materials, canoe hulls, and quite often also food and land on which to grow food, they no longer build their own houses with bush materials, all houses now are prefabricated down south on the Australian mainland, transported to the islands, and constructed by tradesmen; they no longer use sailing canoes, rather they purchase aluminium dinghies powered by outboard motors; and they no longer depend on locally grown food, they now purchase most of their food from the store. In short, Islanders no longer need Papuans.

Papuans, on the other hand, need Islanders more than ever. The range of goods that they are now allowed to bring across to trade is severely restricted by quarantine regulations, however there are some items, such as crabs and shellfish, woven mats and baskets, drums, wooden carvings, decorative bows and arrows, feather headdresses and grass skirts that Islanders use in their dance costumes, that are regularly brought across to sell. In addition, many Papuan traditional inhabitants come to the islands to work for the Islanders.
They are paid very low rates, such that it is possible for pensioners to afford to have somebody come to iron their clothes, wash the dishes, and do whatever domestic chores need doing.\textsuperscript{6} With the small amounts of money that they are able to earn the Papuan traditional inhabitants normally buy kerosene for lighting, sugar, rice and flour, nails, second-hand clothes, garden tools, saucepans, and other basic household goods.

The international border, which side of it one is from, and whether or not, if you are from the Papua New Guinea side, you are allowed to cross the border under the Treaty, are significant, even defining features of social life in this region. And all of this hinges on the administrative deployment of the notion of tradition.

**Relational sociality and governance by categorical definition of persons**

Comparative ethnographic analysis of different forms of “personhood” in Melanesia have been traced back to Leenhardt (1947) (LiPuma 1998:64), but it was the work of Roy Wagner (1967, 1972, 1974) and, drawing explicitly on Wagner’s work, Marilyn Strathern (1988), that established what came to be known as the New Melanesian Ethnography (Josephides 1991). The central insight of this school of thought is captured in Wagner’s concept of the “fractal person,” with Strathern employing a different terminology, referring to “partible persons” or alternatively “dividuals.” The conceptual opposition between individual and society, hegemonic in Western social scientific thinking, which they argue misrepresents Melanesian forms of interrelatedness and sociality, is dissolved. As Wagner writes, “a fractal person is never a unit standing in relation to an aggregate, or an aggregate standing in relation to a unit, but always an entity with relationship integrally implied” (1991:163).

\textsuperscript{6} At the time of my fieldwork, 2002-2005 the going rate was $10 per day. Some people still pay this rate, but others now pay somewhat more.
A different conceptual opposition is established, between the ways in which a person is understood to be constituted in Western and Melanesian cultures, such that the latter assumes relatedness between persons and individuation is achieved through human social action, while the former assumes individuality and it is relatedness that must be achieved. The Melanesian person is conceptualised as the sum of relations with other persons who have contributed the substances that brought them into being and sustained them in life with these substances being detached parts of those other persons themselves, while the Western person is conceptualised as an individual, logically prior to relations with others.

Critiques of this formulation pointed out its essentialization of both Western and Melanesian forms, such that it misrepresents both. Although Western ideology privileges individualistic aspects of the person it is only able to achieve this by obscuring the dividual aspects of the Western person; and the conceptual opposition with the form of the Melanesian person occurs at the expense of taking account of the changes that have occurred since colonisation.

LiPuma observes that “the contrast here is between the West’s own self-understanding, which exists both ideologically and normatively (e.g. as embodied in constitutional and statutory law,... the relation of individuals to government, etc.), and an account of the foregrounded elements of personhood in traditional, nonencompassed Melanesia” (LiPuma 1998:59). He suggests an alternative conceptualisation that does not insist that they are mutually exclusive, but instead, in all societies:

The ontological form is the dual person delineated by dividual and individual facets. Universally, then, the person emerges from the tension, itself always variable and culturally / historically shaped, between these two aspects of personhood and the ways in which they are objectified and embodied. And further, the marginalization of individuality in Melanesia and the sublimination
of dividuality in the West are necessary for the creation of the kind of person that each of these sets of societies attempts to produce. It is precisely this individual dimension of Melanesian personhood, traditionally subordinate to the dividual image of the person, for the most part ideologically unarticulated, almost invisible in the context of “traditional” social practice, that is now beginning to emerge with modernity (1998:75-76).

The central argument of this thesis is that the traditional inhabitant provisions of the Torres Strait Treaty create a paradox. This paradox derives from a contradiction between the implicit assumptions underlying the definition of people and relationships in terms of categories, and in particular the deployment of the concept of “traditional” to establish categorical differences between people, on the one hand, and a fundamentally different set of assumptions that have informed and structured the historically prior (traditional) way of life and livelihood of the people of this region, including most especially interactions among people and between people and things.

The difference can be characterised in terms of contrasting assumptions about the nature of human sociality. The predominant form in this region I refer to as relational sociality, while the form introduced by the colonial power and exemplified in the international border is based on identification of individuals in terms of categories (see Wesch 2006). As Deleuze and Guattari (1988) recognised, relational sociality is commonly found as the predominant form in stateless social structures, while categorical assumptions are associated with the systems of governance typical of state formations, most comprehensively elaborated in the modern Western nation state.

In the region of the Torres Strait border these two contrasting forms of sociality co-exist in tension. The traditional inhabitant provisions of the Treaty attempt to allow for continuation of relationships as they once were, and while there are necessarily some categorical distinctions the wording of the Treaty is remarkably vague, requiring substantial interpretation to give it effect. The administrative
arrangements introduced after ratification of the Treaty, and further elaborated over time, employ a set of assumptions about human sociality in which individuality is assumed and people are definitively classified in terms of the categories defined, but vaguely, in the Treaty. One of the consequences of the tension created out of coexistence of these contrasting forms of sociality is that the classifications imposed by the states cannot capture the dynamic, flexible, shifting structures of differentiation and relatedness that are maintained by the people who are subject to the states’ categorical imperative.

The deployment of the concept of tradition in the classification of people and regulation of their activities functions to distinguish the state’s interpretation of “traditional way of life and livelihood” from the broader social and economic conditions in which the people who inhabit the border region are enmeshed. Thus compounding the paradoxical effects of the Treaty as it is applied in practice, the discrepancy in economic conditions across the border depends on the categorical difference between citizens of different states, but this discrepancy exists beyond the frame of reference of the implied meaning of “tradition.”

The border is not the only site where individualist and relational forms of sociality are in contradiction; the states on both sides of the border attempt to impose the logic of individuals and categories on their subjects. On the Australian side of the border this is substantially more successful; while Torres Strait Islanders have not abandoned relational forms of sociality amongst themselves, and there are some conflicts and contradictions where they interact with the state’s categorical entities, in some measure they have come to an accommodation with demands of the state, and in the definition and elaboration of their identity as “Torres Strait Islanders” there are elements of the logic of categorical sociality. And while on the PNG side of the border the state is conspicuous by its relative absence, there are many social processes that exhibit
a tension between relational and categorical sociality, including in the
tification (Ernst 1999) of groups of landowners.

Chapter Summaries

In Chapter Two I describe the history of the broad region where the international
border is now located from before the impact of colonialism commenced around
the 1840s up to the time of Papua New Guinea’s independence in 1975. The
focus of this chapter is on the range of linguistic, social and cultural difference
and similarity, the pattern of their distribution across the region, and the forms
of social interaction and relationships, including changes that occurred through
the colonial period. This includes consideration of the contexts in which
colonialism introduced forms of governance based on a categorical logic that
demanded individuation, and its interaction with the predominantly relational
forms of sociality that pre-existed colonial annexation.

I argue that, prior to colonial intrusion, broad distinctions can be made on the
basis of linguistic and cultural differences between Suki people in the north,
Marind people in the west, Kiwai people in the east, Torres Strait Islanders in the
south, and Trans Fly people in the centre; but these distinctions do not equate to
a categorical definition of ethnic groups.

I argue that a Torres Strait Islander ethnic identity was generated out of local
responses to the colonial border between Queensland and Papua in this period,
in which the categorical differentiation between Islanders, Aborigines, Papuans
and various others made by the state in the regulation of the commercial fishing
industry was adopted and elaborated by Islanders themselves.

Chapter Three describes the legal and diplomatic instruments, and the state
institutions, that function to define and regulate the Torres Strait border, and
examines the specific historical circumstances in which they were negotiated
and agreed. I argue that this use of “tradition” in the Torres Strait Treaty was
intended to benefit those affected by it at the time it was drafted, but a necessary consequence of using the notion of tradition to create a category in which some people are included in order to grant them certain rights and privileges is that the same concept also functions to exclude others. While the terms of the traditional inhabitants provisions in the Treaty were sufficiently vague that their capacity to exclude was not immediately realised, I argue that they established the basis for categorical exclusion and consequent conflict to occur when the official definition was later given a more restrictive interpretation, a topic that is taken up and analysed in detail in Chapter 7.

Chapter Four outlines the discrepancy in economic conditions on either side of the border, which I argue is crucial to understanding the practical operation of the free movement provisions in the Treaty. In describing processes of production, distribution, exchange and consumption I argue that the conceptual distinction between gift and commodity forms of exchange parallels the distinction between relational and individualist forms of sociality, but I also show that the theory of goods, which analyses abstract forces of supply and demand, also helps illuminate economic activities at the border.

Following a description of the regional situation I narrow the focus to the Treaty Village of Buzi. I describe day to day life in the village to establish the material basis for the discontent with their circumstances that the people from the Papua New Guinea side of the border commonly express, and to demonstrate the prevalence of relational sociality in the conduct of social interaction. I describe social interactions of the people from Buzi with Islanders from Boigu, and the dissatisfaction of people from Papua New Guinea with the way they are treated when they visit the islands, and note that they maintain dignity on the basis of their pride in being capable of sustaining themselves through their subsistence hunting and gardening activities.

In Chapter Five I analyse land ownership at Buzi, and argue that disputes over land ownership can be understood as exhibiting tension between relational and
categorical forms of sociality. The terms within which disputes over land occurs are consistent with a Papua New Guinea-wide discourse concerning economic development that derives from engagement with large-scale resource extraction projects in other parts of Papua New Guinea. People attempt to form groups defined in categorical terms, and assert exclusive ownership over clearly bounded tracts of land. Their histories of migration and several generations of interrelations conducted on the basis of relational sociality, and the mytho-historical stories that are the basis of assertions of connection to particular places generate unresolvable disputes.

Chapter Six turns to the mythology of the Trans-Fly region, and shows that relational sociality comprises a fundamental premise underlying this body of mythology. While clearly rooted in the pre-colonial past, I illustrate how colonial and post-colonial structures of social and economic differentiation have become a central concern in the foundation myths of the region, and this underscores their contemporary relevance. The myths include accounts of the unequal distribution of wealth and power between racialised categories of black and white people, and serve as a critique of economic and political inequality by asserting an original unity of black and white at the source of all things, including the secret knowledge from which wealth derives that was stolen by whites from blacks. I argue that this form of myth derives from early responses to colonial economic and political hierarchy, and is common to many parts of Papua New Guinea. The mythology is also relevant to the traditional inhabitant provisions of the Torres Strait Treaty, as many stories involve action spanning the present day international border, and are cited by many people as grounds on which they should be included within the category of traditional inhabitant under the Treaty.

In Chapter Seven I analyse the practical administration of the Torres Strait Treaty, focused on the claims for inclusion made by those who were excluded when the restrictive official interpretation was applied in 2000. I argue that while
the use of the concept of tradition to define categories of people and regulate their activities at the international border has resulted in disputes becoming implicated in the administration and enforcement of the border, and this results in some ambiguities over who is legally entitled to do what where, these are ultimately resolved in practical terms by the extreme power and wealth difference between the Papuan villagers and the Australian state, which is the focus of their millenarian critique, as described in Chapter Five.
Chapter 2: Social differentiation and relatedness in the border region in historical context

In using the concept of tradition to classify people and regulate their activities, the traditional inhabitants provisions of the Torres Strait Treaty are necessarily oriented towards the past. In this chapter I establish the historical context of linguistic, social and cultural difference and similarity across the region where the international border is now located from before the impact of colonialism commenced up to the time of Papua New Guinea’s independence in 1975. The history of migration and establishment of villages, and the relationships between the various groups described in this chapter, is essential background to the analysis of the effect that the introduction of the international border has had on the people of the border region.

Before colonial intrusion, broad distinctions can be made on the basis of linguistic and cultural differences between Suki people in the north, Marind people in the west, Kiwai people in the east, Torres Strait Islanders in the south, and Trans Fly people in the centre; but these distinctions do not equate to a categorical definition of ethnic groups. I refer to them as culture areas. The first four of these culture areas have come to acquire some of the characteristics of ethnic groups through the course of the colonial and postcolonial periods, but the Trans Fly grouping has not.

I show that the introduction of an administrative boundary between colonial territories, that was later to become an international border, was an essential factor in the ethnogenesis of a Torres Strait Islander ethnic identity. This involved a categorical form of differentiation that was first introduced by the colonial state and was adopted and elaborated by Islanders themselves. I argue that this form of differentiation co-exists in tension with a relational form of sociality among Islanders, and between Islanders and neighbouring Papuans.
The physical environment

The continent of Australia and what is now the large island of New Guinea have been alternately joined together as a single land mass and separated by a shallow strait several times over the millennia as global sea levels have intermittently risen and fallen. It has commonly been remarked that the landscape of the southern part of New Guinea adjoining Torres Strait strongly resembles northern Australia, with many of the same species of fauna and flora (e.g. Paijmans et al 1971:12, Williams 1936:5). The most recent inundation of the strait to separate the two lands occurred approximately 6000 years ago (David et al 2004). Before inundation, the land that is now under the sea would have been mostly low and swampy, with several large rivers flowing from the north. There is a range of rocky hills, the continuation of the Australian Great Dividing Range, which runs south to north across the western side of the strait, terminating at Mabudauan Hill, now on the south coast of the New Guinea mainland.

There were almost certainly people living in the area that became submerged beneath the sea before it was inundated 6000 years ago, and it is possible that some of these were ancestors of some of the people who now inhabit the Trans Fly region of New Guinea.⁷ In recent years there has been extensive archaeological research on the Torres Strait islands, but there has been no substantial archaeological research in the adjacent area of southern New Guinea; relict mound and ditch agricultural systems at Waidoro, Bensbach and Kiwai Island have been recorded, but no dates of their construction or for habitation of the area have been estimated, although similar mound and ditch systems at Saibai island have been estimated to be approximately 1200 years old (Barham and Harris 1985). Archaeological research in the Torres Strait islands has found evidence of human occupation before the last inundation of the strait, intermittent visitation of some islands from 6000 to 2500 years ago, then at

⁷ Evidence is not available to conclude definitively on this question, however the mythology associated with the sites Kwavar, Kuramngu and Mingkad is suggestive; details of the stories of floods in the south, and consequent migration to the north, are recounted in chapter 5.
about 3500 years ago permanent occupation of some islands commenced (David et al. 2004, Barham 2000).

There are four distinct physical types of islands in Torres Strait: in the north, near the New Guinea coast, are low muddy islands dominated by mangrove swamps; on the eastern side are high volcanic islands, with fertile soils and lush vegetation; through the central part of the strait are numerous small, low sandy cays sitting atop coral reefs, where fresh water is scarce and the soil poor; and on the western side of the strait is a chain of rocky islands between the two mainlands which range in size from rocks of just a few square metres to Muralag (Prince of Wales Island) which is approximately 200 square kilometres. The larger of the western islands have reliable sources of fresh water, and while the soil is not as rich as the eastern islands, they are capable of supporting some horticulture and have a range of wild edible plants.

Torres Strait connects the Arafura Sea (and through it, the Indian Ocean) in the west with the Coral Sea (and through it the Pacific Ocean) in the east, and the interaction of differing tides of these large bodies of water in the strait generates strong currents and differential tidal cycles across the breadth of the strait, resulting in tides that are complex and seasonally variable (Johannes and MacFarlane 1991). The water of the northern end of the strait is turbid during the wet season from December to April, as muddy water discharges from the rivers of mainland New Guinea, but in the south the water is generally clearer, although turbidity increases on the spring tides and decreases on the neap throughout the whole of the strait, as the size of the tide directly affects the velocity of the current.

The most significant geomorphological feature of the Trans Fly region, in the area of mainland New Guinea west of the Fly River estuary and south of the middle reaches of the river itself, to the border between Papua New Guinea and Indonesia at the mouth of the Bensbach River, is the Oriomo Plateau. This plateau is oriented east-west and runs approximately parallel to the middle Fly
River; it rises to 50 metres above sea level at its highest point but over most of its area is only approximately 30 metres above sea level, and slopes at a gentle gradient both south toward the sea and north toward the Fly River, so the whole region is generally low and flat (Paijmans 1971:15). The terrain and climate vary slightly on east-west and north-south axes. The country east of the Pahoturi River is wetter, more undulating, and with generally better drainage, while to the west there are large areas of open savannah woodland, and much of the area is parched in the dry season from May to November, and flooded for weeks and in some parts months at a time in the wet season. The seasons are more sharply marked in the west than the east, and in the west the rivers are larger, with larger drainage basins, while the rivers are smaller in the east and there is more abundant fresh water near the coast during the dry season. Aside from the hill at Mabudauan and another small rocky outcrop nearby at Augar Point, the entire region is devoid of stone. The soils are generally heavy clay, although there are patches of ancient sand ridges in some places. The overall flat nature of the terrain means that even small changes in elevation can result in marked differences in ecological conditions, and the variety of ecotypes includes rainforest, paperbark swamps, lightly timbered savannah, open grass plains that are seasonally flooded, low open land that is seasonally flooded and supports only spindly shrubs, and mangrove swamps near the coast.

The rivers flowing south from the Oriomo Plateau are all tidal and salty for a considerable distance inland from the sea: during the dry season when there is no flow of fresh water from inland, the water is salty as much as 50km up the Morehead and Bensbach rivers; the Wasii Kussa and Mai Kussa rivers are not true rivers at all, but rather inlets of the sea surrounding Strachan Island with several small rivers flowing into them, and each of these is salty for several kilometres from their junction with the inlet during the dry season; the Pahoturi and Oriomo rivers are salty up to 20 km from the coast, while the Binaturi is salty up to 10 km from its mouth. For all of the rivers the effect of the tide is apparent beyond the point where the water becomes fresh. The lower reaches of the
rivers and most of the coastline are lined with mangroves, and the adjacent seabed is generally shallow and muddy. There are a several low, flat islands within approximately five kilometres of the coastline, most of them near the mouths of rivers, which were formed from alluvial mud discharged from the rivers.

Along the Fly River there are swamps and extensive wild sago stands, and in the estuary there are numerous low muddy islands. Moving west from the Fly there are relatively large tracts of rainforest, numerous small swamps, lakes, and creeks draining the plateau north to the Fly through the Bituri River and south to the sea through the Oriomo River. There are two islands, Daru and Bobo, at the mouth of the Oriomo. The coast between the Oriomo and the Pahoturi rivers faces into the south-easterly dry season winds, and although protected from ocean swell by the Great Barrier Reef and Warrior Reef, this section of coastline is subject to erosion from the wind and waves in the dry season and flooding in the wet. Between the plateau in the north and the coast to the south, the Oriomo River in the east and the Pahoturi River in the west, the small Binaturi River and Kura Creek drain into the sea, and in this part of the Trans Fly region fresh water is relatively abundant through the dry season. West of the Pahoturi large swamps and expanses of savannah predominate, with only small scattered pockets of rainforest; and between the Morehead and Bensbach rivers are the vast open grasslands of the Bula Plains.

**Configuration of culture areas**

Defining social groupings by reference to social and cultural variation is always problematic, there are exceptions to generalisations, overlap at the margins, and the possibility of reifying groups where they may not exist as such; nevertheless there were distinctive differences throughout the region in language, social organisation, ritual, ontology, economy, and other socio-cultural characteristics which correspond sufficiently for some general patterns to be evident. The people now living in this region maintain detailed oral histories which continue
to inform their own understanding of similarity and difference among themselves, and there is some ethnographic information available from the publications of European missionaries, explorers, colonial government officers and anthropologists. These combined sources allow for a representation of patterns of social and cultural variation, group definition and inter-group relations as they were before the commencement of colonialism (see also Knauft 1993).

Distinctions between culture areas can be made at several levels of scale. “Melanesia” has usually been defined in contradistinction to “Polynesia” but in the southern New Guinea and Torres Strait region it could be distinguished from Aboriginal Australia. There is no clear cut boundary between the two, but if a transition zone were to be defined it would include northern Cape York Peninsula and southern Torres Strait; depending on the criteria used as the basis of distinction such a transition zone could extend further north to include all of Torres Strait and overlap into southern New Guinea.

A smaller scale set of distinctions between culture areas could classify all of the southern lowlands of New Guinea, and include Torres Strait, against the New Guinea highlands. As Wagner (1972) and Knauft (1993) have recognised, the cultural preoccupation of the people of the southern lowlands of New Guinea with the themes of death and decay, life and fecundity, and the posited relationships between them, gave rise to a variety of sometimes flamboyant ritual practices in which headhunting, heterosexual and/or homosexual ritual practices, food production, gender relations, structures of authority and beliefs concerning the efficacy of human action in the physical world were deeply interconnected. It is clear that the same also applied for Torres Strait Islanders (see Beckett 1975). Knauft summarises the cultural similarities of the people of south coast New Guinea as including:

- fervent mythic-cosmological beliefs in the need for fertility regeneration, and
- the close articulation of fertility beliefs with: (a) highly elaborate ritual
enactments employing costumed or artistic embodiments of mythic or ancestral beings; (b) elaborate heterosexual and sometimes homosexual fertility and rejuvenation rites; (c) feast giving; (d) warfare, particularly in the form of headhunting, to both reflect and augment the spiritual and social force of the local group (1993:40).

He goes on to argue,

variations on these themes generated crucial cultural divergences along the New Guinea south coast; distinctive local axioms of social and spiritual rejuvenation articulated subsistence, political economy, gender, and warfare as well as myth and ritual in unique areal configurations (1993:40).

The region of the New Guinea mainland directly to the north of Torres Strait is commonly known in the ethnographic literature as the “Trans Fly” after F.E. Williams’ (1936) ethnography *Papuans of the Trans Fly*, but a more commonly used geographical descriptor in Papua New Guinea today is the term South Fly, after the name of the electoral district. At the eastern end of this region is the Fly River Estuary, and to the north and north-east are the lower reaches of the Fly River. The Fly Estuary and several hundred kilometres further east is inhabited by people speaking numerous dialects of the Kiwai language family, and the lagoons along the southern side of the Fly River are inhabited by people speaking dialects of the Suki language family. There is no distinct geographical marker between the western parts of the Trans Fly culture area and their western neighbours. Speakers of dialects in the Marind language family inhabit the region centred on the Bian River, extending along the coast as far east as the Merauke River.
Figure 2: Language map of south west Papua New Guinea (Wurm & Hattori 1981); see Appendix 1 for a larger copy of the same map.
There is considerable diversity within the culture area designated as Trans Fly, but nevertheless Williams (1936) was justified in his classification of the assortment of Trans Fly groups together. Among the pre-colonial socio-cultural features common throughout the Trans Fly grouping, and contrasting with adjacent groups, were the very small scale of residential groups, their wide dispersal across the land, and lack of occasions for large scale social gatherings. Further, by comparison with other culture areas along the south coast of New Guinea, including immediate neighbours to east and west, the people of the Trans Fly have been characterised as “introverted” and “culturally conservative” (Knauft 1993:222), with their main ritual activity involving anal insemination of boys by men, strong separation of gender roles and low status of women. Relations of domination were directed inwards by men over women and boys, as Trans Fly men themselves were dominated by aggressive neighbouring groups.

The Trans Fly region was, and still remains, a difficult place for people to live. There are environmental constraints on human habitation, including climate, topography, poor soils, lack of fresh water in the dry season and extensive flooding in the wet season. In addition to the harsh environment in which they lived, prior to colonial pacification the people of the Trans Fly were predated upon by neighbouring groups of headhunters, and they were also engaged in internecine raiding among themselves. These factors resulted in relatively low population density compared to neighbouring groups at the time of colonisation in the late nineteenth century.

The islands to the south of the Trans Fly region are inhabited by people who refer to themselves collectively as Torres Strait Islanders; they have commonly been classified as comprising a distinct culture area but could equally be classified as two sub-groups of the Trans Fly grouping. The language of the Eastern Islands is a dialect of the Eastern Trans Fly language family, while the
language of the Western Islands is comprised of four dialects closely related to
each other but distinct from the Eastern group.  

There is thus no direct correspondence between language difference and culture
areas. The Trans Fly culture area grouping includes numerous dialects of
languages belonging in three language families, the Eastern Trans Fly, the
Pahoturi River and the Morehead and Upper Maro Rivers families. These three
language families are within the same ‘sub-phylum level stock’ as the Kiwaiian
family (and two others), but Kiwai is distinguished as a separate culture area.

Over several decades prior to the commencement of colonial administration,
Kiwai people from the Fly River Estuary had progressively been establishing
permanent settlements westward along the coast, and had forged relationships
with the people of the north-western islands of Torres Strait. In doing so they
displaced some eastern Trans Fly groups from their occupation of the land nea r
the coast (ARBNG 1896:26), and effectively inserted themselves as middlemen in
trade between eastern Trans Fly people and Torres Strait Islanders. The impact
of colonialism occurred first on the islands of Torres Strait, beginning in the mid-
1800s and intensifying from the 1860s, and when it came to this part of
mainland New Guinea from the 1880s it was Coastal Kiwai people, from villages
located on the coast between the Binaturi River and the Fly River, who first
engaged with the new regime, learning to speak Pidgin English and acting as
agents and intermediaries for the British colonial officers in bringing the inland
Trans Fly peoples under the colonial government (ARBNG 1891:4, 1892:34).

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8 Population estimates of the populations of the respective culture areas from the early
colonial period are unreliable. Voorhoeve and Wurm (in Wurm and Hattori 1981) give the
following estimates from source in the 1970s: Suki 1000; Southern Kiwai dialects 9700
(including Coastal Kiwai subdialects 3800); Marind dialects 7200; the Trans Fly total of
10900 is made up of Eastern Transfly language family 4650; Pahoturi River language family
2000; Morehead and Upper Maro Rivers Family 3250 (including the following subfamilies:
Nambu subfamily 780; Tonda subfamily 1470; Yey subfamily 1000); and Waia family 1000;
the Western Torres Strait language was estimated to have 7000 speakers (including the
northern dialect (known as Kala Kawaw Ya, spoken at Saibai, Dauan and Boigu) 1000).
9 It appears that there was social interaction between people from Parema and other Fly
River Estuary islands with people from the Eastern Torres Strait Islands for a considerably
longer period.
Throughout the colonial period Coastal Kiwai people continued to expand westward along the coast at the expense of Trans Fly groups, and they enjoyed a higher status within the new colonial order (ARBNG 1891:42).

On the western side of the Trans Fly region a border between British and Dutch colonial territories was established at the mouth of the Bensbach River and headhunting raids by Marind people, who had been raiding from the west into the Trans Fly region and north-western Torres Strait Islands, were effectively stopped by colonial authorities in the late 19th century (Beaver 1920:117-119). Unlike the Kiwai people on the eastern side, the Marind-anim did not establish permanent settlements on the land where they had been raiding for heads. As a result, at the time of colonial intervention there were no permanent settlements on the coastline between the British – Dutch border at the Bensbach River and the Kiwai village now known as Old Mawatta at the mouth of the Binaturi River.\(^\text{10}\)

The Trans Fly peoples were and are internally diverse in many respects, but on a large scale “areal configuration” (Knauft 1993) analysis they can be contrasted as a group with neighbouring culture areas. A defining characteristic of relations between the various Trans Fly groups and their neighbours on all sides was the fact that the neighbouring groups all practiced headhunting and all raided the Trans Fly groups; however in all cases the situation was more complex than simple hostility and predation, as trade was also a significant feature of inter-group relations.

As Coastal Kiwai people were expanding westward, consolidating their position on the coast and their relationships with Torres Strait Islanders, remnant Trans Fly groups west of the Pahoturi River moved to establish new villages on the

\(^{10}\) Connor noted that there was a village at Yauga, on Strachan Island, when he surveyed the coast between Boigu and Daru in 1873 (Moresby and Connor 1874); however it is clear from later reports (e.g. Strachan 1888), and my own research with descendants of the people who lived there, that this was a temporary settlement inhabited by remnants of several groups who normally lived further inland. The village now known as Old Mawatta was known as Kadau in the early colonial reports.
coast. There had been interaction and movement between Trans Fly people from near the coast and the hinterland since before the arrival of colonialism, but the new colonial order induced many people to migrate permanently from inland to the coast, and others to aggregate and settle in larger inland villages than had previously been their practice.

By the time of the establishment of the colonial regime in the 1880s Coastal Kiwai people had a village as far west as Old Mawatta at the mouth of the Binaturi River, and the people living at Old Mawatta claimed ownership of the land where a government station was briefly established further west at Mabudauan.11 Kiwai people at Old Mawatta and Tureture formed alliances with some Bine (Trans Fly) groups engaged in internecine warfare with other Bine groups, and through these alliances were given land to occupy where they established villages.

From the northern side of the Trans Fly region, among the lagoons on the south-western side of the Fly River, Suki-speakers raided Trans Fly people to their south. Rather than move south to occupy the land of their exterminated and displaced victims however, the Suki remained living on the lagoons. This was the last of the groups in this region to be “pacified”; F.E. Williams visited a village in 1927 that had just been massacred by Suki raiders from the north (Williams 1936:288) and raids by Suki speaking people on their southern neighbours continued into the 1930s (Lawrence 2010:61).

West of the Bensbach River, in what was Dutch New Guinea and is now Papua Province of Indonesia, were the Marind-anim, who were known in the early colonial and ethnographic literature as Tugeri after the name used by Kiwai people and Torres Strait Islanders to refer to them. Parties numbering in the

11 When this station was established in 1891 the site was not occupied, but claims of ownership were made by Dabuag (a Trans Fly group) and Old Mawatta (Kiwai) people, and the colonial administration made payments to both groups (ARBNG 1891:43). There is a Coastal Kiwai village now at this site, but ownership of the land is disputed between three groups, the Dabuag (now living at Sigabaduru), the Coastal Kiwai, who migrated from Old Mawatta in the early colonial period, and the Gizra, now living at Kulalae.
hundreds travelled annually along the coast and up the rivers in canoes without outriggers on headhunting raids, and they annihilated many of the southern Trans Fly groups as far east as the Pahoturi River (Haddon 1891). These raids were ended with the intervention of the colonial government in the 1880s, but it is likely that their raids to the east were at the time a relatively recent phenomenon (Ernst 1979). Torres Strait Islanders living on islands closest to the coast occasionally raided the Trans Fly groups to their north for heads, sometimes in parties with allied Kiwai groups. Raids by Kiwai people from the east and Marind-anim from the west were also made on the north-western Torres Strait islands of Saibai, Dauan and Boigu (Haddon 1891).

On the western side of the Trans Fly region, mostly within what is now Papua Province of Indonesia, speakers of Kanum in the south and Yey in the north border the area inhabited by Marind speakers to their west.12 Kanum and Yey are grouped by linguists with Tonda, spoken in the upper reaches of the Bensbach River within current day Papua New Guinea, and Nambu, spoken in the upper Morehead and Wassi Kussa rivers area, as the Morehead and Upper Maro Rivers language family. The people who speak these languages (which are not mutually intelligible, although the dialects within each are) share a unique social organisational feature of a three “section” system. The names of the sections Bangu, Maiawa and Sanggara, are the same throughout, section membership is determined by patrilililation, and each is exogamous.

East of the region where the dialects of the Nambu language is spoken, in the Mai Kussa and upper Pahoturi region, live people speaking dialects of the Upper Pahoturi River language, including Idi, Agob and Emde. From the eastern side of the lower Pahoturi through the Binaturi and Oriomo basins, and including also the eastern Torres Strait Islands of Mer, Erub and Ugar, languages classified in is

12 Glazebrook (2008:108-110) states that the land of Kanum people straddles both sides of the current day border, and this is also represented in Wurm and Hattori’s (1981) language atlas.
the Eastern Trans Fly language chain are spoken; and within each language there are several dialects.

Each of the languages is associated with a particular site of mythical origin, although there are some points of overlap and connection between them. Tonda speakers trace their origins to the site Kwavar, in the sea south of the Morehead river.\textsuperscript{13} Most Nambu speaking groups trace their origins to the site of Kuramngu, at the headwaters of the Wassi Kussa River, but some say they originate from Komo. The people who live at Bimadeben, and speak Nen dialect of the Nambu language are another exception, in that they trace their origins to the site Mingkad, which is the main origin site of groups speaking western Upper Pahoturi dialects. Each of the dialects of the Nambu language is distinguished by the word for “what?” as also are most of the dialect names of the Pahoturi River language chain, the exception being the dialect named Kawam, which is spoken at the village of Wim. The naming of the languages after the word for “what” is accounted for in the origin stories associated with these sites. The origin site Dumar, at the headwaters of the Oriomo River, is associated primarily with speakers of the Gidra language, which is the easternmost dialect in the Eastern Trans Fly language family. There is a secondary site associated with Dumar at the headwaters of the Pahoturi River, Boji, which is an origin site for some speakers of eastern Pahoturi river languages. The origin site of Glulu, for speakers of the Bine language from the Binaturi river area, is said by some to be an independent place of origin, and by others to be derivative of and secondary to Dumar. The Gizra dialect is associated with the origin site Basir Puerk, which is now more commonly known as Mabudauan Hill.

The Marind-anim who raided from the west tended not to raid those groups immediately adjacent to themselves, and frequently travelled long distances to raid groups far to the east of their own homeland (van Baal 1966:700). It appears that the people in the western Trans Fly had taken up headhunting relatively

\textsuperscript{13} During fieldwork I was unable to meet any Kanum or Yey speakers and I do not know any story about their origin sites; I have not seen any publications that provide this information.
recently around the time of colonial pacification, probably influenced by their Marind neighbours (van Baal 1966:700). The term that was used to refer to the Marind in the early colonial literature was “Tugeri”, which appears to be a Kiwai language pronunciation of “Tuger,” used by Torres Strait Islanders from Boigu, Dauan and Saibai to refer to those who raided them from the west. Namo, Idi and Agob speakers use the term “Tonggar”, however this term is best understood as referring in general terms to “those who raid us from the west” rather than strictly to Marind speakers, as it appears that Kanum and Tonda groups had taken up the practice of headhunting raids to their east (but not on immediately adjacent groups). Thus the name Tugeri (and the variants of it) is a relational rather than categorical term.

**Colonial impacts before annexation**

By the time that the Protectorate of British New Guinea was proclaimed in 1884 there had been interaction between some Trans Fly people and Europeans for at least two decades, and indirect effects of European presence in the region, primarily the introduction of new trade goods, through Torres Strait Islanders and Coastal Kiwai people for a much longer period. Europeans entered the area in boats, and so it was firstly islands, then the coast and later the rivers that they visited and explored. The history of the region over the period leading to formal annexation in 1884 is one in which first Torres Strait Islanders, and shortly thereafter Coastal Kiwai people, came into increasingly frequent contact with Europeans, learned to communicate with them in pidgin English, engaged in trade and worked in the marine industries in the Torres Strait. Islanders and Coastal Kiwai people already had considerable experience in dealing with Europeans before the Trans Fly people came into sustained contact with missionaries, agents of colonial government and Europeans working in the trepang and pearlshell industries.

The first known Europeans to traverse Torres Strait were the Portuguese sailors Luis Baez de Torres and Don Diego de Prado and their crews, who together
passed through the strait that now bears Torres’s name in 1606 (Hilder 1980). As far as I am aware, there are no records of any further encounters between Europeans and Islanders until 1792.\(^{14}\) Between 1792 and 1840 a number of ships passed through Torres Strait.\(^{15}\) In this period there were also some ships that were wrecked on reefs in attempting passage through the strait, and the survivors of some of these were massacred by Islanders (Haddon 1935:3-18 provides a detailed account). This led the British navy to embark on a project to chart safe passage through the strait, and during the 1840s there were a number of surveying expeditions that spent lengthy periods of time in Torres Strait and also visited the coast of the adjacent New Guinea mainland.\(^{16}\)

In 1862 beche-de-mer fishermen who had been working in the Pacific arrived in Torres Strait and established stations on some of the islands to process their catch. When extensive pearlshell beds were discovered in 1869 there was a rush of people from many foreign places who came to work in the new marine industries.\(^{17}\) A government station was established at Somerset on Cape York Peninsula in 1864 to extend the influence of the Queensland government to...

\(^{14}\) Several Dutch vessels sailed along the western side of Torres Strait during the first half of the 17\(^{th}\) Century but they left no record of any encounter with Islanders (Haddon (1935:3-4) provides an overview). Cook’s 1770 voyage through the southernmost part of Torres Strait provides the next documentary record of a European who saw Torres Strait Islanders; he notes people with bows and arrows and pearl-shell ornaments, and by their possession of these items he discerns that they are distinct from the neighbouring Aboriginal people of mainland Australia, but there was no communication between the parties. Bligh passed through Torres Strait in 1789 after the famous mutiny of the Bounty, and he made some navigational notes but no record of any observations of Islanders. In 1791 Edwards sighted and named the Murray Islands and saw three canoes there, but had no contact with the inhabitants before his ship, the Pandora, sank and he and some survivors made their way in the ship’s boats to Timor (Haddon 1935:5, citing Hamilton 1793).

\(^{15}\) These include Bligh, Flinders, Edwards, Bampton and Alt, Dumont D’Urville, Wilson, Brockett and King. Bligh (1976); Flinders (1814), which also includes accounts of the voyages of Edwards and Bampton and Alt; Dumont D’Urville (1846); Wilson (1835); Brockett (1836); King (1837). Haddon (1935:3-12) contains a useful summary of the observations of all of these.

\(^{16}\) Narrative accounts of their experiences were published by Stokes (1846), Macgillivray (1852) and Jukes (1847). Manuscripts written in the 1840s by Sweatman and Brierly have been published more recently. Sweatman’s journal was edited and prepared for publication by Allen and Corris (1977), and Brierly’s manuscript was edited and included in Moore’s (1979) publication which also contains an extensive commentary.

\(^{17}\) Ganter (1994:26) writes that there were “literally thousands” of Pacific Islanders who worked in the Strait at this time, and there were also people from Europe and Asia engaged in the pearl fishery.
Cape York, and to assist ships passing through Torres Strait (Mullins 1995:33). Annexation of the Torres Strait islands occurred in two stages; those islands within 60 nautical miles of the Australian mainland were annexed to Queensland in 1872, the remainder in 1879.

From the 1870s, Queensland government officers, missionaries and explorers began making visits to the coast of the New Guinea mainland. The people of Tudu Island were in regular contact with people from Old Mawatta village on the New Guinea mainland, and a beche-de-mer and later pearlshell station were established at Tudu from 1863 (Ganter 1994:19-20); similarly, Coastal Kiwai people from Parema island were regular visitors to Erub, which also had a beche-de-mer station from the mid 1860s, so Coastal Kiwai people were coming into regular contact with Europeans (and Pacific Islanders working in the fisheries) before Europeans began to regularly visit the mainland. Chester visited the Coastal Kiwai village of Old Mawatta in 1870, and in his report he states that pearlshellers were making trips to mainland New Guinea to steal from gardens (Chester 1871), and given the general lawlessness of the Torres Strait at the time it is likely that this was not an uncommon practice, although aside from Chester’s remarks there is no record of it.18

In 1871 the London Missionary Society arrived in Torres Strait, establishing mission stations at Erub, Tudu and Dauan islands with Pacific Islander missionaries, and making a brief visit to the villages of Old Mawatta and Tureture. The following year they posted missionaries on several other islands and at the Coastal Kiwai villages of Old Mawatta and Tureture on the New Guinea mainland, and Parema island near the mouth of the Fly River (Gill

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18 See Mullins (1995) for a description of the violence and disruption caused by the burgeoning Torres Strait pearl fishery through the decade before annexation of the outer islands in 1879.
1876:218-242), and they continued to expand their sphere of influence across the Torres Strait islands and into the Fly River Estuary in the following decades.19

The missionary Samuel MacFarlane travelled up the Fly River with Henry Chester and Luigi D’Albertis in 1875 made further trips up the Fly in 1876 and again in 1877, and on all of these occasions they first visited Old Mawatta, and on the first two trips they recruited guides and interpreters from there (D’Albertis 1880:13,47). D’Albertis wrote, “Moatta is often visited by fishers for mother-of-pearl from Torres Straits, and the natives trade with them for iron implements, cloth, and other European specialties” (1880:11).

In 1875 the naturalist Octavius Stone and missionary Samuel MacFarlane travelled, by their reckoning, 90 miles up the Mai Kussa River in the LMS boat Ellengowan, but they made no contact with any people on the mainland, although they saw a man in a canoe and saw signs of human habitation.20

In 1884 John Strachan made the first of his two trips up the Mai Kussa River; after departing from Boigu he claims to have travelled 95 miles upriver and saw no people until returning to the mouth of the river where he encountered “no less than twenty or thirty canoes,... each containing about forty men” (Strachan 1888:46) advancing toward him and, he believed, intent on attacking his party. He fled upriver, then followed a tributary (which was evidently the Dimiri River) to the east far as his boat could travel before sinking it and walking overland to

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19 A map from 1892 showing the location of villages on and in the vicinity of the coast at that time is attached at Appendix 2.
20 From Stone’s account and map it is clear that they steamed up the Mai Kussa then along the northern side of Strachan Island and ascended the Wassi Kussa past where the village of Arufi is now located (Stone 1880). They named the Mai Kussa River the “Baxter River” after a Scottish woman who had donated the money to the LMS to purchase their boat (Stone 1880:12), but this name never became commonly used; the name Mai Kussa has generally been preferred and is found on most maps. The word “koesa” in Kala Kawaw Ya, the language spoken at Boigu, means river. The word “mai” in Idi language, spoken up the Mai Kussa river, means house, and there is a site on the east bank of the river, approximately where Stone and MacFarlane met the Boigu men, named Sirmai, meaning grass house in Idi, referring to a house of the mythological figure Kiba who travelled from Mingkad into Torres Strait. The name of the Wassi Kussa River refers to a place named Wasi which is upstream near the west bank of this river. The islands at the mouth of the Wasi Kussa are Kawa and Mata Kawa; kawa in Kala Kawaw Ya means island, and mata means really / truly.
the point on the mainland opposite Saibai Island, from where he was rescued (1888:46-66). He saw several tracks, and a garden, and he states that at the point on the mainland across from Saibai there were remains of an old village, but aside from the 800-1200 Tugeri, he saw no other people on the route overland (1888:44-66).

In 1885 Strachan returned to the Mai Kussa and recruited some Boigu Islanders to act as guides and interpreters. He met some people on Strachan Island, as well as “the people of Beru, a small tribe not numbering in all thirty souls” a short distance east of the Mai Kussa; and he states that they “were once a powerful tribe, but had mostly been killed and eaten off the face of the earth by the Tugara men” (1888:125). He also states that he:

made careful enquiry as to the number of the inhabitants and as to the locality of the nearest tribe, and was assured that with the exception of the Bai-Bai, people on the other side of the Gregory, whose numbers were not in excess of their own, there were no other tribes nearer than Daubo, a distance of seventy-five miles (1888:126).

Strachan travelled east along the coast to Dauan and Saibai where he recruited interpreters, then went to Dabu (“Daubo”) on the mainland across from Saibai island. He states:

...this tribe, which now consists of only thirty-five souls, represents the population of five villages on the sea coast, the whole of the rest of the people having been killed or captured and eaten by the Tugara men from the west (1888:142).

He travelled further east to Old Mawatta where he “found located an American Negro, an African negro, and an old Greek,... together with two castaways, one Martin, an Irishman, and the other a Hindoo named Peeroo Nersoo” (1888:148).

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21 Strachan named the Dimiri River, which flows into the Mai Kussa, the Gregory, although this name is never used now. It is likely that the “Bai-Bai” were people of Dimiri.
From a base at Old Mawatta Strachan visited three Bine villages up the Binaturi River, which he described as large and populous, and he was assisted by interpreters from Old Mawatta.

Milman visited Old Mawatta from Thursday Island in 1887 in his capacity as Deputy Commissioner for the Western portion of British New Guinea; he writes:

Considerable intercourse has been had with these natives for some years by the crews of the numerous boats employed in the pearl-shelling and beche-de-mer industries coming in for shelter of for water, the village being conveniently situated near the fishing grounds on and off the Great Warrior Reef. These people are a quiet, tractable race, and many of them have been employed at times in the fishing boats (ARBNG 1887: 19).

From the accounts of Stone (1880), Strachan (1888) and Chalmers (1903) of their visits to the Mai Kussa area between 1875 and approximately 1885 it is evident that the population of this area was very small, and that at least one reason for this was that they had in recent years suffered attacks from Tugeri headhunters. Almost all reports by Europeans of contact with Trans Fly people in this period note that they used either Torres Strait Islanders or Coastal Kiwai people as interpreters. This is significant for at least two reasons: first, the Islanders and Coastal Kiwai could communicate with the Trans Fly people, indicating a history of interaction in which people had learned each other’s languages; and second, that the Islanders and Coastal Kiwai had learned pidgin English to enable communication with the Europeans, and this placed them in an advantageous position in the years to come as the colonial administration in British New Guinea became established.

**Colonialism, after annexation**

The main considerations in the decisions to annex the islands of Torres Strait to Queensland were a desire to regulate the activities of the beche-de-mer and pearl fisheries and control lawlessness in Torres Strait (Lawrence 1994:260), and
a fear that an imperial power other than Britain might be able to take advantage of unclaimed territory and potentially threaten Queensland (Kaye 1997:35-38). Similar reasoning lay behind the extension of British colonial control over the south-eastern part of New Guinea, as explorers, prospectors, timber cutters, traders and labour recruiters were impacting on village life (Lawrence 1994:261); the Dutch had already claimed the western part of the island and the Germans were establishing themselves in the north-east. In 1884 the Protectorate of British New Guinea was proclaimed, and in 1888 it was annexed as a British colony.

The new protectorate was administered from Thursday Island until 1888, then after annexation, when William MacGregor was appointed as Lieutenant-Governor the headquarters were established at Port Moresby. In 1891 a government station was built at Mabudauan to administer the Western district (ARBNG 1891:xv, 42) but remained there for only a few years, moving to Daru in 1893 (ARBNG 1893:32).

The patterns of settlement and movement of people along the coast, between hinterland and coast, and between islands and mainland, had been dynamic for at least several decades before annexation, and changes to the distribution of the various groups continued into the early colonial period. Oral and written accounts of the history of migration and occupation of land, particularly on and near the coast, are vehemently contested between groups in this area in the present day; however when the varying versions are considered together, and the recorded observations of European missionaries, colonial officials and other visitors to the area are taken into account, the situation is reasonably comprehensible.

The general pattern is described above: from the east, there was an expansion of Kiwai people along the coast, eradicating some, displacing other Torres Strait Islander and Trans Fly groups, forming alliances and trading relationships with yet other Trans Fly and Torres Strait Islander groups; while headhunting raids by
Tugeri similarly depopulated and displaced Trans Fly and Islander groups from the west. The details of these population movements and group dynamics are disputed by those with parochial interests, but they are also pertinent to the arguments developed in this thesis relating to questions of land ownership, administration of the “traditional inhabitant” provisions of the Torres Strait Treaty, and Trans Fly responses to the imposition of the international border between Papua New Guinea and Australia, so a detailed description of the migrations and displacements that resulted in the villages that are now located along the coast is provided here.

Kiwai Islanders tell stories about their ancestors who originally came from a place called Maubo, somewhere in the vicinity of Mt Bosavi, and migrated toward the coast along the Bamu River to another place that was given the same name of Maubo, and there was a dispersal of groups from there. One group is believed to have eventually migrated to Barasaro on Kiwai Island, and ancestors of the people who now inhabit Manoweti (the north bank of the fly), Dudi (the south bank of the Fly), the Kiwai Islands, and the Coastal Kiwai villages of Daudai (along the mainland west of the Fly) dispersed from there.22

From the 1840s through the 1860s there is substantial evidence from written sources that the people who occupied Parema Island spoke the Kiwai language and there was frequent social interaction between them and the people of Erub, Ugar and Mer Islands in Eastern Torres Strait (Jukes 1847:191, Lawrence 1994), which corroborates the oral histories of the people of Parema and the eastern Torres Strait Islands. When the LMS arrived at Parema in 1872 to station missionaries there, they found there were two villages on the island, one in the location of the current village, where the people refer to themselves as Gebarubi, the other at Gaziro on the western side of the island, where antecedents of people who now collectively call themselves Gurahi were living.

22 Daudai appears to be a term borrowed by the Kiwai from the western Torres Strait language, in which it means “mainland”, and applied to the area of the New Guinea mainland from the Mai Kussa to the Fly, while Dudi refers to the area of the mainland near the west bank of the Fly.
Early accounts of European visitors to this part of the coast of New Guinea, from 1870, note that there was a Kiwai village at the mouth of the Binatuni River. In the early colonial literature the name of this village is usually given as Katau and the Binatuni River is often called the Katau River; alternatively the name Mawat or Mowat is sometimes used as the village name. By their own account the people at this village had moved from the village of Kadawa, which was located on the mainland adjacent to Daru Island, and they brought the name of their old village with them. The descendants of the people who had previously lived at Kadawa are now known as the Kadawarubi.

While they were living at Kadawa village a leading man named Gamea explored westward along the coast as far as Mabudauan, and crossed over to Saibai and met people there. On his return he stopped at the mouth of the Binatuni River, and according to the versions of the story now told at Masingara, he met there with Masingara people who were on the coast fishing. At that time the village of Masingara was much further inland than it is now. They befriended him, and after travelling on to his own people at Kadawa, Gamea returned to establish a new village at the mouth of the Binatuni River, with the agreement of the Masingara people. According to the versions of the story told by people at Old Mawatta, when Gamea landed at the mouth of the Binatuni River there was nobody there, it was vacant land, and he decided to bring his people with him to settle there.

Gamea had a brother named Kuki, and after a dispute between the two, Kuki led a group of people a few kilometres back east along the beach to establish a new village at Tureture. When Connor travelled along the coast in 1872 from Boigu in the west to Daru in the east he saw only two villages, one at Yauga on Strachan Island, the other at the mouth of the Binatuni River, however in the same year the missionaries MacFarlane and Gill visited Mawatta and Tureture, leaving missionaries at both (Gill 1873); shoals extend for a considerable distance from the beach along this stretch of coast, and if the tide was low it is possible that
Connor was too far offshore to see the village of Tureture as he passed; his account is anomalous, and the oral histories as well as other documentary evidence lead to the conclusion that Tureture was established before 1872 (e.g. MacFarlane 1876:254).

After the Kadawarubi had abandoned Kadawa to establish new villages at Mawatta and Tureture, and after the government station had been moved from Mabudauan to Daru, the Gurahi moved from Gaziro on Parema Island to Katatai on the mainland coast, and after a few years some people from Katatai moved to the old village site of Kadawa to establish a new village there. Kadawa and Katatai people acknowledge their migration from a previous residence at Gaziro, and I was told that they migrated there from Geawi, near Doridori, on the Dudi coast between Toro Passage and Sui. This group is made up of descendants of ancestors who are believed to have migrated from many different places, some from Kiwai Island, some from the Torres Strait Islands, as well as one clan which asserts that its apical ancestor was autochthonous at Gaziro.

Parema people describe themselves as Gebarubi, and like the Gurahi, assert that some of their ancestors migrated from the Torres Strait, and some from Kiwai Island. One Parema clan claims to be descendant from an autochthonous Parema ancestor. The village of Sui is located on the south bank of the Fly River, and the people of Sui say that, like the Gebarubi and Gurahi people, some of their ancestors were from Kiwai Island, others migrants from Torres Strait islands. The villages of Sui, Parema, Katatai, Kadawa, Tureture, Mawatta and Mabudauan speak a dialect of the Southern Kiwai language, and are collectively known as Coastal Kiwai; they are also colloquially referred to as the Forecoast villages.

When the government station was established at Mabudauan in 1891, Coastal Kiwai labourers from Mawatta and Tureture were brought to build it, and to work in various capacities for the administration, including as Native Police. Some people from Old Mawatta moved at this time to live on Paho Island, just
offshore from the new government station. With the move of the government station to Daru after just a few years, the Coastal Kiwai who had been living there also left, those who had employment with the administration moving to Daru, the others back to Mawatta. They continued to move back and forth between Mawatta and Mabudauan, sometimes maintaining gardens there and using it as a fishing camp; but when Landtman lived at Mawatta from 1910-12 there was no village at Mabudauan (Landtman 1927). It was not until 1919 that Mabudauan was established as a “model village” by the colonial administration, and people from Mawatta moved to occupy it (ARP 1919/20:18); the new village was sometimes referred to as “New Mawatta” while the previous village at the mouth of the Binaturi River became known as “Old Mawatta.”

The Gidra village of Dorogori is located on the coast alongside Kadawa. This village was established in the early colonial period; Dorogori people say this occurred before the Gurahi moved over from Parema Island, but the people who now live at Katatai and Kadawa claim that they were already there before the Trans Fly Gidra moved from their old inland village (also called Dorogori) to the coast.

Daru was once inhabited by a group known as the Hiamu who, according to A.C. Haddon, were “unquestionably ... related to the Western Torres Straits islanders” (1935:49). After suffering repeated raids by Kiwai headhunters they abandoned the island and, according to oral histories still widely known at Daru and nearby villages, both Kiwai and Trans Fly, they migrated to the Torres Strait islands of Muralag in some accounts, or Tudu in other accounts, where they were incorporated into the groups that were already there. It has been estimated that this occurred sometime before 1800 (Haddon 1935:49-55; Beaver 1920:49-50; Landtman 1917:367,410).23

23 I have questioned many Torres Strait Islanders about whether they have any knowledge of this history and until recently I did not find anybody who had; however at Kubin in December 2007 I spoke to two Torres Strait Islanders who do know this story, but they do
The area in the vicinity of the Binaturi River was probably the most densely populated part of the Trans Fly region at the time that contact with Europeans commenced in the 1870s. This area was relatively accessible via the Binaturi River, and as the Coastal Kiwai village of Mawatta at the mouth of this river was usually the first port of call for explorers and pearleshellers (ARBNG 1888:19), particularly after the mission station was established in 1872, the Bine villages in the hinterland came into occasional contact with Europeans before most other Trans Fly groups. Early written sources include descriptions of productive land and large villages with populations numbering over 200 (e.g. Strachan 1888:148), and it was at Dirimu on the Binaturi River that Papuan Industries Limited established a coconut plantation for the commercial production of copra, which was still operational at the time of Landtman’s fieldwork in 1910-12 (Lawrence 2010:23).

People from the Bine village of Kunini, now located on the Binaturi River, had evidently been in contact with Europeans for some years before Strachan’s visit in 1885 (ARBNG 1888/89, Appendix H:67; Strachan 1888:158 described it as a “large, populous” village). It was moved to the coast, a couple of kilometres east of Tureture, in the early years of the 20th century, but after damage from coastal erosion the Kunini people moved to Tureture for a period, then moved back inland to their present site on the bank of the river in the 1960s (Lawrence 1994:310).

The population of Masingara was estimated at 400 in 1894 (ARBNG 1893/4, Appendix E:54). This village moved several times, progressively towards the coast, and is now only one kilometre inland from Old Mawatta. At the time of early colonial contact the Masingara people and Mawatta people enjoyed an amicable but unequal relationship. Mawatta had access to trade with Torres Strait Islanders and the shellers working in the strait and acted as middlemen in not know any details of exactly who the descendants of the Hiamu migrants might be. The response of most Kaurareg people, who are from Muralag, has been to deny descent from ancestors from Daru.
the trade with Masingara; Mawatta men married Masingara women but provided no wives to Masingara. Landtman reports that the Kiwai of Mawatta considered themselves to be superior to the “bushmen” of Masingara (Landtman 1927:167). Murray reports:

The Masingara are looked down upon by the aristocrats of Mawatta, who actually hire them to work in their gardens, such servile labour being, I suppose, beneath the dignity of a Mawatta man or woman. (1912:195)

The other Bine villages remained inland, and consolidated smaller temporary settlements into larger permanent villages. They were brought within the sphere of colonial influence a few years after Kunini and Masingara.

Mawatta people also made raids on the Gizra people living west of the Badu, between Kura Creek and the Pahoturi River. On some occasions they were joined by Saibai people in these raids, although evidently more peaceful intercourse had been occurring between Gizra people and Saibai Islanders for some time beforehand. When the first contact was made by the colonial administration with the “Tog,” [Gizra people who settled at the village of Togo, and later at Kulalae] MacGregor was accompanied by Dabuag people. MacGregor gained the impression that the Gizra were the most harried of all groups in the region; when he first made contact with them in 1891 they were hiding in the bush far inland, living in fear of headhunting raiders (ARBNG 1891:43), and indeed they and the Dabuag to their immediate west had been subject to attack by the Kiwai from the east and the Tugeri from the west, and occasionally also by Torres Strait Islanders from the south (ARBNG 1891:43).

The oral histories of the Gizra people of Togo (Kulalae), Kupere and Waidoro (Zibar) villages are adamant that they previously occupied the land along the coast from Kura Creek in the east to Mogai Creek in the west, including at Mabudauan, and enjoyed regular and peaceful contact with Torres Strait Islanders, particularly those from Saibai. They say that it was only after the Kiwai
migrated along the coast that they moved inland, and that it was under the
influence of their new Kiwai friends that people from Saibai started to raid them
for heads.

Following pacification and eventually the establishment of the Coastal Kiwai
village at Mabudauan, the people of Togo and Waidoro traded food for
European commodities with the people of Mabudauan and Saibai. In 1975 the
village of Togo was moved to Kulalae on the bank of the Pahoturi River, just five
kilometres upstream from Mabudauan. It was around this time that Kulalae
people went in large numbers to work on pearlshelling boats in Torres Strait.

The Dabuag people, living a short distance inland to the west of the mouth of the
Pahoturi River, had been in occasional contact with various explorers,
missionaries and colonial officers since at least 1872. From the vocabularies
published by Ray (1895, 1923) it is clear that they spoke Agob or a very similar
language, and that there were some at least who could also speak the Saibai
language. When Strachan visited in 1885 he stated that their population was
only 35, and that these had come from 5 previous coastal villages. By 1891 when
MacGregor visited them they numbered approximately 200, as people from
further inland had joined them to live nearer the coast (ARBNG 1891:43). The
village of Sigabaduru was established later as the Dabuag and other inland
groups moved to live right on the coast, across from Saibai, and they were later
joined by a group of people who moved east from the old village of Tebatet,
about half way between Sigabaduru and Buzi.

The people who inhabited the area between the Pahoturi and Mai Kussa rivers
had been contacted by Strachan in 1885; he refers to them as the “Beru”
(Strachan 1888:126). When Chalmers visited Mogai Creek in some time in the
1880s he met with four men and spoke with the “chief” (although he doesn’t say
what language/s they used to converse, the “-lai” and “-lag” suffix in some of the
group names suggests that it was in Kala Kawaw Ya, the north-western Torres
Strait language). Chalmers writes of his conversation:
We got them all crouching on the mud, or on branches of mangrove, and had a short service in which they were told that the Great Spirit, God, loved them, and us, and all, and I hoped they would soon know more about Him. Up gets the chief, "Tamate, give us a missionary, we are hungry for one" (they are not cannibals and never have been). "If you give us a missionary we shall all leave this bad country, and go to Mai Kasa, and there live." I asked him who they all were, and he said, "The Bugilai, the Tebatalai, and the Wassi, and these live all in this country, Beralag, Gaimalag, Uibalag." He also gave me a redivision again, the Tabatala, Bera, Buzi, Drapa, Mat, Wassi, Wiba (1903:108-9).

Of the groups named by Chalmers, one (the Wassi) was from the western side of the Wassi Kussa, some (Dapa, Mat) were from Strachan Island, and the others were from the area between the Mai Kussa and Pahoturi Rivers, including the “Gaimalag” from the headwaters of the Pahoturi, some 40km inland.

Tugeri raiders from the west had been of great concern to the new colonial administration since proclamation of the protectorate in 1884. In 1890 MacGregor explored the coast west of the Mai Kussa in search of Tugeri, but was unable to find any before reaching the Dutch border; he did however discover and travel up the Morehead River (ARBNG 1890:13). In 1892 he pursued a group of Tugeri westward after they had been seen at Mabudauan, he estimated that they were travelling in about 30 canoes, and numbered about 300 people, but he was unable to catch up with them before they reached the Dutch border (ARBNG 1892:50). In 1893 the nominal border between Dutch and British territory at the 141st meridian was moved to the mouth of the Bensbach River, as a landmark was deemed necessary for the British to know where the border was in pursuing the Tugeri raiders when they entered British territory (ARBNG 1893:20). In 1896 MacGregor eventually did manage to catch up with them, near the mouth of the Wassi Kussa, and his party killed several and captured their canoes, but most of them fled west on foot (ARBNG 1896:30-31).24 The following

24 The oral histories of people from Tais and Buzi have it that many Tugeri were massacred by MacGregor's men.
year, 1897, a police post was established at Buzi by Resident Magistrate Hely, intended to repel any further Tugeri raids (ARBNG 1898:79).

The police dug a well for fresh water and erected a stockade, and people from many of the groups listed by Chalmers (above) moved there, however the police only stayed for three years before returning to Daru. There was a missionary stationed there for a short time following this, but eventually the village was abandoned, and most of the various groups who had moved to settle there returned to the hinterland, some establishing a village at Tebatet near the coast east of Mogai Creek, others at Old Ber, in the headwaters of Mogai Creek, others at Azazog on the east bank of the Mai Kussa River, and others at Yauga, Met and Dep on Strachan Island.

Over the period that F.E. Williams worked researching Keraki people to the north-west of Buzi, from 1926 to 1932, nobody was living permanently at Buzi (Williams 1936:32). From the early 1900s up to the 1930s people continued to occasionally visit the village site of Buzi as they made trading trips to Boigu, then in the 1930s some inland groups moved to again establish a permanent village, joining with the very small group that had remained in the vicinity of Buzi and Azazog, and other inland groups later joined them. The Strachan Island people also moved to Buzi for a period, then established a village at Toez, on Strachan Island on the west bank of the Mai Kussa river, across the river from Azazog. In the 1970s these people split into two groups, some moved west to Moibut, others to Buzi. Tebatet was abandoned in the 1940s, some people moving east to Sigabaduru, others to Old Ber, and shortly afterwards Old Ber moved to Gamarmai on the coast 3km east of Buzi, and they brought the name of their old village and used it for the new village.

The villages of Tais, Mari, Jarai and Bula were established on the coast in the 1950s by people who had been living further inland, in order to facilitate trade with Torres Strait Islanders from Boigu, Dauan and Saibai. According to the accounts of people from these villages, when they were still living further inland,
Islanders came to trade store goods for garden food, and encouraged them to move down to the coast so that transport would be easier in the future. In each of these villages there are some people who say their ancestors had previously occupied the coastal area before fleeing inland to avoid Tugeri raiders. In addition to the villages established on the western Trans Fly coast, other people who had been scattered in small settlements throughout the area west of the Mai Kussa aggregated into larger villages, and some of these were located on and near the banks of rivers to make transport into Torres Strait easier.

**Colonial hierarchies**

Colonialism is hierarchical by definition, and the new order introduced by the colonial regime of British New Guinea necessarily involved a new set of hierarchies that were both racial and premised on state power; however the process by which the regime was established also served to consolidate and entrench nascent pre-existing inequalities between indigenous groups.

The first mission stations were established at Mawatta, Tureture and Parema in 1872, staffed with Pacific Islander missionaries. In 1879 the London Missionary Society opened the Papuan Institute at Mer to train Islander and Papuan missionaries to evangelise on the Torres Strait islands and New Guinea mainland. Most of the students from New Guinea came from Coastal Kiwai villages, and it was these Coastal Kiwai evangelists, as well as Pacific Islanders, who were the first missionaries to spend extended periods working among most of the inland Trans Fly groups.

The first villages to have village magistrates and native police appointed were Mawatta, Tureture, Parema and Kadawa in 1891 (ARBNG 1891:xv, 46). Native Police who had been recruited from these villages accompanied colonial officials on their expeditions to contact groups in the hinterland, and also served the colonial administration in other parts of the colony as well.
From the 1890s Daru became a major recruiting post for labourers who were taken to work elsewhere; many signed on to work in the marine industries in Torres Strait, but men were also recruited to work in other parts of British New Guinea; in 1900 there were 522 labourers recruited of whom 203 went to work in boats in Torres Strait, and 258 in the goldfields at Yodda, near Kokoda (Jackson 1976:90). Workers on boats in Torres Strait were normally signed on for one year at a time, and the numbers varied greatly from year to year, depending on the price of shell and the restrictions imposed by the governments of Queensland and British New Guinea, and later Papua; some years there would be no recruits from Daru, other years they numbered in the hundreds (Schug 1995:138). While some of the labourers recruited to work in Torres Strait and elsewhere were from Trans Fly villages, by far the majority were Coastal Kiwai, and some Kiwai Islanders. As already experienced seamen, the Coastal Kiwai were preferred over the Trans Fly villagers for marine work (Schug 1995:175). Colonial administrators regarded the Coastal Kiwai as further advanced in the acculturation process and therefore better able to prosper in the conditions that labourers were subjected to (Shug 1995:142), and they also appear to have concluded that the Trans Fly people suffered sickness and melancholy when taken away from their home country for extended periods, whether imprisoned or labouring (Williams 1936:vi).

The order of the hierarchy beneath the colonial administrators had the Coastal Kiwai in a superior position to the Trans Fly groups, and they had a keen sense of their own superiority to the Trans Fly “bushmen.” In the context of the border however, the Coastal Kiwai were subordinate to Torres Strait Islanders. The Torres Strait marine industries employed people from many parts of the world, and the workforce was hierarchically organised on the basis of racial and ethnic categories. At the top of this hierarchy were white Australians and Europeans, followed by Asians, then Polynesians, Melanesians from the South Pacific.

25 Murray writes: “To the west of the Fly River are the coastal villages of Katatai, Parama, and Mawatta, which have furnished the best recruits to the pearl fishery at Thursday Island (1912:193).
(Solomon Islands and Vanuatu), then Torres Strait Islanders, and beneath them, Papuans and Aborigines (Beckett 1977, 1987, Schug 1996, 1997, 1998, Mullins 1995). As Shnukal has argued, Islanders developed a “pan-Islander identity” in this colonial context, which she describes as:

Islanders’ self-perception of themselves at the macro-level as a unified and unique group of people, different culturally and historically from their northern and southern mainland neighbours. This identity is defined both positively and negatively: positively through ancestral connections to the islands, cays, reefs and waterways of Torres Strait and professed adherence to ailan pasin ‘island custom’; negatively through opposition to generalised waitman (‘White Australian / European’) and Aboriginal identities. Pan-Islander identity developed organically from the Torres Strait Islanders’ responses to the turbulent events of their post-contact history (2004:107).

In the next chapter I show how this categorical identity of Torres Strait Islanders was to influence the negotiations over the location of the international border.

**Conclusion**

In this chapter I have shown that patterns of socio-cultural and linguistic similarities and differences through the region of Torres Strait and southern New Guinea permit definition of culture areas at several levels of scale, but prior to the arrival of colonialism in the 1870s and 1880s these did not comprise groups with self-awareness of belonging within large scale collective identities. The imposition of the colonial border between Queensland and British New Guinea introduced a categorical difference between Islanders and Papuans.

Importantly for what follows in this thesis, there was extensive movement and interaction of people over long distances throughout the region, including headhunting raids as well as migrations. The early colonial period saw the establishment of villages by people who had previously been more mobile, and also saw consolidation of the settlements by people who had originated in the
Fly River Estuary along the coast to the west. This migration and establishment of new villages by Coastal Kiwai people was effected through the displacement of some of the people who had previously lived on and near the coast, but Kiwai settlement of the coast was not always forced on the back of decimation of pre-existing groups; in some cases, and most significantly in relation to the settlement of the village of Mawatta by Kiwai people, there was an amicable relationship with the people from Masingara who lived further inland. The settlement on the coast by Kiwai people would later lead to disputes in the context of the international border arrangements that give special privileges to “traditional inhabitants” of the border region; in the next chapter I describe and analyse how these arrangements were agreed between Australia and Papua New Guinea.
Chapter 3: The international border

In this chapter I describe the legal and diplomatic instruments that define and regulate the international border between Australia and Papua New Guinea in the Torres Strait region. I outline the history of how the border came to be where it is, and describe the negotiations that led to the Torres Strait Treaty around the time of Papua New Guinea’s independence. I go on to set out the terms of the Treaty, focussed in particular on the “traditional inhabitant” provisions.

The Treaty defines the geographical limits of jurisdiction of the respective states, and establishes a set of conditions for the regulation of cross-border activity that both states agreed to give effect through their own legislatures. I argue that the Treaty creates conditions that permit a tension between categorical and relational forms of sociality. It uses a categorical form of differentiation of physical space, people and activities, but at the same time it incorporates indeterminacy at several places in the document. Space is categorically divided by reference to sovereign jurisdiction of the respective states, but in the Treaty’s “traditional inhabitant provisions” the boundaries are made indeterminate through the use of phrases “in the vicinity of” and “adjacent coastal area.” A category of person, “traditional inhabitant,” is established, and granted certain privileges, but the definition of this term is left ambiguous. A category of activities, “traditional activities,” is established in similarly ambiguous terms. The criterion of “traditional” that defines these categories opens the Treaty to claims based on relational sociality that contradict the categorical form of the definitions.

In this chapter I describe the historical process by which the terms of the Treaty were arrived at and eventually agreed between the two governments. Through the history of colonial borders, and the negotiations over the new international border, it is evident that government representatives strived to define clear
boundaries in categorical and unambiguous terms. The ambiguity inherent in the Treaty resulted from compromises made during the negotiations that were devised by H.C. Coombs with the stated intention of allowing continuation of interactions across the border between people with longstanding relationships.

**The colonial border**

When the colony of Queensland was created by Letters Patent out of the colony of New South Wales in 1859 it acquired “all and every the adjacent islands their members and appurtenances in the Pacific Ocean” (quoted in Lumb 1990:154). A dispute between Queensland and New South Wales over the issuance of a guano extraction licence on Raine Island led to clarification of which islands were “adjacent” and thereby part of Queensland. It was determined that only the islands within 3 miles of the mainland coast, or 3 miles of an island occupied by British subjects at 1855, or within British territorial waters (which included all of the Gulf of Carpentaria), came within Queensland jurisdiction (Lumb 1990:154-158). This meant that the Barrier Reef islands (including Raine) came under the jurisdiction of New South Wales, but the Torres Strait islands outside the 3 mile limit were in international waters. Lumb argues that the dispute over Raine Island was the “triggering factor” which led the Queensland government to move to annex islands within 60 miles of its coast in 1872 (1990:160), although Mullins makes a compelling argument that there were also other considerations involved, including a desire to regulate (and tax) the activities of pearlshell and beche-de-mer fishermen who were already established throughout Torres Strait (1995:76-96).

From 1872 Queensland colonial authorities had been agitating for Britain to annex the south-eastern part of New Guinea, but the British Colonial Office was reluctant to do so; instead they issued instructions for Queensland to annex most of the remaining islands of Torres Strait, which was accomplished in 1879 (Mullins 1995:139-143). There appear to have been two main factors motivating this expansion of Queensland’s borders: first, a desire to bring the pearl and
beche-de-mer fishermen operating in Torres Strait waters beyond the 1872 boundary within the reach of Queensland law; and second, and probably of greater importance, fear that an imperial power other than Britain might take possession of islands, or the adjacent part of New Guinea, within close proximity of Queensland (van der Veur 1966a:22, Mullins 1995:139-143). The Letters Patent by which the 1879 annexation occurred includes a description of the area encompassed which reads as follows:

Certain Islands in Torres Straits and lying between the Continent of Australia and Island of New Guinea that is to say all Islands included within a line drawn from Sandy Cape northward to the south-eastern limit of Great Barrier Reefs thence following the line of the Great Barrier Reefs to their north-eastern extremity near the latitude of nine and a half degrees south thence in a north-westerly direction embracing East Anchor and Bramble Cays thence from Bramble Cays in a line west by south (south seventy-nine degrees west) true embraces Warrior Reef Saibai and Tuan Islands thence diverging in a north-westerly direction so as to embrace the group known as the Talbot Islands thence to and embracing Deliverance Islands and onwards in a west by south direction (true) to the meridian of one hundred and thirty eight degrees east of longitude (reproduced in van der Veur 1966b:21-22).

A chart accompanied the Letters Patent (though it was not referred to in it) which showed this line, and subsequently more detailed charts were produced as official maps of the Queensland border (Kaye 1997:91); however the line on the chart accompanying the Letters Patent did not include the islands of Kussar, Kawa and Mata Kawa within Queensland territory whereas later maps did;26 these islands were not originally classified as belonging to “the group known as the Talbot Islands.” This proved to be significant in the course of negotiations over the border location to be defined in the Torres Strait Treaty almost 100 years later.

26 The extracts of the maps reproduced as Appendix 3 and 4, produced in 1963 by the United States Army, show the location of the boundary as commonly assumed, but later believed to be incorrect.
There were several attempts made to annex the south-eastern portion of New Guinea to Britain: Bligh in 1792 and Bampton in 1793 both hoisted the flag and proclaimed territory belonging to the British Crown, but they were ignored by the British authorities (Beaver 1920:42-43), as were Yule’s 1846 attempt and Moresby’s 1873 attempt (van der Veur 1966a:14). When Chester went to Port Moresby in 1883 and claimed possession of south eastern New Guinea on behalf of the British Crown on instructions from the Queensland Premier, the British Colonial Office repudiated the claim (van der Veur 1966a:15-16). The Dutch had proclaimed the part of the island of New Guinea west of the 141st meridian to be its possession in 1828 (van der Veur 1966a:10); when the British learned of the German intention to annex the north-eastern part of the island, and following a commitment from the Australian colonies to fund its annexation of the south-eastern part, in 1884 the Protectorate of British New Guinea was proclaimed, and in 1888 its status was upgraded to Colony (van der Veur 1966a:14-20, 24).

Once the Protectorate of British New Guinea had been proclaimed the reasons for the 1879 northward expansion of Queensland’s borders no longer applied, and to some administrators there seemed good reasons for the border to be moved southwards: practical difficulties of administering the outer islands from Thursday Island; cultural similarities between the Islanders and people of coastal New Guinea; a need for subjects in British New Guinea to have access to fishing grounds for both subsistence and commercial exploitation; and a desire for coastal waters along the south coast of New Guinea of sufficient breadth to allow boats to travel along the coast without having to leave the waters of the jurisdiction of British New Guinea and travel through Queensland waters were among them (van der Veur 1966a:25-30). In 1885 John Douglas, the Resident Magistrate at Thursday Island, recommended to the Colonial Secretary that “the islands of Torres Straits, including the Prince of Wales Group, should be transferred to the New Guinea Protectorate” (quoted in van der Veur 1966b:24). He later altered his proposal to suggest that the 10° parallel should serve as the border, which would leave the Inner Islands as part of Queensland, effectively
dividing the Strait roughly through the middle and placing most of the Outer Islands in British New Guinea (van der Veur 1966:26). In 1892 the Premier of Queensland, Sir Samuel Griffith, recommended that the border should be moved south to place the Top Western Islands of Saibai, Dauan and Boigu in British New Guinea, but leaving the Warrior Reef complex in Queensland (van der Veur 1966a:27). Griffith later wrote,

With regard to the boundary, when it was fixed in 1878, it was not unreasonable for Queensland to require to get all she could. She could not get New Guinea, but managed to get as near as possible. We followed round as close as we could get between the islands, and the coast of New Guinea, taking in practically everything. At that time all these parts were equally unknown and unsettled; but later, when New Guinea had what was after all a civilised Government ... it became extremely absurd that some of the islands should be governed by Queensland... (Griffith 1904, quoted in van der Veur 1966a:32).

In response to Griffith’s proposal, the Lieutenant Governor of British New Guinea, Sir William MacGregor, argued that the border as it stood could not be justified, and that the Warrior Reef complex, including Warrior Island (Tudu), as well as the north-western islands of Saibai, Dauan and Boigu, should be ceded to British New Guinea (van der Veur 1966a:31). After negotiation between the administrations of British New Guinea and Queensland a compromise was reached by which the northern half of the Warrior Reefs would go to British New Guinea, as well as the three north-western islands. The agreement required the approval of the Queensland Parliament before it would become effective, but ultimately it was never submitted to the parliament, and the 1879 border remained in place (van der Veur 1966:30).

27 “Inner Islands” refers to the group of islands near the top of Cape York including the administrative centre of Thursday Island (Waiben), and adjacent islands of Hammond (Kiriri), Prince of Wales (Muralag) and Horn (Ngurapai), while “Outer Islands” refers to all of the other islands throughout Torres Strait.
Figure 3: Map showing the various proposals for shifting the border\textsuperscript{28}

With Federation of the Australian colonies in 1901, it would no longer be sufficient for the Queensland parliament to agree to the proposal from British

\textsuperscript{28}This map is copied from Fisk et. al. (1974:3).
New Guinea officials in order to have the border moved. The new Constitution of the Australian Commonwealth required that for any state to cede any of its territory the approval of the Commonwealth Parliament, the parliament of the relevant state, and a majority of voters in a referendum in the relevant state all had to agree to the proposal. Van der Veur quotes the Lieutenant-Governor of British New Guinea at the time, Le Hunte, stating “the long unfulfilled promise of the Queensland government’ had not yet come about and ... the matter still stood as ‘an inequitable, arbitrary and purely unnecessary injustice to the Possession” (1966a:30). Despite the new constitutional requirements, the issue was raised for discussion several times again up to 1925 but ultimately no change was made (van der Veur 1966a:31-35).

These discussions, negotiations and decisions were all made by colonial authorities, interested in administrative efficiency, opportunities for commercial exploitation of the Torres Strait fisheries resources and the role this could play in the economic development of the respective colonial territories. MacGregor, in particular, also displayed a concern for the interests of the indigenous inhabitants, arguing that access to the northern waters of Torres Strait were essential to the livelihood of the people of the coastal villages of New Guinea.

As far as the people of the south coast of New Guinea and Torres Strait Islands were concerned, these decisions about the border appear to have had little immediate impact on their lives, however the fact that there were separate colonial administrations for Torres Strait and New Guinea was to have important implications once the colonial regimes gained increasing control over the activities of their indigenous subjects.

In the early years of colonialism, the absence of effective administration on the outer islands and along the New Guinea coast allowed the people of Saibai to raid the gardens of people from neighbouring New Guinea, and to traffic alcohol (which was forbidden in British New Guinea), with impunity, as the British New
Guinea authorities could only prosecute them if they caught them within British New Guinea territory. A.H. Jiear, Resident Magistrate at Daru in 1903, wrote:

natives of Saibai can come into our territory, commit any offence, and provided they escape over the boundary line – which is only one and a half miles from our shore – the authorities are helpless, and the unfortunate natives of British New Guinea have no redress, and can receive no compensation for any losses they may have suffered (quoted in van der Veur 1966b:43).

Trade between the people of the islands and those of the mainland increased in the early colonial period, and people were not regulated in their travelling back and forth for trade and social visits, but recruitment of Papuans to work in the Torres Strait marine industries was regulated on both sides of the colonial border. The numbers recruited from British New Guinea, and later the Australian Territory of Papua, to work in boats over on the Queensland side of the border varied greatly from year to year, depending on the price of shell and political machinations within Queensland which sometimes prohibited and other times demanded Papuan workers (Schug 1997). All recruits had to pass a medical examination and be signed on at Daru, and at the end of the year they were also inspected and signed off at Daru before returning to their villages, but it was common practice for the boats to go to the villages to recruit their crew then take them to Daru to do the necessary paperwork.

As noted in the previous chapter, the border also performed a function in the racial and ethnic classification of the work force in the Torres Strait marine industries by facilitating the definition of a group known collectively as “Papuan” and another as “Torres Strait Islander.” I show below that the emergence of a distinct “Torres Strait Islander” identity in the colonial period was to prove crucial in the Treaty negotiations and the eventual location of the border.
Treaty negotiations

As the prospect of independence came to be seriously contemplated by Papua New Guinean leaders in the late 1960s, many of the same concerns and arguments about the location of the border with Australia that had been raised in the early colonial period surfaced again. John Guise, later to become Governor General of Papua New Guinea, raised the issue of the Torres Strait border in the House of Assembly in 1963, and in 1966 the historian Paul van der Veur published Search for New Guinea’s Boundaries: From Torres Strait to the Pacific, in which he examined the history of colonial borders in New Guinea, and an accompanying volume that reproduced colonial correspondence and other documents relating to the establishment of the borders in the early colonial period. In concluding his analysis of the border between Papua and Queensland he offers an opinion:

The present maritime boundary between Queensland and Papua is an anachronism and contains the seeds of future conflict. An amiable adjustment is still feasible. It is now timely and would prevent a possible ‘Papua Irredenta’ (1966a:35).29

Ebia Olewale took up the matter in the late 1960s. He was at that time the House of Assembly Member for the South Fly electorate, which includes the coastal area adjacent to Torres Strait; and he was later to become the Minister for Foreign Affairs. Originally from the Bine village of Kunini, and with close relationships with Coastal Kiwai people of Tureture village, Olewale was well educated and had previously worked as a school teacher. In a 1969 statement in the PNG House of Assembly he referred to van der Veur’s publications, and called for the border to be moved south. He argued that:

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29 Irredenta is defined in the Oxford English Dictionary as: “A region containing people who are ethnically related to the inhabitants of one state but are politically subject to another.”
(OED Online: http://www.oed.com/view/Entry/99635?redirectedFrom=irredenta#eid)
the present state of the boundary between Papua and New Guinea and the State of Queensland... is in all respects most unsatisfactory and will become more unsatisfactory as time goes by, both because of the facts (which have been recognised since at least 1885) that the customary fishing grounds and reefs of many Papuans, as well as other natural resources that ought to belong to Papua and New Guinea are now situated in Queensland waters, and also for other reasons.... That this house therefore requests that the Administration take whatever steps may be practicable to have the boundary adjusted to a reasonable and equitable line having regard to the proper needs and aspirations of Papua and New Guinea... (quoted in O'Donnell 2006:289).

By the time treaty negotiations commenced in the 1970s there was no question of whether Papua New Guinea would gain independence, it was simply a matter of how soon it would happen, and where exactly its borders would be. The Australian Administration’s “gradualist” policies of the period following the end of World War 2 up to the late 1960s, by which Papua New Guinea was to be prepared for eventual independence sometime in the distant future, gave way to accelerated devolution of authority to the locally elected House of Assembly (Doran 2007). In a global context in which rapid decolonisation was actively promoted by the United Nations General Assembly, and with the 1972 election of the Whitlam government in Australia which advocated decolonisation as soon as possible, momentum for imminent independence gained strength and formal negotiations over the border commenced in the following year.

Olewale raised the issue again in the House of Assembly in 1971 (JCFAD 1977:44), and from 1973 when formal negotiations over the terms of a Treaty commenced he continued to press for a revision of the border southward. Others in the House of Assembly supported Olewale’s position, most notably Albert Maori Kiki, then Minister for Lands (Griffin et al 1979:257).

While the issue of the border was being discussed in the PNG House of Assembly it was also raised in discussions between Australian Commonwealth and
Queensland officials, and as early as 1969 Gough Whitlam, at that time leader of the Federal Opposition, made a statement in Parliament in support of independence for Papua New Guinea, adding that he “would hope that without further delay we would make the process easier and more harmonious by speeding the consultations with Queensland to rectify the boundary...” (quoted in O’Donnell 2006:89fn150).

The calls to have the border moved south did not go unnoticed in Torres Strait. When the issue was raised in the Queensland Parliament in 1969 by Claude Wharton, the Minister for Aboriginal and Islander Advancement, he stated that he had recently visited the Torres Strait and enquired into the opinions of the Islanders as to whether they wished to stay within Queensland or come under the PNG administration: “unanimously it was quite firmly stated that they believed themselves to be Queenslanders and would strenuously oppose any suggestion that they be transferred to any other administration” (quoted in O’Donnell 2006:90fn151).

In 1972 Ebia Olewale called for the border to be moved to the 10° parallel, approximately half way between the mainlands of New Guinea and Australia, which would bring most of the Outer Islands of Torres Strait within the new independent Papua New Guinea. Olewale again argued for the relocation of the border on several grounds, and stated that although Torres Strait Islanders would be likely to disagree with such a move, the governments should go ahead and relocate the border regardless of the views of the Islanders:

Many of you who are not close to these islands think that the people are quite different from Papuans, but the people are Papuans, and my elders can trace the history of how these people migrated down to those islands. I also want to question the fact that they are the rightful owners. While at the same time they might be rightful owners, they have relatives on the Papuan coast, who also claim that they own those islands. There are relatives living on those islands and there are relatives living on the Papuan coast. They visit one another. So finally
these same people have got to be brought together, and the only solution is to move this border south and give the people who are Australian citizens the option, whether they want to be part of Papua New Guinea or go down to Australia.

These people are traditionally Papuans. Now the other reason why I argue against asking the wishes of the people is that these people have been bought with money. They receive this money from the Australian Commonwealth social services. Now if they are asked whether they want to be part of Papua New Guinea or Australia, naturally they will say they want to be part of Australia because they get free money from Australia in social service payments. Nobody will say he wants to be part of Papua New Guinea because we cannot afford to give them social services. So, therefore, I believe the people will not make an honest decision. If we are to take the matter back before the white man came, where would these people belong? They will always be Papuans whether they like it or not. My elders can trace the stories of how these people moved down south to these islands. There are also reefs and names of islands which are Papuan. Europeans have come and put up their own names on those islands, but there were reefs there, and my people have always been fishing there, even before the Europeans came.

... Some people may think that we want to move this border because we have this expansionist policy, or we just want to be politically expedient, but that is not the reason. There are cultural reasons, ethnic reasons and economic reasons (quoted in Griffin 1976:xxii).

In January 1973 Prime Ministers Whitlam and Somare issued a joint statement that Australia was willing to negotiate the relocation of the border, but that Torres Strait Islanders should be consulted as part of the negotiations. Olewale was not alone in his view that at least some of the Torres Strait islands should be incorporated within Papua New Guinea, and other Papua New Guinean representatives, including Maori Kiki and John Kaputin, also continued to press
the case. Against the arguments of the Papua New Guinean leaders, Islanders declared their wish to remain in Australia from the outset.

Islander leaders mounted arguments against any change to the border, directly challenging assertions that cultural and racial affinities between Islanders and Papuans meant they should become part of Papua New Guinea, and arguing against the idea that Islanders wanted to stay in Australia merely to retain access to government welfare benefits. One of the most prominent Islander leaders, Getano Lui Snr, argued:

Our three northern islands, Saibai, Boigu and Dauan, have always been lived on only by Islanders, never by Papuans. Our waters have always been ours and it is only since the coming of the Christian Missionaries late last century that Papuans could come freely into our waters....We will never agree to giving away one grain of sand or one cup of water. Our islands and our seas were given to us by our ancestors. We must pass them on to our children. We do not want them to become strangers in their own land....

My people... have been upset at claims that we only want to remain Australians because of social services. My people lived on their islands for thousands of years before Australia and social services were ever heard of. My people have always paid taxes like all other Australians and so are entitled to exactly the same benefits. Our young men do not lie around our islands demanding handouts. Our people are famous for their strength and work – they built the railway lines in Queensland and Western Australia and the companies come to our islands asking them to work for them. They are brought up as true Australians and they know that they carry their family honour with them away from the islands.

My people are a proud people. Our ancestors were warriors who drew their traditions from many sources including Melanesia, Polynesia, Papua, Indonesia, and the Aborigines. But because some Australians walk down the street wearing kilts and playing bagpipes it doesn’t make them Scotsmen, nor do some traditions from Papua make us Papuans. In the old days our people sailed their
70ft war canoes south to Cape York and north to the Fly River to trade. Our Island tribes fought against each other, just as other tribes did. But at all times we remained Torres Strait Islanders, quick to unite against an outside threat.

So our people are united today on this border issue. We say: ‘Border Not Change’ and ‘Border Never Change’... (quoted in Griffin 1976:xxv).

The Queensland state government had declined an early invitation from the Commonwealth to be involved in the negotiations with Papua New Guinea over the relocation of the border, but they did become involved in the consultations with Islanders. Queensland remained implacably opposed to any change from the old colonial boundary throughout the negotiations, and as Islanders generally also opposed the Strait being incorporated within Papua New Guinea they were naturally allied in their arguments against the Commonwealth and Papua New Guinea. Any change to the border legally required approval from the Queensland parliament and a referendum; the Queensland government would not give approval, and it was generally agreed that a referendum would be unlikely to succeed.

There had been meetings between Islander representatives and coastal Papuan representatives, with government officials attending as observers, at Yam Island and Daru Island in 1973 and 1974. H.C. Coombs was the Australian Commonwealth government observer. Reports on the Yam Island meeting state that neither the Papuan nor Torres Strait Islander representatives wanted major changes made to the existing arrangements; that the Papuan concerns were focused on maintaining their rights to access their fishing grounds but both sides wanted to be able to continue to share access to the fisheries; and both sides were concerned about environmental protection and wanted to prohibit drilling for oil (Denoon 2009:9, O'Donnell 2006:104). Following this meeting Coombs wrote a first draft of a treaty incorporating the issues on which there had been consensus at the meeting: shared access to fisheries resources and environmental protection; however shortly afterwards Sir Edward Maori Kiki...
made a public statement insisting that the border should be a “single all-purpose boundary line” (Denoon 2009:18, 31). The 1974 Daru meeting was unable to progress matters, with Papuan representatives adopting the position expressed by Kiki (O’Donnell 2006:107).

The negotiations over the border were still not resolved by the time that Papua New Guinea was granted independence in 1975, and indeed on Independence Day (16 September 1975) Olewale made a statement that Torres Strait “was both historically and ethnically part of Papua New Guinea” (quoted in Griffin et al 1979:258). The Fraser government replaced the Whitlam government in Australia in 1975, as consultations with Torres Strait Islanders and negotiations of the Australian Commonwealth continued with the State of Queensland and with the Papua New Guinea government.

While the Papua New Guinea government was arguing that the border should be moved south, and Torres Strait Islanders and the Queensland government were arguing that it should remain essentially as it had been throughout the colonial period, some Papuans were arguing that the border should in fact be moved north. In 1976 it was reported that 500 Papuans sailed to Boigu to meet the Queensland Minister for Aboriginal and Islander Advancement, Claude Wharton, and asked him if the border could be moved north so that the South Fly District would become part of Queensland. Wharton’s remarks as reported read:

They wanted to be treated as Queenslanders under the Queensland administration. They said they weren’t very well looked after by their administration and by the parliamentary representative. I appreciate their request. It was rather flattering. They appreciated the health and other services which they know were provided at Boigu by the Queensland Government. How can the Papua New Guinea government consider governing some of the Torres Strait Islands when it apparently can’t look after the area it already holds. Certainly if the border were straightened at this point the part where these people live could be included in Queensland (quoted in Griffin 1976:xxxiii).
Negotiations between the Australian Fraser government and the Somare Papua New Guinea government continued, with PNG continuing to insist on a single boundary line which should be south of the 1879 line, including at least some of the Warrior Reef complex as well as Saibai, Dauan and Boigu on its side, the Australians countering that ceding Queensland territory to PNG was practically impossible in light of the Constitution and the Queensland government position (O’Donnell 2006:117-127). The Australians produced legal advice that the islands of Kussar, Kawa and Mata Kawa were in fact never included in the 1879 annexation, and were able to offer a compromise that ultimately PNG accepted (O’Donnell 2006:124) – the resulting complex of jurisdiction lines is described below. The compromise position included Coombs’s “protected zone” for the benefit of traditional inhabitants and environmental protection, as envisaged at the 1973 Yam Island meeting, and included a 10 year moratorium on mineral and petroleum exploration which could be extended with the agreement of both parties.30 The treaty was eventually signed by Prime Ministers Fraser and Somare and Foreign Affairs Ministers Peacock and Olewale at Sydney on 18 December 1978. In order to come into effect it required the passage of several pieces of legislation by both countries, and this was finally completed in 1985.

The dispute between Papuans and Islanders over where the border should be, as expressed in the quotes from Ebia Olewale and Getano Lui Snr above, is significant for the argument that I make in this thesis. Both appeal to pre-existing categories of person – Papuan and Torres Strait Islander. Olewale insists that Torres Strait Islanders are included within the category of Papuan, while Lui argues that Islanders are distinct from and different to Papuans. In the Treaty negotiations this categorical form of identification was taken for granted; the issue in dispute was whether Torres Strait Islanders belong within the same category as Papuans (and thus comprise one of many such sub-groups) or

30 After the initial 10 year moratorium it was extended several times until 2008 when the parties agreed to extend it indefinitely. See: http://www.dfat.gov.au/geo/torres_strait/brief.html
whether they belong in a separate category outside of the larger Papuan classification.

**Where is the border?**

The Treaty describes a fisheries jurisdiction line and a seabed jurisdiction line, and over most of their length they follow an identical course, approximately halfway between the adjacent mainlands (see Figure 3 below). As they pass through Torres Strait they diverge, with the fisheries line making a sharp turn to the north, looping around Saibai, Dauan and Boigu before coming back to join the seabed line. The result is that there is an area of split jurisdiction, commonly known as the “top hat,” where PNG has jurisdiction in matters relating to the seabed (such as sedentary fisheries, minerals and petroleum) but in the water above Australia has fisheries jurisdiction (but not including sedentary species). Within the top hat area there are three inhabited islands and one uninhabited island in which Australia has jurisdiction over the islands and a small surrounding area of territorial seas. There are other areas where PNG has seabed and fisheries jurisdiction but isolated within this area there are some islands (each with a small area of territorial seas surrounding it) in which Australia has both fisheries and seabed jurisdiction. Also included in the provisions for regulation of the border are articles that establish a “protected zone” which overlaps both seabed and fisheries jurisdiction lines, covering most of Torres Strait but not extending quite as far south as the main administrative centre of Thursday Island. The purpose of the “protected zone” is stated as being to “protect the traditional way of life and livelihood of the traditional inhabitants” and “to protect and preserve the marine environment and indigenous fauna and flora.”

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31 Article 10 of the Treaty.
Figure 4: Annex 7 of the Treaty; Map showing jurisdiction lines

32 An A3 size copy of this map is provided at Appendix 3.
The Protected Zone and Traditional Inhabitants provisions of the Treaty

As can be seen in Figure 3, the protected zone covers an area that straddles the seabed and fisheries jurisdiction lines, so that territory of both countries is included within it. The purposes of the Protected Zone are stated in Article 10 of the Treaty:

*The principle purpose of the Parties in establishing the Protected Zone, and in determining its northern, southern, eastern and western boundaries, is to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants including their traditional fishing and free movement.*

*A further purpose of the Parties in establishing the Protected Zone is to protect and preserve the marine environment and indigenous fauna and flora in and in the vicinity of the Protected Zone.*

The acknowledgement and protection of the traditional way of life and livelihood of the traditional inhabitants is provided for in Articles 11 and 12. Article 11 states:

*Subject to the other provisions of this Treaty, each Party shall continue to permit free movement and the performance of lawful traditional activities in and in the vicinity of the Protected Zone by the traditional inhabitants of the other party.*

Article 12 states:

*where the traditional inhabitants of one Party enjoy customary rights of access to and usage of areas of land, seabed, seas, estuaries and coastal tidal areas that are in or in the vicinity of the Protected Zone and that are under the jurisdiction of the other Party, and those rights are acknowledged by the traditional inhabitants living in or in proximity to those areas to be in accordance with local tradition, the other Party shall permit the continued exercise of those*
rights on conditions not less favourable than those applying to like rights of its own traditional inhabitants.

Several of the terms used above are defined in Article 1:

1(a) “adjacent coastal area” means,...in relation to Papua New Guinea, the coastal area of the Papua New Guinea mainland, and the Papua New Guinea islands, near the Protected zone;

(d) “free movement” means movement by the traditional inhabitants for or in the course of traditional activities;

(k) “traditional activities” means activities performed by the traditional inhabitants in accordance with local tradition, and includes, when so performed –

(i) activities on land, including gardening, collection of food and hunting;

(ii) activities on water, including traditional fishing;

(iii) religious and secular ceremonies or gatherings for social purposes, for example, marriage celebrations and settlement of disputes; and

(iv) barter and market trade.

In the application of this definition, except in relation to activities of a commercial nature, “traditional” shall be interpreted liberally and in the light of prevailing custom;

(m) "traditional inhabitants" means, in relation to Australia, persons who-

(i) are Torres Strait Islanders who live in the Protected Zone or the adjacent coastal area of Australia,

(ii) are citizens of Australia, and

(iii) maintain traditional customary associations with areas or features in or in the vicinity of the Protected Zone in relation to their subsistence or livelihood or social, cultural or religious activities; and
in relation to Papua New Guinea, persons who-

(i) live in the Protected Zone or the adjacent coastal area of Papua New Guinea,

(ii) are citizens of Papua New Guinea, and

(iii) maintain traditional customary associations with areas or features in or in the vicinity of the Protected Zone in relation to their subsistence or livelihood or social, cultural or religious activities.

3. In this Treaty, the expression “in and in the vicinity of the Protected Zone” describes an area the outer limits of which may vary according to the context in which the expression is used.

Conclusion

The Treaty divides space on the basis of sovereignty of the respective countries in relation to islands and adjacent territorial seas, but in relation to “maritime jurisdiction” it distinguishes between seabed jurisdiction and fisheries jurisdiction, so there is no single line that functions as a border in the “top hat” area. Further, the various provisions relating to administration of the Protected Zone require some degree of cooperation between the two parties. Despite these complications, space is divided on the basis of whether it comes within the jurisdiction of Australia or Papua New Guinea, as each ultimately reserves sovereign rights to legislate in relation to the space within their respective jurisdictions. This categorical division of space in relation to sovereignty is mirrored in the categorical division of people, as citizens of one or the other country.

When it comes to the questions of who is a “traditional inhabitant” and thus entitled to “free movement,” and what are “traditional activities,” the Treaty introduces several ambiguities. While on the one hand it uses categorical definitions, these rely on the concept of “tradition” for their meaning, and it is
explicitly acknowledged in the Treaty that this concept demands interpretation in order to function to include some persons and activities within the prescribed categories and exclude others. Further, the use of the phrases “in and in the vicinity of the Protected Zone” and “adjacent coastal area” renders the categorical division of space problematic.

In Chapter 7 I analyse the practical application of the Treaty, and describe the ways in which Australian authorities have acted to limit the ambiguities built into the Treaty by imposing interpretations that do not necessarily reflect what the words in the Treaty appear to mean. The ambiguities around the limits of certain places referred to in the Treaty have been effectively eliminated by enforcing arbitrary but precise boundaries. In relation to the classification of “traditional inhabitants” the Australian state enforces a definition that excludes many people who appear to have reasonable claims for inclusion. In relation to the classification of “traditional activities” the Australian state has introduced rules and guidelines about what is and what is not permissible, but only some of these are able to be enforced.
This chapter describes the material living conditions of the people from the Papua New Guinea side of the border with Australia, and analyses some of the ways they conceptualise and respond to the difference between their own situation and that of neighbouring Torres Strait Islanders on the other side of the border. In order to comprehend the practical effects of the provisions of the Torres Strait Treaty allowing free movement across the international border for traditional inhabitants it is necessary to take account of the economic context in which this occurs. This context is one in which there is a substantial discrepancy in relative affluence. Whereas Torres Strait Islanders – as citizens of Australia – have access to government-funded infrastructure and services, and receive cash payments and other benefits from the Australian government through various social welfare programs, their Papuan neighbours receive few such benefits from their government. In the respective contexts of each national economy the local conditions in the two border regions allow relatively few options for wage employment or for operating commercial enterprises; but relative to each other across the border, there are many more such options available to Torres Strait Islanders than to Papua New Guineans. Torres Strait Islanders are not wealthy by mainstream Australian standards, but positioned alongside citizens of Papua New Guinea from the neighbouring border region they are comparatively well-off in this context.

The difference in affluence on opposite sides of the border has profound implications for the practical operation of the Treaty. The Treaty allows for a range of cross-border activities and among the most important of these in terms of effects on the “way of life and livelihood of the traditional inhabitants”\(^{33}\) is the possibility of trade. The impulsion to engage in cross-border trade is much stronger among those from the Papua New Guinea side of the border than those

\(^{33}\) As noted in Chapter 3, the principal purpose for the establishment of the Protected Zone and traditional inhabitants provisions in the Treaty is stated as being “to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants.”
from the Australian side, as it gives them potential access to highly valued goods that are difficult or impossible to obtain on their side of the border, whereas most of the things that the Islanders want and need are readily available within Australia. Among the consequences of this is that the number of visits by Papuans to the Torres Strait Islands is several orders of magnitude greater than visits by Islanders to Papua New Guinea; and, crucially, Torres Strait Islanders are in a structurally superior position in their interactions with Papuans, whether on the Islands when Papuans come to visit them, or in Papua New Guinea on the rare occasions that they venture to the other side.

“Barter and market trade” is listed in the Treaty as an example of permissible cross-border traditional activities, but a note on the interpretation of this phrase states that “except in relation to activities of a commercial nature [the phrase traditional activities]... should be interpreted liberally and in light of prevailing custom.” In this chapter I argue that the conceptual distinction between “activities of a commercial nature” and other presumably “non-commercial” activities is not reflected in the ways in which the Papua New Guinean traditional inhabitants conceptualise their trading activities. The facts that are set out in this chapter are important to the argument that I make in Chapter 7, that the practical consequences of the distinction between “commercial” and “non-commercial” in the Treaty include a necessity for active interpretation, and the structural economic and political power differential across the border allows Torres Strait Islanders and agents of the Australian state to insist on and enforce their own interpretation where it contradicts the positions that Papuans take. In the current chapter I describe and analyse the economy of the border region in terms of the “social relations of reproduction” (Gregory 1982), including processes of production, distribution, exchange and consumption of the material means for human survival and prosperity, and the social relations involved in each.
Description and analysis of the economic conditions at the border presents a first order problem in how “the economy” is to be apprehended; whatever approach is taken there are implicit assumptions about the nature of things and persons and relationships within and between these conceptual categories. Gregory (1982) has shown that concepts derived from a “political economy” theoretical framework allow a more sophisticated analysis of interaction between capitalist and non-capitalist economic structures than neo-classical economic theory permits. He states,

The problem with the Economics approach is that its supreme concept, ‘goods,’ is subjectivist and universal which means that the theory of goods, by definition, has no objective empirical basis for distinguishing between different economic systems. The concept ‘commodity’ on the other hand, presupposes... certain objective historical and social preconditions. If these conditions are not met, then the Political Economy approach says some theory other than the theory of commodities applies (1982:8).

In Papua New Guinea, Gregory argues that before colonialism the type of economic system can be characterised as a gift economy. He defines a fundamental difference between the capitalist and gift forms of economy:

commodity exchange is an exchange of alienable things between transactors who are in a state of reciprocal independence.... The corollary of this is that non-commodity (gift) exchange is an exchange of inalienable things between transactors who are in a state of reciprocal dependence (1982:12).

The introduction of capitalist forms of production and exchange with colonialism did not replace the gift economy, instead there was an “efflorescence” of gift exchange transactions, as objects that had been produced as commodities entered the gift economy, and vice versa, objects produced in the context of the gift economy were attributed monetary exchange-values as commodities (1982:112-209).
Gregory develops his analysis in opposition to the neo-classical economic theory which “can be understood as an attempt to examine the consequences of postulated subjective relations between individuals and objects of desire for market behaviour” (1982:8). This theory assumes scarcity of resources required in the production of goods, and unlimited competing wants of people to consume, and is thus focussed on the allocation of scarce resources in response to the counterbalancing forces of demand and supply.

Gregory’s conceptual distinction between gift and commodity forms of economy complements the distinction between relational and categorical forms of sociality that I make in the central argument of this thesis. Like Gregory, I argue that the existence of one does not preclude the simultaneous presence of the other. However, contrary to Gregory’s theoretical argument that the political economy approach – which allows the distinction between gifts and commodities – precludes application of neo-classical economic theory of supply and demand, in this chapter I argue that there is a very limited supply but strong demand for manufactured commodities among Papua New Guineans of the border region, and that the concepts of supply and demand of goods does help illuminate the behaviour and social interactions among people in this border region. I do not argue that this is a universal characteristic of economic exchange, as implicit in neo-classical economic theory, but rather that it is culturally specific. In this chapter I describe the features of the economy of the border region, in chapter 6 I elaborate on the meaning and value attributed to manufactured commodities that informs the demand.

Gregory argues that one of the points of distinction between the political economy approach and the neo-classical economic approach is that the former takes the perspective of society while the latter takes the perspective of the individual. As Wagner (1991) and Strathern (1988, 1992) have argued, the opposition between society and individual can be understood as two sides of the same coin, where one side of the coin comprises a whole and the other side is its
parts; and “individuals are imagined as conceptually distinct from the relations that bring them together” (Strathern 1988:13). The Melanesian alternative, as manifested in gift exchange, is a relational sociality where persons are “as individually as they are individually conceived. They contain a generalized sociality within. Indeed, persons are frequently constructed as the plural and composite site of the relationships that produced them” (Strathern 1988:13).

Here I give an outline of the main sources of cash and commodities in the South Fly District, which are focused on the town of Daru, and across the borders with Indonesia and Australia, and I describe the ways in which people from the villages engage in these spheres of economic activity. I show that the people from the Papua New Guinea side of the border have relatively few opportunities to acquire cash and to purchase manufactured commodities, and that, particularly in the villages that are remote from Daru and the Torres Strait border, most of the commodities that they to obtain are circulated through processes of gift exchange.

Following the description of the economy across the broad region I narrow the focus to the village of Buzi as an example of a Treaty Village. I describe the economic activities there including the processes of production for subsistence consumption and for trade across the border with people on the Australian island of Boigu. In using Buzi as an example of a Treaty Village it is not implied that conditions there are representative of all Treaty Villages. The four westernmost Treaty Villages of Bula, Jarai, Mari and Tais depend much more on subsistence production than Buzi, Ber and Sigabaduru; and the people of the Coastal Kiwai Treaty Villages are more intensely engaged in the cash economy focussed on Daru than the seven Trans Fly villages. Their history of ancestral migration and their cultural and economic orientation to the sea means that the people of the Coastal Kiwai Treaty Villages rely on fishing, both for subsistence and trade, than do the people of the Trans Fly villages. Further, the character of relationships between people living on opposite sides of the border is shaped in
large degree by their family histories, and the relatively large number of Coastal Kiwai people who are now permanently resident on the Australian Torres Strait Islands provides their relatives who come across to visit from PNG with a comparatively safe and reliable place to stay and often facilitates access to engage in the cash economies of the Island.

Cash and commodities on the Papua New Guinea side of the border

In the South Fly District there are three main foci of cash and commodity transactions: Daru, the Torres Strait Islands and Indonesia. In addition there are a few other lesser centres of cash activity: at the government station of Morehead there are some public servants, and a couple of trade stores; there is a tourist resort at Bensbach which now operates only intermittently although it used to host visitors more frequently; and in 2006 the administrative centre for the South Fly District was moved from Daru to the village of Wipim and there are now some public servants who live and work there.

The Fly River Estuary is within the South Fly electoral district, but I do not provide details of the economic conditions there; I travelled only as far east as Parema Island, and I do not know this area apart from reports of others. As far as I understand the economic conditions there are similar to those described below for the rest of South Fly District, with one important difference, that the people receive annual cash payments as compensation for damage to their lands and waters caused by the Ok Tedi mine, and they have also received some basic infrastructure such as water tanks and school buildings from the company operating the mine. During my fieldwork I met people from the Fly Estuary who were in Daru collecting their annual compensation payments, which was only a few hundred kina per person.
Daru

Daru is the only town in South Fly District. Situated on a small island about five kilometres from the mainland, near the mouth of the Oriomo River, it has a resident population that fluctuates substantially, from approximately 14,000 up to 20,000 and more at times. Daru has long been attractive to people living in the villages on the nearby mainland (Eley 1988:48-56) but it is renowned throughout Papua New Guinea as among the “worst places” to live (see e.g. Hammar 1996:128, 142).

There is a small area that is elevated about 20 metres above sea level, where the old colonial administration buildings were, and where the police station, hospital and some government offices and a few houses are now, but most of the island is low-lying and subject to extensive flooding in the wet season, especially when the tide is high and the drains are unable to flow into the sea. To say there is a shortage of housing at Daru is an understatement; “overcrowded” is an apt description commonly used in the news media (see also Hammar 1996:89-91). Many of the houses in the settlements that have been built since independence are village-style houses made with bush materials and second-hand pieces of corrugated iron rather than the preferred “permanent” houses made with sawn timbers and new iron roofs with plumbing and electrical wiring. There is a constant flow of people from and to the villages, and when people who normally live in a village come to town they usually stay with relatives, so already overcrowded houses frequently accommodate guests for extended periods.

Most of the urban infrastructure in Daru is dilapidated. There is a power station with diesel generators, but black-outs are common; there is a water supply, with

34 Especially when annual compensation payments for the damage caused by the Ok Tedi mine are being made, many people travel to Daru from the villages in the Fly River Estuary to collect and spend their money. The 2000 census counted 12,935 people at Daru, but results of the 2011 census are not yet available. The Geonames geographical database gives a figure of 15,214, <http://www.geonames.org/search.html?q=daru&country=PG>, PNGNSO’s 2009 “Socio-economic urban survey” report on Western Province towns gives a figure of 13,496 while journalist Malum Nalu suggests there are “more than 20,000” <http://malumnalu.blogspot.com.au/2012/06/daru-to-get-new-water-and-sewerage.html>. 
fresh water piped from the headwaters of the Binaturi River on the mainland, but water shortages occur frequently and the supply is often only turned on for one hour per day. There is no sewerage system, a few houses have their own septic tanks and some have pit latrines, and many use bucket toilets that are supposed to be collected weekly, and the raw contents are dumped into the sea at Tawo’o Point, on the southern side of the island; in my observation, when the bucket collectors go on strike because they haven’t been paid for an extended period, a common practice was to defecate in a plastic bag and dump it in a roadside drain. When this happens during the wet season and the drains are full and overflowing onto the roads much of the island becomes a cesspit. There is no garbage collection service; people commonly burn piles of rubbish but the streets and foreshore are usually strewn with plastic bags and wrappings and various other forms of refuse. There was a prison but it was closed in 2005 following an outbreak of typhoid and all of the prisoners were transferred to Port Moresby. The hospital is run down, as are most of the schools and government offices. Many government offices that I have visited had little or no furniture, often piles of paper were laying on the floor for want of filing cabinets, and many of the people who were supposed to be working there were absent most of the time.

In recent years the Papua New Guinea Sustainable Development Program (PNGSDP) has been funding some new developments and improvements to the infrastructure at Daru. PNGSDP was established in 2001 to take the 52% share in the Ok Tedi mine divested by BHP after a successful law suit against the mine operators for environmental damage, and became fully operational in 2004 (Howes and Kwa 2011:11). It is mandated to invest two thirds of its income from the mine for use after the mine closes, and the remaining third is to be spent on “sustainable development;” two thirds (of the remaining third) for the benefit of the people of all of Papua New Guinea, the other third (of the remaining third) specifically within Western Province (Howes and Kwa 2011:2). Among the new PNGSDP projects at Daru are a barramundi hatchery, which was intended to
breed fingerlings to be released in the Fly River to redress a dramatic decline in the Fly River barramundi fishery in recent years. The project has so far failed to achieve its objectives although PNGSDP remains optimistic (PNGSDP 2011:27-28). They have received a substantial increase in revenue in recent years due to a boom in mineral prices (Howes and Kwa 2011:12), and have funded an upgrade to the Daru airport, and committed funds and commenced work on upgrading the wharf and the water supply, and construction of a sewerage system and a deep water port.  

In 2009 the PNG National Statistical Office (PNGNSO) conducted a survey for PNGSDP of the five towns in Western Province (Daru, Balimo, Kiunga, Tabubil and Ningerum), focused on socio-economic indicators. Their data derives from responses to structured interviews, and there are some obvious problems with exclusive reliance on this method – in answer to questions about expenditure of income, for example, in a sample of 182 households at Daru respondents reported that 87.4% of their income was spent on food, while astonishingly 0.0% was reported to have been spent on alcohol or tobacco (PNGNSO 2009:69). In my own observation substantial proportions of the incomes of many households are spent on alcohol and tobacco (see also Hammar 1996:142-146). However as data on the socio-economic conditions at Daru is not readily obtainable I have selected some of the PNGNSO findings to give an indication of some of the dimensions of the cash economy there.

The PNGNSO survey sample size varies depending on the nature of the question. On the question of engagement with the cash economy relative to subsistence activities, with a sample of 933 adults they found 35.9% of people surveyed had participated in the cash economy in the past week; 36.8% had participated in subsistence activities in the past week, and 59.5 had not participated in

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35 The proposal to upgrade the water supply and construct a sewerage system was made following a cholera outbreak at Daru in 2010. PNGSDP has also funded several other developments in other parts of Western Province including mobile phone transmission towers, and have plans for many more, including an industrial complex at Oriomo that is to be powered by gas piped from the Southern Highlands.
subsistence activities in the past week (PNGNSO 2009:51-52). Of a sample of 149
salary and wage earners, 51.7% were employed by the government, 34.2% by
“other [i.e. not OTML related] private companies” and 12.1% by “other”
(PNGNSO 2009:53). In a sample of 156 households, the average fortnightly cash
income was less than K100 for 29.5% of households, and between K100 and
K500 in 48% of households (PNGNSO 2009:68). On the question of “main
source of food,” with a sample of 182 households, 78.1% reported that it was
trade stores, 9.9% household garden, hunting and fishing, and 11.5% from the
market (PNGNSO 2009:76. On the question of “sanitation facility of households,”
with a sample of 182 households they found 14.8% had a flush toilet, 32.5% used
the “bush” and 42.3% used the mangroves (PNGNSO 2009:73-74).

I have not conducted any statistical economic research at Daru, but on the basis
of my observations I would expect that the majority of money coming into Daru
is in the form of wages and salaries for government employees. In addition to
government wages there are intermittent cash injections from PNGSDP projects,
and other occasional projects from international aid donors. There are also some
local private enterprises that sell their products outside of Daru and thereby
bring money into the town, the most significant of which are commercial fishing
businesses. One of these businesses has been trading successfully since 1984,
and has a fleet of crayfishing boats and prawn trawlers, but others tend to
operate for short periods then go out of business. They include trepang (also
known as beche-de-mer, sea cucumber, sea slug and in Tok Pisin, pisilima)
buyers, who cure the raw product and sell it to Asian markets; barramundi
buyers, who usually supply nets to and then buy fresh fish from local fisherman,
freeze the catch and sell it to overseas markets; crocodile skin buyers, who have
a licence to export skins and buy from hunters who travel to Daru from outlying
villages. There are some other products that buyers in Daru trade illegally to
Indonesia, including shark fin, dugong tusks and over-size crocodile skins.

36 At the time of their survey in 2009 K1 was valued at AU$0.45 or US$0.38.
There are a few large trade stores that sell a wide range of consumer goods and wholesale to small stores in Daru and in the villages, and many smaller ones that tend to sell basic items of everyday consumption. There is also a market where fresh food is sold. Most of the produce at the market is sold by people who normally live in outlying villages, and travel to Daru to sell their goods for cash. A range of seasonal fruits and vegetables grown by people from the villages are sold at the markets, most particularly taro, bananas, yams, cassava, sweet potato, coconuts, aibika, snake beans, oranges, mangoes, watermelons and pineapples. Sago, mostly harvested and processed by people from the Fly River Estuary villages, is always available, and fresh deer, cassowary, wallaby and pig meat are often available but usually sell quickly. Fish, crabs, prawns and turtle meat are sold by people who have travelled to Daru but there are also people who live more or less permanently at Daru who catch fish and turtles for sale at the market. In Papua New Guinea it is legal to hunt dugong for personal consumption but illegal to sell it, although there is little enforcement of this law and dugong meat can often be found for sale at the market – like other meat, it usually sells quickly. There are some vegetables that do not grow on the tropical coast but are brought from the highlands, usually via Port Moresby, that sell at exorbitant prices, including onions, cabbages, and carrots.

There are roadside stalls along a street known as Mangopari, others that people set up in front of their houses, where they sell cigarettes, frozen cordial ice blocks, scones and cakes, cooked food, and fruit they have harvested from their own trees, as well as handicrafts such as bilums and mats. Some people, usually from other parts of Papua New Guinea, sell goods such as clothes, music CDs, and betel nuts, along with mustard and lime that are chewed with betel nuts, that are usually brought by plane from Port Moresby.

There are a few licenced bars, but take-away liquor outlets sell alcohol much cheaper and most drinking is of alcohol bought from the take-away outlets. It is common for people to buy alcoholic drinks and take them back to their village.
for resale at a hefty mark-up. After the liquor stores close at night there are houses where alcohol can be bought at much higher prices. Marijuana is brought down from the highlands and sold by people on the streets, commonly in very small quantities for K2 a packet, enough to make one or two cigarettes.

As most cooking is done using firewood for fuel there is an industry in collecting and selling firewood which has long been almost exclusively carried out by people originating from the Bamu River villages (see Hammar 1996). Daru is notorious for prostitution and at the time of Hammar’s ethnographic research with sex workers there in the early 1990s the cheapest forms of paid sex (known as “two-kina bus”) were also associated primarily with Bamu women (Hammar 1996), but by the time of my own field research, from 2002 to 2005, sale of sex by women to men, and some men to men, was still widespread and “two-kina bus” was not limited to Bamu women. Hammar attributed the high rates of participation of Bamu women in firewood collection and sale and “two-kina bus” paid sex to the relatively low socio-economic status of the Bamu collectively, and my enquiries about the change to broader participation elicited comments that life was becoming harder in Daru for everybody, that there was less work and less money around than there used to be and that some girls did what they had to do just to survive.

The idea that life had become harder than it was before was conveyed to me many times during my visits to Daru. People told me that money was scarcer than it used to be in the early years following independence, and more difficult to obtain by legitimate means, as public servants and politicians habitually misappropriate money intended for public services and projects; that Highlanders were taking over the street trade, Asians were taking over the trade stores, and local people were unable to compete; that public infrastructure was run down and had not been maintained; that Daru is so overcrowded now that in some houses people have to sleep in shifts, some during the day others at night, as there is not enough room in the house for everyone to sleep at the
same time; that raskols had come in from other parts of Papua New Guinea and were causing trouble, just to list a few of the common complaints.

The provincial government headquarters used to be at Daru but were moved to Kiunga in the mid-2000s, and several government offices, and the employees who were employed in them, were relocated. The South Fly District office, and the administration for the Oriomo-Bituri Local Level Government, were moved from Daru to Wipim, also in the mid-2000s. While the money from the government that used to come to Daru in the form of wages for employees of these departments and the various other monies expended locally by them now goes to Kiunga and Wipim respectively, in the case of Wipim much would end up being circulated through Daru eventually as it is the main point of supply of manufactured commodities in the region including Wipim. On the basis of telephone conversations with people at Daru over the last couple of years it seems that the new projects initiated by PNGSDP have offset the loss of these government departments to some extent.

The perception of Daru, among residents as well as people from outlying villages, as a hard scrabble kind of place, even by comparison with other urban centres in Papua New Guinea, appears justified by the facts, however for most people in South Fly District there are few other options if they want to engage in the cash economy in order to obtain manufactured commodities or get money to pay school fees, than to participate in the cash economy centred on Daru.37

**Cash and commodities beyond Daru**

People who live relatively close to Daru have the option of planting gardens, harvesting and processing sago, catching fish and hunting meat for sale at the

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37 I made a short visit of just three days to the Suki lagoons in the northern part of South Fly District, but I do not include this region within the current study area. The Suki region is within the South Fly District electoral and administrative unit, but it is sufficiently distant from the Papua New Guinea – Australia border that they are not directly affected by it. There is some commercial activity including sale of rubber from plantations, sale of crocodile skins, some tourism enterprises, and compensation payments from the Ok Tedi mine.
Daru market in order to obtain cash to use in purchasing commodities. Sometimes people who live relatively distant from Daru make the trip by dinghy or canoe down a river and along the coast with garden food for sale, but much less frequently than those living nearby. Those who do not live near a river or the coast have fewer options.

There is a tourist enterprise on the Bensbach River that was commercially successful for many years. Bensbach Wildlife Lodge was owned by a company of Papua New Guinea based expatriate Australians and run by one of the shareholders, himself an expatriate Australian, until his death in 2003. Hitchcock (2004:273-308) has documented the importance of this enterprise in the local economy of the nearby villages, including the payment of wages to workers at the lodge and royalties to landowners for taking wildlife resources, and the provision of manufactured goods for sale at the store owned and run by the lodge. Since 2003, the Mount Hagen based owners of the lodge installed a caretaker and it has opened only sporadically since then. At the time I went through in November 2004 both the lodge and the store were closed.
Figure 5: Map of the villages of South Fly District

The position of the villages on this map is derived from PNG census data, but the position of some villages are not accurately represented; the village of Sibdiri, for example, is in fact located on the bank of the Mai Kussa River whereas the map shows it several kilometres to the east. An A3 size copy of this map is provided at Appendix 4.
Another tourist resort on the Bensbach River was built in the late 1990s, but as Hitchcock notes, “this is the lodge that never was” (2004:293); modern buildings were erected but no tourists have ever stayed there. Upriver from the Bensbach Wildlife Lodge, at Weam, there was a colonial government patrol post, and an airstrip, a police station and border administration office was maintained there at the time of my visit in 2004. Further east, at the former colonial government station of Morehead there are a few more government offices where public servants are employed, the administration of the Morehead Rural Local Level Government has its headquarters there, and there is a high school at which children from surrounding villages come to board, as well as two large and a few smaller trade stores, and a medical clinic that services the surrounding region. At the eastern end of the Trans Fly region at the village of Wipim some government offices and houses for public servants had been built at the time of my visit, and more have since been built and public servants have moved to work there. There is also an airstrip at Wipim that is maintained and regular flights on the way from Daru to Kiunga land there.

There is a network of roads connecting villages, most of which are poorly maintained and passable only on foot or bicycle. The roads from Weam to Morehead and from Morehead to Arufi were navigable by motor vehicle at the time of my visit, but there is no bridge or reliable ferry at the Bensbach River at Weam or the Morehead River at Morehead, and therefore it was possible to cross these rivers only in canoes. The road from Morehead to Uroi on the Oriomo River, referred to locally as “the highway,” used to be able to be travelled in a motor vehicle, but at the time of my visit the road had not been maintained, and many of the wooden bridges across creeks had burned out and were replaced only by single log bridges, and trees had fallen across the road, so motor vehicles could not get through.

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39 Hitchcock states that the border administration office at Weam, which issues permits for people to cross the border to visit Sota on the Indonesian side, was closed during the period of his fieldwork at Wando in the mid-1990s, and people had to go to Morehead to get a pass to cross into Indonesia (2004:238).
When I visited the villages along the highway one of the questions that I enquired about was the sources of cash income. A common response was that people had in the past received payment from the government for maintaining the road and bridges, however they had not been paid for work on the road that they had previously done and refused to do road maintenance work again until they were paid for their previous work. I have since been informed that the road has been restored to allow vehicle access from Morehead to Uroi and there are now a few vehicles taking paying passengers.

There was a common theme in the discussions that I had with people in all of the villages that I visited, which was that they were deprived of “development.” That people from the inland villages felt isolated from and neglected by the world at large was evident not just in their explicit discussions of such, but also in the manner in which they received my visit. At many of the villages they staged extravagant welcome ceremonies, and at all of the places I visited people left their garden work and returned to the village for the few days I was there to find out what I wanted and tell their stories to me. A white man coming to visit the village was, in their estimation, a significant event. I was told repeatedly that people from their own government came to visit only at election time to make false promises, and that it had been many years since anybody from Australia had shown any interest in them. They expressed hopes that my visit, and the reports I was expected to make to the Australian government, might be a catalyst for bringing development. In this context, at all of the inland villages that I visited people were happy to engage in discussions with me about their way of life and in particular the material deprivation that they endure. As I had already lived at Buzi for two years there was an expectation that I already

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40 It turned out that this was not entirely accurate – there had been a tree seed-collecting project and an essential oil distillation project run by CSIRO in recent years, and an Australian employee of CSIRO had made numerous visits to some of the villages that were participating in these projects, as discussed further below.

41 As described in Chapter 7, I was engaged by the Australian Department of Foreign Affairs and Trade, along with other Australian and PNG government departments and agencies, to compile a report on some aspects of the Treaty, and evidently people from remote inland villages were aware of this, and inferred that I was in a position to influence the actions of the Australian government.
understood, but I nevertheless persisted in asking questions about their production, exchange and consumption of things, and especially about their involvement in cash transactions, how they obtained manufactured commodities and cash to pay school fees.

Most people emphasised the extent to which they provided their own means for survival from strenuous physical labour; they grow their own food, hunt and fish for their own meat, build their own houses from materials that they gather from the bush and carry by hand. I could see that everybody wore clothes, and every household had at least some manufactured commodity items such as saucepans, knives and so on, many had kerosene lanterns, and in some villages there were small trade stores selling basic manufactured commodities such as matches, soap, kerosene, and sometimes tinned fish, rice, tea and sugar. Some villages were clearly better off than others, in some places there were several houses with iron roofs, here and there a tractor, walkabout sawmill, motorised lawnmower, generator and electric lights; although most of these had broken down and were no longer functional.

Most of the high-value commodity goods had been purchased either by the government, usually the local Member of Parliament using his discretionary development allowance allocated annually by parliament, or, particularly in the case of water tanks and iron roofing sheets, by relatives who had moved to live and work in an urban centre and had given their family members back in the village these objects as gifts. Commodities of lesser monetary value, such as garden tools, kitchen utensils, kerosene lamps and the like, had also commonly been received as gifts, and on the basis of my observations over a relatively long period at Buzi, I surmise that it is likely that they had been circulated between people through demand sharing (Peterson 1993) as much as unsolicited giving.

School fees can only be paid with cash and are usually the first thing mentioned when people complain that they are unable to obtain the money that they need to survive; they have no way to make money, so therefore cannot pay their
children’s school fees. In the lower grades these are very small amounts of cash that are needed, at the time of my fieldwork the school fees for the elementary school were K20, and for primary school K40 per year. The schools in smaller villages usually go to grade 6, in larger villages to grade 8, but beyond grade 8 the fees are substantially higher and students have to go to Morehead or Daru and board there, which involves additional costs.

There are few options for people to acquire money in the villages by working for wages. School teachers and medical aid post workers are paid wages, and auxiliary police (or peace officers) and village magistrates receive a small honorarium in the order of approximately K200 per year. Aside from these there are no salaried jobs to be had in the villages. One of the strategies to obtain cash by people from inland villages distant from Daru is to make objects for sale in the Torres Strait Islands, including woven mats and baskets, kundu drums, grass skirts, decorative bows and arrows and wooden carvings. They are not allowed to cross to the islands themselves to sell their goods so they use people from a Treaty Village to sell them for them. Sometimes a person from a Treaty Village purchases the goods then takes them across to the islands and sells them at a mark-up. More commonly they take the goods across to the islands and return with money made from the sale for the person who supplied the goods. There are often two steps in the consignment process; the person who has made the object for sale gives it first to a person who transports it to a Treaty Village, but that person cannot take it to the islands him or herself, so it is consigned a second time to a person from the Treaty Village to take across. These transactions are a cause of much complaint by the people sending the goods for sale. They have no choice but to entrust their goods to others on their behalf, but usually they are not satisfied with the amount of money that they receive for them. They usually set the price that they expect to get for the sale, but the person selling it may say that they sold it for a lesser amount, or say that the money they got for the sale was stolen, or that it had to be used for fuel to get back from the island. Sometimes Islanders buy things on credit and promise to
pay on their next payday, and Papuans from the mainland complain that Islanders sometimes do not pay these debts. Many people from non-Treaty villages asserted to me that they should themselves be allowed to cross to the Torres Strait Islands to sell their own goods, as they used to do, so that they would not have their money stolen by middlemen; this issue is discussed further in chapter 7.

Various cash crops have been attempted, but aside from the provision of food to the Daru markets there have been no success stories to date. At the instigation of officers from the Department of Agriculture, in some places chillies were grown and dried ready for sale but the government officers did not return to purchase the product. In the eastern part of South Fly District there are some small rubber plantations, established by OTML, but at the time of my visit the price of rubber was low, buyers had not visited to purchase the rubber, and people were not tapping the trees. The world vanilla price boom from the late 1990s to 2003 (McGregor 2005) led some people in South Fly District and at Daru to plant vanilla, however as it takes three years before the first crop can be harvested and a further six months to cure it ready for sale, by the time their first crops were ready for sale the world price had fallen, and most people had abandoned or neglected their vanilla plants before they harvested a first crop.

From the 1980s the Australian Commonwealth Scientific and Industrial Research Organisation (CSIRO) ran a project in which they purchased seeds of several species of trees. The seeds were exported to several Asian countries where they were used to establish pulpwood plantations, and plantations for future seed stock have been established in Australia; it is reportedly unlikely that they will return to the South Fly District to purchase seeds again in the future (Hitchcock 2004:262-263). I heard many complaints that the amount paid for the seeds was very small but I do not know how much it was. By the time of my fieldwork the CSIRO officers had stopped coming to purchase tree seeds, but they had started
another project with ACIAR, supplying stills at Kwiwang, Rouku, Indorodoro, Wando and Malam, and teaching people how to use them to produce essential oil from Waria-waria trees (Asteromyrtus symphyocarpa, also known as Liniment tree). There were disputes over ownership of the stills and access to the Waria-waria trees (Dundon and Wilde 2000, Hitchcock 2004:263-266), and at the time of my fieldwork only the still at Kwiwang was being used. ACIAR reported that the returns to villagers from the production of Waria-waria oil were: K7,217 (A$2920) for 180 litres in 2001, K11,013 (A$4459) for 275 litres in 2002, and in 2004 the Bensbach and Indoradora villagers received K11,108 (A$4497) for 278 litres (ACIAR 2005a:20). The budget for this project, from 2000 to 2005, was AU$675,417 (ACIAR 2005b:52). In 2005 the project was handed over to PNGSDP, and by 2010 they had established a joint venture with an Australian company which reportedly invested more than K1.5 million (Kolo 2010) and planned to engage people from 20 villages in the Morehead area in collecting Waria-waria foliage and distilling oil. PNGSDP also invested K1 million into the venture in 2009 (PNGSDP 2009:19), and in 2010 they were confident that it would be a commercially profitable venture (PNGSDP 2010:19), but by 2011 they reported that the joint venture had ended, following “management’s assessment that the JV could not operate the business sustainably” (PNGSDP 2011:25). Thus, despite these very substantial sums invested in the project there has been little benefit to the people in the villages.

The Trans Fly region lacks readily exploitable natural resources; natural gas has been found in small quantities but following an extensive exploration project in the 1960s and 1970s it was determined not to be sufficient to make extraction commercially viable. There are small patches of rainforest, but apart from the far eastern end of the region, which has already been logged out, there is little commercially valuable timber. The soils are generally poor and the region is

42 Australian Centre for International Agricultural Research, an Australian government agency.
43 The exchange rate of Kina to AUD on 27/08/07 was 2.28, thus AU$675,417 was worth K1,539,950.
distant from large markets with almost non-existent transport infrastructure, so there appears little prospect of commercial agriculture in the near future. The people of this region are able to provide food for themselves, and game and fish are abundant, but their ability to engage in a cash economy and to purchase manufactured goods remains severely restricted.

**Indonesia**

Trade across the Papua New Guinea – Indonesia border between people from the western part of South Fly District and their neighbours in Papua Province of Indonesia is allowed under a Treaty, signed in 1973 and entered into force in 1974, before Papua New Guinea’s independence. The administrative arrangements between Indonesia and Papua New Guinea that prescribe who is allowed to cross the border for “traditional and customary purposes” on the Papua New Guinea side permits access to people from the Bensbach and Saru census divisions (Wolfers 1988:84). The 1973 Treaty allows for “traditional barter trade” but subsequent agreements in 1979 and 1984 refer to “customary border trade” (Wolfers 1988:147, 154, 164). People crossing from Papua New Guinea into Indonesia under these Treaty provisions are required to obtain a “pass” to present to Indonesian officials on arrival.

There are two main points of entry to Indonesia for people travelling under the Indonesia Treaty “border crossing based on tradition and custom” provisions: Sota, across the inland border adjacent to Weam, and Merauke, on the south coast approximately 100 km from the border at the mouth of the Bensbach River.

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44 The full title of this Treaty is: “Agreement between the government of Australia (acting on its own behalf and on behalf of the government of Papua New Guinea) and the government of Indonesia concerning Administrative border arrangements as to the border between Papua New Guinea and Indonesia.” Subsequent agreements between Indonesia and the independent government of Papua New Guinea in 1979 and 1984 confirm the provisions of the 1973 Treaty (Wolfers 1988:145-172).
In late 2004 I visited several of the PNG villages near the Indonesia border, from Bula on the coast, then travelling northwards through Bondabol, Balamuk, Wando, Karumbo, Mengete, Kanderisa to Weam. I had hoped to go as far as Wereiaver, the last village in Papua New Guinea before the border crossing into Indonesia, to learn more about how the PNG – Indonesia border operates, but I was accosted by the policeman stationed at Weam, who was suspicious that I might be a spy or a smuggler or up to some other kind of mischief. Facing down the barrel of his shotgun I decided it would be prudent to heed his advice not to continue on to Wereiaver, and I went east from Weam. I therefore did not obtain as much information about the border crossing to Sota as I had hoped to, although in discussions with people at several villages, including as far east as Kondobol, I learned that there were many people who occasionally cross the Indonesia border and go to Sota for shopping who are from villages that are not within the Bensbach and Sara census divisions. Bicycles are a common form of transport for people throughout South Fly district; along the coast most of the bicycles have come from trade with people in the Torres Strait Islands, but inland the majority come from trade with people in Indonesia. Almost all of the bikes from Indonesia are Chinese “Phoenix” brand roadster style, while the bikes from Australia are BMX or mountain bikes; the latter are much preferred, regarded as easier to ride and better suited to the rough roads of this region.

On the basis of my own relatively limited observations, and on Hitchcock’s (2004) more detailed account of trade across the Indonesia – Papua New Guinea border, it is clear that the main purpose of cross border interaction is to trade. Hitchcock states:

the majority of cross-border travel is undertaken for economic reasons, namely to generate cash income, mostly through the sale of animal, fish and forest products, and then to purchase trade goods for private and family consumption, as well as for later sale back in the Morehead District (2004:239).
He lists candlenuts, deer antlers, deer and wallaby meat, shark fins, sawfish, barramundi guts and Saratoga fingerlings as products sold to Indonesian buyers (ibid). Among the goods brought back across the border from Indonesia for consumption and re-sale Hitchcock lists soap, tobacco and petrol (ibid). Hitchcock notes that fingerlings of Saratoga, valued as an aquarium fish in China and Japan, can be harvested in large enough numbers to earn substantial amounts of money for people from the Bensbach region, and that this money is “one of only a few ways that local people can quickly obtain money to pay for such things as school fees, and store-bought foods, fuel, and other household items” (2004:245). He also notes that this trade is illegal; and that local people are aware that they are being exploited in the trade by being paid less than the fish are worth, and by not understanding official rates of currency exchange between the Indonesian rupiah and the Papua New Guinea kina.

In addition to Papua New Guineans travelling across the Indonesian border to trade, West Papuans – who are citizens of Indonesia – also travel across the border to Papua New Guinea to trade. Unlike visitors going the other way, in my observations they did not obtain permits from authorities on the Indonesian side, nor were they required to present them on the PNG side. Along the coast they are supposed to travel only as far west as Tais, but occasionally they travel as far as Mabudauan, and sometimes further, even as far as Daru. They carry trade goods to sell including tobacco, sugar, coffee, rice, kerosene lanterns and kerosene, clothes, fishing nets, lines and hooks, garden tools and kitchen utensils such as knives, saucepans and buckets. They purchase dried shark fins, and in some cases provide nets for people to catch sharks and buy the products on later visits; deer antlers, the dried lining of barramundi stomach cavities, dugong tusks, crocodile skins and beche de mer.

The opportunity to trade across the border to Indonesia is highly valued by those in Papua New Guinea who are allowed to do so, but the economic conditions of neighbouring West Papuans in Indonesia are not much better from their own.
The cash economy on the Indonesian side of the border is more substantial than on the Papua New Guinean side, but there is no great difference in wealth that captures the imaginations of people as it does when they visit Torres Strait and see how the Islanders live.

**Torres Strait**

The economic conditions on the Papua New Guinea side of the border as described above contrast markedly with the situation in Torres Strait, on the Australian side of the border. The population of the whole of Torres Strait, on the data from the 2006 census, was 7,630, of whom 6,286 (82%) identified as indigenous. The Inner Islands (Horn, Thursday and Hammond Islands) total population was 3,288, with 4,342 residing in the 12 Outer Islands communities. The three islands closest to the New Guinea mainland had population numbers as follows: Boigu total 282 (255 indigenous, 27 non-indigenous); Saibai total 338 (317 indigenous, 12 non indigenous, nine status unknown) and Dauan total 150 (145 indigenous, five non-indigenous) (ABS 2007:40).

By comparison with the adjacent region on the Papua New Guinea side of the border, the population of South Fly District according to data from the 2000 census was 46,537, including 12,935 at Daru (PNGNSO 2002). The combined total population of “Treaty villages” was 4,764, however there are many people who are originally from one of the Treaty Villages living in Daru who are eligible to enter Torres Strait under the Treaty provisions but not included in this number. The 2000 census figures for the four villages closest to the adjacent Australian islands are as follows: Mabudauan 982, Sigabaduru 469, Buzi 287 and Ber 126.\(^{45}\)

The population of Torres Strait is much smaller than the adjacent New Guinea mainland, but the amount of money circulating in the islands economy is much greater. Of the indigenous population of the Torres Strait region at the 2006

\(^{45}\) All of these figures appear to underestimate the actual number of residents at each of the villages (and at Daru); my own census of the population of Buzi in 2005 was 369.
census, 4,900 were working age (Biddle et al 2008:7); of these 3,130 were employed, including 1,942 on the CDEP program (Biddle et al 2008:37)\(^{46}\) with an unemployment rate of 4.9% (Biddle et al 2008:11) (i.e. of those actively seeking work but not employed, therefore not including people of working age but not seeking work). The proportion of indigenous people engaged in full-time private sector work was 8.7% (Biddle et al 2008:23).\(^{47}\) The median weekly income of unemployed indigenous people was $195 (compared to $165 for non-indigenous) and of employed indigenous people was $368 (compared to $787 for non-indigenous) (Biddle et al 2008:31). By the time of the 2011 census the median total weekly personal income of indigenous persons in the Torres Strait census region was $360, median household income was $951, and median weekly house rental cost was $70. Table 1 below provides a breakdown of personal income of indigenous residents of Torres Strait in 2011.

\(^{46}\) The CDEP (Community Development Employment Programs) is a Commonwealth government ‘work for the dole’ scheme administered only in predominantly indigenous communities where people are paid the equivalent of unemployment benefits to work on community maintenance including garbage collection and town beautification for a certain number of hours per fortnight, and often additional payments are available for those willing to work longer than the minimum time.

\(^{47}\) Significantly, the rate of non-indigenous people engaged in full time private sector work was also very low, at 26.6% (Biddle et al 2009:23), indicating the extent to which employment in government agencies underwrites the Torres Strait economy.
The personal income of the residents of the Torres Strait Islands gives some indication of the difference in scale of the cash economies on opposite sides of the border. The vast majority of the Islanders’ food is purchased from a store, of which there is one or more on every community island, all of them with refrigeration and freezer facilities, and supplied by a weekly barge from Cairns, via Horn Island. Food from the store is supplemented by fish and other marine animals including turtles, dugongs, crustaceans and shellfish, and a few people maintain small gardens but they no longer produce garden food for their own subsistence as they once did and as Papuans from the New Guinea mainland still do. On some islands there are co-operative fishing enterprises where local fishermen can sell crayfish and other commercial fish species, and at Badu and Thursday Island there are privately owned fishing businesses that employ divers as well as buy the catch from Islander fishermen; these provide a significant additional source of income for some people.

The houses on the Torres Strait Islands are constructed from materials imported from the Australian mainland, built by skilled tradesmen (some of whom are

### Table 1: Torres Strait Islander personal weekly income, 2011 census.

<table>
<thead>
<tr>
<th>Income Range</th>
<th>Males</th>
<th>Females</th>
<th>Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negative/Nil income</td>
<td>170</td>
<td>134</td>
<td>304</td>
</tr>
<tr>
<td>$1-$199</td>
<td>100</td>
<td>87</td>
<td>187</td>
</tr>
<tr>
<td>$200-$299</td>
<td>527</td>
<td>448</td>
<td>975</td>
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<tr>
<td>$300-$399</td>
<td>130</td>
<td>287</td>
<td>417</td>
</tr>
<tr>
<td>$400-$499</td>
<td>204</td>
<td>333</td>
<td>537</td>
</tr>
<tr>
<td>$500-$599</td>
<td>240</td>
<td>224</td>
<td>464</td>
</tr>
<tr>
<td>$600-$699</td>
<td>93</td>
<td>118</td>
<td>211</td>
</tr>
<tr>
<td>$1,000 or more</td>
<td>165</td>
<td>175</td>
<td>340</td>
</tr>
<tr>
<td>Personal income not stated</td>
<td>147</td>
<td>144</td>
<td>291</td>
</tr>
</tbody>
</table>

Total: 1,776 Males, 1,950 Females, 3,726 Persons

(Source: ABS 2011)
Islanders). The government pays the cost of construction of the houses, and charges rent to the residents at well below the prices that are paid for equivalent houses on the Australian mainland. They are of a standard and type common to suburban north Australia, wired with electricity and fitted out with modern electrical conveniences, with piped water and connected to a sewerage system. There is a sealed airstrip on all of the community islands except Dauan and Ugar (due to the topography and small size of these two islands), most of the islands have some concrete or asphalt roads, and there are numerous motor vehicles on every island. There are many privately owned aluminium and fibreglass dinghies with powerful outboard motors at every community island and each also has a barge landing ramp and jetty.

Each island has an electricity generator, and the cost of running it is subsidised so electricity prices on the islands are the same as in mainland Queensland. Each island also has a school, staffed with qualified teachers in addition to Islander teacher-aides, and the buildings and facilities of the schools are of mainstream Australian standards. Similarly, there is a medical clinic on every island staffed permanently by nurses, with doctors and specialists making regular visits. Education and medical treatment are provided by the government free of charge.

The difference in affluence on opposite sides of the border is apparent in the physical infrastructure, the houses and the different lifestyles of Papuans and Islanders, and it is also evident in their bodies. When Papuans come across to visit the islands there is no mistaking them for Islanders; their bodies are small and lean, their clothes old and ragged, and their demeanour usually restrained. They commonly suffer from infectious diseases, including malaria, dengue and tuberculosis, among many others. Islanders on the other hand are bigger, relatively well dressed, and although infectious diseases are not unknown, they tend to suffer from illnesses commonly associated with being overweight, including diabetes and heart disease.
The government owned and run medical clinics on the Torres Strait Islands treat anybody who presents with a critical injury or illness. The treatment provided to Papua New Guineans is not regarded by the Australian government as coming within the terms of the Treaty, and treatment is not restricted to people from a Treaty Village. That people come across from Papua New Guinea seeking medical attention at the clinics on the islands is a source of grievance for Torres Strait Islanders. They complain that the clinics are provided for them as Australian citizens, but when they need treatment the clinics are overcrowded with Papua New Guineans; they are also concerned that Papua New Guineans bring infectious diseases with them. The clinics are run by the Queensland Department of Health, and they are provided with some funding from the Commonwealth to assist in paying for treatment of people who come across the border from Papua New Guinea. The State government complained for several years that the funds provided by the Commonwealth were insufficient to cover the actual cost of the treatment that they provide, and this dispute came to a head in 2012 in relation to the provision of Tuberculosis treatment. The clinics that used to be run on the islands to treat Papuans with Tuberculosis have been closed down, and a new program funded through AusAID is to be run from Daru (see Lokuge 2012).

**Buzi as an example of a Treaty village**

**The physical space of the village**

The village of Buzi is about half way between the Western Province capital of Daru (120 km east) and the Papua New Guinea – Indonesia border at the mouth of the Bensbach River (150 km west). To the east, the small village of Ber is just 3 km away along the coast, but the next village is Sigabaduru, 50 km further along. To the west the nearest village is Tais, approximately 30 km away, to the north-east Dimiri is approximately 25 km and Sibdiri is about the same distance to the north. The Australian island of Boigu is 6 km to the south.
The approach to Buzi by sea from either direction along the coast is sheltered by low mangrove fringed islands, Boigu runs parallel with the mainland, and the small islands of Kussar in the east, Kawa and Mata Kawa in the west, with the tidal inlet that is the mouth of the Mai Kussar River opening into the mainland to the north, and the monotonous mangroves in every direction, all give the impression from sea level of being in a huge watery maze. The current can be strong, the water is muddy and although it sometimes gets choppy when the wind is strong there is no ocean swell. On a full tide dinghies can run fast along close to the trees but at low tide the going is slow, to avoid rocky outcrops and shallow water. The villages of Ber and Buzi are set in behind narrow gaps cut into the mangroves. When the tide is out exposed mud flats stretch for a kilometre out to sea, but at high tide the water comes right up to the edge of the houses, and during the monsoon king tides sea water sometimes floods low lying parts of the village.

From the water’s edge there is a ramshackle collection of houses, most of them elevated on posts, in varying stages of construction and disrepair. Some have roofs made of sheets of paperbark, others of sago palm leaves or nipa palm leaves, and others are made of sheets of old corrugated iron. The walls are made from large sheets of thick bark, or scraps of canvas, corrugated iron, nipa or sago leaves. The village has two main residential areas. The older part of the village is on a low clay ridge fronting the sea with a small swamp behind it, making it effectively a muddy island in the wet season. It is known as Marate (big village). Some of the land on which the old village stood has eroded into the sea and the houses that remain at Marate are now back against the swamp, but there is still enough high ground for a collection of 29 houses and the Uniting Church building at the time of my fieldwork. There is an open space in the

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48 Nipa palm is known locally as biri.
49 Ma is the Agob word for house but also denotes village depending on context, rate means big.
middle of the village facing the seafront, with a wongai tree\textsuperscript{50} that has been
strangled by a fig, named “Kozewud” (crocodile doorway / passage),\textsuperscript{51} at the
very edge of the high ground; this tree used to be in the middle of the village
before the shore eroded. There are a couple of households at Marate that have
their own pit latrines, but most people walk into the mangroves to go to the
toilet, men to the west of the village and women to the east.

Within the village there are some coconut trees, beach almonds, a few
frangipanis and other decorative plants such as hibiscus and colourful variegated
crotons. The ground is bare red dirt, kept clear of grass and weeds, and women
sweep the area around their houses every morning – so although the village has
a dilapidated appearance from the eclectic mix of second-hand manufactured
building materials and rough-hewn bush materials used in construction, it is
always kept clean of dog faeces and refuse.

In the swamp behind Marate is a building with a high iron roof, metal framing
but no walls, and two plastic water tanks at either end, constructed in 2002 by
AusAID to provide safe drinking water. Across the swamp is a raised footpath
with drains along each side – the footpath was made from the clay soil dug out
of the drains, and in the wet season the footpath turns into ankle deep mud.
Behind the swamp there is higher ground where the washing wells are located
and off to the side of these are some patches of thick bush which separate men’s
and women’s washing places and a more public laundry area. There are several
dozen coconut trees growing through this area, and the identity of the owner of
each tree is known by all but the very youngest children in the village. A little
way further along is the main well, and beyond this is the other residential
section of the village, known as Eriya after its former use by the Department of
Primary Industries (DPI) in the early post-independence period as a small
agricultural research “area.” There is another AusAID water catchment with

\textsuperscript{50} Wongai trees (Manilkara kauki) are common on Cape York, throughout the Torres Strait
Islands and in the South Fly District of Papua New Guinea; as far as I can ascertain they have
no alternative English name.

\textsuperscript{51} This name derives from the story of Ubirikubiri, which is discussed in Chapter 6.
tanks at Eriya, and a small Seventh Day Adventist Church building. Both the Elementary School and Primary School are at Eriya, as is the Medical Aid Post. The Primary School has a football oval that is used most afternoons by boys playing touch football, and there is a volleyball and basketball court as well, used by groups of boys and occasionally also girls. The houses at Eriya are more spread out than those at Marate, each household has its own pit toilet, and most also have a small kitchen garden close to the house with a few banana trees, aibika plants, and some sweet potato and cassava plants. As Eriya is on relatively high ground it drains after rain and does not stay muddy for weeks on end as Marate does. Like Marate, the ground around each of the houses is kept clear of grass and swept daily, but there are many more decorative plants and fruit trees, including a number of orange trees and mango trees.

There were two houses at Swampy Corner, between the edge of the swamp behind Marate and the water wells, another house about 300 metres along the road to Ber, and four houses at Pegl, behind the school oval. Since I completed my fieldwork several of the households who used to be at Marate have demolished their old houses and built new ones at Eriya effectively merging Eriya with Swampy Corner and taking in the area near the wells where my house was; there are now more people living at Eriya than at Marate. Since 2005 there have been a few deaths and many births, and there has been some in- and out-migration; I have been told that the population has increased substantially but I do not know details.

The population of Buzi in February 2005 was 369, of whom 182 were male and 187 female (these figures do not include me and my partner, nor temporary visitors). Of the males, 55 were adult married, 22 were adult and not married, one divorced, three widowed, and 101 under 18 years old. Of the females, 59 were adult married, 21 were adult and not married, two divorced, seven widowed and 98 under 18 years old. Over the period September 2002 to February 2005 there were 29 births and seven deaths, in-migration of 34 and
out-migration of four. Three men, all elderly, had two wives each. The population was distributed between 42 households (average 8.8 persons per household), 29 of these were at Marate, 16 at Eriya, two at Pegl, two at Swampy Corner and two near the well (plus my house), and one on the Ber road to the east of Swampy Corner. Three households consisted of one person each (one man never married, one man intermittently separated (but not divorced) from his wife and children who were staying with her father) and one widow (who frequently had grandchildren staying with her). Some households were comprised of a husband and wife and their own children (including some families of 8 and 9 children), which is the normative ideal for a young married couple, but there was a wide variety of other sets of relationships between household members. Most elderly people stay with one of their sons and his wife and children. Some households included a man and wife and children, along with husband or wife and children of one of their children; one household included a man and his wife and children, with the widow of their deceased son and their children. Another house included a widow, her youngest son, and one of her daughter’s daughters.

The Agob term *thoen* is translated into English as “clan.” It refers to a patrilineal descent group defined simultaneously by reference to an apical ancestor and to the place where that ancestor belonged. The names of most clans contain the name of their place with the suffix –*ag* or –*ang*, denoting the people of that place, so for example Wibag literally means the people of Wib. Most of the people who live in the villages of Buzi and Ber are “from” somewhere else. The people of the Tuang clan are regarded as the “landowners,” and everybody else acknowledges that their own ancestors migrated from elsewhere since the beginning of the colonial period.

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52 There are some exceptions to the norm; these are discussed in chapter 5.
53 At the time of Williams’s research (1926-1932) there was nobody living at Buzi; he writes “there was for some little time a mission station under a native teacher from Daru stationed at Buji on the eastern boundary [of the Morehead area], but this has long been abandoned” (1936:vi-vii). He also records: “on the Mai Kussa ... I have met people who had lived [at Buzi]
There are people from two main language groups living at Buzi. At the time the colonial administration was established, in the late 1880s and early 1890s, there was a group of people living on Strachan Island, just across the Mai Kussa River from Buzi. They had close friendly relationships and frequent social interaction with people from the area around where the villages of Buzi and Ber are now located. Some of these people had moved from Doeridoeri, inland to the north-west, others from the Wassi and Mibini to the west. The Mai Kussa river marks a boundary between language groups; west of the river there are several dialects of the Nambo language, and east of the river are the Upper Pahoturi language dialects. The dialect spoken by people on Strachan Island was called Nen. The people living on Strachan Island moved their residence from time to time, but the main places where they lived and kept gardens were at Met, Dep and Yauga. During the colonial era they moved back and forth between Buzi and a village they established on the west bank of the Mai Kussa called Toez. In the late 1970s Toez was abandoned after a man killed his own brother, some of the people moved west to Tais (also known as Moibut), the others moved to Buzi. Most of those who moved to Buzi had a wife or mother originally from Buzi. There are still some people living at Tais who can speak Nen but the younger people who have grown up at Tais now speak Namo dialect. The people who moved to Buzi maintain close contact with their relatives from the west and they and their children are all fluent in Namo, but the first language of children growing up at Buzi is Agob.

The original dialect spoken at Buzi is said to be called Sair, but this dialect is now extinct. From published wordlists it was evidently a dialect of the Pahoturi language group rather than Nambo (Ray 1923), although the son of the last Sair speaker says that it was “half and half” Nen and Idi. When the village of Buzi was first established in 1897, then abandoned and re-established in the 1930s, there were very few people who spoke Sair left. Most of the people who first settled in

formerly, and from them I gathered that it had been a resort of refugees and its shifting population contained elements from Area II [Mai Kussa-Morehead linguistic area] and Area III [Pahoturi-Mai Kussa linguistic area]” (1936:32).
Buzi came from the upper and middle Pahoturi River area, and they brought the Agob dialect with them; they vastly outnumbered Sair speakers and until recently had much greater reproductive success, and as a consequence Agob has displaced Sair as the first language spoken at Buzi.

The rhythm of day to day life

Buzi is a place of much coming and going. Hardly a day goes by that a group of people does not arrive or depart; whether going to Daru by dinghy, walking to or from an inland village, or travelling by dinghy or canoe from a village up the river or along the coast. Every day people walk back and forth between Buzi and the neighbouring village of Ber and there are always people setting off for their gardens, or going fishing, hunting or gathering bush materials or firewood. Most prominently of all, from Monday through to Friday one or usually more dinghies departs for Boigu in the morning, normally returning the same evening.

Dinghies with outboard engines are the only form of mechanised transport. They are used to travel to the Torres Strait Islands, to Daru, and sometimes to distant villages, and canoes and dinghies with no motors are paddled and sailed over shorter distances, to cross the Mai Kussa or transport people and goods along the coast and along the river. The high cost of fuel for outboard motors has led many people to use sails on their dinghies to travel to Boigu and sometimes as far as Daru. However most travelling is done on foot, and the transport of most things is done by men on their shoulders or women in baskets suspended from their head.

The pace of life in the village ebbs and flows: a lot of time is spent in leisurely socialising, but when there is a task at hand – such as establishing a new garden, building a new house, preparing for a feast – people form groups and work intensively. This is especially the case for men; women’s work includes a number of mundane day to day tasks, such as gathering firewood, cooking, laundry, carrying water, while men’s work is briefer but more intense. Gardens are often
made in places distant from the village, so when working in the garden people will often camp at the garden site for several weeks, and most of the sago groves are also remote from the village so people camp there while processing sago. People also go to distant hunting and fishing places and camp for several days at a time. As a result, the village is frequently almost deserted during the day time, and at certain times of the year, particularly during the dry season when new gardens are being established, there are few people left in the village. At Christmas time, by contrast, the village fills with visitors from other villages and people returning home from Daru and sometimes other towns where they have moved to live, including Kiunga, Port Moresby, Lae, Tabubil, and elsewhere.

The Christmas / New Year break lasts about a month and over this period there are games and feasts daily. People continue to hunt and fish to get meat, but most work is suspended until after a “closing up” feast. There are also other shorter periods during which people congregate in the village for celebrations such as Independence Day (16 September), and other special occasions, but for most of the year the routines of work are determined by the seasonal demands of growing a garden.

**Subsistence production**

The annual cycle of garden work starts with the establishment of new gardens in the dry season. Sites are selected, and they should not have been used for gardening for at least 8-10 years, preferably much longer. There is no shortage of available land, but there are few suitable sites close to the village, so most gardens are some distance away, up to a half day’s walk. Most of the people whose parents moved from Toez to Buzi in the 1970s, and others closely related to them (including affines) make their main gardens across the other side of the

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54 Patterns and strategies of subsistence production vary widely across the Trans Fly region, depending in part on localised ecological conditions. In the western, drier part of the region, yams are the main crop (see Hitchcock 2004:149-242), in the north eastern part of the region sago is abundant and is the staple there (see Ohtsuka 1983), and in the south eastern part of the region taro and bananas are the staple. Through the central part of the region, between the Mai Kussa and Pahoturi Rivers, there is a mix of subsistence crops including all of these.
Mai Kussa River but may also keep an additional smaller garden closer to the village. Indeed many people have more than one garden, their larger garden further away, but for convenience a smaller plot closer to the village.

Gardens vary greatly in size and social composition. Some are large and may be internally divided between up to 30 or more individuals, and particularly those closest to the village, the relationships between these individuals may be almost random. Some men make a garden only for themselves and their immediate family, others have uncles and nephews, or siblings and affines, and others are men who are friends but not closely related with their respective families. All gardens have divisions within them, marked by sticks laid on the ground, with different individuals working each plot, and small children, from the age of about 3 years old, sometimes have their own plot within a garden – although others may do most of the work they are expected to contribute and at the time of the harvest their food is counted and stored separately.

In the dry season, from around June to August, men clear a patch of bush by cutting down large trees with axes and the smaller brush with machetes. The debris is left for a month or more to dry and is then burned. Pigs, bandicoots, wallabies and deer have to be kept out of the garden, and this requires solid fences, made from bamboo and wooden poles. Of all work involved in establishing and maintaining a garden, the building of a fence is probably the most labour intensive. If there is not enough suitable timber nearby these have to be carried by hand. Similarly, poles for the yam vines to climb are cut, carried and erected by men, and they are also responsible for the ongoing maintenance of the fence.

People have their own, often secret, methods for planting yams, including magical techniques. They often dig a deep hole where the yam is to be planted and fill it in again with loose soil. The yam suckers need to be planted before the wet season commences, about October or November, and poles, often bamboo, are erected next to each of the planted suckers for the vine to grow up; these
are up to about five metres tall. The clearing, burning, fencing and planting of yams is men’s work. Once they are planted the women take over to keep the garden clear of weeds through the growing period. When the yams split the soil surface as they grow women heap soil over the top of where they are growing. The wet season rains are vital for yams to grow; by about Easter they are nearing their full size but are not yet ready for harvest as the flesh is still soft, but at Easter a Christian first harvest ceremony is held whereby a few yams are dug up from each person’s garden, the soft flesh is mashed and mixed with grated coconut, they are cooked in an earth oven and the whole village celebrates by sharing food together.

The yams are ready for harvest when the leaves on the vines have dried and turned brown, about June or July (but they will keep in the ground for as long as it stays dry). Harvesting of yams is said to be men’s responsibility, however women often do much of this work. Once harvested they are stored in yam houses. The people at Buzi and villages to the west and northwest have a unique system for counting yams (and only used for counting yams) which is a base six (senary) system. There are two types of yams, long yams (*gelbe*) and round yams (*morte*). There are many varieties of each of these, but in Agob there is no generic term for yam. *Morte* are the staple everyday food, while *gelbe* are usually saved for special occasions. *Morte* are commonly cooked on the coals of a fire; the outside skin blackens and is scraped off with a *kort* (mangrove mussel) shell. They are also commonly cooked in an earth oven. The flesh of a *morte* is quite fibrous. When a *morte* sucker is planted it produces several (usually 4-6) large round tubers which are eaten, as well as a number of smaller suckers which are used for planting next season.

*Gelbe* are commonly boiled in coconut cream, their flesh is softer and less fibrous than *morte*, and they are generally sweeter. They are also cooked in an oven, but only rarely in the coals of a fire. *Gelbe* can be very large, but usually when planted there is only one large tuber, often oddly shaped, but it may
produce a few small tubers that can be planted the next season. With *gelbe* a piece of a large tuber can be planted so long as it has a reasonably thick bit of the skin attached. So if people are short of *gelbe* tubers they hollow out the flesh from a large tuber for eating, and cut the outside part into pieces for planting.

In addition to *morte* and *gelbe*, sweet potato and cassava (*mankin*) are also grown in the main gardens. Cassava is relatively low in nutritional value, but is easy to grow and will grow in poor soil – so it can be planted in a garden the year after yams were grown there. To plant cassava a piece of the stem of the plant, about 30cm long, is inserted about half way into a small mound. It grows into a plant about 1-2 metres tall, and cuttings from the stems can be used to propagate new plants at any time. The young leaves can be eaten, but the main crop is the roots, which can be cooked by roasting on coals in a fire, in an oven, or the skin removed and boiled, or it can be grated raw and cooked in similar manner to sago.

Sweet potato is propagated by planting runners from an existing plant in a small mound. They put down tubers from runners that spread across the ground. They are planted at about the same time as yams, but can be harvested continuously after about 4-5 months. They are cooked by peeling and boiling in coconut cream, or roasted on the coals or in an oven.

Bananas and taro are usually grown in separate gardens from the main yam gardens, as they require different conditions for growing. Taro are propagated by cutting the main tuber from the growing shoot, the tuber is eaten and the growing shoot planted in a hole about 20cm deep, dug in moist, nutritious soil. It grows upwards to fill the hole. Taro is often planted on the edge of a swamp when the water has gone down at the end of the wet season, about May. It has to be harvested when the water rises at the beginning of the next wet, around January. Over the period when the swamps are flooded they are moved to higher ground, until they can be moved back to the edge of the swamp. Watermelons are often grown in and near taro gardens. In addition to the staple
root crops, people grow a range of other vegetables in their main gardens, including pumpkins, sugarcane, bananas (these are also often grown in separate gardens), aibika, cucumbers, and snake beans.

Sago does not grow wild near Buzi but there are some small groves that have been planted in places that remain damp enough through the dry season for it to be viable. Some of these were established by ancestors no longer remembered, some have ancestral mythological significance, and others were planted by people known and remembered in recent generations – and people still continue to propagate sago trees at places that are wet enough to expect them to be able to survive the dry seasons.

Men do all of the hunting, the main game being pigs, cassowaries, deer, bandicoots, wallabies, ducks and geese. Pythons, crocodiles, tortoises, echidnas, several species of lizards, flying foxes, and several species of birds are also hunted opportunistically. Fishing is an activity that everybody does. Ducks and geese are hunted with bow and arrow by constructing a hide, and waiting for the birds to come within shooting distance. Shotguns were commonly used in the recent past, however there are now few guns in the village (they have been confiscated by police) and ammunition is almost impossible to get. Cassowaries are often hunted in the dry season by climbing a tree near a waterhole and waiting for the bird to come to drink, then shooting it with an arrow from the tree. People also organise themselves in groups to drive animals with fire toward people waiting with bows and arrows. Dogs are used to find and flush game; people also track and stalk game.

Derris root (saz) is used as a poison to stun fish in swamps, creeks and waterholes. When the roots are dug up some are left in the ground for new vines to sprout and new roots to grow. The root is pulverised by bashing it between two sticks and the pulp and fluid falls into the swamp; it stuns any fish that are in the water and they rise to the surface where they are easy to catch. Baby barramundi in the swamps are commonly fished with this method. Men use their
bow and arrows to shoot fish, and they also use long-shafted fishing spears that are thrown by hand. Women wade in the mangroves to collect mud crabs and mangrove mussels by hand. Both men and women also frequently use hooks and lines to fish in the larger rivers and in the sea, from the shore and in canoes and dinghies. Some men also have gillnets, which are set near the shore. Woven conical shaped nets are used by women for fishing in billabongs; they line up across the billabong and move as a line together, disturbing the fish and freshwater crayfish that live in the mud on the bottom, catching them in their nets as they move along.

In addition to all of the work involved in growing gardens, hunting and fishing, significant amounts of time and energy go into making objects both for their own use and to trade with Islanders in Torres Strait. The most labour intensive objects made for their own use are houses. All of the posts, flooring and frames have to be cut and carried by hand from the bush, and for those who do not use materials obtained from the islands, the walls and roof also have to be cut and carried by hand. Whether sheets of paperbark, biri leaves or sago leaves are used on the roof, they have to be replaced after two years, and biri and sago leaves used on the walls last for three or four years before they need replacing. Twenty two of the 42 houses at Buzi had iron sheets on the roof which were given to them by people at Dauan and Boigu when their old houses were demolished and replaced with new ones. Most people had managed to obtain nails from Boigu, although many also used cane to tie their house joints together. Another common housing material used at Buzi is canvas from bags that have been used to transport gravel to Boigu (as Boigu is a mud island there is no local gravel available, all of the gravel used in the construction of the concrete roads, sea wall, airstrip, dam, and houses is shipped in large canvas bags from a quarry at Badu Island).
The cash economy in the village

In general terms the people of Buzi continue to maintain a largely subsistence livelihood. There are a few people who rely as much on store bought food as they do on self-grown garden food, but these are the exception; for most people, their limited access to the cash economy of Boigu allows them a few luxuries but most of their vegetable food comes from their own gardens, all of their meat from hunting and fishing, and their houses are made mostly from materials cut from the bush. Although reliant on their gardens for most of their food, there are some manufactured goods, such as clothes, garden tools and kitchen implements, which are regarded as necessities. School fees have to be paid every year, (Elementary students (Grade 1-2) are charged K20 per year, Primary students (Grade 3-6) K40 per year; students who go beyond grade 6 have to travel to other villages or Daru, where the fees are several hundred kina per year). Some people grow their own tobacco but the store-bought Spear brand is preferred; and most people also hope to acquire other labour-saving and luxury goods, such as generators, dinghies and outboard motors (and fuel to run them), washing machines, radios and televisions, which can only be obtained with cash or as gifts from friends on the Islands; so in addition to their subsistence garden work most people also spend some of their time and energy engaged in work aimed at earning money, whether working for wages, hunting mud crabs and mangrove mussels or manufacturing objects for cash sale or barter; and some individuals have attempted to establish and run small scale trading enterprises, with stores bought from Daru and Boigu and the prices substantially marked up. The amount of money made through these pursuits is not enough to purchase expensive objects such as dinghies and outboard motors. Some people have relatives in Thursday Island, Port Moresby or elsewhere in PNG who earn money and have on occasions made gifts of expensive objects such as dinghies and engines; on occasions over the years dinghies have been purchased by parliamentarians for the use of the Local Level Government Ward member, or as “community” dinghies, and when these have broken down the person who does the major repairs normally takes possession.
of it; and there are some dinghies and engines that were purchased with money paid by the Queensland state government as compensation for the payment of under-award wages to its indigenous employees up to the 1980s.55

In February 2005 at Buzi there were five dinghies in good condition and a further 12 in need of repairs before they could be used, as well as one double outrigger sailing canoe and eight smaller paddling canoes with one or two outriggers. There were eight outboard motors, ranging in size between 25 and 60 horsepower, which were working and eight more that needed substantial repairs (some of these are unlikely to ever work again). There were seven generators, two sets of electric lights and power cords, 15 bicycles, four fishing nets, three wheelbarrows, six stereos, two televisions and video players, four gill nets, two manual sewing machines, and six privately owned water tanks (as well as the AusAID tanks noted above).

There are a few waged positions in the village. In 2003 and 2004 there were two schoolteachers, and two additional ones were appointed (and recruited from Daru, originating from other villages in South Fly District) in 2005 when the school upgraded to teach grade 7. Each of the teachers is supposed to be paid a regular wage, however there is no facility for them to receive payment in the village and they have to travel to Daru to collect their pay. Usually when they went to town to collect their money it was not ready to collect and they would have to wait for weeks, sometimes more than a month, to get their money, and in the meantime the school would be closed. The Medical Orderly was in a similar situation, and he had the added difficulty of trying to obtain medical supplies to stock his aid post, so he would sometimes be away for months. The

55 The Queensland Government was successfully sued by some individuals for payment of under-award wages, and consequently offered payments of $7,000, $4,000 or $2,000 (depending on each individual’s particular circumstances of employment) to all indigenous people who had been employed by the Government or had some of their wages withheld by the government (for those working for private employers) in order to avoid possible further legal claims – acceptance of the offer was contingent on agreeing not to pursue a claim in court. There were numerous people from South Fly District in PNG who had worked in Torres Strait before ratification of the Treaty who were subject to the same regime as indigenous Queenslanders, and were eligible for the same payments.
income earned from teaching or working in the clinic is not sufficient to support a family, and all of these men also had to maintain gardens to grow enough food to live on. The village magistrate and auxiliary police have all attended training courses in Daru and are supposed to be paid a small amount of money for the role they perform (in 2004 this was 10 kina per month), but like the teachers and medical orderly they also had great difficulty in getting paid.

Aside from these few people on unreliable government wages, the main means for Buzi people to acquire the things that only money can buy is by trading, mainly with people in Torres Strait. When going to Daru people sometimes take some garden food, or meat, to sell in the markets there, and there are some orange trees that are harvested each year and much of the crop taken to Daru for sale. They also purchase some things from the shops in Daru to sell back at the village (especially cigarettes and alcohol) and at Boigu (especially music CDs but also PNG cigarettes and alcohol), but the major source of cash is artefacts they have made themselves for sale at Boigu, and working for the islanders for wages.

There are quarantine restrictions that prohibit trade of many foodstuffs from PNG to the Torres Strait Islands; however seafood is allowed, and mud crabs and mangrove mussels are an important trade item as they are likely to be able to be sold on the first day they are brought, unlike mats and baskets and other handicrafts of which there is usually a much greater supply than demand.

Quarantine restrictions do not prohibit the trade of processed sago, and yams that have been peeled, but most garden foods, all live animals, and the meat of birds and animals, are banned. Owing to the way quarantine restrictions are enforced on Papuans travelling to the islands, when Islanders want yams (as they sometimes do for a feast) they can come and get a dinghy load and return to their island without being checked.
There are some raw materials that are occasionally traded to the islands, such as lengths of wongai timber which Islanders fashion into harpoons used to hunt dugong and turtle, and timber and bamboo are sometimes brought across to the islands and used in the construction of small shelters and sitting platforms. There are also some items purchased from trade stores in Daru that are in demand on the islands, including hard liquor and beer, music CDs, and colourful tropical-style clothes. Papuans travelling across to the islands are not allowed to bring alcohol, but Islanders occasionally come across to the village looking for grog.

**Visiting Boigu Island**

The population of Boigu is approximately 250. Among them there are a few white Australians, most of them working in administrative positions or as teachers or nurses, and there is a privately owned shop with rotating owners and store managers based in Cairns, but the majority of the Boigu population are people who trace their descent to ancestors who are known to have been resident at Boigu around the time of annexation by Queensland in the 1870s. Some of those ancestors are believed by neighbouring Papuans to have migrated from the New Guinea mainland at around that time, but the Boigu Islanders generally play down their ancestral connections to the mainland. There is another group of Boigu residents who moved to the island over the period from the 1960s to the 1980s from the village of Mabudauan. There has been some intermarriage between this group and the Boigu Islanders, and the children of these marriages are regarded as Boigu Islanders and thus Torres Strait Islanders, but there remains a distinct and identifiable group of people at Boigu who are classified by the Islanders as ethnically Papuan, and not Torres Strait Islanders. These people frequently host visitors to the island from the village of Mabudauan.

56 The 2011 census gives a total population of 208, of whom 187 identified as indigenous, and the 2006 census gives a total figure of 283, with 258 identifying as indigenous (ABS 2007, 2011). A definite figure is difficult to determine: many Boigu Islanders live in Cairns and some people move back and forth between Cairns and Boigu frequently. The high proportion of identification as Aboriginal or Torres Strait Islander is interesting, as it appears that most if not all of those who are identified as Papuan residents by Boigu Islanders have self-identified in the census as indigenous Torres Strait Islanders.
The vast majority of adult men and women from Buzi and Ber make visits to Boigu from time to time, some more frequently than others. Most people visiting from these two villages go and return in the same day, but people from the villages further west usually spend several days, often up to two weeks at a time. Young children and very old people rarely go across unless seeking medical treatment.

There are a few people from Buzi who rarely go to Boigu at all, and some of these have told me that they prefer to go to Dauan or Saibai as they have better relationships with the people of these islands than with the people of Boigu. With some exceptions, the Boigu Islanders appear generally to have better relationships with people from the western villages of Tais, Mari, Jarai and Bula than they do with those who live at Buzi and Ber, and the Buzi and Ber people sometimes complained to me about the way they were treated by the Boigu Islanders. Among their grievances were some individuals who purchased goods from them, or for whom they worked, who promised to pay them but kept postponing payment, and sometimes didn’t pay at all; the relatively low prices that Boigu Islanders were willing to pay for crabs, mussels and artefacts, and for a day’s work, when compared with the people from Saibai and Dauan who were said to pay more; and that some of the Boigu Islanders would haggle over prices, a practice which is looked on with disdain by Papuans, given the relative affluence of the Islanders.

Papuans also complain about the way they are treated by Australian law enforcement officials, many of whom are also Islanders. They perceive that they are deliberately humiliated on some occasions, such as when they are left waiting in their dinghy in the hot sun for long periods of time to be seen by Immigration and Quarantine officers before they can move around the island, knowing that the officers are sitting in a nearby air-conditioned office.
Conclusion

Despite their humiliations when they go across to the islands, the people from the mainland villages continue to visit and highly value the privilege granted under the Treaty to do so. The economic conditions as described in this chapter illustrate how much more difficult their lives would be if they could not go across to the islands, just as they see the people who are not classified as traditional inhabitants struggling economically far more than they do.

The fact that they produce a substantial proportion of their own food, and that they have the physical ability and strength as well as the knowledge to be self-sufficient, is a source of pride, and the people from the mainland villages contrast their own economic independence with the Islanders’ dependence on money, and especially on “free money” from the government.
Chapter 5: Land ownership at Buzi

The description of the economy of the border region in chapter 4 includes an account of the various activities involved in production for the purposes of consumption and cross-border exchange by people at the Treaty village of Buzi. Gardening, hunting and fishing, as well as collecting materials used in the manufacture of handicrafts and the construction of houses all require access to land and conversion of objects in the physical environment into resources ultimately for human use and consumption. In this chapter I bring together the prosaic issue of land use with the more complex topic of land ownership. This is a point at which tension between typologically Melanesian and Western concepts of the person is manifested, with their fundamentally different consequences for the situational definition of groups. The context in which this occurs includes a profound sense of relative deprivation created by the proximity of the border, and desires for development.

Throughout the region the system of land tenure is readily and unreflectively stated by those involved as based on patrilineal inheritance by people who are identified with a clan, and requires that those asserting landownership of any particular place be able to tell the story of their clan’s origins and placement on its land, and have the right to tell that story. As indicated in chapter 2, there was a great deal of movement of people in this area before and since its encompassment by the colonial order, making the issue of who are the landowners for many places complex and contested. Further, land ownership has acquired new meaning as people imagine the possibility of “development” and organise themselves in anticipation of its arrival. In disputes over land ownership the tension between dividual and individual forms of person and relation are revealed as the model of corporate patrilineal clans runs up against the multiple ways in which people are linked to each other and to the landscape.
It was noted in chapter 2 that the ancestors of most of the people now living at Buzi and Ber migrated to the coast from the hinterland in the early colonial period, and that members of the Tuang clan are generally recognised as the landowners of a considerable stretch of land that includes these two villages. The residents of these villages, having now occupied and subsisted from land within the Tuang estate for several generations, have accumulated histories that are embedded in the land from which they live, and these histories are brought to bear in considerations and negotiations over rights to use land and resources.\textsuperscript{57} They normally do not make claims to being owners of this land, but they do assert and effectively exercise a range of rights in relation to it.

In this chapter I begin with a brief discussion of the “ideology of landownership” (Filer 1997) and then give an account of how this was manifested when news came that a “company” was going to come to Buzi (and other neighbouring villages) and would bring “development.” I analyse one of the disputes over land that emerged as people acted in anticipation of the arrival of the company, and then go on to look at how people at Buzi actually relate to land in day to day life.

**The ideology of landownership**

As elsewhere in Papua New Guinea, in the Trans Fly region an “ideology of landownership” plays an important part in structuring relationships between people, informs their judgements about what is and is not appropriate social action, and configures the status of “landowner” in a particular and relatively novel way.

The prominence of the figure of “the landowner” in contemporary Papua New Guinea society can hardly be overstated. Over the last couple of decades landownership has come to occupy a central place in relationships between

\textsuperscript{57} I use the terminology of “estates” in referring to the areas of land over which “clans” claim and are recognised as the “landowners.” Stanner’s (1965) distinction between “estate” and “range” is apt in this context; some of the details of the Aboriginal Australian systems he analyses vary from the situation in the Trans Fly region, but the point that the composition of land-owning and land using groups are different is common to both.
citizens and the state in Papua New Guinea, and consequently in the self-conceptualisation of people qua citizens; as Filer has argued, “disputation about the customary ownership of land and natural resources has now become the very heart of the modern body politic in PNG” (2006:68). The context in which this has occurred involves an increasing number and significance of large-scale projects for extraction of natural resources by multinational corporations. Petroleum, mineral and forestry projects are by far the main source of income for the state, but they also make large payments to landowners. In these situations, where massive amounts of money are expended on the construction of industrial resource extraction projects in previously isolated and underdeveloped places, and with the distribution of cash to landowners, it has commonly been found that expectations of the transformative capacity of the project to effect development are widely and deeply held, and almost invariably disappointed. The development that is anticipated is commonly utopian in both scale and form: radically transformative of the social and material conditions of existence, and having an autochthonous source whereby the physical resources extracted are attributed significance through new elaborations of ancient mythology.

While it has been noted that the reach of the “ideology of landownership” extends far beyond the locations where resource extraction projects are occurring, indeed it encompasses the entire citizenry of Papua New Guinea in one way or another (Filer 2007:165-166), it is at the points where major projects intersect directly with local people vying to be recognised as landowners that most ethnographic research on land ownership in recent years has been focussed (e.g. Ernst 1999, Jorgensen 1997, 2007, Golub 2005, 2007, Bainton 2010). In these circumstances the catalyst for adopting categorical forms of social organisation is readily apparent, as the state and resource development companies have demanded identifiable entities with which they can enter into contracts for the use of land. The situation that I describe at Buzi shares some similarities with sites of resource development in the ways in which entification
(Ernst 1999) has occurred, but this is in a context where there have been hopes and expectations of development that have not been realised, and it appears unlikely that they will be in the foreseeable future. I do not argue that the Treaty Villages display some special or unique characteristics in relation to the “ideology of landownership” because of their proximity to the border; indeed, conversely, I argue that there is no fundamental difference between Treaty Villages and non-Treaty villages in relation to the “ideology of landownership.”

At Buzi, and throughout the Trans Fly region more generally, social groups that are commonly referred to as “clans” are consciously and deliberately asserted to hold exclusive rights in more-or-less clearly bounded land estates. The identification of each clan with its estate is made in terms of a body of mythology that recounts the origin of the world, establishes the features of the physical environment, a range of social institutions, as well as defining social and linguistic distinctions between groups.

The following list names all of the clans that are commonly recognised in Buzi with a brief note on their migration to Buzi over the period 1930 to the mid 1970s.

**Tuang:** Buzi landowners, based at Azazog.

**Metang:** landowners of Strachan Island, lived at Toez until 1970s, then moved to Buzi.

**Yarne:** migrated from Doeridoeri to Toez, lived at Toez until 1970s, then moved to Buzi. Most Yarne are still living at Doeridoeri village, and there are some at Arufi and Pongariki.

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58 For convenience I refer to land and land estates, but this should not be taken to exclude waters; indeed swamps, rivers and creeks, and intertidal areas are important sources for many kinds of resources, and reefs and seas are also regarded as part of the adjacent coastal land estate, extending a relatively short but indeterminate distance from the coastline.

59 This mythology is the focus of chapter 6.
**Bangu**: migrated from Wassi (west of Wassi Kussa river) to Toez, most of this clan live at Tais, also some at Mibini. Those at Buzi moved there from Toez in the mid 1970s.

**Berag (aka Waruagwad)**: remained on their own country at Old Ber until after WWII, then moved to Gamarmaiyang (New Ber), most live at Ber, some at Sigabaduru.

**Wibag**: lived at Old Ber (share a boundary with Berag), moving between there and Tebatet and Wamorong, until after WWII, then moved to Gamarmaiyang (New Ber). Most now live at Ber, some at Wamorong.

**Nyenyang Wibag (aka Nyenyang Bubog)**: lived at Old Ber (share a boundary with Berag), moving between there and Tebatet and Nanu, until after WWII, then moved to Gamarmaiyang (New Ber). This small clan has people living at Buzi, Sigabaduru, Malam and Kurunti.

**Rirang**: originally from Gaim, lived at and near Damem, then moved to Buzi.

**Duagag**: originally from Gaim, lived at Old Ber and Wamorong, until after WWII, then moved to Gamarmaiyang (New Ber). Now living at Buzi, Ber and Wamorong.

**Gaimang**: originally from Gaim, lived at Old Ber and Tebatet, until after WWII, then moved to Gamarmaiyang (New Ber). Most now live at Sigabaduru, some at Ber and at Buzi.

**Ulekapang**: originally from east of the Pahoturi, lived at Tebatet then moved to Ber after WWII; claim to be landowners of estate east of Mogai. Now live at Ber and Buzi.
Solpam: originally from east of the Pahoturi, lived at Tebatet then moved to Ber after WWII. Now live at Buzi, Ber and Sigabaduru.

Gwanibunang: originally from between Morehead and Bensbach River, lived at Tebatet, then moved to Sigabaduru after WWII, and some moved to Buzi around 1970s.

Dodog: moved from Bubsi (old Kwiwang) to Buzi after WWII, but moved frequently back and forth between Bubsi / Kwiwang for many years before settling at Buzi in the late 1950s. Some Dodog remain at Kwiwang, others at Buzi and Ber.

Pedlag: moved from Dimiri to Buzi before WWII, most Pedlag remain at Dimiri, some at Ngao, Wamorong and Kibuli.

The company is coming

The company never came to Buzi, but there was a period of expectation that it might, which gave impetus to several disputes over land ownership that had previously lain relatively dormant. There was a perceived need to register ownership of bounded areas of land by clans (and, some argued, sub-clans) which brought the tensions between the individual / corporate model and the relational reality into relief, and this was further exacerbated by conflicts over “true” and “liar” histories of migration in the early colonial period.

Most of the people were in the village, it was late February 2003, the week before the school year started, and the week was to be devoted to community work, most of the tasks involving repairs the school buildings and cutting the grass and cleaning up around the school. Late in the night of the day before the school-work week Dorro had returned from Daru with a map of South Fly District, showing the area from Sigabaduru to Buzi marked up as the “area proposed for company development”, and a document signed by Goibu Muri
(Goibu was living at Sigabaduru, and is a senior man of the Berag clan). A quarrel had broken out at Marate but I didn’t hear about it until the next day, when we were busy with the work at the school. At the end of the first day’s work there was a meeting, first to plan the work for the rest of the week, and after that was done, to discuss the issue of “the company”, which had been the subject of the argument the night before. The plan for the next day’s work was sorted out in short order, people were divided into groups and allocated their respective tasks. Then Frank, who was the “member” (i.e. elected Local Level Government Ward Member), and had just returned from Daru the day before, got up and spoke about the new Medical Aid Post that AusAID was soon to start building, and there were several statements by people that their own government was not providing anything for them, but the Australian government was helping because of the border treaty, and we should all be grateful.

Frank then said that the landowners of the land from Sirmai (on the east bank of the Mai Kussa, a couple of kilometres west of Buzi) to the Pahoturi River are not registered. If the land is not registered then the government can easily take it, but if it is registered the government can’t take it. The letter is saying that everybody must register their land. Workers from overseas, Germany, would be coming. Victor Sogu is the company chairman, and he wants landowners to sign so that the company can get a bank loan, from the World Bank. Frank took out the map, and said that a satellite will choose the place where the port will be built. He said that the people from Oriomo have done it already, they’ve formed an association and paid their K600 fees.

The problem that had been the cause of the quarrel the night before was an argument over whether two named groups were separate clans each with their own estates or two “sub-clans” with a single estate between them, and if so whether it was divided into separate sub-clan estates or comprised a single undifferentiated estate. (Dorro (Ulekapang clan) had drawn a map on the instructions of his father Wakai showing Ulekapang and Solpam as two separate
clans each with their own estate. The dispute was over whether these were separate clans or sub-clans within one clan, and where the boundary between them was, if indeed there was a boundary between them.

A discussion followed in which it was said that there were rumours that there was going to be a new port at Oriomo, and it was the same company that was going to come to build a new port at Ber. Several people stated the opinion that if the company wants to come then they should come themselves in person, not send maps and letters with Dorro and Frank, and Dorro said he would send a fax from Boigu to Victor Sogu and tell him that he should come to Buzi himself to explain what the company would be doing.

A month later Dorro and Wakai made another trip to Daru, and they called a village meeting when they returned. Dorro said they had met the company boss, Victor Sogu, who is holding the papers for Oriomo and other places, and now the company is requesting Buzi, Ber, Sigabaduru, Dimiri and Sibdiri people to register their landowner groups. Wakai and Dorro had made a list of clans from Buzi, Ber, Sigabaduru and Dimiri, each with a named “clan leader” and they read the list out. Dorro said Bill Dewara is working on the list for Sibdiri.

Dorro said the company wants the landowner groups from the area between Sigabaduru, Buzi, Sibdiri and Dimiri to get registered, and to make a map with all of the boundaries showing the landmarks between the clans. The company says to set some land aside for your own use, and give the other part to the company. Fifty two engineers are on their way from Manila in the Philippines to start work. Once the landowners are all registered then they would make an agreement with the company, but in the meantime they need an interim group to represent all of the clans. Victor Sogu has gone to Manila, and Sam Gebia and Michael Somare will meet him in Sydney on his way back to Daru. Victor told Dorro to get a passport, because he will be the chairman for the landowner group of Mogai where the port will be, and he will also be the interim chair. Levi Bari will be the deputy chair to Dorro, Goibu Muri will be another one, and Frank Warapa
another one. Everything is all worked out, the company is just waiting for the landowners to get incorporated and registered, then sign the agreements. Michael Somare has his tuna project [at Wewak] as part of the same company project; they paid him K10 million to sign the agreement.

One man, Banu Namai, suggested that it would be wise to find out what it is that the company wants, and Dorro replied that they have only said they will build a port at Mogai. There were some statements of support for the company, such as “it’s still a proposal at this stage, but once we sign we must hold the company tight”, then Dorro asked if everybody agrees today he will go to Boigu and fax the message to the company in Daru, then he’d go to Daru for a few weeks to work out the agreement; there was a loud shout of “au” (yes), and the meeting ended. Dorro did go to Daru, and came back a couple of weeks later with another list of clans, each with a leader nominated, and another map showing clan boundaries.

Over the next few months the idea that “the company is coming” was a cause of some excitement. While collecting genealogical data from one of the families of the Rirang clan I was told that “now that the company is coming” Awati will have to either give the exchange that he owes to the Rirang clan (i.e. a woman from his clan to be exchanged in marriage), or else agree that the Rirang clan are the landowners of the several portions of land given by Awati’s grandfather to the Rirang clan when they settled at Buzi (these include garden sites, sago groves, camping places and swamps). Some Rirang men, including their most elderly man, took me to visit another tract of land (focussed on Damem) of which they claimed, controversially, to be the landowners through inheritance from an extinct clan (this dispute is discussed further below).

Dorro started collecting money from the village people for the company. Some people gave only K2, others up to K100, but I didn’t come across anyone who had given nothing. One man at Sigabaduru, who was a school teacher, was said to have given K1000. The rationale was that when the company comes and starts
building new houses for everyone only those who contributed would be on the list for a new house, and the more you contributed the higher up the list you would be. At the time all of this was happening I was asked what I thought about it; did I think the company would really come? I advised caution, and said that if it was me, I would want to know a lot more about it before handing over any money. But it seemed that what was wanted from me was affirmation, and people responded to my enquires about whether they had put up any money by politely ignoring me, and after only a short time not coming to discuss it with me. In response to my questions about whether they had given money to the company people admitted that they had but as I was already known to be sceptical there was a general disinclination to discuss it with me.

Dorro took the money to Daru and came back to the village, then months went by and there was no more news about the company. By the end of 2003 a story was going around that the company had run away with the money they had collected, and Dorro and Frank confirmed this after another visit to Daru. So the company wasn’t coming after all. I later learned that Victor Sogu is from an Oriomo village, and he and his Filipino associates had collected significant sums of money that had been paid as royalties to landowners by a logging company working in the Oriomo area. They had apparently promised to bring development, but it was alleged that they had spent the money they received from Oriomo people before expanding their activities westward.

At the time I suspected that this was likely to be some sort of scam but I didn’t know the background. In retrospect it appears that it may have been an early stage in an attempted “land grab” (Filer 2011) by a logging company. However, while commercial timber harvesting has occurred in the Oriomo River area at the eastern end of the Trans Fly region, the land from the Pahoturi River to the Mai Kussa that was the focus of this proposal has only a few small pockets of rainforest, and would not sustain commercial logging. This may possibly be a reason that the proposal didn’t proceed to the “land grab” stage, but nobody got
back the money that they had contributed to the scheme. The company never came to Buzi, but the imagined possibility that it might come gave a new impetus to several disputes over land that had lain dormant and were brought into public debate and discussion. There were many disputes over land that surfaced at the time, I describe just one of them below.

The dispute over Damem

The relationships between origin sites and the stories that give them significance are complex and disputed in their details but the basic structure is widely accepted and is at the core of the system of landownership. The dispersal of the first people from each of the origin sites to the estates that would be inherited by their descendants involved travel across the landscape, naming of places, and marking of the land through various means, most prominently the planting of particular species of trees but also in some cases creating features of the physical environment such as creeks and rivers, reefs, swamps, patches of open clear ground or thick forest as traces of their presence or consequences of their activities. Discussions and disputes about landownership are conducted through these stories. A claim to be the landowner of a place requires knowledge of the names of the ancestors and of the places that they visited, marked and named.

The extent to which the “ideology of landownership” – with its assumption of corporate clans owning bounded estates – contradicts the reality of the ways in which people assert rights in land, and respond to the assertions of others, is evident in conduct of disputes. In what follows I describe and analyse one particular dispute over land, at a place called Damem, which is on the southern bank of the Dimiri River, at the northern end of the Tuang estate. There are several parties involved in this dispute, some of them assert that they are landowners of Damem on the basis of their mabun stories, and one group that originally came from a place some distance to the northeast, but who claim to have acquired Damem by succession from a now-extinct clan, and another whose estate borders to the north and also claims to have succeeded the extinct
clan. I set out the various *mabun* stories below, and I also give a narrative account from the clan claiming to have succeeded the extinct clan, but in order to contextualise these stories I first I give a brief description of the various protagonists involved.

**A summary of the contradictory assertions**

The Tuang clan, commonly acknowledged as landowners at Buzi and Ber villages, asserts that Damem is within their estate and always has been. Their *mabun* came from Mingkad to Buzi, but their *mabun* story does not provide any clear reference to Damem.

People from the Dablag clan, who claim their own estate of land to the east of Sibdiri, assert that Damem was formerly owned by a now deceased man named Reka. They say that Reka’s clan was named Lyekang, that the Lyekang estate included land on both north and south sides of the Dimiri River, and bordered the Dablag estate on its southern side. When Reka died he had no children, but he was closely related to the Dablag clan and Dablag people now assert that they inherited all of Reka’s estate.

The Rirang clan originally came from a place named Gaim, a considerable distance to the northeast, and migrated to Buzi in the early colonial period. On the way to Buzi, and later during the period when Buzi was abandoned after its original establishment as a police post, they lived at Damem. They agree with the Dablag clan that the estate within which Damem is situated used to belong to Reka, but they say that his clan name was Lomang, or alternatively Bunang. They told me that when he died and his clan became extinct he gave the portion north of the Dimiri River to the Dablag clan, but the part to the south of the river, they say was given to the Rirang clan.

The Dumirang clan, commonly acknowledged as landowners at the old village of Dimiri, asserts that their estate extends down the Dimiri River at least as far as
its junction with the Mai Kussa River. They sometimes make expansive claims to be landowners of all of the land from Dimiri all the way to Buzi, and sometimes also assert that they are landowners of some of the islands in Torres Strait, the Great Barrier Reef, and the Australian mainland. The Dumirang clan do not acknowledge the claims of succession from Reka by either Rirang or Dablag clans.

The Talkanmeyang clan came originally from somewhere to the northeast (exactly where is disputed, but in their own account they share an ancestor with the Dumirang clan but give a different version of the mabun story). They were living at Dimiri village until approximately twelve years ago there was a dispute with Dumirang and Pedlag clan people over relationships between Talkanmeyang boys and Pedlag girls that were not approved by the girls’ fathers, and they moved to establish a new residence downriver from Dimiri at Kaikmawang. Their new village (sometimes called a “hamlet”) is upriver from Damem but within the estate associated with Damem under dispute. The Talkanmeyang clan is closely related to the Rirang clan (they have in the past provided sisters for each other to use in marriage exchanges, and do not marry each other), and they received permission and support from the Rirang clan to establish their new settlement at Kaikmawang.

The stories through which the assertions are made

Some parts of all of the clan mabun histories are publically known, but many also have secret aspects. The secret parts are sometimes alternate names of characters known commonly by other names, but many of the secret clan mabun stories involve expansive assertions, in which they place their own ancestors at the centre of the main action, and imply “landownership” over vast areas. In public contexts they tend to limit their assertions of ownership to an area of land that has a reasonable prospect of public assent, but in telling me their stories to me privately many people told greatly expanded versions to what I heard in public contexts.
There are two clans (neither resident at Buzi) whose public versions of their *mabun* history are as expansive as the secret histories of the others; each places their own *mabun* ancestors at the centre of the main stories of the creation of the world and the dispersal of people across it, including both local black people but also whites in far distant lands. These are the Mingkadag clan and the Dumirang clan. The Mingkadag clan claims descent from Many, the main character associated with the origin site Mingkad, and they claim to be and are recognised as the landowners of the story place Mingkad, and an estate surrounding this site. Mingkad is the origin site for the region from Buzi in the southwest to Bimadeben in the northwest, to Kondobol and Wim in the northeast, to Mogai in the southeast, and in some contexts the Mingkadag clan claim to be landowners of this whole region over which Many distributed people. Depending on the context, they normally recognise that the descendants of the people distributed by Many are also landowners but at the same time assert that they are really just “looking after” those places for the Mingkadag clan. There are numerous stories involving Many at Mingkad, but there are two in particular that have special relevance today. One of these involves a wild yam from which the first people – including Many – originated. The other involves a *wiyawe* palm tree, from which Many released the ancestors of all other people. Several versions of these stories are set out in chapter 6. In all of the versions Many was the main character, and Many is universally acknowledged as the ancestor of the Mingkadag clan; the importance of the differences between versions is in who else came from the wild yam – and was thus one of the first people, and who came from the *wiyawe* palm. In disputes between other clans senior members of the Mingkadag clan are sometimes called upon to adjudicate; they described themselves to me as “the historians” by which I understood them

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60 The pronunciation of the –ny- in Many’s name is the same as the Russian nyet.
61 The *wiyawe* tree is a palm, but I have not identified the species. *Wiyawe* is the name in Idi and Agob languages for the same species of tree as *saker* in the dialects of the Nambo language (as spelled by Ayres (1983); Williams (1936) spells it *sak’r*). Neither Williams nor Ayres identified the species; Williams writes in a footnote: “The *sak’r*, commonly known as ‘Black Palm’ in Papua, is a particularly handsome palm. The bark, which is very strong, is the material of spears and bows in other parts of the territory” (1936:299, fn. 4). However there are several other species of palm that are also referred to as “black palm.”
to mean that they thought of themselves as the keepers of the authoritative history of Mingkad.

The Dumirang story, two versions of which are recounted below, claims Noah, also known as Metebenang, as an apical ancestor, and asserts that by virtue of Noah’s distribution of people across the world after the flood, the land on which they settled belongs first to the Dumirang clan.

**Tuang clan story - Ubirikubiri**

![Figure 6: Sketch map of the Tuang claimed estate, including Damem](image)

The Tuang clan name refers to the permanent swamps a few kilometres to the north-east of Ber village, tu- means deep, thus Tuang means people of the deep (place). The Ubirikubiri story is the public *mabun* story of Buzi and is known by everybody at Buzi, as well as most people from all of the surrounding villages. There are versions of this story published in Laade (1969:99), Lawrence
(1994:405) and Schug (1995:291-293).\(^6\) The following version was told to me by Awati Papu at Buzi.

Ubirikubiri and his daughter Girbut came from Mingkad to Buzi. Ubirikubiri stayed by himself, his daughter stayed separately. She used to bring cooked food half way to his place and leave it for him there. Girbut told her father to look for an animal for her. He brought her a pig, a cassowary, birds, all kinds of animals, one by one, but each time she didn’t want it. He said to her, I already brought you all of the different kinds of animals from the mainland, where will I find your animal? She said go to the river and the sea. He went to Buzi thowa\(^6\) (i.e. at Onom, the small creek east of Buzi), it was low tide, he caught some different kinds of fish, then he went to Motaibungoet (further up the river) and caught a small crocodile. He tied it up and brought it to his house, then he went to the place where his daughter used to bring his food and called her from there. She came, and she said, yes, I like this pig, I’ll name it Ubirikubiri [i.e. the same name as her father]. The father only saw this crocodile when it was small. The daughter took it, she cut bamboos at Onom and made a fence and put the crocodile inside, but she called it a pig. She fed it for some time, the father didn’t see it as it was growing bigger, it came, came, caaaame big now. She told her father, pig there, I’ll put his food here, I’m going to the garden, when he gets hungry you give him this food. She went to the garden, the father went to the house until the pig was making a noise. He went to the side of the crocodile fence and said hey, Ubirikubiri, are you hungry? Ubirikubiri could smell a different body smell. The father gave him food but the crocodile turned his head away. The same thing when he gave him water, he turned his head away. When the father tried a second time to give him food the crocodile broke the fence and grabbed the father in his teeth, dragged him to the Ubirikubiri stones (i.e. rock outcrop in the mud in front of Buzi village).

\(^6\) A large brass sculpture representing this story was made by Dennis Nona, for which he won the 2005 National Indigenous Art Award in Australia, it was purchased by the Australian National Gallery and is exhibited in the window of the gallery main entrance. This is discussed further in chapter 6.

\(^6\) Thowa = river / creek.
At this time Girbut was still in the garden, she worried that her father’s smell was different from her own, and she came back. She saw that the crocodile’s fence was broken, she could see blood and faeces everywhere, the stones there now are the blood and human waste. She realized that Ubirikubiri had killed her father and she cried. Then she went and cut bamboo and made a raft, and she started pushing it with a bamboo pole, she was crying, and shouting for Ubirikubiri to lift her father up. That is the song, Ubirikubiri lift my father up, she was crying and singing. He lifted the father up, she saw him and said, that’s OK, put father like this, north-south. I am going there, I will sink down over there. When she went there and broke her raft, the bamboos floated to Onom and they’re growing there now. Now the son and father are there, the daughter on the other side.

Awati and Levi are engaged in several ongoing disputes over the boundaries of the Tuang estate. On the western side the Mai Kussa River marks a boundary with the Metang clan from Strachan Island. These two groups, and in particular their leading men, Awati and Badi, are closely aligned in the politics of landownership, and there is no dispute between them over boundaries. The river itself (which is actually an inlet of the sea) is associated with a Tuang clan mabun story, but on two occasions when the prospect of commercial activity on the river arose (one a visit by a Daru man with tourists who wanted to fish there, another a proposal for a tourist enterprise further upriver that would fish on the river) they both included each other in discussions and negotiations, and there was no hint of disagreement or exclusion. They rely on each other for support. They say they cannot marry each other’s clans, and theoretically could (but haven’t) lend sisters for use by each other as marriage exchanges. On the eastern side there is general agreement with the Berag clan over the boundaries of their respective estates, although the Berag clan have disputes with several other clans over their other boundaries. On the northern side of the Tuang estate there are disputes with several groups. I give summaries of the competing
accounts below, and then analyse them in terms of the definition of “landowner.”

According to Awati, his (Tuang clan) northern boundary runs along the Dimiri River. The main, publically known, Ubirikubiri story doesn’t mention it, but Awati makes occasional oblique references to the *mabun* name of Budgem and infers that this story validates his claim to this land. In Awati’s account, a man now deceased, Reka, was the landowner of the land on the other (northern) side of the river. Reka died without children, but Reka’s (classificatory) brother Dablag had two sons, Jonah and Manga, and they are now the landowners of Reka’s estate.

**Dablag history of succession to the land at Damem**

![Sketch map of the Dablag claimed estate, including Damem](image)

**Figure 7: Sketch map of the Dablag claimed estate, including Damem**

Jonah lives at Sibdiri village, his father, whose name was Dablag, was from the clan also named Dablag. Jonah told me that Reka belonged to the Lyekang clan.
The Dablag clan land is adjacent to the Lyekang clan land on the northern side. Reka’s father was Dop, and Dop’s father was Gamal. Gamal had another son in addition to Dop, who was named Goemar. According to Jonah, Gamal was Lyekang clan, his son Dop (i.e. Reka’s father) was Lyekang clan, but Gamal’s son Goemar was a Dablag clan man. I asked Jonah why the two sons were said to belong to different clans and he said that he didn’t know why, the land was in two parts when Reka was alive, but they (Lyekang) are “not really a separate clan, they’re a sub-clan of Dablag”; and now that Reka has deceased without children Dablag clan (i.e. Jonah) is the landowner for both. Jonah also told me that before Reka died, he told him that as he (Reka) had no sons, Jonah would have to look after all of the Dablag land after Reka’s death, i.e. including the Lyekang “sub-clan” land. Contrary to Awati’s account, Jonah asserts that the estate he inherited from Reka extends well south of the Dimiri River.

**Rirang history of succession to the land at Damem**

![Sketch map of the land including Damem claimed by Rirang](image)

**Figure 8: Sketch map of the land including Damem claimed by Rirang**
People from the Rirang clan concur with Jonah that Reka’s estate included land on both northern and southern sides of the Dimiri River; however whereas Jonah claims to have inherited all of this land, the Rirang group assert that Jonah inherited only the northern portion of this estate, and the part to the south of the river was given to the Rirang clan. A version of the Rirang account, as told by Goralam Ngoibog, at Kaikmawang, translated by Banu Namai is as follows:

The grandparents were at Gaim, and they moved, first to Kudmu, then to Tekang, to Bobenang, then to Damem [Kudmu and Tekang are places en route from Gaim, Bobenang and Damem are on the south side of the Dimiri River]. While they were at Bobenang and Damem some of the people now at Sibdiri, Deyag and Dabarag clans, were living at Gwazimai (across from Damem on the northern side of the river). Reka’s clan was Bunang, another name for it is Lomang. There was friendship between Dop [Reka’s father], Dirom [Reka’s father’s father], and the Rirang people staying at Damem. Dirom gave permission for the Rirang group to stay on the southern side of the river. The two groups at Damem and Gwazimai were living together. The clans Bunang and Rirang are both banana totem. When Reka was a small boy he was staying at Gwazimai and Damem. Bunang people told Rirang to look after land at Pinkunkunang (a sago swamp on the southern side of the river) and at Gorab. The Deyag people… told the Rirang to look after Kunankunan sago plantation, and also one at Kodorokopkunankunan, and the one at Bobenang. These places were all given by Reka’s ancestors to the Rirang clan when they were living at Damem. The sago at Bobenang, the Kodag clan story says a parrot left the seeds at Bobenang and sago grew there. The land given to Rirang goes as far as the landmark with the Dumirang clan, the mark is at Rirmai, the thokal imi (thorny sago) and saz (derris root) there are the mark. There is saz and coconuts at Korakoramithang, and two saz at Akokmor. All these landmarks were from Reka’s father, he gave the authority to Rirang to take over his land on the south side of the river to Damem. Dirom was moving around on both sides of the river, he was the landowner of all of these landmarks. The coconuts at Kutpur, and
breadfruit, and the coconuts at Punungtanganar, and at Donkop, and ginger there too, and at Minbi. Dirom was a rain magic man, his instruments were at Kutpur, that’s where he used to make his rain magic, and another one at Utar, another at Kwantanuwangpot. Bain (Rirang clan man) made his rain magic at Kwantanuwangpot, he used Dirom’s instruments with permission from him to use the place and the instruments. The coconuts at Damem are from Dirom and the sago there too. Coconuts at Tatomapoka and Sorowam, they are all Dirom’s pegs, where he used to move around on his own land.

Dop left Reka (i.e. died) when he was a small boy and Reka stayed with Deyag and Dablag and Rirang clans. Mathe and Bain (Rirang clan men) used to bring him to Damem to stay with Rirang people. They gave him clothes and food, and looked after him. Reka asked the old people which clan he is from, and Rirang people told him he’s Lomang, but also Rirang because of the close relationships and the two clan stories. Before Dop died he told Rirang that the land on the south side of the river is theirs because he had only one son.

On the road from Sibdiri to Ratatang, from there the people could shout to Damem. While the Rirang were still at Bobenang they made a presentation to Deyag and Dablag, they gave them garden food, clothes, axes and knives, mats, bows and arrows and other things, not as payment for land but as a gift of appreciation to the landowners. They cleared and built houses for their settlement, and when Reka was an unmarried young man he stayed at Damem with Rirang. Reka wanted Rirang to provide him with an exchange but they had only two girls, Paben and Sawar, and they already had a credit with [i.e. they were owed a girl by] Lomang at Pahoturi so couldn’t give him one of their girls for his exchange.64 Reka went to Sibdiri but nobody would give him an exchange. Then Dablag gave him a widow, Sugu. Rirang were living at Buzi at this time, and

64 The point being that they had their own boys who needed sisters to exchange and were owed one by another clan that hadn’t been received so didn’t have enough daughters/sister to give one to Reka.
they called Reka to come to Buzi. Ned had two wives, Dekom and Binmin, he gave Dekom to Reka, and Sugu married Borr as his exchange.

When Reka got sick he sent word for Goralam and Masepa [i.e. the narrator of this story and his FBS – classificatory brother) to come to see him and his wife Dekom. He said, my land from Rirma to Duminye (i.e. landmark with Awati (Tuang clan)), that land was given to Rirang. Dablag will get the land on the north side of the river (i.e. Jonah from Sibdiri).

The landmarks between Rirang land and Kwarang (i.e. Dumirang clan, to the northeast) are Rirma [also known as Rirbumai] (on the river), Ulum, Ande, Tantalngmong, Kodorkopang, Gubogkop, Gubultu, Ambarawan, Kwalangbunangtang, Patlemumangmai, Ogaiyabukulam, Palyo, Goraptu, Tolmithpangpolom, Kupelpangtoi. The marks with Awati [i.e. Tuang clan] are Andodopolom, to Duminye, and to the mouth of Duminye thowa.

As discussed further below, the denial by the Tuang clan men of the Rirang claim is phrased in terms of their migration from far away. According to the Tuang clan men, the Rirang clan are “Bok migrants” – Bok is a village well to the north of Gaim, where the Rirang group claim to have originated, but when they left Gaim other members of their clan moved north to Bok. According to Levi, and by inference also his brother Awati, the Rirang have no right to claim land that belonged to Reka regardless of where they lived in recent generations, as the group who should succeed to land of an extinct clan is the adjacent estate – in this case, the Dablag clan in the north and the Tuang clan in the south.
Dumirang clan story – Dumirang version

Figure 9: Sketch map of the Dumirang claimed estate, including Damem

The Dumirang clan claim descent from a mabun ancestor named Metebenang, said to be known to white people as Noah. This version was told to me by a man named Kwarang Pipuk from the Dumirang clan, who frequently asserted that his story gave him pre-eminence and made him landowner of many places, from Dumir to Buzi and all of the places in Torres Strait mentioned in the story; on a few occasions he told me he is the landowner of the Great Barrier Reef, all the way to Sydney. Indeed, at its most expansive, the Dumirang claim of landownership is extended to the whole world.

Metabenang was born at Mingkad, his father was Many and his mother was Yando. His name means “doing work for no result.” Noah was his other name, it was a secret name, women were not allowed to hear that name, if anybody said the name they would die.
Many was killing people, he was controlled by Satan, Metabenang had an argument with his father (Many) and he ran this way, to Dumir. When he came this way he came with a piece of land, from Mingkad. Metabenang’s wife was Sarel. When he came from Mingkad he was based first at Dumir, he started to build a boat. In Idi language it was not a boat, it was mai, house. When the water came up it lifted the house, it was floating like a boat. The boards were made from maimai (cedar). The keel was made from another species of tree, puni.

They had three sons. They were all married, and they produced twelve children, These three brothers with their 12 children were inside the boat, they were saved by the boat.

Metabenang sent a dove from the boat, to Dumir, it got a leaf from a maimai tree.

Metabenang put every animal, male and female of each into the boat. The three sons were different colours, black and white, they spread out all over the world, when the boat anchored and then water went down and the animals came off, every animal, birds, snakes, everything. He let people off at the islands. But first was Papu family at Buzi, Yoda [i.e. Auda] family at Boigu. From Buzi he looked to Boigu and said “I’ll move there” – “boingwoi”, he put some pegs at Buzi,… then he went to Boigu, put the Yoda family there, he put some pegs there, the well that is now under the airstrip, black palm that was taken from Dumir, he was showing that Boigu belongs to Dumir people…. He went to Dauan, and put people there,… he went to Ber and put people there, and he put his pegs there. He looked to the south and said “boiru” (“have a rest”), so he went to Buru and had a rest there. From Buru he went to Badu, “bado” means you are there, and he left some families there, he left his pegs there, a well, bamboo and some trees….
We don’t know the full story, but the boat continued from Badu, it went all the way, and left white people in their places.

Our story says that we own the world, the people and the land, when the flood came everyone was killed, only Metabenang / Noah remained, and produced his three sons, white and black. He was a good man and God saved him. Noah is not a European name, it is our name but it was secret. People told him, you are building this boat but nothing will happen, that is why he had that name, Metabenang...

The expansive Dumirang claims are not generally accepted by other people. The Metabenang / Noah story is widely known, but the common view is that it is not a legitimate basis for the Dumirang clan’s claim of ownership of land along the Dimiri River to the Mai Kussa, and of seas and reefs in the Torres Strait and beyond; for most people the Dumirang estate covers an area around Dumir and includes the newer village of Dimiri, but does not extend down the Dimiri river past Rirbumai. Below is an alternative version of the Metabenang story, told by people of the Talkenmeyang clan. The ancestor of this clan is Gulbe Talkenmeyang.

Dumirang and Talkanmeyang clans – Talkanmeyang version

Within the land claimed by Rirang as inherited from Reka is the new settlement of Kaikmawang, where people from the Talkanmeyang clan moved following a dispute at Dimiri, where they used to live. The Talkanmeyang clan and Rirang clan have a close relationship which is expressed in various ways, including that they should not marry each other, and have similar and related mabun stories (both are banana totem but different varieties of banana). They asked the Rirang clan for permission to move to Kaikmawang, but Kwarang (Dumirang clan) has been trying to have them evicted, and claims the land where they now live belongs to his clan. The following story was told by Bedo Jugu at Kaikmawang.
This story is from the ancestors, it’s not from the bible or school. Gulbe Talkanmeyang and Many were born at Dumul [aka Dumar]. Together they went to Mingkad. Many used to hunt for people in his aeroplane, Blam would take the bodies out of the plane, and Gulbe Talkanmeyang would cut them up. Metabenang was Many’s son. Metabenang’s other name was Noah. Noah went to church and worshiped God, so Many decided to kill him because he refused to do what he was told. The two sons decided to run away. They went to Amondubondiyag in a canoe, then went back [to Mingkad] because it was nearly daybreak. The next night they travelled underground, and came out at Dolmaigudugudu, then they went back underground and came out at Dumir.

They were staying there, and they decided to make a gun. They cut a bogalam tree [bogonal = bow / gun], for bullets they collected small stones, for the barrel they used patla [thin stemmed bamboo] and they also used patla for the cartridge. They tried the gun but the barrel split, so they cut tongo [another type of thin stemmed bamboo] and tried it again and this time it worked.

Many was chasing a woman named Boegazi, she was running away, screaming. Metabenang heard her screaming, he fired a warning shot, and Many stopped chasing her; he was so frightened he shat himself. Metabenang told Many not to do it again.

Metabenang started making a kwudubu [raft], and he built a shelter like a house on top of it. While he was building it the people made fun of him and spat on him. When he finished building it he put animals inside, male and female, and his family. He locked the door and then the rain started falling, the water came up and the raft rose on the water, some people were floating outside, holding onto trees, others were trying to get onto the raft, but Metabenang said no.

Gulbe Talkanmeyang had [magic] power. When the flood came he killed his son Bagi to stop the flood, he planted Bagi’s thigh bones in the ground, and he planted thokal imi [thorny sago] to make the ground strong, but it didn’t work. It
had worked before, at Dumul, but not this time. The thoro tree that had grown up from Bagi’s thigh bone fell down, but it didn’t rot. When the kwudubu was floating the flood was over the top of the trees, but Gulbe Talkanmeyang went under the ground, he went to Gwanibun and came up there, then went back under the ground and came up at Mogai, then went back underground and came up at Dauan. At Dauan he stepped on the ground and left his footprints. He planted thokal imi, aigi [type of banana] and perla [species of tree] near the waterfall at Dauan. He left the Elisala family there, he already left the Muri family at Ber, he went on and left more families at Thursday Island.

The water began to go down, and Metabenang sent a crow to search for a place above the water. The crow’s name was Kalyidaramin. He went to Iridana, he saw dead people and stayed there to eat them, he didn’t come back to Metabenang. Then Metabenang sent an eagle, but it did the same thing as the crow. Then he sent a dove [welwel = Torres Strait Pigeon]. The dove cut a branch of a maimai [cedar] tree at Boldemai and took it back to the boat. Metabenang asked the welwel and he told him there is dry ground there at Boldemai.

The boat came from Buru [Island, in Torres Strait between Boigu and Mabuiag], to Iridanapunu, at Boldemai where the welwel tree was, the flood stopped, the ground dried, and he sent people out of the boat. The land was small. He left a man at Dumir, he produced the generations up to today. He supplied people to replace the ones who were lost from the other places. From those ancestors, Dumirang came first, then Talkanmeyang, then Pedlag.

Then the boat went to Boigu, Dauan, Buru, and further south. Talkanmeyang is from Dumirang, from Metabenang.

There are many similarities between the Dumirang and Talkanmeyang versions of this story, but also some crucial differences. The Talkanmeyang version stresses the relationship of their own ancestor, Gulbe Talkanmeyang, with Metabenang, whereas he is not even mentioned by name in the Dumirang
version; and they claim that it was Gulbe Talkanmeyang rather than Metabenang who left particular people and landmarks on some of the Torres Strait Islands. Unlike the Dumirang clan, however, as far as I know they do not claim to be landowners of these places, but only to have a relationship with them.

**Analysis of the claims and counterclaims**

The Dumirang clan *mabun* story, as told by Kwarang Pipuk, is exceptionally expansive. In chapter 6 I describe how some of the *mabun* stories incorporate biblical elements, and others elaborate on themes of racialised difference, black and white unity at the origin of the world, with a moral critique of white wealth and power at the expense of black poverty and powerlessness. The Dumirang *mabun* story does both of these things, by asserting that the story of Noah’s Ark is their own clan story. The consequences for claims of landownership by the Dumirang clan are that at some times in some contexts Kwarang claims to be landowner of the whole of the Dimiri River, into Torres Strait, along the Great Barrier Reef, as far as Sydney; in other contexts he makes more modest claims but still further along the Dimiri River than is generally acknowledged by most others. Awati and Levi (Tuang clan) claim as far up the Dimiri River as Bobo, thus the settlement of Kaikmawang is within the estate boundaries they claim as belonging to Tuang, but Kwarang claims Kaikmawang is within the Dumirang estate.

While Goralam was telling the Rirang story at Kaikmawang outlined above, Reka’s widow, Dekom, was present, and she said she would stand together with the Rirang clan against Kwarang and his claim to the land at Kaikmawang and Damem, but Dekom was also present when Jonah told me the story of how he inherited all of the land that used to belong to Reka and she appeared to agree with that alternative account as well.

On one occasion I asked several Mingkadag men for their opinion on the dispute over Damem, but they were unwilling to take anybody’s side. They told me that
really all of the land comes from the Mingkad story and that they are the landowners of the whole region; that Awati “looks after” Buzi for them; that the Rirang and Talkanmeyang clans are not really from there; and that Kwarang (Dumirang clan) is from Dumir and his land doesn’t come that far down the river.

In August 2004 Levi distributed copies of a typewritten letter to several people at Buzi, Ber, Sibdiri, Dimiri and Sigabaduru, which read (in part):

This message serves the right to know and act upon by the people living now in Buzi, Berr, Dimiri, Sibidiri, Toz, and Sigabaduru Villages. That the portion of the Buzi land called KAIK MAWANG OR KEKBOMA is illegally in possession and used by the people from Dimiri Village. This is truly the breaches of our customary land right title ownership.

As the chief of WHOLE BUZI LAND, I am Mr. Levi Papu is advising that any group of immigrants or nobody is allowed to establish a village or do anything, nor they claim the land mentioned, without my permission and concern.

The land mediation is between 1. All of Budgem Groups and 2. The Papu family against the Bok Migrants now staying in Buzi Land.

These following chiefs are strongly advised that the Land Mediation will take place during the Xmas Holidays in Buzi Village.

2. Kwarang Pipuk – Dimiri Land
3. Bill Sam Diwara – Sibidiri Land
4. Goibu Muri – Berr land
5. Badi Gibuma – Toz land
6. Papi Pinu – Sigabaduru land

CC To all the chiefs
CC To all the Budgem groups
CC To the Bok Migrant (LEGA MATE)
CC To Daru Police Station
CC To Southfly Area Manager
The people listed 2-6 are the leaders of each of the clan groups commonly recognised as landowners surrounding the Buzi estate. Lega Mate is one of the leaders of the Rirang group, referred to in Levi’s letter as “the Bok migrant.” It is noteworthy that although the ostensible cause of the dispute is the people living at Kaikmawang, none of those people are listed as addressees: it is against the Rirang clan, living at Buzi, that Levi wanted to have a land court hearing.

There was some discussion over the Christmas period about the possibility of a land court hearing over the land at Kaikmawang and Damem, and in January Levi came to Buzi, his daughter had been staying there and he came to pick her up. Early one morning they were about to leave to go back to Daru when the “law people” (village magistrate and peace officers) caught up with him and demanded that he attend a village meeting to talk about the letters that he had sent. There was an argument between Levi and several Rirang clan men over the land at Damem, with the Rirang men saying that they are the landowners and had been given the land by Reka, and Levi insisting that it was never Reka’s land to give.

The land court was not convened, and the dispute lay dormant for several years, until in 2012 Kwarang (Dumirang clan) was given a walkabout sawmill by his son, who has been working at Tabubil, and they went to cut timber near Kaikmawang. According to some Rirang informants (I have not spoken to Tuang or Dumirang people about it) they and the Kaikmawang residents stopped Kwarang from cutting the trees there, and Levi is again demanding that they go to court over this land.

The relationship between the Rirang and Tuang clans goes back to the founding of the village of Buzi. Rirang is the biggest clan at Buzi, and they claim a special status for being the founders of the village. They claim to have been given
several pieces of land when they provided a wife for a Tuang man. Awati’s father’s name was Papu, and his mother was Manggag. Manggag was married first to Mazai (Rirang clan), but while married to him she was “going around with” Yaba (Rirang clan). Manggag was Mazai’s second wife, his first wife was Sul, but he had no children from either of them. Manggag quarrelled constantly with Mazai and Sul, and the matter of Manggag and Yaba’s adultery was brought to court in Daru. According to current testimony, Yaba was put in jail, but as he was Mazai’s uncle, Mazai told the court to release him, and they all returned to Buzi. It was decided that Manggag and Mazai should divorce, and in order to do this Manggag had to be married to somebody else, but nobody from the Rirang clan wanted her. Mazai came to Azezog where the Tuang clan were living and offered her to Papu, and he agreed to take her. Papu had no sister to exchange, so he agreed to give his first daughter to the Rirang clan. Papu and Manggag had four children who survived birth, a daughter Bumai, and three sons, Mose, Levi and Awati (there were also some who died during childbirth and whose names are not remembered – if they were given names). Bumai and Mose both died as small children, before Awati was born, and Bumai could therefore not be used as the exchange for her mother. Their deaths were blamed on Yaba, a renowned sorcerer, who is said to have been jealous that Manggag was now married to Papu. In fear that Levi would also be killed by Yaba, Papu adopted him out to another family.

The claims and counterclaims to be owner of the land at Damem, and the complexity of the relationships between the people identifying with the various clans, illustrate a disjuncture between their attempts to realise a clan-estate model of land ownership and the reality of the ways in which they relate to each other and to their histories. In the next section this is further elaborated in relation to the ways in which use of land at Buzi occurs in the context of the assertions of ownership of this land by the Tuang clan.
Land ownership and land use at Buzi

In chapters 2 and 4 it was noted that the villages of Buzi and Ber were established in the early colonial period, first by people who moved from the middle and upper Pahoturi to join the small group who already occupied the coastal area where these villages are now located, and later several other groups from the hinterland also moved to the coast, as well as three clan groups that migrated from west of the Mai Kussa river. These histories of migration from elsewhere, as well as the acknowledgement that the land at and around Buzi and Ber was already occupied by the Tuang clan at the time the first migrations occurred, is central to the way in which landownership at Buzi is reckoned today. Prior occupation of the land by one’s ancestors is the normative basis on which assertions of landowner status rest; that prior occupation is defined either by reference to the *mabun* stories recounting the origins of the world described in chapter 6, or by a migration from elsewhere (where one remains the landowner) and succession by way of bestowal to the estate of a now extinct clan with whom a close relation was formed in the years after the migration and which is usually also validated through *mabun* connections.

When the police post was established at Buzi in 1897 it attracted several groups who settled there but it was abandoned by the government after a few years and those groups dispersed. Some of them were from places close-by, and they returned to their own lands until the village was re-established in the late 1930s when they returned, but others were from further afield and some of these did not return to their homelands, they stayed with other groups in the general vicinity of Buzi. Most prominent among these was the Rirang clan, a relatively large group originally from Gaim who lived on and near the Dimiri River, based primarily at Damem, in the period from approximately 1900 to 1930. On the other side of the Dimiri River were people who later moved further north to settle at Sibdiri village. The Tuang clan were based primarily at Azazog in this period, and there were other villages at Old Ber and Tebatet where Wibag, Gaimang, and Berag people were based, along with other clan groups from the
hinterland who moved periodically between these settlements and Ngao, Wamorong, Kibuli and Nanu (i.e. Kurunti old village) on the west bank of the Pahoturi River. There was a village at Toez, across the Mai Kussa River from Azazog, where the Metang, Yarne and Bangu groups now at Buzi were living. Most of the people now at Sibdiri were at this time based at Bilybi, with some at Sombrai, and others moving back and forth between Bilybi and Giza. The village of Dimiri was further upstream on the Dimiri River, northeast from where it is now.

There is wide consensus, but not unanimity, concerning the history of occupation of the land on which the villages of Buzi and Ber are now located; and the implications of the received version for the status of “landownership” receives invariable public assent, but occasional private disagreement. The consensus version is that the first people known to have lived at Buzi were ancestors of the Tuang clan. They were almost extinct when the police post was established at Buzi in the late 1800s, but the arrival on the coast of people from the hinterland – who provided a wife for a Tuang man – led to the founding of a permanent village and the current demographic viability of the Tuang clan. It is the Tuang clan who are publically recognised as the landowners today. In the senior living generation there are just two brothers identified with this clan, Awati Papu and Levi Bari, but both have several sons and the future of the clan appears assured for some time.

Awati Papu and his wife and children live at Buzi, his brother Levi was adopted to Bari as a small child, and grew up in Sigabaduru. Levi is a schoolteacher, and he and his wife and children have lived in other villages in South Fly District and at Daru and over the years; they visit Buzi only intermittently but Levi has not lived at Buzi for any length of time. Although they acknowledge Awati as the landowner, most of the resident non-landowners at Buzi and Ber do assert certain rights in particular places within the Tuang estate.
Levi’s status as landowner is slightly more complicated. He is universally acknowledged as Awati’s biological brother, but in some contexts the fact that he was adopted out and brought up at Sigabaduru by Bari is raised; further, his knowledge of the stories and places associated with the Tuang estate are sometimes questioned, given that he did not grow up there with his father and father’s brothers who should normally be the people to instruct him.

Whereas Awati lives at Buzi and must therefore continue to interact with the rest of the people there who are not landowners, Levi lives at Daru, and does not have to face potential conflict or ostracism as a consequence of demands made on the basis of being landowner. On several occasions Awati deferred confrontations until Levi was coming for a visit, and Levi was happy to take a belligerent role, make demands that the Tuang should be the sole or at least main beneficiaries of any commercial development on their land to the exclusion of other residents there, and make threats to evict non-landowners from his land.

In the discourse and practice concerning the respective rights in the land and its resources of landowners and resident non-landowners at Buzi and Ber, a distinction can be discerned that hinges on the ultimate use to which the resources and the land from which they derive are to be put. A range of activities essential to day to day living require rights to use land – from the most basic right to be present on the land, hunting and fishing, gathering firewood, establishing and maintaining gardens and other food trees (primarily sago and coconuts, but also other fruit trees), gathering materials to build and maintain a house and manufacture other domestic implements such as mats, bows and arrows, and a wide variety of other things, some of which are made for one’s own use, others for trade at Boigu. For all of these activities, no permission is sought by resident non-landowners from the landowners, with two main exceptions: cutting a tree to make a large canoe, and hunting crocodiles. Nobody cut a tree for a large canoe in the 30 months that I was resident at Buzi, but I was
told by Awati and by several resident non-landowners that Awati’s permission should be obtained if somebody wanted to do so. The prohibition on hunting crocodiles within the Tuang estate is given a dual rationale; firstly, it is harvesting a resource for direct cash return (i.e. sale of the skin), however other resources are harvested and ultimately sold in the form of mats, drums, etc, and other animals and fish are hunted and sold (mangrove mussels, crabs and fish at Boigu, and much less frequently, pigs and deer at the Daru market when a dingy is going to Daru). Secondly, and more important, is the close totemic identification of the Tuang clan and its estate with crocodiles. Tuang people do not kill or eat crocodiles (unlike other clans with totems such as wallaby and cassowary). The Tuang mabun ancestor Ubirikubiri, and in another manifestation Budgem, is a crocodile, and there are numerous topographical features attributed to the actions of this mabun.

While no permission is sought by resident non-landowners from the landowners in going about their day to day subsistence and small scale commercial activities it is not the case that anybody just goes anywhere. The clans that moved to Buzi from Strachan Island in the 1970s, and many of their out-married sisters with their husbands and children, make most of their gardens on Strachan Island, although some also keep a small garden plot near the village for convenience. They also obtain most of their building materials and go hunting and fishing most frequently on Strachan Island.

Over most of the time that I was resident at Buzi the entire estate of the Berag clan (which neighbours the Tuang estate to the east) was declared off limits following the death of a leading Berag old man named Muri. While normally the Berag clan, along with others who are closely related to them having lived together at Old Ber in previous generations, including Duagag and Wibag clans, would go hunting and make gardens in the Berag estate, over the period 2002 to 2005 they did not, visiting only to check and make sure that others were also observing the prohibition.
The country of origin of the other clans is too far to return to make gardens, and in the case of some clans some people had never been to the country of which they believe themselves to be landowners. These clans make their gardens and carry out all of their other subsistence activities on land which is generally acknowledged to belong to the Tuang clan, or, to the north of the accepted Tuang estate, land which is disputed between the Tuang and three other clans (as described above), and as also noted above, many of those who are related in some way to the Metang group make their gardens on Strachan Island.

How things have changed

F.E. Williams’ (1936) description of land ownership in his ethnography of the Keraki people of Bebedeben stands in stark contrast with the situation that exists at Buzi today. Williams emphasises the relatively low population density of the Morehead district, at approximately 0.5 persons per square mile, and states:

Much of the country is indeed virtually useless and may be described as uninhabited, but the extent of land utilizable – whether for cultivation or merely for hunting – remains vast in proportion to the number of people. Consequently we may expect to find that the laws of land tenure are not particularly rigid or hard to observe. This is by no means to say that they were entirely absent. Even where the land is never used it still comes nominally under tribal ownership, while the good country which lies convenient to the settled villages is definitely subject to closer rules of ownership, control, and inheritance (1936:207).

Williams' formulation of the rules of ownership, the division of land into “tracts” owned by different groups, and the form and structure of those groups is complex. He argues that the land is divided into “greater and lesser areas, all of which are named”, and the names of areas refer “even to those wide unused tracts which sometimes separate the occupied territories of tribes and are practically no-man’s lands” (1936:207). Greater areas, or “major tracts”, vary in

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65 This is Williams's spelling; the village name is now usually spelt Bebdeven.
size but are usually at least five or six square miles; boundaries are marked by natural features such as creeks, swamps and patches of bush, and although the boundaries of tracts are not necessarily clearly defined, and “despite some haziness regarding their actual limits the tracts are fixed and recognized (1936:207).

He states that the “ownership of such a [major] tract is in the first place allotted to the tribe. Each of the nine Keraki tribes will own a dozen or so of them, all contiguous and thus forming a tribal territory” (1936:207). The tracts that make up the territory of a tribe are divided between villages (of which there were three in the case of Keraki Proper: Gubam, Bebedeben and Tabaram), and, “although it may be found on pushing one’s inquiries farther that the tract in question belongs largely to one of the minor sections within the village, it is still said in a rough and ready way to belong to the village as a whole” (1936:208).

Williams states that the Keraki Proper tribe possessed 11 major tracts, and provides a sketch map showing their relative positions, but adds in a footnote, “In addition to the major tracts shown, there is a further tract to the north used for hunting by Bebedeben and Gubam in common, and one to the south-east used by Tabaram and Bebedeben” (1936:208).

Williams argues that most major tracts are subdivided into what he calls “minor tracts” and “ownership of ... minor tracts is ascribed nominally to individuals, or sometimes to two individuals together. They are spoken of as yure or owners, though there is sometimes uncertainty as to who should bear this title in regard to a particular tract” (1936:209). He provides a description of the internal divisions within the “major tract” of Bebedeben by way of example, including details of inheritance, and concludes:

It appears that the yure of the minor tracts are senior men of the extended families forming the local section group and that the succession is from father, through the younger brother, back to son; but that the yure-ship of tracts
originally belonging to one man may be partitioned among his sons and brothers.

Thus the *yure*-ship of any land follows the ordinary rules of Keraki descent. It can also, however, be acquired by discovery and occupation, or by gift.... (1936:211).

The acquisition of land by discovery and occupation, and by gift, is said to be exemplified by the movement of people from the villages of Bebedeben and Tabaram to establish a new village on Jaru Creek. This land previously belonged to two tribes “who were dispersed by the Tugeri and are now extinct” (1936:212); the two men who, on hunting trips, “discovered” the places and marked trees to signify their “ownership”, later made gardens and eventually the people of Tabaram and Bebedeben moved there to establish a village, and the two new owners were able to gift ownership of portions of these two major tracts to some of the people who migrated to join them in the new village (1936:212).\(^{66}\)

Williams writes: “the title of *yure* may be acquired by discovery and occupation of land, or by gift of land from a previous *yure*; and... it is passed on by inheritance in the male line,” adding in a footnote, “no woman is ever named as *yure* of land” (1936:213). On the “functions” of the landowner he states that “the title [of *yure*-ship] is little more than nominal” by which he appears to mean that ownership (“*yure*-ship) has no bearing on the use of land. The *yure* can expect to be asked permission for somebody to make a garden on his land, but “it may be assumed that the *yure*’s sanction is always procured..., it is said to be freely given, and I do not know of any kind of fee” (1936:213). He concludes:

> Altogether, I think it may be said that the *yure* as head and representative of a small social group possesses no more than a vaguely defined preferential right to a certain piece of land, and that his functions are unimportant. This last

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\(^{66}\) This land now disputed between people from Arufi and Bimadeben.
conclusion is supported by the fact that in any given case there is often uncertainty or contradiction on the question of who the *yure* actually is (Williams 1936:213-314).

While the above summary of Williams’ account of land ownership derives from the sections headed “the Partition of Land”, “Ownership of Land” and “Functions of the ‘Landowner’”, in the chapter entitled “The Pride of the Food Producer”, Williams also provides some relevant comments on relationships between people and places under the headings “The Differentiae of the Tribe” and “Myths of Origin.” Of the first, he writes:

The first essential character of the tribe is that of territorial unity. Each has its own continuous area of land, though there are no strictly defined boundaries: in a country so thinly populated and so liberally sprinkled with useless areas, land disputes are not likely to be common and strict boundaries are not a necessity. There are some more or less temporary exceptions to the territorial unity of the tribe, however. By reason of raids from the west and partly of epidemics, certain tribes have fled and dispersed among neighbours, and such may continue to lay claim to their former land (1936:51).

Williams’ discussion of origin myths notes that there are two major origin sites in his study area, Kwavuru and Kuramangu (Kuramngu), and that most but not all people are believed to have originated and subsequently dispersed from one or other of these two sites. He writes that “the usual version of the Kuramangu myths... allows for the emergence of the several groups in sequence according to their present geographical distribution, i.e. the people emerged by peoples and tribes” (1936:81-82). Elsewhere he states in relation to Mingkad, that its “myth of origin is identical with that of the Keraki [i.e. the story of Kuramngu]” (1936:40).

Williams’ account of “The Sak’r Palm and the Peoples” describes a version of the story of “The People from the Palm Tree” from Kuramngu (see chapter 6), and notes:
On first emerging, each people and tribe has shown itself hostile to Kambel, but he pacifies them and finally sends them off to their several regions. In another version he himself does a tour of the district bearing the trunk of the sak’r palm on his shoulder and pausing at each village to scrape out some of the nikup, or pith, which turns into human beings” (1936:301).

Despite these comments, Williams makes no connection between the stories of origin and dispersal and the question of the specific relationships between groups of people and particular places, nor does he make any association between these myths and the status of “landowners”; indeed, he states that “there are totemic shrines in the Morehead district and they have their curators, but the shrines are few and the system has nothing directly to do with that of the land-tenure” (1936:214).

There are two points to make in relation to Williams’ observations and analysis. First, he conducted his research and published his monograph on the people of the Trans-Fly before anthropologists had imported African models of social organisation based on segmentary lineage systems to New Guinea (as critiqued by Barnes (1962)), but he brings a similar set of assumptions about the nature of persons and of groups to his analysis as is implicit in the segmentary lineage models. Second, much has changed since the time of Williams’ research, not least of which is the development of the “ideology of landownership” throughout Papua New Guinea. There is a difference in the social organisation between the people of the Morehead region that are the subject of Williams’ analysis and those further east, including most of those living now at Buzi, inasmuch as the former have a three section system, as described in chapter 2, whereas the latter do not. However on my visits to the villages of the Morehead region it was evident that the processes by which landownership is manifested there are fundamentally the same as at Buzi, and there are disputes over landownership conducted in essentially the same terms.
Williams’ fieldwork was for ten months over five visits to the Morehead area, and he was a keen observer; given his detailed recording of mythology and social organisation it would seem unlikely that he would have failed to notice if there was an explicit connection between the myths of origin and the claims of landownership as they are made today. But while it may not have been explicit at the time of Williams’ research, the potential for elaboration of the relationship between myths of origin and landownership was evidently developed by the time of Mary Ayres’s fieldwork in the 1980s.

Ayres argues that Williams’ (1936:207-208) categorisation of the division of land into major tracts and minor tracts is both confusing and a misrepresentation in that it “suggests that locations are embedded or hierarchically organized on principles of inclusiveness” (Ayres 1983:129-131). She offers an alternative frame of reference for comprehending social differentiation and geographical emplacement of social groups that derives from what she understands “the native point of view” to be. This is in fact the major focus of her entire thesis; she states her topic as being “the importance of place and locality in Morehead culture, and in particular its function in the definition of exogamous groups” (1983:28).

She provides a structuralist analysis of Morehead culture and society in which she treats “locality [as] an ethnogeographical system of particular named locations (places), which forms a structure of significations and meanings” (1983:30), and discerns an underlying “two-three” structure. This is explicated in her description of the logical connections between locality, social groups, marriage rules (exogamy and sister exchange) and the three section system:

The system is one of lineal triadism which collapses into diametric dualism by virtue of a principle of contiguity. The third element of the two-three structure indeed represents the unity of the other two elements, and mediates the other two in some contexts (1983:259).
In Ayres’s analysis of the structure of exogamous groups she notes the existence of patrilineal descent groups with landed identities, and finds marriage is prohibited between such descent groups and neighbouring groups; this principle of “contiguity” or “adjacency” is then elaborated as a structural principle in several domains of Morehead society and culture. She argues that:

the native explanations of the rules of the marriage exchange system and the structure of the system are grounded in a logic of locality or place.... the structure of the section system and marriage exchange system [are interpreted] in terms of a logic of fundamentally spatial concepts (1983:179).

The relationship of people to place is intrinsic to social identity, as exemplified in the definition of various forms of social group (including exogamous groups engaged in marriage exchange). Ayres goes as far as arguing that the interrelationship between people and place is found in “the very structure of epistemology” (1983:346). In a section headed “Land Use and Ownership” she writes:

Each of the thousands of places in Morehead area is “owned” (yefaethe) by a patriline. Ownership entails not only use rights but also the obligation to “look after” the country. Ownership is typically vested in the senior male of the patriline, although all men of the patriline have equal claim to tracts. Tracts may be allocated among sons. Patrilines of the same section often, but not always have tracts in the vicinity of one another.

Rights to places are inherited along the patriline. In the case of a line dying out, the places pass to the patriline “closest” to it....

In cases of adoption much latitude is built into the system....

The ownership of rights of a patriline is based on knowledge of the story of the division by naming of the places by the storyman as he journeyed to the west....

...ownership of land is fundamentally based on the knowledge of and right to speak the “story”.

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In theory, individual use of wild resources of a particular tract is restricted to male and unmarried female members of the patriline, (and women who married into the patriline, of course). Anyone may ask the owner for permission to use his land, and permission is likely to be given. For the most part, though, a man prefers to use resources of his own places....

Bamboo, fruit trees, coconuts, etc. are not always planted on one’s own land as they are often planted in communal gardens. Trees are owned by the man who planted them, regardless of their location...

No compensation is made to the owner of the land on which a group garden is made (1983:160-164).

Ayres analyses data relating to the composition of exogamous groupings and the relationship between clans and sections from Bimadeben, the eastern-most village speaking a dialect of the Nambo language chain (their dialect is Nen), and she concludes:

what appears to be going on... is that tuurar (clan) names have become the dominant identifying names of local exogamous groups, that they are much more “on the surface” as empirical phenomena than the sections, which are foregrounded elsewhere in the region. ...this foregrounding of specific local exogamous group names may be a function of their border location adjacent to the Mikunj system which has eight named divisions rather than three, and which seem to be more localized that the Bangu-Maiawa-Sangara system (Williams 1936:61). The multiple named groups of Bimadebun [sic] mimic the Mikunj system (1983:195).

67 Checking the reference to Williams (1936:61) reveals that he makes no statement that the Mingkad (Mikunj, Mikud) have “eight named divisions”; he states “the social organisation of the Mikud lacks the three-section system which is common to the Keraki, Gambadi, and Semariji, and consists of a number of small totemic clans of local character” (1936:40); and “the Mikud organisation... does not seem to possess much in common with the tripartite system of their western neighbours; though it may be found to have much in common with a system of local totem groups which underlies, I believe, the existent division into Bangu, Maiawa, and Sangara” (1936:62). I know of no other source for the assertion that the people of Mingkad have “eight named divisions” and it contradicts my own research.
Ayres (1983:342) distinguishes the Morehead area from Marind in the west and Mikunj in the east on the basis of triadic structures in the form of “lineal-spatial diametric dualisms.” As noted above, it is true that the Morehead groups have a three section system that is absent in the east, but at Buzi there are several clan groups that have migrated from the west and retain their section identities, indeed as noted above, one of these uses their Bangu section name as a clan name. In chapter 6 I show that Ayres’s circumscription of the Morehead region as a discrete ethnogeographical system is open to question, and argue that it is in fact part of a wider system, however her observations of the land tenure system in the west bear many similarities to the situation at Buzi, particularly the explicit claim that patrilines inherit tracts of land defined by reference to stories of origin.

**Conclusion**

When I started fieldwork at Buzi I brought a GPS unit with me, intending to use it to map the locations of gardens, sago swamps, camp sites and any other places of significance. For the first few months I used it whenever I went anywhere, writing down the coordinates of places with their names and any other information I was told about them in my notebook. On one occasion some people of the Rirang clan took me around to visit the places where their ancestors had camped three generations ago, before the village of Buzi was permanently established, where they had planted sago and coconut trees and had made gardens; on another occasion I recorded a number of places with Ulekapang clan members, and they told me the names and stories associated with the sites. The Buzi landowner also took me to several places that I recorded on my GPS, and he told me stories about them. My own understanding of what I was doing was that I was gradually accumulating data and the GPS was a useful tool to help me plot places on a map. I had a set of laminated topographical charts and I showed several people how I used the numbers from the GPS to locate the places on the map. I thought it was all very straightforward. Unfortunately the GPS broke down after only a few months, and it was some
time later that I learned that the GPS had been attributed powers and
significance that had not occurred to me at the time I was still using it.

In the dry season of 2004 when I travelled by bicycle throughout the Trans Fly
region I visited most of the inland villages between the Bensbach and Oriomo
rivers, but I didn’t have enough time to gather detailed information at all of the
villages, so I concentrated my efforts in the area east of the Morehead River, as
Ayres and Hitchcock had worked mainly in the area to the west of the
Morehead. At Ngaraita, the first village where I stopped for a couple of days, I
was asked whether I had brought my computer with me. I didn’t know what they
were talking about, so I asked, and it turned out that it was the “computer that
tells you who the landowner is” that they were hoping I had with me. I worked
out that they were talking about my GPS, and I told them it had broken down,
but that it didn’t tell me who the landowner is, it just gives me numbers from a
satellite to help me fix a place on a map. They looked sceptical, and talked
among themselves in a language that I didn’t understand, and I imagined them
to be saying that I was lying. When I asked somebody later it turned out that I
was correct, they had not believed me and were wondering why I didn’t want to
help them resolve their conflicts over landownership by settling the matter with
my computer.

As I travelled east, in village after village the same scene invariably played out,
until I started meetings by anticipating the question, asking whether they had
heard the story that I had a computer that could tell me who the landowner is,
and in every case the answer was that they had indeed heard such a story, and
hoped that I had brought it with me. My response was that such a computer
does not exist, what they had heard about was a GPS unit and all that could do
was record positions to be plotted on a map, but nobody believed me.

This episode reveals some of the assumptions underlying the institution of
“landownership.” Contrary to an anthropological view of property in land being
an expression of structured relationships between people in respect of the
object that is land, i.e. a “social constructivist” view, an assumption is made that 
the relationship between people and place was objectively given, part of the 
world as formed in the mabun time. “Landownership” is therefore historically 
and logically prior to relationships in the present and recent past, and it should 
therefore be possible to discover or reveal the singular truth about which places 
belonged to whom independently of any analysis of recent history and ongoing 
social relationships.

In this chapter I have analysed landownership at Buzi (and nearby) in terms of 
the ways in which the “ideology of landownership” is manifested. I have shown 
that the compulsion to construct clans as exclusive owners of bounded estates is 
contradicted by the multiple grounds on which actual assertions to be 
landowners are made, and that such disputes are not resolvable in their own 
terms, and by the defacto acceptance of the rights of long-term residents at Buzi 
and Ber to engage in activities that utilise the resources of the land.
Chapter 6: Stories of Origin and Destiny

In chapter 4 I described day to day life in the village of Buzi, and argued that the marginal geo-political position that the villagers occupy, and the associated economic impoverishment they endure, are keenly felt by the people who live in the villages on the PNG side of the border; but their response is ambivalent. While they express desire for the material objects abundant in Australia and the physical comforts these are believed to entail, and they endure hardships in their efforts to obtain access to them, at the same time they are also proud of the fact that they are largely self-sufficient in meeting the basic material necessities in life, and contrast this with the Islanders’ dependence on government welfare. In their interactions with Torres Strait Islanders and with agents of the Australian state on their visits to the islands their subordinate status is manifested in various ways, and yet they maintain a certain dignity and self-confidence; despite the objective fact of their disadvantage they hold out hope that radical change may be imminent, that their hardships may be eased and their poverty redressed.

An expression of this sentiment of hope is found in the stories that people of the Trans Fly region tell about how they came to be who they are and make sense of the world they live in, which is the focus of this chapter. In accounting for their powerlessness and poverty they turn to a body of mythology that places themselves and their own ancestors at the centre of the universe and insists that the wealth they are now denied originally did belong to them, still properly should belong to them, and will ultimately be returned to its rightful owners.

The stories that make up this body of mythology derive from the society before colonialism. They tell how the world came into being: the creation of land and sea, and of many features in the landscape; the origins of wild animals and domesticated food plants, fire and flood, and the practices and sacred objects involved in initiation of boys; the origin of the ancestors of people today, and
their distribution across the land; the difference between man and woman; and
the origins of human mortality. In the early colonial period elaborations of these
stories were made which interweave biblical elements and historical encounters
with Europeans along with accounts of migration and settlement in villages,
resulting in histories that have the character of charter myths. The origin of
Europeans and the difference between racialised categories of black and white
people are integrated in the stories of the very beginning of the world.68

There are three main themes that emerge from my analysis of these stories.
First, they constitute a moral critique of the geopolitical and economic systems
in which the people of the Trans Fly are enmeshed, and hold out hope for a
better future. They are local variations in a genre found widely throughout
Melanesia, the cargo cult narrative. Second, while the millenarian aspects of
these stories and the association between dead ancestors and whites at the
source of cargo bear many similarities to stories found across the region of
Melanesia, the stories of the Trans Fly include a local dimension relating to the
international border which is significant for interpretation of the “traditional
inhabitants” provisions in the Torres Strait Treaty. They were told to me in a
context in which people knew of my interest in the effects of the border on their
lives, and accordingly they placed an emphasis on the ways in which events
involve places on both sides of the international border. They are believed by the
people who tell them to constitute evidence of “traditional customary
associations” with places and people on the Australian side of the border.69

68 A distinction between myth and history makes no sense in this context, and the term
‘story’ should not be understood to imply either, or rather, can be taken to refer to both (see
also Ayres 1983:44-45 and Busse 2005). They are colloquially referred to in English as
“history.”
69 As discussed in Chapter 3, “traditional customary associations” is a phrase in the Treaty
that goes to the classification of who is a “traditional inhabitant” and thus should be
accorded the right of “free movement” across the border. Chapter 7 looks at disputes over
the restricted administrative definition of “traditional inhabitant” that is enforced by the
Australian government, and refers to the stories set out in this chapter in analysing the
claims for inclusion being made by many people who have been excluded.
The third of the themes becomes evident when the various versions of the stories associated with the several origin sites are considered together; this is their “fractal” quality. The stories all involve specific events that occur at specific places, they are locally emplaced, but in each case the local constitutes the whole world; in terms of geographical scale they are thus simultaneously local and global. And while events are all located in specific places, there is no straightforward correspondence between particular events and singular places. There are many contradictions between versions of the same stories, and between different stories, about what happened where. Many of the stories overlap, characters from different stories associated with different origin sites sometimes meet each other, some of them travel far beyond the local region where the story is known, and their activities after they travel away may or may not be known. Sometimes the events of two stories are almost exactly the same, the only difference being in the names of characters and the places where events occurred; and in some stories the names of characters normally associated with one of the origin sites are transferred to another.

I begin this chapter with a brief account of the broader regional context in which the stories are situated. While each story can be isolated as a whole in itself, they are all linked in various ways (through repetitions and by connections set out in some of the narratives) to other stories across a much broader region. I give an overview of the main narrative elements that are combined in various permutations that constitute the stories, including the ways in which the themes of “cargo cult” and cross border connections are specifically manifested. I then set out some versions of the main stories associated with each of the origin sites, beginning in the west and working eastwards from Kwavar, to Kuramngu, Komo, Mingkad, Boji, Dumar, Basir Puerk, Glulu, Dudupatu and Barasaro.

Busse (2005) has analysed stories in relation to notions of “myth” and “history” in the region to the north and east of the Trans Fly, which bears similarity to the situation that I describe, and is in fact part of the same larger phenomenon. He
notes, following Strathern (1991), that “perspectives are always interested and grounded” and “there is no transcendent objective perspective but a particular interested perspective that is as embodied as all other theoretical and local perspectives” (2005:457). However, he argues that in the stories that he considers, the people who tell them “already possess an understanding of the relativity of points of view and an acceptance of the plurality of locally grounded perspectives” (2005:457). Hirsch and Moretti (2010) argue that this form of mythology is consistent with “dividual” personhood (citing Strathern 1988). In the conclusion to this chapter I consider their arguments in relation to the stories that I set out, and argue that the context in which they are now told has altered; instead of accepting plural perspectives there are many people now who insist that their version is the one true version. This changed social context includes the embracing of an “ideology of landownership” discussed in the previous chapter, as well as the international border and the Treaty provisions that induce people to represent themselves as individuals and groups in particular ways, which is the subject of chapter 7.

Papuan hero tales

In 1898 A.C. Haddon recorded many “folk tales” in the Torres Strait Islands which were published in three of the volumes of the Reports of the Cambridge Anthropological Expedition to Torres Straits (1904, 1906, 1935). These include some stories in which the events spanned the Torres Strait, connecting to both the Australian mainland in the south and the New Guinea mainland in the north. Haddon’s classification of these stories includes a category that he describes as “culture myths” in the earlier volumes (1904, 1906), and stories associated with “culture-bearers and cult-heroes” in the later volume (1935). The distinction between “culture-bearers” and “cult-heroes” is based on whether the “legendary person” was credited merely with introducing “new arts or better ways of doing things” or whether there was a “definite cult” associated with the hero of the story (1935:374). Haddon’s student Gunnar Landtman later conducted fieldwork on the adjacent coast of New Guinea, working mainly with
Kiwai-speakers from Kiwai Island and Old Mawatta, and he published a large compilation of myths in a volume that Wagner describes as “probably the most extensive collection of Melanesian mythology ever published” (1996:288). Landtman’s collection includes alternate versions of some of the stories published by Haddon as well as a number of additional stories, some of which also relate to events connecting the New Guinea mainland with the islands of Torres Strait.

Wagner analysed some of these stories, along with others from the Marind people to the north-west as well as the region of his own fieldwork to the north-east, at Karimui, under the heading “Papuan ‘hero tales’” (1971:19-37). Wagner notes that there are a numerous texts available as many ethnographers have commented on these stories, including most notably Landtman and van Baal (who provides the main text concerning the Marind-anim), however:

> it is unlikely that the anthropological literature represents anything but an irregular sampling, geographically as well as textually, of the total complex. It is in fact difficult to set precise limits, or to speak of a specific “tradition,” for much of the adjacent area is unknown ethnographically, and quite analogous themes and mythic cycles have been found in other parts of Melanesia as well as in Australia (1971:19).

In this context, he restricts his analysis to “tales whose major themes are discernibly similar and probably homologous” (1971:19). Among the main features of these myths, for Wagner, are: “the hero is generally portrayed as journeying across the known world in some significant way, and ... this movement is linked to the major action of the plot” (1971:19-20); and, “landmarks and curious features along his route are often linked to his passage” (1971:20); in this respect, he notes that this tradition “draws upon a mythic complex of much greater extent that is widely ramified through Papua and Australia” (1971:20). Wagner discerns two “levels of generality,” the first is:
the recurrent theme of regeneration embodied in its positive aspect, relating to fertility and human reproduction, or its negative form, relating to death and human mortality, or, as in many instances, both aspects considered as alternatives, and the universal significance of the hero, which is conceptualised through the laying out of his life-course across the known landscape” (1971:32).

The second level of thematic generality “involves the local interpretation or presentation of the myths, the existence of subtraditions” (1971:33); he argues that each of these “subtraditions” takes components from the larger tradition and renders them in locally salient forms associated with local places, and that “often there is a recombination, inversion, or change of emphasis from one locality to another” (1971:33).

The set of myths that Wagner takes to comprise the complex he describes as “Papuan hero tales” involves a hero known variously as Sido, Hido, Souw, Sosom, and several other variations on these names, which, as noted above, are known from the Purari Delta in the north-east, along the coast as far west as the Kumbe River, and south into the Torres Strait islands. In a later publication (Wagner 1996), in light of previously unavailable ethnographic information provided by Billai Laba, Wagner recognises the story of Muiam and Geadap from Basir Puerk, in the Trans Fly region, as belonging within this same tradition, but he does not consider any other Trans Fly myths.

Busse (2005) analyses the story of Sido from Kiwai Island and compares it with the story of the hero Nggiwe, who travelled from the mouth of the Merauke River to the Suki lagoon, then up the Fly River to Lake Murray and Wam Lagoon in the Middle Fly region. He also compares these stories with Laba’s Muiam and Geadap story referred to above, and the story of the death of the missionary James Chalmers at Goarabari Island. Busse argues that the comparison of these stories problematises the distinction between myth and history; in the Sido, Nggiwe and Muiam stories “myth” is treated as history by the people to whom they are relevant, while in the Chalmers story, history is mythologised.
Busse extends the range of “Papuan hero tales” to include the Middle Fly Region. He also emphasises the ways in which these stories have incorporated biblical elements, including the identification in some instances of the hero with Jesus, and origin stories typically include accounts of the origin of black as well as white people. Hirsch and Moretti note that the stories analysed by Busse:

resemble many so-called cargo myths from other parts of PNG and Melanesia, which also connect distant global landscapes and black and white peoples, goods, religious narratives, and forms of knowledge to a single source usually located in or near the places where the myths originated (2010:284).

The origin stories of the Trans Fly are part of this wider tradition of “Papuan hero tales.” The incorporation of Europeans and cargo in these origin stories is now fundamental to their continuing relevance as charter myths, accounting for the nature of the world, the physical form of places within it, the distribution of differentiated groups of people, as well as a moral commentary on the distribution of wealth understood in racialised categories of black and white people.

**Origin stories of the Trans Fly - overview**

The various Trans Fly groups each possess a set of stories that describe events believed to have occurred in a time when the world and everything in it were in a process of formation. Each of the languages have a term for this time and the characters who inhabited it – in Agob it is called *mabun*, in Idi *meiben*, and in the Nambo dialects it is referred to as *ganjan*; Williams provides an apt translation as “Great Primordial” (1936:295), and he describes the characters (who in Agob are as referred to as *mabunang rabo* (people of *mabun*)) as “Originators of First Men” (1936:75). There is no account of how something came to emerge from nothing; the world was small, and usually formless or containing just a few significant features. The main characters in each of the stories were already in existence and living at one of the origin sites. They were giants, and had
extraordinary magical powers. In some stories they were ancestors of people today, in others they departed following their world-creative acts.

The approximate locations of the origin sites discussed can be seen on Figure 9. As Ayres (1983) recognised, the origin stories function to differentiate people, and in broad terms each of the origin sites can be correlated with a language grouping, and most are geographically associated with a river system. In the western part of the Trans Fly region there are two main origin stories. In one of these, the people originally lived in a fig tree which was burnt down, and the people dispersed across the landscape. In the other, the people lived inside a palm tree, which was chopped down and the people were distributed across the land. In the discussion that follows I refer to these as the fig tree story and the palm tree story respectively.

The main origin site associated with the fig tree story is Kwavar, but there are also versions of this story in which the fig tree was located at several other sites. Ayres was told a version of the fig tree story located at Yarmor, she includes a version published by Budai Tupari with the fig tree located at Vasituar, and she notes that Williams recorded a version (in his fieldnotes, but not published) in which the tree was located at Tjuari (1983:60-63, 69). I recorded two further versions of this same story located at Komo. The main origin sites associated with the palm tree story are Kuramngu and Mingkad, and Ayres records a version of this same story at Kesul.

In addition to the stories accounting for the origin of people at these sites and their dispersal from them, there are also stories concerned with the origins of various other things including practices and objects involved in initiation, food plants, wild animals, fresh water, fire and flood, and human mortality. These stories are even more widely distributed than the fig tree and palm tree origin stories. Ayres records them as being located at Tjuari, Futa, Tamgagar, Gembemb, “and possibly Saraiam and Komo” (1983:64); I have recorded versions of these same stories located at Kuramngu, Komo, Mingkad and Boji.
Figure 10: Map of origin sites in the Trans Fly region
The Mingkad palm tree origin story is widely known, however there is also another story relating events said to have occurred before the release of people from the palm tree, in which the first people emerged from a wild yam. Further east, the stories associated with the origin site of Boji do not (as far as I know) include any equivalent to the fig tree or palm tree events; but they do include versions of the same story accounting for the origin of the bullroarer as found at several sites to the west.

Yet further east, at the origin site of Dumar (alternatively, Dumul), the stories of how the first people came into being involve their creation from dust or dirt, and having their limbs, digits and orifices carved by the first man using a bamboo knife. This is also the case for Basir Puerk, while some stories of the origin of the Bine people at Glulu involve them emerging from maggots inside a wallaby. The story element of the first people having their bodies formed by being cut into shape with a bamboo knife is reported by Busse as occurring in the Middle Fly stories of the ancestral hero Nggiwe (2005:452). The same theme of people originating from maggots is found in some versions of the Boji origin story and the Mingkad wild yam origin story. In some accounts the main characters in the stories associated with Boji and Glulu originate at Dumar. The identification of Glulu as an origin site is disputed, with some versions placing the origin of the Bine people variously at Tati Iruwe or Bine and similarly the origin site of Dumar is disputed by some Gidra speaking people, who posit Khur as their place of origin.

There are two other origin sites to be noted in this context, although they are not believed to be origin sites of the people of the Trans Fly culture area, but rather of Kiwai people from the east. One of these is Dudupatu, where people were inside a fig tree, and were released by a man who, in some stories came from Dumar, in some others from Basir Puerk. The other is Barasaro, on Kiwai Island, which is the main site from which Estuarine Kiwai believe themselves to have dispersed (see Landtman 1917: 68-69). Some of the stories from Mingkad,
Basir Puerk and Dumar make connections with the Kiwai story of Sido, by which the hero figure either meets or changes his name to Sido as he moves to the east.

F.E. Williams described Keraki mythology (i.e., relating to the origin site of Kuramngu) as “grievously confused,” as he found it “impossible... to set down any orthodox creed,” such that “uniformity of belief can be claimed only for the essentials” (1936:294).

Keraki mythologists have a habit of bandying about personal names, so that, regardless of genealogy and even of natural species, we find the names of persons, dogs, and other species appearing and reappearing in different guise from one version to another. It proves impossible to set down even an approximation to uniform belief (Williams 1936:75).

Ayres notes the “problem of the correspondence between myth events and real places” (1983:79), however she goes on to mount an argument that the stories of the western part of the Trans Fly region have an internally coherent spatial logic which in effect comprises a closed system. Consideration of the stories in this chapter shows that the stories analysed by Ayres are better understood as part of a larger region which itself is not spatially closed, rather it is linked to adjacent regions to the east and south.70

**Origin stories**

**Kwavar / Tjuari**

Kwavar is the main origin site for the people of the Bensbach and Morehead rivers associated with the Tonda language chain. Williams (1936:385-386) includes a version of the main story associated with Kwavar, and Ayres (1983) provides several versions and a detailed analysis of the stories associated with Kwavar and the related site of Tjuari. Kwavar is in the sea to the south of the

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70 It is possible, even likely, that this region extends to the west and north as well, but the focus of my research is to the east and south of Ayres’s study area.
mouth of the Morehead River, and is a location for the events in which there was a fire, dispersal of people and a flood. Tjuari is near the location of the former village of Asingavara, a few kilometres inland from the coast to the north of Kwavar, and is the location of stories concerning the origin of the bullroarer, sodomy of a boy by his father, mother-son incest, and the killing of the son. The stories at Tjuari involving the origin of the bullroarer, sodomy of a boy by his father, mother-son incest, and the killing of the son are essentially the same as the stories located at Kuramngu, Mingkad and Boji.

In the origin story at Kwavar there are usually two brothers, a younger light skinned one named Muri and an older dark skinned one named Nggwam. In some versions the names of older and younger brothers are reversed but the younger brother is always light skinned and the older dark skinned. Ayres provides a version in which there were three brothers, the third identified as European, light skinned and possessing a shotgun, named Waiafu (1983:53). These brothers had one, or sometimes two dogs, named variously Tiver, Waiafu, Kintjo or Yarfu (Ayres 1983:68). They lived in or near a large strangler fig tree; many other people also lived in the branches of the tree; these people had no fire and had to eat all of their food raw. Nearby lived a man named Tiver and his mother Tutu who is identified as a bird ("black bush pheasant" (Ayres 1983:61)). In one version recorded by Williams, Tiver and Tutu were husband and wife rather than son and mother, and they had a son named Gwar (1935:385). Tutu had fire, and she cooked the animals that Tiver hunted, but they kept the fire hidden from the people in the tree.

Tiver wanted to marry a girl from the tree, whose name was Taman (identified in one version as a bandicoot, and with an alternate name of Miti (Ayres 1983:61)), but the people in the tree wouldn’t allow it, so he set a grass streamer attached

71 Ayres states that some accounts of the Tjuari stories locate them at Tamgagar, near Mibini village (1983:49), while other accounts place the Kwavar and Tjuari stories at Futa, near Faremkar village (1983:78).
72 Williams supplies several additional alternative names for some of these characters in a footnote (1935:385).
to his belt alight and ran around the fig tree setting it on fire (Williams recorded two alternative reasons for the son setting fire to the fig tree: in one version, the father (Tiver) was receiving “special treatment” from Tutu (which Ayres (1983:65) interprets as referring to him receiving cooked food from Tutu but the son, Gwar, having to eat raw food), and that Gwar stole the fire, and in vengeance set off the fire; in Williams’ other version, there was an arrangement made to give fire to the people in the tree in exchange for them providing the girl Taman as his wife, but the people in the tree reneged on the arrangement, by trying to provide him with undesirable girls instead, and he set the tree alight in retaliation to the insult (Williams 1936:385-386).

As the fig tree was consumed by fire many of the people were burned to death, but some of them escaped (in different accounts, either by running away or flying through the air) and were dispersed to the various places across the landscape, in some versions over all of New Guinea and beyond, in others across a more local region. The tree burned, and in some versions fell to the north and formed the channel of the Morehead River and its tributaries.

The two brothers, Muri and Nggwam, came to the place where the tree had stood, and in its place now was a “special thing” (Ayres 1983:52), in some versions a stump of the former tree, in others the body of Tiver, in others it is unspecified. The dogs barked at this thing, and it was pulsating. They attempted to shoot it with various arrows, until eventually the older brother succeeded in piercing it with his arrow. When the arrow pierced this thing it burst open and saltwater (or in some versions, blood and pus) flowed out, flooding the land. The older brother was standing on the northern side, the younger to the south, and as the water flooded out the older called to the younger to come across to his side, but it was too late, and they both ran away in separate directions. The older brother ran some distance to the north, but the water was catching up to him; he took a plant that is used to make brooms and slapped the rising water, commanding it to stop, and this is where the shore is now (or in versions in
which he ran up the course of the Morehead River, the place where saltwater meets fresh).

The versions of the Kwavar stories that Ayres provides which she was told during her own fieldwork all include reference to black and white brothers, the black elder brother having a bow and arrow and the white younger brother a shotgun. She also includes a version from a publication by Budai Tupari, who was a geographer at the University of Papua New Guinea, originally from Wando village on the Bensbach River. In his version the only reference to the differentiation between black and white brothers is a note that “Williams... wrote that Muri was tall, fine, long-nosed with white or red skin” while the elder brother, N’gwam “was dark, short and with flat nose and wiry hair” (quoted in Ayres 1983:62). The version published by Williams includes a footnote in which he states:

Modern informants have sometimes identified Muri, the younger, with the white man. One of them said that his food consisted of bananas and sweet potatoes (which are sought after by the Europeans) and capped it off by including rice! But I am convinced that this is an old story: its association with the white man is merely a twist or adaptation (1936:307).

Given Williams’ fieldwork was during the late 1920s and early 1930s it is likely that the incorporation of whites into the origin story was then relatively recent, but similar incorporations of whites at the origin of the world are found in stories at all of the origin sites.

I did not record any origin stories for Kwavar during the period of my own fieldwork as I made only a brief visit to some of the far western Trans Fly villages where people associated with this story place live, however the story that I recorded for Komo, set out further below, repeats many of the same story elements as recorded by Ayres, Williams and Tupari for Kwavar.
Kuramngu

Kuramngu is the main origin site for the people of the region between the Morehead River and the Mai Kussa River, associated with the Nambu dialect chain. Williams (1936) and Ayres (1983) both provide detailed accounts of the stories associated with Kuramngu, and Martin (2001:136-167) refers to both of these, and adds some versions that he recorded himself. Hitchcock (2004:60-62) refers to the work of each of these three researchers on Kuramngu and Kwavar / Tjuari, and notes the incorporation of Europeans and cargo in the origin stories associated with these sites, but adds no previously unpublished information.

The following version was told to me by Simaku Juga and Ariki Waruki, translated by Yokkar Gavai, at Arufi.

The origin of people was at Kuramngu. A man named Kambel lived there, alone. There was a saker palm tree there, Kambel could hear people inside, they were speaking different languages. He listened carefully and thought about what he could do, and decided to chop it down. He had a stone axe (babe). As he was chopping the tree there were brown ants biting him, he was calling, he he he, don’t bite me, I’m your father. He chopped and sang a song at the same time. When he chopped the tree down it fell to the south, the top fell off, the top is soft and white, he called markai,73 white skinned people. The shoot he called ser, python, not the normal one, a black coloured one. As the tree fell, in the tree were spaces. At the base he split it, people came out, they were called Keraki, their spear [arrow] was called Bimtawalangk. As he chopped the pieces flew off and he named the different fish, that’s where fish came from. The next piece were people called Yarne, they had the same spear. The Keraki tried to spear him, he said don’t spear me, I’m your father. Then Yarne did the same. Kambel continued to chop the tree, naming more fish. In the next piece were people called Tendab, they also tried to spear him, again he told them not to, I’m your

73 Markai is a word from the Western Torres Strait language meaning spirit of the dead, which was used to refer to Europeans from the earliest encounters, and is still used today. It was adopted in the languages of the adjacent New Guinea mainland.
father. Their spear was called Werasa. The next people taken out of the tree were Pesewe. As the people were taken out of the tree Kambel told them the name of their places. Keraki places were Bebdeen, Savaram and Gubam. Yarne places were Gembemb, Doeridoeri and Ponggariki. Tendab places were Mata and Haraiya. Pesewe place was Ngaraita. Other people came out of the tree too, all of Morehead district people came from that tree.

The complex of stories concerning the origin of the bullroarer, sodomy, incest between mother and son, and the first person to die, involve Kambel as well as his wife, Yumer, and son, who is sometimes named Gufa, sometimes named Many. The story of the people from the palm tree at Mingkad is identical with the Kuramngu story, except at Mingkad it is the father whose name is Many (rather than the son as in the Kuramngu story), his wife is Yando and their son is Gwama; a version of this story is recounted further below.

All of these stories were kept secret from women and children, and were revealed to boys at the time of their initiation. In describing the importance of keeping the myths secret from women Williams states, “if the secrets were given away the Sky-Beings would show their displeasure by tremendous rain, and the Keraki, accustomed as he is to severe visitations, still has a vague dread of some deluge which will break all previous records and bring him to ruin” (1936:293).

Similarly, Ayres writes,

Futa, Gembemb and Tamgagar are all places where sodomy was said to have been discovered, and the son was killed. All are places marked by waterholes, which are in fact unusual topographical features in this country. Predictions of the end of the world are often set at these places. A great deluge and flood will occur, and the hole will open up and swallow all the people, the land and everything in it. At Bimadeben I was told that this would happen if women were to know and tell the stories (see also Williams 1936:293) (Ayres 1983:317).
Similar stories about the consequences of women finding out the men’s stories were told to me at Arufi and Serki, involving a snake coming from the sky and drilling a hole in the ground, from which a flood spread out and killed all of the people.

There is another story associated with Kuramngu, involving the anthropologist F.E. Williams. It illustrates the point made by Busse (2005) that there is no simple distinction between history and myth in these stories, in that it incorporates relatively recent events within the mythic schema associated with the story places. I was told numerous versions of this story, and Ayres recounts having been told the same story some 30 years previously. She writes,

A curious incident was related to me during both visits [to Gubam]. Informants said that F.E. Williams came to Kuramanggu and stole the “thing” that was there. Their account is this:

Williams was sleeping at Bebedeben. Secretly during the night after the people had shown him were Kuramanggu was, he went back to Kuramanggu and stole that thing away. It was a stone, something like a radio shape. He went stragt away and flew to Australia. When Ebia Olewale went to Australia and Melbourne he found that thing there. He heard it talking in nambo-tji, dialect. When he came back he told us that “your something is there.”

Kuramanggu ... is reputed to be a place where all sorts of wondrous phenomena occur. The place is like a window into the other age. “When it is four o’clock in the afternoon, you can hear stories, planes, songs, dogs, kundu drums and other noises coming from that stone thing that is there. When a person dies far away, those things will sing; they will clap and dance and make a party. You will also hear the wireless there” (Ayres 1983:318).
When I was at Gubam I was told an especially lengthy and detailed version of this story, in which Williams had commanded the people of Bebdeven\(^{74}\) to make a road from the village to Kuramngu, then organised a party the night before his departure, got everybody drunk, stole the sacred stone named Inifiak and left in the night. It concluded with statements that Williams had gone to Australia, or maybe America, and become a millionaire. I said I thought it unlikely that he had done this, there is a photograph of Inifiak in his book and he states that he was “privileged” to see it, and there is no record of him taking it as far as I knew (see Williams 1936:91, 104-5). I also told them that he died in a plane crash in Papua New Guinea during World War II. However the next morning I was told exactly the same story by the same people again, with all of the details of Williams becoming a millionaire because of his possession of the stone, and going on to live in Australia. It was clear that the story would stand as it was, and no interruption by an anthropologist countering with a contradictory story would be countenanced.

**Komo**

Komo is an alternative origin site to Kuramngu for some people of the Morehead region. The versions of the stories from Kwavar and Kuramngu analysed by Ayres all end at Komo, and on this basis (as well as a set of directional oppositions) she argues that Komo constitutes a mediating third element in a structuralist spatial analysis. Williams (1936) makes no mention of Komo, and there are no other publications that refer to this place. Contrary to Ayres’s conclusions, I was told some stories for which Komo is the origin site, rather than unequivocally a place where stories end. In the following story there are many elements that are identical with the story of the strangler fig tree commonly associated with Kwavar; it also includes a version of the story of how people moved from the mainland to Boigu that is commonly associated with the stories of Kuramngu.

\(^{74}\) As noted in footnote 65 above, Williams spells the name of this village Bebedeben but it is now normally spelt Bebdeven.
This story thus recombines elements of stories more commonly associated with Kwavar and Kuramngu at yet another posited origin site.

This story was told to me by Nabaiya Yuwani and translated by Singai Suku, both from Tais village, with a large group of people from Tais also present, at Yub, which is on the foreshore in front of Tais.

There was a dani tree\textsuperscript{75} in the forest at Komo, it was very big, people were living in the branches, there were many people there. They used to go hunting together. A mother and son were living at the bottom of the tree, the mother’s name was Tutu, the son’s name was Karakapu. The people in the tree used to eat their meat raw, but Karakapu took meat for his mother who had a secret fire, and she used to cook their meat. Somebody found out about the fire. There was a beautiful girl living at the top of the tree, her name was Tamani. The boy was already grown up, he wanted to marry the girl but his mother wouldn’t allow it. He got angry, and set the bush on fire. The people at the top were surprised when they saw the fire, it had surrounded the tree, they couldn’t come down. They jumped off, the people at the top went inland, the people half way up went half way inland, those near the bottom stayed close to where the tree was. Bangu, Maiawa and Sangara were all mixed up together. When the whole tree burnt there was only a short log left.

Two brothers, Gwam the older one and Muri the younger one, had two dogs, Muri’s dog was Tiver, Gwam’s dog was Wiyabu. They were hunting and they came to the stump of the dani tree, the dogs started barking at it. The log had a pulse, it was beating, and inside was salt water. The two brothers shot the tree with their spears [arrows] but they bounced off, the bone points were broken. Gwam had one spear left, a bower. He was standing on the north side of the log when he shot it with the bower, and Muri was on the south side. Gwam called to his brother to come around to his side with him, but he didn’t hear. When Gwam

\textsuperscript{75} Dani is the Kala Kawaw Ya (Western Torres Strait language) word for strangler fig tree.
shot the log salt water came flooding out of it. Before that it was all land, but now the sea came up, the younger brother ran south, away from the flood, and the older brother ran to the north, both calling their dogs. The bows they were using, the younger brother had the top part of the bamboo, the older brother had the bottom part. The older brother ran this way, he didn’t know what happened to the younger brother. When the flood caught up to him, it was at his knees, he broke a broomstick and hit the water with it, he planted it in the ground with a cassowary feather from his armpit, and stopped the water. The meaning of the younger brother with the top part of the bamboo is whites live with guns, the top part of the bamboo is the knowledge of guns that the younger brother took with him, the older brother had the bottom part, that is the symbol of the life of black people. Both brothers had black skin, but because the younger brother had the top part of the bamboo he now has the shotgun.

The older brother was telling the younger brother to come to his side but he refused, he knew he was going to steal and run away with something, after the separation he realised the younger brother had knowledge, or something, so that is why he didn’t join the older brother.

The roots of the tree burned and made the rivers and creeks and the sea between the islands, Kawa Island and Mata Kawa Island – the real names of these islands is Karwubi, Kamalkiki and Bonde (from west to east).

People from the top of the tree went inland, some to Gembemb, some to Garangardeben, near Pongariki. The Garangardeben people didn’t make gardens or go hunting, they only danced every day to practice, and at night they danced until daybreak, while the Gembemb people were working and hunting, they were disturbed by the dancing every day and night. The Gembemb people used to look after the Garangardeben people, gave them food and meat, but they got angry because the Garangardeben people kept disturbing them with their dancing, so they chased them away. The Garangardeben people went under the ground and came up at Oi, west of the Wassi Kussa River, near the village of Membdeben.
When they came up there they came with the same lifestyle, singing, beating drums, shaking rattles, dancing and making noise. When they got to Oi they started their dancing again, and the Membdeben people got a surprise when they heard them. They lived there for some years, and the Membdeben people fed them but they got tired of them, so like the Gembemb people they chased them away. They went underground again, and this time they came out at Mimbu (across the river from Kondogog). There was nobody there to look after them, so they built a platform, made from wongai wood, tied together with wurur cane. They were standing on the platform waiting for dugong, they got one but the wap (harpoon) broke, the bottom part of the wap fell to the north and the head and the people were taken by the dugong to Bonde. They settled there. The dugong was actually a story dugong, it was taking them to Boigu but it didn’t go all of the way. Pigeons were flying to the dani (fig) tree at Boigu (known at Boigu as “Tree of Spy”), people were watching the pigeons, and thought maybe there is high ground there, so they went under the ground and came up at Towem, on the western side of Boigu. Two people went towards the place where the village is. There were people with wings in the dani tree, they were like flying foxes, when they saw them they thought they were flying foxes and they shot one with an arrow, then they discovered they were human because it said “who shot me?” They saw these were people in the tree, so they went quietly back to their camp at Towem and told the people what had happened. They decided to go back again the next morning. The next day they went back and they all made a village together with the people who were living in the tree. They told them their story, that they had been chased from one place after another, and needed somewhere to live. They stayed there, got married there, and still live there. But their tradition of dancing and making noise, they still keep it. When the Tuger war started they were the main target because they are noisy people, easy target. When they started breeding up their numbers they discovered there was not enough high ground there for gardens, so they started coming back for food and for barks (for their roofs) and timbers to build their houses, and to get meat. The new generations still have the habit from their
ancestors’ time, dancing, asking others to work for them. Before they used to go inland as well, to Tan, and Tonda, they had relatives and friends there, and used to go back to visit. Their main food was biu (mangrove pod). The Mathew family is from Wassi, at the head of the Wassi Kussa River, the river was given that name by Boigu people because they came from Wassi.

The story element involving the people who danced day and night, depending on others to provide food for them, and eventually moving to Boigu, was told to me in many versions of stories originating at Kuramngu, and it was explicitly pointed out to me on several occasions that this story should count as proof of a traditional connection with Torres Strait; similarly, the story of how fire was obtained from Boigu in the stories associated with Mingkad was also told to me many times, and also asserted to be evidence that the people telling the story have a traditional relationship with Torres Strait that should be recognised by classifying them as traditional inhabitants under the Treaty; this issue is discussed further in chapter 7.

**Mingkad**

Mingkad is the main origin site for the region between the Mai Kussa River and the Pahoturi River, associated with some of the dialects of the Upper Pahoturi River language. As noted above, one of the origin stories from Mingkad is almost identical with the main story from Kuramngu, but with different names of the story characters and the events occurring at different places. The following brief version includes an account of how fire was first obtained from Boigu.

This story was told to me by Samera Nindu, translated by Gass Iamata, at Dimisisi.

*People were living in the wiyaewe tree at Mingkad, all of the clans were inside. Only Many was living there, with his wife. He went hunting with his two dogs, Kemeru and Dodo. While he was hunting, people were making noise inside the*
wiyawe tree, and the dogs were barking at the sound. Many heard the dogs barking, and went to see what it was that the dogs were barking at. He couldn’t see anything. The dogs were going up to the tree, listening, and barking at the tree. Many put his ear up close and could hear people talking inside. He wondered what the talking noise was from. He went back to his house, left his bow and arrows and dogs, thought, then got his stone axe (bidebide). He started to chop the wiyawe tree, and was singing a song. Bees and ants were around the wiyawe, protecting it. The wiyawe wasn’t straight, it had blocks that were swollen. Many was holding the palm, thinking people are inside, wondering what to do to get the people out. He started singing, cutting, the ants were biting him. He was using two languages, Nen and Idi. When he cut it, it fell to the west. A red and green parrot (wuliyera) was sitting on the top. The bird flew to Jabere and settled there, and became a human. Many got his bidebide, and split the wiyawe tree, he started from the bottom. The first to come out was Mingkadag, then Mongoliyag, then Diblag, Werubi and others further up, beyond Bidadeben.

When the people were coming out they were very cold, there was no fire. The land was small, surrounded by water. Many looked for fire, and could see it burning at Boigu. He told a cassowary (awiya) to swim to Boigu to get the fire. The awiya got the fire from Boigu and held it beside his neck. Many was calling him to come back, but waves washed him and put the fire out. He said, look at my neck, the fire has gone out, and the awiya now has a red mark on his neck. Many told the awiya to live in the forest, we will hunt you and eat you. Many then sent a pig, simbal. The pig went, and did the same thing. The pig has white on its jaw, where the fire went out. Then the lizard with the big round head, motai, it did the same thing, and it now has colouring on the side of its head. Then Many looked for a smaller animal, and he found the small lizard, piplu. The piplu went to Boigu, got the fire, put it under its armpit, and swam back with the fire held tightly. He came ashore and gave the fire to Many. Now piplu has a red mark under his armpit. Many made a big fire and the people warmed themselves.
On one occasion I was at the village of Kinkin, when I first arrived I explained who I was and what I was doing and asked if the people there were willing to talk to me and answer my questions. One old man said he was very happy to do so, as I was his younger brother. I later asked him what he meant by this, and the story that he told me in response is set out below. It highlights the incorporation of whites and cargo at the origin of the world, common to many of the stories.

This story was told to me by Kanggur Beyan, translated by his son Phillip Kanggur, at Kinkin.

At Mingkad there was a wiyawe tree, all the people were inside the wiyawe palm. Many was there himself, his wife Yando, and his son Gwama were there too. Many heard people making noise in the wiyawe and he chopped the tree down. Black people came out first, then whites came out last. That’s why you’re my younger brother, because blacks came out first.

When Many split the palm, he took the people out, they were cold and he made a fire to warm them, the blacks came this way, the whites he sent that way. All the knowledge and power was given to whites by Many, it should be given to black. The blessings were given to the whites because they listened to Many, but the blacks were disobedient so he didn’t give them....These blessings should be mine because it was given out from my land, not for the white man. All the blessings were given to the whites, I had nothing, today I should claim for it. Many only taught me how to make gardens and hunt, but the rest of the blessings were given to whites.... My father gave me only garden work, hunting, making sago, but white people are having a good time without hard work. When will I get the blessing back? You are my small brother, you got the blessings.

In addition to the story of the people from the palm tree common to Mingkad, Kuramngu and Kesul, there is another story associated with Mingkad relating events which are said to come before Many split the palm tree. Four versions of this story are set out below. They all contain accounts of the origin of whites and
cargo at the origin of the world, but they also illustrate the way in which differing versions are not necessarily accepted as equally valid alternative perspectives. The first version is told by a man from the Mingkadag clan with his brother-in-law (and partner in sister exchange) from the Manang clan present. The second version is told by that Manang clan man, and he includes his ancestor in the first origin story; the third and fourth versions contest the inclusion of the Manang clan ancestor.

The first version was told to me by Gwama Doble with Dai Muwang present at Tembilkwatra, near Mingkad.

There was a tulebi (species of wild yam), a yindari tree was used as the stick for the vine, and there was pudil, a type of grass like pitpit. Many, Gwama, Adam, Eve, Gwonga, Kwibiyag, Dunggu and John were on one side of the tulebi, some other people were on the other side. They were all mixed together, black and white. Kiba and John were together, the whites are from John, Mingkadag are from Many. Many and Gwonga went toward Merauke side (i.e. west). Kwibiyag [Papuan Black snake] and Dunggu talked amongst themselves, Kwibiyag said we’ll get old, our skin will come off and we will have white skins underneath. Kwibiyag was always working in the garden, but Dunggu didn’t work like that. Dunggu had a dream: he died and made a gun. He came back and told Kwibiyag, we won’t do like you said [i.e. get old and change our skin], he said, you will die like me and you will come after me, I am going first. Dunggu died, and he used to come back again, disturbing people. When he was coming back he had white skin. The people took a molas (bullroarer), a kundu drum, and a bamboo flute, and they chased him. He went for good, he didn’t return again to the living people. He went to the east. Dunggu made death, Kwibiyag wanted to just lose his skin, but he had to follow Dunggu.

There were flies living in the pudil grass, when they sat on the tulebi it split, whites drifted one way, blacks the other. John went to Australia, the whites come from John, they took all the knowledge with them. When Dunggu died he
changed everything. We are from Kwibiyag. Dunggu was making everything like white people are making.

The second version was told to me by Dai Muwang with some translation by his son Elijah Dai, with a large group of other people present, at Sibdiri.

Ponggar (another species of wild yam) is very important to us. When making new gardens we always keep these, there are three species; the one from Mingkad was the round one. The ponggar vine was crawling up the yindiri tree. Ponggar belongs to Mingkadag, Manang and Markai. Midamakwakmir (species of grass) is similar to but smaller than pudir (another species of grass).

There was a small patch of ground, and these three things were on that ground at Mingkad. Flies laid eggs on the midamakwakmir. The eggs fell from the grass and settled on the ponggar, which then split into two halves. Manang and Mingkadag were on one half, on the other half were Many, Dunggul, Gwongga, Kwibiyag, and Markai. When the ponggar opened the land spread out. There were no trees on that ground.

One day Gwongga was coming from Man with dogs. They barked at a wiyawe tree. The dogs’ names were Manang and Didumud. People inside the wiyawe tree were making noise. When he saw it, Gwongga said he’d go and tell Many to come and cut it down. Gwongga went back with his dogs and told Many to take the people out of the wiyawe tree.

The next morning Many went to cut down the wiyawe tree. It was a very tall tree, and when Many cut it down there were people in each of the sections. The first section contained Motong clan, then Nengablyag, all clans and all families in the world were from the sections of the wiyawe tree.

The people had no fire, the only fire was at Boigu. Many shouted for fire, but nobody brought it for him. The first bird he sent was a pita (black cockatoo). The
pita got fire – the red spot on his neck is the mark from that fire – but it went out on his way back. Then Many sent a kwodor (green parrot with yellow beak, and a red spot on its neck). The kwodor was bringing the fire back but again it went out on the way. Next Many sent awiya (cassowary), and again it went out on the way. Then the danggab (hornbill) was sent, and yet again the fire went out on the way. The last one was piplu (small lizard). The piplu put the fire under his arm, and brought it all the way back to Many. Many told him that he would never send him away, he could stay underneath the house. All the other animals were sent away.

Many took the people to Beldipiyang (near Mingkad). He built a big house and put the people inside. Every Friday he used to kill someone from each clan, until only five were left. Bwonggom is the word used when men hunt for meat but don’t share it with the women. Many was doing bwongom – hiding his meat and not sharing it with his family.

One day, Gwongga was coming back from Man, to see what had happened to the people from the wiyawe tree. He saw that the tree had been cut down, and that a house had been built, but there were only five people there. He started crying, and sang a song. He got these five people and took them with him, leaving Many behind with his wife Yondo and son Gwama. Yondo lived in a separate house.

Many sent Yondo and Gwama to go and look for fish. At that time Yondo’s vagina used to move from place to place around her body. While they were fishing with nets Gwama asked his mother “what’s that thing there” as he saw her vagina moving around her waist, thighs, and armpits. Gwama wanted to have sex, and he did so, and once they had sex the vagina stayed in its proper place. Yondo reported this to Many, who said that it was good, and now a woman’s vagina remains where it was when Gwama and his mother had sex, between her legs.
Many got a piece of bamboo and made a kapi-mala (split flute). He blew it, went to his wife and asked if she had heard it. She said it’s a bamboo, you split it – she already knew what it was. So Many decided to make another thing. He cut down a doebe (tree sp.) tree and made an alap (drum). When he beat it and asked Yondo if she had heard it, again she knew that it was only an alap. Next, Many cut many pieces of bamboo of various lengths and made a tataro (pan-pipes), but again Yondo knew what it was. Then Many got a doeroem (dog), tied its legs and hung it from a tree, and it was yelping and howling, but Yondo said “it’s a dog”. So Many went and got a small piece of bamboo, split it, and made a darumbi (Jew’s harp), but again, Yondo knew what it was. Many was trying very hard to find a way to trick his wife, but he just couldn’t.

One night, when it was almost daybreak, Many heard the sound of a molas (bullroarer). The molas was inside Yondo’s vagina, and when she was sweeping the molas would come out and make its noise. Many rushed to Yondo’s house to find out what was making the amazing sound, but Yondo had finished sweeping and the molas had gone back inside her vagina. Many asked her what it was that was making the noise, but she said that she didn’t know. This happened two times; she told lies to her husband twice, so early one morning, when it was still dark, Many hid to try to find out what was making the noise. When Yondo started sweeping the molas came out of her vagina and made its wonderful sound. Many crept up behind his wife and grabbed the molas, breaking the string that attached it to Yondo’s vagina, and ran away with it. It was a very large molas, the length of a man’s arm. Yondo fell to the ground, and accused Many of being a thief. Many told her to cover herself, he said “when you hear this noise you must hide”.

When Many stole the molas he told his wife to hide, so until recent generations women always stayed in the house when they heard the sound of the molas, but because of the good news we’ve brought it into the light, into the open, and now women are allowed to see it.
When Many pulled the molas from Yondo’s vagina he took several types of tree skin to use as string, but when he tried them they always broke. It was a very large molas. Eventually he cut out his own pet-woland (Achilles tendon) and used that, and it was strong enough. Part of the pet-woland became toboly (type of vine), and another part became la-diben (species of python). So after that we used toboly for string on our molas, but nowadays we use fishing line. Many planted the bamboo that he used at Mingkad, and it is still growing there.…

Dunggul died at Mingkad, he opened the gateway to death. Dunggul and Kwibiyag [Papuan black snake] were two brothers. They both had white skin. They used to work together in the garden, and their bodies got dirty from the garden work. Dunggul’s body was not fit for garden work, and he tried to find another way. He had a dream in which he made a rifle. This happened underground. He tried his new rifle underground, and Kwibiyag heard the shot. When they woke up, Dunggul told Kwibiyag about his dream, and Kwibiyag said he’d heard the sound of the rifle fire. Dunggul decided that they should die, but Kwibiyag said no, we’ll grow old, then take off our skin and become young again. Dunggul didn’t agree; he said I’ll die, and then I’ll make those things that Europeans now have. He said you follow me, but I will die first, if you see strange things happening you will know that somebody will follow me. You make a feast for me when I die, and you will cry for me. So now we follow what Dunggul said, we make a feast when somebody dies.

They made a feast for Dunggul as he had instructed, and they buried him. He then started coming out of the grave at night and having sex with the women and with the men. In the morning the wife would ask her husband, and men would ask other men, was it you who had sex with me last night, but the answer was no, because it was Dunggul doing it secretly. All of the people decided to stay up at night and watch, to find out who it was. They saw Dunggul come out of his grave, and realised what was happening. They made a plan. They got kundu drums, coconut shells, molas, and other noise making instruments. They
wanted to chase Dunggul back to his grave to stay there forever. When the sun was setting they started beating their instruments, and walked to Dunggul’s grave. The handles of their molas were painted with charcoal and blood; they put a big stone on Dunggul’s grave, and put charcoal and blood on the grave, and they blocked it forever.

KM: What happens to the spirit after death?

Dai: The spirit becomes markai, they’re the ones making all of the Europeans’ things, because Dunggul made it already. The knowledge came from his visions and dreams. Dunggul’s grave is at Mingkad.

A third version was told to me in the evening after the second version, by Tago Samab Diwara of the Mingkadag clan, translated by Jack Bagera.

The first story, of how Many came to be at Mingkad, the story of the ponggar, it should be tulebi, not ponggar. The ground was formless; there was only water in the world. Tulebi was in the water, a yindiri tree supported the vine to prevent it from collapsing in the water. Kwoekemi (grass sp.) was there too. Flies came out of the kwoekemi and sat on the tulebi. It split into two halves. The sap inside the tuber is the breast [milk]. There were two kinds of people, Mingkadag on one side, white people on the other side, but no other clans, not Manang clan. Those two fed on the liquid from the tulebi. White man and Mingkadag are one, from one mother, tulebi is the mother. The people were already inside – they’re not the flies that fell onto the tulebi, the flies only caused it to split. Mingkadag were first, the whites were second. All other clans are from the wiya we tree, not from the tulebi. Many found those people in the wiyawe tree, not Gwongga.

When the tulebi split one side went upside down the other side remained with the cut piece facing up. Mingkadag were faced downwards, whites were facing up. The white people were Americans. Many cut his half of the tulebi, and with it created the ground. Then he cut it again, and created the clouds and the sky.
tree to support the sky is kwendber (tree species). Then Many cut another piece of the tulebi and created a human, Adamai. The man was created for a purpose, the meaning of his name is creator. A piece of the tulebi from the Mingkadag side was kept in a bag for thousands of years, generation after generation, and it never got rotten. It was always planted in the garden, because it was the mother. It died when Locky’s father was about 25-30 years old, it got burned in a bushfire. Other things were also inside the same bag. The post used to hang the bag was always kwendber, because it is the hardest wood. To cut the wiyawe tree, Many went with tulebi, chewed it and spat on the tree. Tongwle (leeches) formed from the spit. That’s how he cut the tree down. Then he split it. All the people inside are the clans from Mingkad – Werubi, Diblag, Idi, Ekemer, Tami. We wanted to tell you this story again, because it wasn’t told properly before – other clans didn’t come from the tulebi. The tulebi can be eaten, Mingkadag people kept it because it is the mother, also used for ladies to help them grow milk in their breasts.

The next day I was told another, more elaborate version of the story, again by Mingkadag clan people, Gwama Doble, Tago Samab, Ngel Samab, with Awati Papu from Buzi present, again translated by Jack Bagera.

The tulebi story yesterday was a secret clan story, somehow Dai heard it and he changed it to include his Manang clan, now it is public, ponggar was the public name, tulebi the secret one. Why did old man Dai say we were together? If so we shouldn’t get married, should be one family, and they should be called the historian too. But they are a different clan, Manang clan is from the wiyawe, not the tulebi.

Mingkadag is the rightful people to tell our story, not other clans, we’re the meiben people. We want to rub out the story the old man told yesterday, history

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76 Locky was listening to the story as it was being told, at the time he would have been approximately 30 years old.
is ours, we have the right to tell our story, and every other clan story too, because we are the mabun people.

The sun and the moon were created by Many, so these things, and their story, belong to Mingkadag.

When there was only water, and the tulebi was there, men were on the tulebi. One Mingkadag man was killed by Many, his name was Aganang, not the Aganang who went to Boigu, but before him.77 The world was in darkness. When Many lifted the sky, just half way, he said, “I’ll create light”, that’s why he killed Aganang. He cut the head off and split it into two pieces, the face for the sun, the back part for the moon. The other pieces, bits of brain, became the stars. The temple was kept in a bag, with the tulebi, as a witness. Tago and Ngel saw it when they were young, but it got burned by a fire. This Aganang name wasn’t used in front of the children, until when they had grey hair, then they were allowed to hear it. When hunting, and the animals were running fast, Mingkadag could call that name and the animals’ strength would finish and the hunter could catch the animal, because it is a powerful name. When fighting, we didn’t call the name in public, because all the tribes would become weak and the Mingkadags could kill them.

In the magic bag with the temple bone of Aganang there was also a penis and a vagina. Bill (Dewara) sent the penis to Port Moresby museum. Samab78 used to tell the children not to sin, because the sun is looking at you, it is a human being, it will see you.

There is a magic word to stop the sun, if you are walking a long distance, you pull the grass up, say the magic word, tie a knot in the grass, and carry the grass. When you arrive, untie the grass and the sun will go down. There is another word

77 Another man of the same name is said to have migrated from Bilybi (near Mingkad) to Boigu during the time of the headhunter raids.
78 Samab was a Mingkadag clan man, a generation older than the oldest living generation, who was renowned for his knowledge and for his ability as a sorcerer.
to bring the distance close. We believe you white people have this technique too because we are from one tulebi.

One half of the tulebi was turned over, the other side had the cut half facing up – our side was turned down, you are light and I am heavy, that’s why you are OK and we are like this....

Mingkadags and Americans were together, but the other white countries came from the shoots and fruits of the wiyawe tree, other black countries too. Sibdiri clans are only few, because they are from the stem of the tree. Seeds and dust were plenty, they populated the other countries.

Most of the Americans came here and settled at Giza. They were at Mingkad first, then settled at Giza after. They were following the meiben story. The Americans said they came to open Mingkad. But old man Samab rejected them. He didn’t know what they were going to do, and he didn’t speak English, he was frightened that the Americans would kill him.

Many was killing people, our clan, until recent generations, we stopped. But America is still continuing to kill people in many countries, they’re still on the same procedure, Many’s procedure. Killing, fornication and making things, America is still continuing, doing as our ancestors were79.

In the ’97 drought it stopped, but before that you could see and hear, people playing sport, tractors, choppers, dogs barking, devil sounds, all kind of noises. The chopper was seen, boats and trucks we could hear them....

Samab used to say not to move around there when they were making noises at Mingkad. If you go there you might meet somebody, American whites.... Moge (an old man from Sibdiri) went there hunting, his dogs chased a cassowary, it

79 This story was told to me in 2004, during the time of the U.S. invasion and occupation of Iraq.
jumped into a water pool there, the dogs were barking at it. White Americans surrounded it, the old man came up and saw them and got a shock. They called him to come with a hand sign; he got the cassowary and walked back to Bilybi, he dropped the cassowary and sat by the fire, then he got fever and died. So people are scared. When they were separated from the tulebi they are not allowed to see each other after that. There were guardians at Mingkad, they had rifles, and used to hide away from the local people.

Development will happen in other countries, but not for Mingkadag people, until the last days. Everything was taken out from here, not on top, but underground. The gateway is down there at Buzi. When the ship is travelling underground taking the things the ground used to shake and we could hear the noise of it moving. As proof, the shape of the pool at Mingkad is like a boat, it takes the things from Mingkad to America and places overseas.

Yesu was created from the tulebi, on the Mingkadag half. His name in Idi is from the beginning. Tulebi was in the water and in the water was the word – it was inside the tulebi. When the flies settled on the tulebi it opened, the word became flesh, Yesu.

His birth was at Mingkad. The mother was Kwily, muretmala (“blessed woman”). When she was about to give birth she held a kwebe tree. She had nobody to support her, so she held onto the tree behind herself and gave birth to Yesu. When he grew up and became mature he started teaching, at Mingkad. He had two types of skin, an outer layer that was black, and the inside skin was white. When he was teaching he took the black skin off and kept it in the house, and he went and taught the children in his white skin. This went on for several years. When he was going to teach children other clans (not Mingkadag) used to shoot his black skin with kunai grass spears while it was in the house, and spat on it. After teaching he’d put his black skin on again. People thought that what he was doing was no good, they were rejecting him and they were angry. The people went to the garden, but his enemies came and surrounded him, while he was
teaching children. They started belting him. Miptuangs were the ones, their leader was Muwir. He was a very big man, and he had other Miptuangs with him. They started from a place some distance from Mingkad, and they dragged him to Kukulyang and killed him there. While they were whipping him they used the cane with thorns (edaramulinye and klope). When they dragged him they made a big track and went across the river near Mingkad. After killing him they put the thorny cane around his head, then they put two white sticks in a cross. Then in the afternoon they took him to a place to bury him. The relatives who tried to stop him from being killed (i.e. Mingkadag) were painting themselves with his blood. Yesu is a mabun name. Mingkadags took him off the cross and brought him to Bondiyag. They cried for him there, with other clans too, then buried him there and planted flowers around his grave. The Miptuangs, after killing him, were returning home, and Yesu’s father was angry. He made rain and drowned them at Yabom, that was their punishment. They never made it home, they all died, that was their punishment....

Our promise from the beginning, we gave our history to you, if things like this happen, the world will come to an end. We believe we are going to the end, we can see the signs that were promised from the beginning. Signs that we already saw are many. But the final one is if a baby talks to his mother when he is born and says I want sex with you, that will be the end, because it happened already, when the son put his mother’s vagina in the right place.

In addition to the stories of the ponggar / tulebi and the wiyawe palm tree at Mingkad, there is also a story involving a missionary who in many versions is identified as Jesus. The following version was told to me by Note Potor at the village of Bok.

A missionary named Serenge came to Mingkad. Serenge is not his real name, it is a curse word in our language, we gave him that nickname. People kept the Sabbath. Yutketke is the name for Saturday, it means prepare for Sabbath the next day [i.e. fire(wood) gather]. Everyone had to be quiet on Sundays. Anyone
breaking that law was punished. If they went hunting, or if a child was shouting, the missionary told them to carry a heavy log for punishment. The treatment was too hard, the people became dissatisfied. The missionary’s helpers were Kwulkwulkumang, Mopeam and Kalasia, they were the deacons. The missionary had a girl named Gwema working for him, but the people thought he was doing unacceptable things, having sex with her. They didn’t see it, but they suspected. The people didn’t like his actions. Also, he was baptising people and made sacrifices with animal blood. This teaching was taken from the initiation, killing the animal and mixing the blood with ashes, painting their bodies with it, then eating the flesh, this was all secret from women. He was also exposing the things that the people were doing, for example that homosexuality was wrong. So Serenge was a curse that was given to him. After moving to Kwiwang, people used to go back to Mingkad. From Kwiwang they went back and killed him, but before dying he cursed the people. He said, “no good thing will you get them, school will come from the north, not the south where I come from, it will come from karama-ketro [Fly River side] not bem-ketro [sea side]. Your help will come from the north, not the south. You will get it very late.” That was later proved, when Australians came and landed at Giza, they took one of our grandfathers, Malnga, they educated him, taught him to write and read, then brought him back. They landed first at Sirmai, then they came to Giza, and he also said the same thing, our education will come late, from north not south. In 1963 the first school started at Upiara, that’s when Thame people got educated. We proved that his curse and the predictions he made were true....

Serenge was a white missionary. The bible he was holding was a scroll. Before missionaries came from the north, northeast, people already knew the bible. Later on, people thought he was Yesu, and augad [Western Torres Strait language word for “totem”, translated in early Christian literature in Torres Strait as God]. They called him Augad. When the missionaries came later the people already knew it, baptism and communion. Communion was with sago. Baptism,
those selected go into the river, up to the neck, then sprinkle water on them with tree branches. This was teaching that came from Mingkad.

The several versions of the Mingkad stories are set out above to illustrate the way in which different versions are not accepted to be equally valid, but rather there is competition to have the version that privileges one’s own ancestors as the true account.

Boji

Boji is the main origin site for the region of the upper Pahoturi, associated with some of the dialects of the Upper Pahoturi language. The main story at Boji involves three brothers and one wife, and I have not seen this story element repeated elsewhere. However it also includes the story of the origin of the bullroarer, the origin of sodomy, incest between mother and son, the source of cargo possessed originally by blacks but taken by whites, and links to islands of the Torres Strait that are common to the other origin stories both west and east.

Boji is regarded by some people as derivative of Dumar, and by some as derivative of Mingkad, which is to say that the first people at Boji are sometimes asserted to have originally come from one of these other places before they arrived at Boji and the events recounted below occur.

This story was told to me by Kerewe Bangi, translated by Idau Sari at Kibuli.

There were three brothers living at Boji, their names were Inumin, Umbuzag and Meangkodag. There was only one wife, her name was Taramoleg. Inumin was lazy, he did no work, but the other two brothers did all of the work. They built a boat, and they were catching fish, hunting for dugongs and turtles. The two brothers kept working, while Inumin kept sleeping. Inumin was thinking the other two brothers were jealous for the wife. He had an idea, to make a feast for them. He made some kai [kava], for the feast. After he prepared everything he told the two older brothers to come and drink the kai from the coconut shells. While the
two older brothers were drinking the kai, Inumin was not drinking much, he gave more to them to get them drunk while he drank only a little. The two older brothers got drunk and went to sleep. Now he started to follow his plan. He packed his things, all the things he needed, and he got some people, they got into the boat and started their journey. At this time, all around was sea, no land. When he started out the two older brothers woke up and found that Inumin was gone, they called to him to come back, they chased after him, they went into the water until the water was as deep as their necks, but from there they had to go back to Boji. Where the boat was going the sea went, and the land came up on the sides with everything on it [i.e. it formed the Pahoturi River]. As Inumin went he took the sea with him. He called back to his brothers, “your payment is what I am leaving you.” He came to Taminimithang and anchored, and slept there. The next morning when the first birds called he continued. This river today is the road Inumin took. He came to Kurunti, where there is a junction in the river, the one on the west belongs to Agob [language], the one on the east to Emde [language]. He planted tiwi [a species of black palm, different from wiyawe] there to symbolise Emde and Agob. He also planted polmol [derris vine, also known as saz], it is still there today. The two tiwi trees used to rub against each other, one called out em, em, emda, the other called agob, agob, agobda [these dialect names are the respective words for “what (is it)?”]. That’s where the two dialects came out. He continued. The sea moved and the land came up. He continued to Ngao, he stopped there at Dumderbuik and anchored. He left an anchor and chain there, it is still there now. He continued to Mabudauan, its real name is Mabunma [mabun = world creative ancestors, ma = house or village]. He left a file, knife and axe, and his handprint and footprint in the stone, the handprint and footprint are still there, on the island that has the graveyard on it. Then he thought to himself, if I leave it open the sea will come back, so he put stones at the mouth of the river and some small islands, to stop the sea from going back [up the river]. Then he went to Saibai and left some of the people from his boat... They were his family members. He named a place there Kibuli [i.e. the same name as a place where there is now a village on the Pahoturi River], where the church is now. He
anchored his boat there. He planted the banyan trees, bamboo and coconuts, bikme [cycad], kwokar [palm species], he planted all these at Saibai. Then he went to Dauan, and put some families there.... He made a pool and planted sago there, and taro, and he planted some coconuts on the hill. He named it Dauan, after the name of the place near Boji. He climbed the hill and looked back where he had come from to see if the two older brothers were following, he saw that they were not and he continued. He went to Two Brothers Island [Gebar], and he thought back to his two brothers that he left behind. He put the stones there in memory of his two brothers. He went on to Mabuiag Island, the island near there named Wa island [wa = penis in Agob], he left a [stone] penis there as the purpose of his journey. He went on to Badu and left some more families there. He went on to Bamaga [near the tip of Cape York, in mainland Australia] and anchored there, at a gide tree [species of eucalypt]. That’s where his journey ended. The river Pahoturi, its real name is Partiwi, when he put the tiwi at the junction there were two types, one was par, the other tiwi. All of the people he put on the islands were black, but when he got to Bamaga, the last people, they were white. All of the good things he took them and left them there with the white people.

Another version of this story, told to me by Walbam Apang at Sigabaduru contains further information before the events recounted above begin:

There were three brothers and one sister at the time of first creation, from them the Agob, Emde and Thame tribes were distributed. Dumar was the first breeding place, in the Wipim area. The three brothers were made there, we don’t know how they were made, who their mother and father were. They came blind to Dagleporon, where Meangkodag opened their eyes with a tiwi. Then they could see the place. At that time, everything was water, there was only small land at Mabunma [i.e. Mabudauan hill]. They went from Dagleporon to Boji. Inumin, the last brother, he doesn’t know how to work, he only sleeps, with his sister-wife.
Then the rest of the story is similar to the version given above but ends at Gebar, with the statement that he (Inumin) said he will be coming back. I asked where he went, what happened to him, and was told:

*He went away, we have no story about him, only that he said he will come back. But it is still not yet. The son of man will be coming back at the end of the world. He is the beginning and he will be the end.*

Later in our discussion I was told more about the origin site Boji: that planes and trucks could be heard there, that spirits of the dead went there and became white people, and that some of these spirits had emerged to the land of the living and promised to create a city.

**Dumar**

Dumar (also known as Dumor) is the main origin site of the region of the Oriomo River, associated with the Gidra language. The story involves an ancestral creator who used a knife to form the first people by cutting open their eyelids, carving their limbs and digits. It contains familiar elements by which connections to Torres Strait are asserted, and the origin of white people and cargo at the same source as black people, with the inference that the cargo was illegitimately taken by whites but that it will ultimately be returned to where it belongs.

Dumar is cited as an origin site from which several other origin sites derive – including Boji, Glulu, Khur and in some accounts also Mingkad and Kuramngu. There was one old man of the Dumaram clan named Janggai, who died just a few months before I visited Podare and Wipim, who appears to have been especially influential in promoting this version of events. Almost invariably his name was cited when I enquired about the source of stories that gave Dumar precedence over secondary or derivative origin sites. I discuss attempts at imposing hegemonic versions of these stories further in the conclusion to this chapter, but
It is noteworthy that there is some dissent among the people identified as Dumaram clan, as expressed in the two versions of the Dumar story below.

This version was told to me by Niki Soro and Dompa Sigai, translated by Gavin Benny, at Podare.

The creation story goes like this. This story has been kept secret, it is a story of great importance to our clan, and every other clan that believes themselves to be descendants from our clan. We have long treasured this information, it was never told out. As custodians we kept it secret. This is the first time we are to expose it.

KM: Are you happy for me to publish it?

Yes, we know we have promises that these things will happen, our forefathers knew you would come here, we knew someone like you would come. One of our old fathers tried to get this information out but he didn’t succeed, now you are here, you can tell out our story for us.

Our story is a living story, that we will live by. When you write this story we will consult it. Many other tribes have come to consult us for many things, land cases they ask where their boundaries are, we give counsel in problem situations and issues. The story contains values that we live by. Your information will be consulted in future when we are in problems.

Karteny, also called Bunkujang and Umbuzag, was an invisible person, he lived in the air, he hovered before he created the universe. Karteny originated and existed in Buza, near Dumar. First he created earth and all living things. After creation he blessed it, as proof, where we live today is proof, our area is full of resources, we know we live in a blessed place. After creation he went from Buza to Mamal, at Dumar. He took some soil and went to Pujog. There he formed a

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80 The pronunciation of the –ny in Karteny’s name is the same as the Russian nyet, as with the ancestral hero Many.
Pujog is a sacred place where nobody has ever been. It is regarded as the place of birth, the first man was created there. Where he took the soil from at Mamal is a sign. After forming the man he brought him back to Mamal. At Mamal he breathed life into him, the man came alive. He was placed on an ire palm container. Karteny saw everything was complete, all was created, man began to live. He then performed a ritual, and a woman appeared to live with the first man. They began to multiply. Then he made a plan to distribute the people. It was done in two ways. One way, he took them in person and placed them on their land, these people he brought in person are his right hand people. The other method was to use power, he spoke words, and people went by his words. These are his left hand people.

Before the distribution the people were given two ceremonies, Wipim soer and Wagara soer. The first man, brought to Dugi, was Woisem, they are the Wepmam group of people. Then he took some people to Boji, on the Pahoturi River. He took these in person. He was known as Umbuzag when he did this. He built a yitmet, also called yitma (men’s house), and he left people there and returned to Dumar. He showed them the Wagara soer ceremony then left them. The first men were Yinuming [i.e. Inumin], Meangkodag, and Taramamoleg, a woman.

The third lot were taken to Madulia, in the Binaturi area, near Gamaiwe, this was the distribution centre for the Bine tribe. These people were placed in a hollow kama tree. Then he came to Unja and consulted Kusarak, and instructed him to do the distribution on his behalf. Then he returned to Dumar.

Next he took Pirkupirku and Gurem to Dang, with three others, Metregam, Baikurkur and Ligiyeliye, and he returned to Dumar again. Then he went to Moelap, near Wim, and he placed nine people, clansmen. Then he returned to Dumar. Then he came to Podar and placed three groups, the Podaram group of clans, Molam, Boezezam and Toerpam. He built a yitmet (men’s house), showed them the ceremonies, as he did everywhere that he placed people. The Damulam
group were placed at Damul. The last lot were the Midam groups, they were taken to Wipim. They’re a subclan to Kikiyam main clan. They came from Tugutugu, but Tugutugu was from Karteny. Then he returned to Dumar.

After the distribution he decided to leave. First though, he promised that one day he would return. The blessings he was taking, one day these blessings would come back again. He departed, following the Boji route, to Moertang (between Kibuli and Kurunti) and he placed some landmarks there, tiwi [black palm] to block the way behind him. Two tiwis, that blocked the channel of the river. Then he went to Kibuli, gave a name to a place there, Yur, after the place Yur at Dumar. He continued to the mouth of the river, to Mabundan [i.e. Agob word for ancestral, pronunciation of Mabudauan].

KM - how did he travel down the river?

As a man who could make things possible for himself, perhaps in a canoe, or walked on water, I don’t know, he had supernatural power to make it possible.

KM – what name was he using?

Umbuzag.

Our clan is known to be Agob speakers, but because of intermarriage we’re speaking Wipi, most of the place names and things are in Agob dialect. But our grandfather intermarried with Wipi so we’re speaking this language here now.  

81 Wipi is an alternative name for the language more commonly known in the ethnographic and linguistic literature as Gidra.

At the mouth of the Pahoturi he placed stones to close the way from where he came from. The rocks are symbols of the siya (type of long yam) yams he brought with him in the basket. He also named it Mabundan, referring to himself as mabunang, head man, first man. Then he went to Dauan. When he landed his foot there, the ground rose high, for Umbuzag to look back to Dumar.
Mabudauan was the first place he looked back, he saw that Dumar was still close so he went on, the second time was at Dauan. He placed landmarks there, for the last time, sago (sana), freshwater (nyoe), ire palm, bema (cycad), bobok palm, and at the top of the hill his footprint is there, showing where he stood to look back.

From Dauan, Umbuzag went to Saibai and placed landmarks, bema, tiwi, ire, sunggu, then he went to Gebar, Two Brothers Island. He placed landmarks there, nyoe, bema, pingg. The two hills tell of the two brothers he had blessed – one, the white man, the other the black man, and the blessings they received from their father. They speak of life itself, it was given, more blessings were received by the younger brother instead of the elder brother who is supposed to receive more blessings from the father.

The life of prosperity was inherited, the best was by the white man, knowledge, wisdom, development, to live life like what they are now. But the black man represents the first brother.

From Gebar he went to Mabuiag. This is a special island, landmarks there are bema, tiwi, bobok, and the private parts of man and woman in stone, these are symbols that generations would extend through that form [i.e. sexual reproduction].

From Mabuiag he went to Badu, and placed landmarks bema, bobok, and named a place Kibul after one of his places from Boji, the second distribution place. He built a wagara yitmet at Badu. Then he went on, to mainland Australia, He built a wagara yitmet and put people in it, taught them the wagara ceremony, in Australia. These are the black Aborigines. After that he left to go somewhere, we

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82 Gebar was named The Brothers by Bligh in his second passage through Torres Strait in 1792 (Lee 1920:188), during which he charted and gave English names to many of the Islands in the strait.
don’t know where, but we stand by the promise that one day he will return. That’s the end of our story.

After being told the above account I was approached by Sido Gerabo and his sons Tuguna Sido and Tibra Sido who identified with a different “sub-clan” of the Dumaram clan, and they told me the following, very different, story.

Our ancestor was Tugutugu, he was born at Pujog. He was there himself. There was nobody to stay with him, so with his power he made two more men, one was Karteny, the other was Ginerang. Then he made another group and brought them to Kirelykirely. He ordered Karteny to visit them. They were without mouths, eyes and ears, he used bamboo [knife] to open their eyes and mouth. Then Tugutugu sent Karteny to sunrise, to sunset was Ginerang, to do his work. He returned to Pojog, then went to Buwem, and his son Toka died there. So he left Buwem, he took the dead body to Jumer (i.e. Dumir / Dimiri) in a boat. They anchored the boat there. The witness of the boat is there, the shape of the boat is still there, where they travelled to. From Dimiri they left the boat, and went to Boji ([i.e. Pahoturi]. He turned back there, the sign is the tunnel where he turned around. From Boji he went to Mabudauan, he made [a patch of] small bush with red ground, bamboo, poison root [derris] and stones. He blocked the river with the stones. He named the outlet Sido where he came out of the Pahoturi. He got on his boat, he named it Siyak [Seik?]. He went to Dauan and stood and the mountain came up. Thorny sago, coconut and the small creek he left as his mark. From Dauan he disappeared into Torres Strait. This is the end of our story.

The following day Niki Soro, Dompa Sigai and Gavin Benny (i.e. the first group, Yamorong and Waderkorang ‘sub-clans’) came to see me again, to tell me a few things they had forgotten to mention the previous day:

After Karteny took the group to Dang and returned to Dumar, he then took another group to Bier, the Dolem clan. Another landmark at Dauan was a coconut tree, and at Saibai he had built a wagara yitmet. When making these
distributions he had used the name Umbuzag at Boji, at Mingkad he used the name Many, at Madulia he used the name Kusarak, at Wipim his name was Woisem, at Wim it was Wimpospos, and at Dang it was Karteny.

I asked why there was such a discrepancy between the versions of the story from one of the sub-clans and the other two, and was told that it was due to a dispute over land. The Yamorong and Waderkorang sub-clans said that the land of all three Dumaram sub-clans was one: “we have one only land, each of the sub-clans then take care of a section, so its divided for taking care of it, but not own it, its owned together.” They said that the Kikiyang sub-clan had “built up their own story”, and attached themselves to the Midam clan but they insisted theirs was the true version, and argued that it had weight because it was consistent with the stories told by other clans - i.e. that Karteny was the first creator ancestor, and all others came from him. “All the tribes in the universe belong to Dumar, even the whites too, everyone, we all belong to one. The theory of evolution started at Dumar.”

Glulu

Glulu is the most commonly cited origin site of the region of the Binaturi River, associated with the Bine language, but there are also several alternatives, including Tati Iruwe and Bine Aipupu. Events at these sites are said by some people to follow original creation at Dumar, others deny this and claim that their origins are independent of Dumar. Landtman (1917:77-80) provides a version of the creation story associated with Glulu, as does Lawrence (1994:417-420). I was told the outline of this story on several occasions, but the narrator of the only detailed account that I was told asked me not to publish it as he did not want people from other clans to find out what he had said. In the publically known story there was a woman, name Ua-ogrere, who killed a wallaby but didn’t cook it. It got flyblown and the maggots are the ancestors of the Bine people. They all lived together at Glulu (or Tati Iruwe or Bine Aipupu) but they quarrelled and split up into many groups, each of which then went exploring to find uninhabited
land of which to take possession. Following the first quarrel and fracturing of the
group there were several more subsequent similar events, and the stories
include lengthy accounts of movement from place to place, and the
establishment of villages.

**Basir Puerk**

Basir Puerk is the main origin site of the region between the lower Pahoturi and
the Binaturi rivers, and is associated with the Gizra language. Versions of this
story are provided by Schug (1995:248-249), Lawrence (1995:423-425) and Laba

Geadap was the older brother, he had two wives named Endar and Sirip. Muiam
was the younger brother, he had no wife. Geadap had dark skin, and Muiam had
pale coloured skin, and he was also tattooed.83 Geadap lived with his two wives,
but Muiam lived alone nearby; neither of Geadap’s wives knew about Muiam.

The following story was told by Jibu Mareta at Kulalae, in front of a large
audience of people from Kulalae, Waidoro and Kupere villages.

*One day Geadap was out hunting, his two wives went to the garden, and their
fire went out. They searched for fire but they couldn’t find any. While they were
looking for fire they came across the road to Muiam’s house, but the two wives
didn’t know about this younger brother. Endar followed the road to Muiam’s
house and looked inside and she saw Muiam sitting there, he was busy making
arrows. Muiam felt the presence of someone watching him. Endar turned to walk
away from the house when she saw Muiam but he asked her why she had come,
and she said that her fire had gone out. Muiam passed her a firestick behind his
back, without turning to look at her. After she left she had a troubled mind. She
was on her way back to her house but she felt tempted to go back to Muiam. She
left the fire with the other wife and went back. When she went back to Muiam he*

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83 There are no records of tattooing in this part of New Guinea in the pre- and early colonial
period.
saw her, took her into the house and they had sex. When they did this Muiam’s
tattoos came off.

Geadap was hunting, he noticed that the designs on his arrows had disappeared,
and the tip of one of his arrows broke off, and he knew there was trouble at
home. Geadap was a very powerful man, and he knew the trouble was with his
wives. When he arrived back at Basir Puerk he asked his two wives what had
happened. He took the [stained] inner skirt from Endar and went to Muiam, and
asked him what he had done. Muiam’s response was to ask him, “why didn’t you
tell me about your two wives? I had sex with your wife Endar.” Then Geadap left
to get his bow and arrow, he tied some of Endar’s grass skirt to his arrow and
shot Muiam in the leg with it. Muiam fell down. Then he spun around, he
grabbed a firestick which he would use as a canoe. There was a fig tree, Muiam
set it on fire, using a magic spell. At that time there was no sea here, after
burning the tree the fire created the sea. The tree fell down, towards the sea, the
roots to the mainland, they created the rivers; it didn’t burn everything, the few
places it missed are now the islands in Torres Strait. The tree symbolised the
wealth of the Gizra people....

All his gear he loaded into his canoe, the firestick, then he started travelling. He
went to the small island at the mouth of the Pahoturi River, called Kwanu, he put
his feet on the stone and looked back at his elder brother, he knelt down and his
testicles made another mark on the stone. His canoe’s name was Momol
[=dugong].

After I was told the first part of this story above there was a lengthy discussion
and some dispute over what happened next. I was then told two alternative
versions, the “Kulalae” version had him travelling to the east, to the Kiwai
Islands, where he met the Kiwai hero Sido and his wife Sagaro, then returning
back to the west with bamboo and sago suckers which he planted at several
places on the way, meeting people at Masingara, and near Irupi and Drageli en
route, before returning to Basir Puerk. The “Waidoro” version, told by Dabu
Gabora, was much longer and more detailed, and involved Muiam acquiring extraordinary fecundity following his adultery with his brother’s wife, then travelling to the Kiwai Islands and changing his name to Sido, and later changing his name to Bidedu, before changing it back to Muiam as he returned to Basir Puerk; throughout his journey he left people and food plants at numerous locations.

**Dudupatu**

Dudupatu is a site near the coast across from Daru Island, next to the mouth of the Oriomo River. The story associated with this site differs from the origin stories recounted above; there is no account of the origin of the world there, rather it is a place of secondary distribution of people. Versions of this story have been published by Lyons (1921), Landtman (1917:87), Schug (1995:254-255) and Lawrence (1994:408-411), and I was told several versions of the same story at Daru.

There was a fig tree at Dudupatu in which six people were living. They had no fire or garden food. A man named Bidedu, who in most versions came from Kuru, some distance inland, came across the people in the tree; he opened the tree, and gave the people fire and garden foods, taught them how to build houses and make gardens. Those six people are the ancestors of the people known as Kadawarubi, a Kiwai-speaking group who lived first at a village named Kadawa, near Dudupatu, before migrating west to settle at Old Mawatta, Tureture, and later also Mabudauan.

This origin story is discussed in further detail in chapter 7 where I analyse the disputes between Coastal Kiwai people and their Trans Fly neighbours over land and status as traditional inhabitants under the Torres Strait Treaty, but the following story told to me by Bokabem Supo and Sosger Sigari at the Gidra-speaking village of U’ume on the Binaturi River, is relevant here as it illustrates
an assertion of hegemony of the Dumar origin story in relation to the Kiwai story.

The Bidedu story in David Lawrence’s book stopped half way; they said Bidedu came from the bush. We will specify where he came from.

At the origin, Gimai the dove was in the air, and Wimoplam the pig was on the ground. Karteny, the originator, shaped Gubolega and Gwigi and Kasil and put them inside a bag made of the skin of a baby wallaby, with no hair, like a human. Dolem (clan) symbol is wallaby. Karteny told the pig to take the wallaby bag in its mouth, the dove was flying while the pig walked on the ground carrying the wallaby bag. Gimai was giving the pig instructions not to drop the bag, the land is already occupied, go straight to Kasir. The pig took extra care. Gimai told him to put it down properly, people are inside. He put it at Kasir and Gimai went to Togar.

The pig slept with the baby wallaby. While they were sleeping a big rain fell, the water came up, and the baby wallaby died because of the cold and wet. The skin got soft, and Gubolega and Kasil were moving inside, because they were cold. They broke open the bag. They stopped there at Kasir.

At that time, the clans close to the origin place were sent out first, others, further out, after.

People at Kasir were already there. At Dudupatu, people were inside the tree hole. Karteny sent the person Bidedu, gave him instructions to check the people he sent yesterday, he gave him red clay, small bamboo, and borom (club). Bidedu went with those things, he was in human form. He came to check the Dolem clans, he checked them, they were all ok. Then he went to Kasir, he saw three were there ok, he didn’t have to do anything, and he went on to Dudupatu. He brought six clans out of the tree. Dudupatu is on the coast at the mouth of the Oriomo River but at that time there was no sea, it was all land. From Dudupatu,
Bidedu walked to Bina (between Tureture and the mouth of the Binaturi River) and he brought some more people out there, from another tree. He brought them back to the west, not far from Tureture, and put them into initiation at Tomigati. The cotton tree at Tomigati is a witness.

At that time Dudupatu was inland, now it’s on the coast. He left those six clans there, and sent them to the east, not far from the mouth of the Oriomo, some towards Tureture. From Tomigate Bidedu went to Torres Strait, there was no sea but creeks. Torres Strait people know the rest of the story, those who are Bidedu tribesmen. Then he came back to Dumar again. ...

The Originator created humans, it was in the form of whiteman, some were left at Dumar. They were left underground, with roads to walk under the ground, through mikuj power.... Karteny’s plan, two groups of people. Some followed the plan, others failed the plan. That’s why we can’t see these [underground] people. Blacks failed the plan, so they were set aside. The whites who were sent away are the ones who followed the plan....

Maubo / Barasaro
Barasaro is a place on Kiwai Island that is commonly believed to be the location of a village from which various groups of Estuarine Kiwai dispersed. This is not an origin site equivalent to the Trans Fly origin sites described above: the Kiwai tradition has it that they originate at a place named Maubo, which is said to be near Mt. Bosavi, approximately 200km inland to the north. After several migrations they eventually made their way to Kiwai Island, but there were some splits and dispersals of people to the east along the way. Schug (1995:289) provides an account of migration from Maubo to Barasaro and dispersal from there in his story of Sido. Landtman (1917:68) includes a brief account of the story in which people migrated from Barasaro to the coast. Landtman’s (1917:68) account of the story of the Kiwai hero named Sido has him being born at U’uwo, which in Landtman’s Barasaro story is one of the villages that was
established after the dispersal from Barasaro. Lawrence’s (1994:403-405) version of the Sido story has Sido born at Dibiri, before he went to live at U’uwo. I was told several versions of the Sido story, some of which have Sido being born and living at U’uwo before he commenced his travels variously to the west or the south, others in which Sido came originally from Maubo.

The origin site Maubo is said to be the place where all people, black and white, originated. Sido is said to be the first man to die, the source of garden foods and fertility, and importantly in the context of a comparison with the Trans Fly stories cited above:

*Sido didn’t finish his work before he left. He started a school to teach people to read and write, and he said he would be back to finish. When he went to Australia he taught the whites. The people he left behind knew why he went there, but then he didn’t come back. The secrets possessed by whites are the knowledge given by Sido.*

The contradiction between the account of Kiwai Islanders and Coastal Kiwai over their origins is discussed further in Chapter 7. It is noteworthy here however that the Sido stories are clearly variations within the same tradition as described throughout the Trans Fly region.

**Conclusion**

The stories recounted in this chapter are all concerned with origins. In form and content they are typical of stories found across a broad region of southern New Guinea and Torres Strait, and some of the stories involve characters who travel far beyond the local region to have their names changed and act as “heroes” for other, distant groups of people. Wagner noted the way that components of the myths of this region are widely repeated, and are found in a variety of combinations. The repetition involved in the story of the palm tree associated with Kuramngu and Mingkad is striking, the only significant difference being in
the names of the main characters and the language used in the telling. Similarly, the story of the fig tree at Kwavar is repeated at several other sites, including Komo and Basir Puerk. The repetition of names of the main characters in these stories is also remarkable, and further suggestive of deep historical relationships. The formation of the first people by a hero who used a bamboo (or black palm) knife to carve their limbs and open their eyes, ears, mouth and other orifices, as in the Dumar story of the hero Karteny is identical to the story of Nggiwe in the Middle Fly region, as reported by Busse (2005). The origin of people as maggots is found in some versions of the Mingkad ponggar story, and in the story of the people from the wallaby at Glulu, as well as the Boji story accounting for the origin of Gizra people. The origin of the bullroarer in the ancestral woman’s vagina is common to all of the people for whom initiation of boys involved sodomy, and the secret of the bullroarer was revealed to boys at the time of their initiation.

Beneath the mixing and matching of elements between the stories however there are two fundamental issues that all of the stories address: the distribution of the ancestors of people today across the landscape, and the origin of white people and their cargo at the same source as the people who tell the story. Hirsch and Moretti (2010) contrast Western and Melanesian understandings of the past under the headings Western Universal History and Melanesian Universal Past. The Western Universal History involves a set of assumptions: “that ‘the past’ can be apprehended ‘objectively’ as well as evoked ‘instrumentally’ because it exists ‘out there’ as a universal, unchanging totality distinct from ‘the present’ and ‘the future’” (2010:282). They argue that there is a specific “figure-ground association” involved in this way of conceptualising the past:

To narrate a particular representation of the past – as in the form of written history – presupposes that the world is filled with all sorts of untold stories that can be told, a universal unchanging past actuality; and, furthermore, that the world is there to create new landscapes inhabited by these stories,.....
same time, the unspoken assumption of Universal History is sustained by the expanding number of particular accounts of the past or histories that are continually produced. Universal History is a “whole” that exists nowhere in particular, except through the specific histories and accounts of the past that exist, potentially, everywhere (2010:282).

The Melanesian Universal Past, on the other hand, assumes a different “figure-ground association.” While both forms of history involve the “proliferation of stories,” in the Melanesian Universal Past form:

there is a presupposition that they are made possible or derive directly from a single creative source that accounts for the origins and divisions of the whole world. Thus, all the stories about the past are made possible by a single source from which the past derives, while evidence of this single source is provided by the proliferation of accounts to do with the past. In contrast to Universal History,... the Universal Past is a whole that exists, potentially, everywhere. Evidence of its existence is confirmed and sustained by particular stories of the past (and narratives in the present). Although the Universal Past exists conceivably everywhere this ever-presence derives ultimately from one source, from one past unity (2010:283).

They argue further that the Melanesian means of conceptualising the past is “inherently practical,” by which they mean the past is not “a realm of actuality objectively separate from present and future. Rather, it is something immanent in, inseparable from, and always highly consequential for them” (2010:283).

Hirsch and Moretti draw on the work of Wagner (1991) and Strathern (1988) in associating the difference in conceptualisations of the past with “distinct conceptions of the person,” Western personhood characterised by an emphasis on individuality, Melanesian personhood by the assumption of relatedness.

Melanesian ideas of the past do not tend to take separation and difference as a starting point and do not suggest an emphasis on individuality. Rather, they
relate differentiation to an original source of unity that provides the basis and moral compulsion for complementary engagement or for the obviation of present inequalities (Hirsch and Moretti 2010:284).

They cite the stories that Busse tells from the Middle Fly, of how the hero Nggiwe is associated with Jesus, and is the source of the knowledge and power of white people, noting that the “modern Papuan hero tales” bear resemblance to cargo cult myths from other parts of New Guinea. Busse writes:

The variations of Nggiwe stories from place to place were generally not considered important by people in the Lake Murray – Middle Fly area. ... The important point is that there was no single or privileged place or people whose stories were considered to be the more accurate version. There is no center to this journey. Each community had its own narrative. Although for the most part they all agreed on the overall route and the places Nggiwe visited, they each had different episodes at different places in his journey. People in different places knew that their stories were not identical. They knew that other people had other perspectives and other stories. Their concerns were not hegemonic. They were not competing with regard to who had the correct story. Instead, they told stories that linked some people together on the basis of a generally accepted common history and excluded others who had different histories (2005:455).

Busse’s conclusion here is at odds with my own findings. Certainly there is no single centre, but there are many centres and each of them is believed to be the true centre. They are competing with regard to who has the correct story. They do link some people together on the basis of a generally accepted common history, and they exclude others with different histories, but the particulars of that generally accepted common history are vigorously contested, and to the extent that those excluded others with different histories contradict their own, they are asserted to be “liar histories.”
Chapter 7: The practical application of the traditional inhabitants provisions of the Torres Strait Treaty

This chapter analyses the practical application of the traditional inhabitants provisions of the Torres Strait Treaty. As noted in chapter 3, the Treaty establishes some precise geographical boundaries, but it also remains ambiguous in reference to and specification of some places. Similarly, it establishes categories of people and activities, but the terms by which these are defined require substantive interpretation, including application of the concept of tradition, before it can be determined who and what are classified within the categories and, a necessary corollary, who and what are excluded. Phrased as questions, the parts of the Treaty traditional inhabitants provisions that are interpreted in categorical terms for the purpose of facilitating their practical application are who, where and what: who may cross the border as a traditional inhabitant?; where are they permitted free movement?; and what is a traditional activity?

There are “practical arrangements”\(^\text{84}\) in place by which the Australian and Papua New Guinean governments have attempted to define the answers to these questions in categorical terms so that they can function to exclude as well as include. These practical arrangements are set out in a “Guidelines for Traditional Visitors” pamphlet published by DFAT and distributed on both sides of the border, and communicated by officials from both governments during regular “Treaty awareness” visits to villages in Papua New Guinea.\(^\text{85}\) In this chapter I analyse the application of the Treaty through these practical arrangements, each of the three categorical definitions in turn.

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\(^{84}\) This is a term used by DFAT Torres Strait Treaty Liaison Officer Simon Moore, telephone discussion 10 September 2012.

\(^{85}\) A copy of the current pamphlet, published in 2011, is attached as Appendix 5. There are no substantial changes in content between the current and the previous pamphlet, published a few years earlier.
The ambiguous references to places in the Treaty are resolved by the designation of precise boundaries. The definition of what is and what is not a traditional activity is more complex; some of the activities deemed not to be traditional activities are commonly carried out by Papua New Guinean traditional inhabitants visiting Australia and are difficult for Australian authorities to restrict in practice; and there is no enforcement of these provisions for Australian traditional inhabitants when they visit Papua New Guinea. The categorical definition of traditional inhabitants is similarly complex; it is not enforced by Papua New Guinea authorities when Australian traditional inhabitants visit Papua New Guinea but Australian authorities vigorously enforce the list of Treaty Villages in relation to Papua New Guinean visitors to Australia.

The Australian government across all agencies has been progressively tightening the restrictions on traditional inhabitant visitors since at least 2000 when the list of Treaty villages was introduced. A list of Australian government departments and agencies involved in the administration of the border drawn up by the Department of Foreign Affairs names 18 different departments and agencies. Not all of them have a permanent presence on the islands, and the lead roles in practical border enforcement is taken by Immigration (DIAC), Quarantine (AQIS) and the Island Council (TSIRC), who have local indigenous employees on all inhabited islands, as well as Customs (ACBS) who fly daily surveillance patrols and regularly visit the main islands frequented by PNG visitors, and Foreign Affairs, who perform a coordinating role from their Thursday Island office.

86 These are: Department of Foreign Affairs and Trade (DFAT); AusAID; Department of Agriculture, Fisheries and Forestry (DAFF); Department of Defence/Royal Australian Navy and Australian Army; Department of the Environment, Water, Heritage and the Arts (DEWHA); Department of Health and Ageing (DoHA); Department of Immigration and Citizenship (DIAC); Australian Customs and Border Protection Service (ACBPS); Australian Fisheries Management Authority (AFMA); Australian Federal Police (AFP); Australian Marine Safety Authority (AMSA); Australian Quarantine and Inspection Service (AQIS); Torres Strait Regional Authority (TSRA); Queensland Department of Premier and Cabinet (DPC); Queensland Health; Queensland Police Service (QPS); Queensland Department of Primary Industries and Fisheries (DPI&F); Torres Strait Island Regional Council (TSIRC).
Travel across the border under the Treaty provisions occurs mainly by Papuans visiting the Torres Strait Islands rather than Islanders visiting Papua New Guinea. As detailed in chapter 4, there is a vast discrepancy in the economic conditions across the border, and the main purpose of Papua New Guinean visitors to the Torres Strait Islands is to acquire goods that are available in the cash economy of the islands.

Four treaty villages are much closer to the nearest Torres Strait Islands than the others; Buzi and Ber are about 7km and 6km respectively from Boigu, Sigabaduru is about 5km from Saibai and 12km from Dauan, and Mabudauan is about 17km from Saibai. Residents of these villages are more frequent visitors to the islands than people from the other villages, indeed on most weekdays there is at least one dinghy from each of these villages that crosses to one of the islands, and often there are several dinghies carrying up to 15 passengers from any one of these villages. Being so close, it is common for people from these four villages to come across to one of the islands and return in the same day. Traditional inhabitants from the other 10 treaty villages visit less frequently, but usually stay longer, often up to two or three weeks at a time. Table 2 below shows numbers of visitors by island over the period from mid-2008 to mid-2010. The Australian island of Saibai, being closest to the New Guinea coast and closer to the large population centres of Daru and the large villages along the eastern part of the coast, receives by far the greatest number of traditional inhabitant visitors from PNG.
<table>
<thead>
<tr>
<th>Island</th>
<th>2009-2010</th>
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<th>2008-2009</th>
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<tbody>
<tr>
<td></td>
<td>Traditional visits</td>
<td>“Transiting”</td>
<td>Traditional visits</td>
</tr>
<tr>
<td>Saibai</td>
<td>13,600</td>
<td>643</td>
<td>15,815</td>
</tr>
<tr>
<td>Boigu</td>
<td>7,297</td>
<td>93</td>
<td>7,898</td>
</tr>
<tr>
<td>Dauan</td>
<td>1,272</td>
<td>3</td>
<td>1,130</td>
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<tr>
<td>Erub</td>
<td>757</td>
<td>122</td>
<td>721</td>
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<td>Iama</td>
<td>339</td>
<td>-</td>
<td>433</td>
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<td>Masig</td>
<td>264</td>
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<td>172</td>
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<td>Mer</td>
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<td>Badu</td>
<td>110</td>
<td>-</td>
<td>95</td>
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<tr>
<td>Mabuiag</td>
<td>29</td>
<td>6</td>
<td>57</td>
</tr>
<tr>
<td>Kubin (Moa)</td>
<td>26</td>
<td>-</td>
<td>23</td>
</tr>
<tr>
<td>Warraber</td>
<td>24</td>
<td>9</td>
<td>53</td>
</tr>
<tr>
<td>St Paul’s (Moa)</td>
<td>7</td>
<td>-</td>
<td>22</td>
</tr>
<tr>
<td>Ugar</td>
<td>1</td>
<td>118</td>
<td>498</td>
</tr>
<tr>
<td>Poruma</td>
<td>0</td>
<td>-</td>
<td>34</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>23,919</strong></td>
<td><strong>994</strong></td>
<td><strong>27,079</strong></td>
</tr>
</tbody>
</table>

Table 2: Treaty visits by Papua New Guinean traditional inhabitants to Australia, 2008-2010

Where

As described in chapter 3, the international border is defined by reference to Fisheries and Seabed jurisdiction lines; these and the boundary of the Protected Zone are precisely defined by latitude and longitude coordinates, and maps showing their locations are included as annexures of the Treaty. Despite these precisely defined boundaries, the Treaty is ambiguous in some of its references to places by its use of the terms “adjacent coastal area” and “in the vicinity of

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87 FADTRC (2010:96). “Transiting” refers to: “e.g. escorts for patients seeking health treatment; passengers on board vessel with a person banned under section 16 or from a non-Treaty village; etc” (ibid).
the Protected Zone.” The definition of traditional inhabitants includes a criterion that they must live “in the Protected Zone or adjacent coastal area”; and another that they must “maintain traditional customary associations with areas or features in or in the vicinity of the Protected Zone.” The Treaty also states explicitly that “the expression “in and in the vicinity of the Protected Zone” describes an area the outer extent of which might vary according to the context in which the expression is used.”

The geographical extent of the “adjacent coastal area of Australia” is given some specificity; it refers to “the coastal area of the Australian mainland, and the Australian islands, near the Protected Zone,” so Thursday Island and Horn Island are apparently included, as is the township of Seisia near the tip of Cape York, but Bamaga is five kilometres inland, and it is not clear from the words in the Treaty whether it is “coastal” for the purpose of the definition (this is relevant when a comparison is made with the application of the definition on the Papua New Guinea side, discussed further below).

The definition of traditional inhabitants for Australians includes a criterion that they must live “in the Protected Zone or the adjacent coastal area of Australia” and for Papua New Guinean traditional inhabitants the residence criterion is “in the Protected Zone or the adjacent coastal area of Papua New Guinea.” The only islands within the Protected Zone over which Papua New Guinea has sovereignty are Yoper, Kussar, Kawa and Mata Kawa. All of these are low-lying mangrove islands with no high ground; they become inundated in a spring tide, there is nobody living on any of them and they are regarded as unsuitable for permanent habitation. Thus, all Papua New Guinean traditional inhabitants live in the adjacent coastal area.

Just as the geographical extent of the adjacent coastal area of Australia is given some specificity while still remaining ambiguous (the Torres Strait Islander...
community of Bamaga being the main case in point), so too for Papua New Guinea it is stated that this expression refers to “the coastal area of the Papua New Guinea mainland, and the Papua New Guinea islands, near the Protected Zone.” Two inhabited Papua New Guinean islands are near the boundary of the Protected Zone, Daru and Parema, but it is not clear how far inland the “coastal area” extends. In the case of Papua New Guinea the location of the coast itself is not self-evident: the enormous Fly River Estuary; the fact that the Mai Kussa and Wassi Kussa Rivers are marine inlets that surround Strachan Island; the interpenetration of marine and terrestrial domains in intertidal zones stretching kilometres each side of the mean high water mark; and the constantly evolving shape of the coast from erosion in some places, build-up of mudbanks that become colonised by mangroves in other places, all render the notion of a fixed coast line problematic. The references to coastal area are thus inherently ambiguous.

With ratification of the Treaty there were amendments to several pieces of Australian legislation to allow the relevant Minister to specify the meaning of adjacent coastal area by notification in the Government Gazette, however it seems that this has not occurred. According to the Australian Department of Foreign Affairs and Trade (DFAT) Treaty Liaison Officer at Thursday Island, the practical arrangements that are now in place prohibit people who do not live in the Protected Zone from visiting Papua New Guinea; thus although the Treaty appears to allow people (who are Torres Strait Islanders and Australian citizens) who live at Thursday Island, Horn Island, Seisia and possibly Bamaga, to visit Papua New Guinea as traditional inhabitants, as far as the Australian government is concerned they are not permitted to do so. Article 11 of the Treaty states that traditional inhabitants are to be permitted “free movement... in and in the vicinity of the Protected Zone,” but the practical arrangements in place require that Papua New Guinean traditional inhabitants coming across to

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89 DFAT Torres Strait Treaty Liaison Officer Simon Moore, telephone discussion 10 September 2012. Mr Moore also stated that as far as he knows there has been no gazettal of a stipulated “adjacent coastal area” for the purpose of the Treaty.
the Australian side of the border must not travel further than 10°30′ south, which is a couple of kilometres south of the border of the Protected Zone, and thus prohibits them from visiting the Horn and Thursday Island or the Australian mainland.

Another of the “practical arrangements,” for which I have been unable to find a documentary source for its historical origin, is a rule that Torres Strait Islanders may travel across the border into Papua New Guinea as far as 9° south, and to the villages of Parema, Sui and Seweribamu in the Fly River Estuary that are north of this line. This rule is posted on the DFAT website and in various published pamphlets instructing traditional inhabitants where they may go and what they may do under the Treaty provisions. 90 This 9° rule prohibits Torres Strait Islanders from visiting the villages of Sibdiri, Dimiri and Arufi, but does allow them to visit numerous villages that are not (since 2000) classified as Treaty Villages. As discussed further below, people from villages in Papua New Guinea who may be visited by Australian traditional inhabitants but are not themselves allowed to visit the Australian islands have suggested that this provision is unfair.

The ambiguous references to places in the Treaty are thus resolved in categorical terms for regulating and restricting Papua New Guinean traditional inhabitants visiting Australia by administrative fiat, with precise boundaries decreed, both in relation to where they come from – “the adjacent coastal area” in Papua New Guinea delimited to 14 villages; and where they can go – the “vicinity of the Protected Zone” on the southern side decreed to be 10°30′. These restrictions on where traditional inhabitants come from and where they may go are strictly enforced by Australian authorities.

90 See http://www.dfat.gov.au/geo/torres_strait/index.html#freemov. This web page also includes a statement of the rule that Papua New Guinean traditional inhabitants may travel only as far south as 10°30′.
For Australian traditional inhabitants visiting Papua New Guinea, there is practically no enforcement of any of these guidelines. There is no pass system, so if people who do not live within the Protected Zone want to visit the mainland there is no checking whether they are eligible or not, and they are effectively free to come and go as they please. Similarly, there is no enforcement of the 9° rule, and Islanders do sometimes visit villages north of this line. Whereas the town of Thursday Island is decreed to be outside the vicinity of the Protected Zone, and thus Papua New Guinean traditional inhabitants are not allowed to visit there under the Treaty, Torres Strait Islanders are allowed to visit the town of Daru, and there are probably more visits to Daru by Islanders than to the mainland villages.

What

There are few legal measures restricting the activities of Islanders when they visit the Papua New Guinea mainland or Daru, and almost no enforcement of the legal restrictions that do exist, but for Papua New Guinean traditional inhabitants visiting the Torres Strait Islands there are numerous restrictions on where they may go and what they may do. The stipulation that free movement of traditional inhabitants is to be subject to the other provisions of this Treaty has a significant effect for the way in which the Treaty operates in practice. These other provisions include measures for environmental protection, quarantine, customs, health and law enforcement. A consequence of this is that laws introduced by a state relating to any of these things effectively over-ride the possibility of actual free movement for citizens of the other state, as their movement and their activities are restricted by the laws relating to these other provisions.

When a dinghy from Papua New Guinea arrives at one of the Torres Strait Islands it must land at a designated landing place, and all of the passengers must wait in the dinghy until a Movement Monitoring Officer (MMO), employed by the Department of Immigration and Citizenship (DIAC) arrives to attend to them.
MMOs are all Torres Strait Islanders, and most of them come from the island where they are employed. The Papuan visitors must have a “pass”, which is a photocopied form on which the names of all the passengers in their dinghy or canoe are written, signed by the village councillor or another person authorised by PNG Department of Foreign Affairs. The authorised person’s signature is supposed to provide an assurance that all of the passengers come from a Treaty Village, and a person from one Treaty Village is supposed to have the signature of the authorised person only from their own village. Once the MMO has checked their pass, counted the names and matched them against the number in the dinghy, a Quarantine Officer (like the MMOs, the Quarantine Officers employed on all of the islands are Torres Strait Islanders) checks the cargo that the Pauans have brought. If they have mats or baskets or other woven materials these are unpacked and checked for insects. The dinghy may be (and often is) checked for contraband (such as alcohol and drugs), and the passengers may be (and often are) told to empty their pockets for the same reason. Customs officers from Thursday Island and Cairns frequently visit some of the islands, especially Saibai and Boigu, and they sometimes participate in the checking of cargo and paperwork. If everything is in order the Papuan visitors are allowed to move about the island. At Saibai, Dauan and Boigu there is a designated market area, near the designated landing place, and some Pauans set up their goods for trade, while others may have been requested to bring particular objects by somebody, and will go to deliver their goods. Some Pauan families have close relationships with particular Islander families, and go to visit their friends where, if they are staying for an extended period they will be sleeping. Some will find work for a day, or more, and stay at the house of the people they are working for.

Each island council has some autonomy in the conditions that are imposed on Papuan visitors; all impose a time limit on the length of stay permitted, and on most islands this is two weeks, although in some circumstances, such as bad weather, people are allowed to stay longer. Occasionally all visits are prohibited,
either to a particular island, if for example they have a water shortage, or to all islands, usually in the event of an outbreak of disease on the PNG side, as happened in 2010 when there was a cholera epidemic in Daru, in 2005-6 when there was a bird flu epidemic in Indonesia, and in 2005 when there were cases of whooping cough reported at Sigabaduru.

The regulation of what is acceptable as “barter and market trade” is ambiguous. The Treaty states that, “in the application of [the definition of traditional activities], except in relation to activities of a commercial nature, “traditional” shall be interpreted liberally and in the light of prevailing custom.” Papuans who visit the islands with goods to trade usually intend to engage in cash transactions, and to use the money from the things they sell to purchase goods from the stores on the islands; similarly, when working for Islanders they prefer to be paid in cash. However there are some Islanders who insist that “barter and market trade” should be interpreted as prohibiting cash transactions, and rather than pay for labour or goods with cash they provide store goods to barter.

The “Guidelines for Traditional Visitors” referred to above contains several statements interpreting the Treaty, including statements about what is considered not to be a traditional activity:

*Traditional visits do not include activities that are not traditional. Visits for health treatment, attending court cases, shopping at the store, picking up deliveries from the barge, baby sitting, working or accessing money from the ATM are not considered traditional activities....*

*Traditional visitors can only travel by dinghy or canoe, not by aircraft.*

*The Treaty bans commercial activity, business dealings and working for money during traditional visits (e.g. cray fishing from a licenced Australian cray boat, selling artefacts or crabs to commercial operators, paid domestic assistance). Selling goods to non-traditional inhabitants is*
not permitted under the Treaty. Selling goods in the knowledge that they may on-sold [sic] is also not permitted under the Treaty.\footnote{91 “Guidelines for Traditional Visitors” pamphlet, copy attached at Appendix 5.}

There is also an explicit reference to “tradition and custom” in the following restriction on who may and may not come (discussed further in the following section):

\begin{quote}
Consistent with local tradition and custom, wives from non-Treaty villages can make traditional visits with their husbands if the man is from a Treaty Village. Husbands from non-Treaty villages cannot make traditional visits if they are married to a woman from a Treaty Village.
\end{quote}

However, while the Guidelines refer to “tradition” in relation to some regulations, there are others for which no such rationalisation is given, such as where they state:

\begin{quote}
Traditional Inhabitants must get a prior advice notice requesting a visit signed by the registered signatory (i.e. the village chairman in the case of PNG, and the elected representative in the case of Australia). The registered signatory from one village cannot sign a pass for someone from another village. The signed prior advice notice requesting permission to visit must be sent to the relevant community before visiting. Do not travel until you receive approval (signed pass) back from the community you wish to visit.
\end{quote}

Similarly, there is no concern with “tradition” in the requirement that “children must travel with their parents or legal guardians,” or the advice to:

\begin{quote}
Make sure you have enough petrol to travel back home. Always travel in daylight hours for your own safety. Make sure you carry safety gear on your boat (EPIRB, marine radio, flares, V-Sheet, Personal Flotation Devices
\end{quote}
– PFD Type 1, fire fighting devices, navigation equipment, bilge pump for boats over 5m, bucket for bailing water, anchor, oars or paddles, drinking water.

The Guidelines define certain activities as not traditional and therefore not permitted under the Treaty, but they are not consistently enforced, and several of the activities that are prohibited are common practice – and a major reason for visiting the islands. Working as domestic labour for Islanders is a way to earn money, and goods sold to non-Islanders often fetch higher prices than when sold to Islanders; and going to the store with money obtained from such work, and from selling goods that they have brought across to trade is the primary reason for visiting the islands. The statement in the Guidelines that “the Treaty bans commercial activity” directly contradicts the definition contained in the Treaty that “barter and market trade” are traditional activities.

**Who**

The distinction between Papua New Guinean and Australian traditional inhabitants relies, in the first instance, on a categorical distinction between the two states, and the second part of the definition specifies that traditional inhabitants must be citizens of one or the other state. In the case of Australian traditional inhabitants the first part of the definition contains two categorical elements, that they must be Torres Strait Islanders, and that they must live in a certain place, but there is substantial room for ambiguity in relation to both of these categories. Who is and who is not a Torres Strait Islander is contested; and what it means to “live in” a certain place is open to interpretation – it is not self-evident whether a person who spends half of the year in Cairns and half of the year at Boigu lives in Cairns or Boigu or both or neither.

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92 Australia allows dual citizenship but Papua New Guinea does not, so it is not possible to be a citizen of both Australia and Papua New Guinea.
The third part of the definition is the same for both Papua New Guinean and Australian traditional inhabitants (see Chapter 3 where it is set out in full). It contains several elements requiring interpretation: there is little guidance in the Treaty about what “traditional customary associations” means; it is not clear whether “association with areas or features” is supposed to include relationships between people or is meant to apply more narrowly to places and things (but “traditional activities” includes “religious or secular ceremonies or gatherings for social purposes...” and “barter and market trade”); and “in and in the vicinity of the Protected Zone” is evidently intended to be deliberately ambiguous, “dependent on the context in which the expression is used.”

There are two differences in the definitions of Papua New Guinean and Australian traditional inhabitants: first, whereas the Australian definition includes reference to “Torres Strait Islander” identity there is no equivalent identity reference for Papua New Guinean traditional inhabitants. There is no definition of “Torres Strait Islander” in the Treaty. There have been numerous definitions of “Torres Strait Islander” in Australian legislation, but the most common legal definition has three components: “An Aboriginal or Torres Strait Islander is a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he [or she] lives” (ALRC 2003:915).93

In addition to the ambiguities that arise from the words in the Treaty as outlined above, there are also some people who are, probably unintentionally, excluded from the traditional inhabitant category because of the linking of Torres Strait Islander identity with Australian citizenship. Between the time that the Treaty was signed, in 1978, and the time it came into force, in 1985, people who originated from Papua New Guinea but had been living in the Torres Strait Islands for three years or more were allowed to choose whether to return to

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93 The Native Title Act 1993 (at Section 253) states the following: ““Torres Strait Islander” means a descendant of an indigenous inhabitant of the Torres Strait Islands”93 (in contrast to “Aboriginal peoples” which “means peoples of the Aboriginal race of Australia”).
Papua New Guinea or remain in Australia; those who remained were granted permanent residence. Most of them have since become Australian citizens, and their Australian-born children are automatically Australian citizens – but they are not recognised as Torres Strait Islanders, rather they are regarded by Torres Strait Islanders as Papuans. The stipulation in the Treaty that traditional inhabitants who are Australian citizens must also be Torres Strait Islanders thus means that, according to a strict application of the Treaty, these people are excluded from the traditional inhabitant category.

Despite this, the practical arrangements do permit people who came originally from a Treaty village but are now Australian citizens to visit Papua New Guinea ostensibly under the Treaty, as the Guidelines for Traditional Visitors state:

*PNG nationals from Treaty villages who become Australian citizens or permanent Australian residents and live in the Protected Zone can still make traditional visits to the PNG Treaty villages.*

The status of people who originally came from a village that is not now a Treaty Village is unclear. There are some families living at Badu who originally came from Kulalae. On one occasion in 2004 when I visited Badu, some of these people complained to me that the MMO at Badu had told them that they were not allowed to visit Kulalae under the Treaty, saying that they must get passports and visas and travel via designated ports like any other Australian citizen if they wanted to visit their family back in Kulalae. I asked the Australian DFAT Treaty Liaison Officer in Thursday Island about whether these people are allowed to visit Papua New Guinea under the Treaty and he told me that although they are not explicitly provided for in the Guidelines he would be surprised if they were

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94 I have not been able to find a documentary source for this fact, but I have been told this information by several people, including some who returned to live in Papua New Guinea and others who remained in Australia and eventually became Australian citizens. Some told me that they were told to choose which country they wanted to stay in at around the time the treaty was signed, others that this happened in the 1980s when the Treaty "came in"; i.e. in 1985.
not able to visit PNG as traditional inhabitants as he could not conceive of anybody trying to stop them. As noted above, there is effectively no enforcement of the Treaty provisions for people visiting Papua New Guinea from Australia.

With ratification of the Treaty, those Papuans who were working at various jobs for wages in the Torres Strait Islands (and some at Bamaga, on Cape York) were returned to their home villages, and as noted above, those who had been resident for three or more years were given the option to stay in Australia and be given permanent residence. Aside from the prohibition on Papuans coming to work for wages in Torres Strait, it is difficult now to determine whether the ratification of the Treaty had any effect on the various other ongoing cross-border activities that were classified in the Treaty as “traditional activities,” or whether there were any specific restrictions imposed at that time on who could cross the border from the New Guinea mainland to the Torres Strait Islands under the traditional inhabitant provisions.

Apparently there was a list of Treaty Villages provided by the Papua New Guinea government to the Australian government in 1984, but it is not known which villages were and which were not Treaty Villages, and enforcement – if indeed there was any – was lax, so the normal practice was for people to be allowed to come across the border to visit the islands regardless of which village they lived in or originally came from.

In 1999 the two governments decided to revise the list of Treaty villages. A report from DFAT to the Foreign Ministers of Australia and Papua New Guinea in 2001 notes that there was previously a list provided by Papua New Guinea to Australia in 1984 but “in the intervening years it seemed that neither country appeared to have that list on file” (quoted in Murphy 2004:8). Evidently neither government knew which villages had been on the 1984 list of Treaty villages, and it is safe to infer that there had been no enforcement of that list.
The same report to the Foreign Ministers states that the two governments agreed to set down a new list of Treaty Villages “to eliminate the likelihood of confusion or conflict over which villages are covered by the Treaty” (quoted in Murphy 2004:8). A new list of villages that were to be classified as Treaty Villages was compiled by the Papua New Guinea government and provided to the Australian government. In 2000 formal notes were exchanged between the two governments restricting the definition of traditional inhabitants to people from one of the following 14 villages: Sui, Parema, Katatai, Kadawa, Tureture, Mawatta, Mabudauan, Sigabaduru, Buzi, Ber, Tais, Mari, Jarai and Bula (see Figure 10).\(^95\) It also stated that “the identification of these villages should not exclude the application of free movement provisions to traditional inhabitants of additional villages, if at some point in the future their inclusion is deemed appropriate by the traditional inhabitants of Australia and Papua New Guinea.”\(^96\)

\(^95\) There are 14 villages on this list, but DFAT correspondence and publications consistently describe it as a list of 13 villages, with Buzi and Ber combined as one village, “Buzi/Ber.”

Figure 11: Map of Treaty Villages and the Protected Zone
The new list of Treaty Villages was enforced by Australian government officials from 2000. Traditional inhabitants coming across from Papua New Guinea to the Australian Torres Strait Islands had to have their name on a “pass”, which was a form carried by the dinghy operator with names of all passengers, signed by an authorised person from a Treaty Village (in most villages this was the Local Level Government Ward Member plus one other person approved by PNG Department of Foreign Affairs) stating that each of the passengers was from the Treaty Village.

When the new list of Treaty Villages was introduced and enforced in 2000 there were people from numerous villages who had previously been allowed to visit the Torres Strait Islands that were no longer permitted to do so. They were unhappy about this, and many of them began making representations to the relevant authorities both in Papua New Guinea and Australia requesting that the villages that they came from be classified as Treaty Villages. They wrote letters and sent faxes, made telephone calls to the Australian DFAT Treaty Liaison Officer at Thursday Island and made a point of meeting him on his occasional visits to Daru to press their case.

The Australian DFAT Treaty Liaison Officer got the message that they were not happy with what had happened, but he had little context in which to comprehend the competing histories that he was being told. People from villages that had been excluded were telling him that they should be included, while people from the villages that were included in the list of Treaty Villages were telling him that these other people had no traditional relationship with Torres Strait and no grounds for inclusion.

Prior to fieldwork I had met the Australian DFAT Treaty Liaison Officer at Thursday Island and discussed my plan to do fieldwork in a Treaty Village with the operation of the Treaty as a topic of research. He had facilitated my attendance at a Traditional Inhabitants Meeting in Daru in late 2001 at which I explained my research proposal. In late 2003 he asked me to write a consultancy
report that described in which villages there were people who thought they should be included in the Treaty that currently were not, what their rationale for making these claims was in terms of the Treaty definition, and that analysed the relationships between the various groups in the region as they related to the politics involved in disputes over inclusions and exclusions on the list of Treaty Villages.

The Australian DFAT Treaty Liaison Officer evidently perceived that there was a problem with the existing list of Treaty Villages and was willing to give people who had been excluded from it an opportunity to have their stories heard and their status reconsidered. The 2003 Joint Advisory Council (JAC) meeting had resolved to review their status and determine whether any more villages should be added to the list. The purpose of the report that I was contracted to provide, as I understood it at the time, was to assist the bureaucrats involved in the process to understand and assess the claims that were being made by people who were insisting they should be included in the list of Treaty Villages. I provided my report and the following year the JAC met, but in the meantime the Treaty Liaison officer’s posting had finished, he was recalled to Canberra and a replacement was sent to Thursday Island. I got the impression from the new Treaty Liaison Officer that her predecessor had been instrumental in driving the process for reconsidering the status of excluded villages but that the senior bureaucrats in Canberra wanted the issue to just go away and she was not particularly interested in pursuing the matter. I don’t know how the issue of excluded villages was dealt with at the 2004 JAC meeting, but since then the response to my inquiries of DFAT about this has been that the Australian government would respond to a formal request to reconsider the list of Treaty Villages.

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97 The Joint Advisory Council (JAC) is established by the Treaty, it meets annually and is made up of officials from both PNG and Australian governments with a few representatives of the traditional inhabitants from both sides; it reports and makes recommendations to the respective ministers. The other two annual meetings established under the Treaty are the Traditional Inhabitants Meeting (TIM), where representatives of the traditional inhabitants from both countries, and the Treaty Liaison Officers, meet to discuss administration of the border, and the Treaty Liaison Meeting (TLM), which brings bureaucrats from both countries together to discuss border administration. There is a clear hierarchy involved in these meetings, with the TIM at the bottom, the TLM in the middle and the JAC the most powerful.
Villages if it were to come from the Papua New Guinea government, but they had not received such a request.

The arrangement under which I was contracted involved the Torres Strait Regional Authority (TSRA) as the coordinating agency with funding to be contributed in equal shares by the TSRA, Australian DFAT, Papua New Guinea Department of Foreign Affairs and Immigration (DFAI) and the Western Province branch within the Department of Provincial and Local Level Government Affairs. I was paid for my work, but the two PNG departments did not pay the TSRA the share they had agreed on, so the TSRA and DFAT withheld my report from them for over two years; they eventually did hand it over but they were not paid for it. My contract prohibited me from providing copies of the report to anybody. In the meantime people from the excluded villages continued to agitate for their inclusion, but the PNG government has not pursued the matter, and the Australian government’s position has remained that it would consider further inclusions only if the PNG government came to it with a specific proposal.

In 2001 a native title claim was lodged by four individuals representing all Torres Strait Islanders over all of the seas in Torres Strait that lay within Australian jurisdiction (the islands had already been claimed, and for legal and administrative reasons the land and sea claims were run separately). I was asked by lawyers for the applicants (i.e. the Torres Strait Islander claimants) to write a report that was used in mediation, and later to provide further reports that were used as evidence in the proceedings, and I also gave oral evidence in court as an expert witness.

Several people from villages that had been excluded from the Treaty Village list joined the native title claim as respondent parties, and some of them were able to find Australian lawyers to represent them pro bono. The applicants sought to

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98 The report was later released by the PNG government (as described below). My contract required that I keep the report and all of the materials provided by TSRA (and DFAT) confidential, but stated that I was not bound by the confidentiality provision if “the information is, or becomes part of the public domain otherwise than by breach of [the] agreement.”
have them removed as respondents, and the judge who heard the matter ordered that they had no rights that could be recognised under the Native Title Act; further, he found on the basis of the submissions that they had so far raised they appeared to be mainly interested in pursuing recognition as traditional inhabitants under the Treaty, so he ordered that they be removed as respondents. They appealed this ruling, and won the appeal, but were told that the sea claim proceeding was not a forum for them to pursue the issue of their status under the Treaty, and their arguments must be focussed only on whether they had any traditional rights in the claim area that might be affected by the Islanders’ claim of native title.

In one of my reports on the sea claim I referred to the report that I had previously written on the Treaty traditional inhabitants issue. Lawyers for one of the PNG respondent parties requested that my report on the Treaty be subpoenaed. Lawyers for the applicants and for the Australian Commonwealth government argued that the subpoena should not be allowed, and a hearing of this issue was set to take place, but in the meantime the PNG respondent party had obtained a copy of the report from the PNG government, which had “disclosed the report at large.”

Through the course of hearing the evidence on the sea claim the trial judge constrained the lawyers representing the Papua New Guinea respondent parties from raising the issue of their exclusion from the traditional inhabitant category under the Treaty. In his judgement he states:

Put compendiously it was ordered that a PNG party was not to raise any question, or make any contention in the sea claim which related to the PNG

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99 The question of whether the PNG parties should be removed as respondent parties was heard by a different judge from the one who was hearing the matter of the sea claim.
100 This was before yet another judge.
101 Akiba on Behalf of the Torres Strait Regional Sea Claim Group v State of Queensland [2010] FCA 321 at paragraph 30. The judge ruled that the PNG respondent party had to pay the costs incurred by the applicants in seeking legal advice in relation to the subpoena request and various other expenses involved in responding to the request.
Treaty. As will become apparent when I consider Mr Murphy’s Treaty report below, the joinder of Mr Gamogab and Mr Sawabarri can not unfairly be viewed as a tactical manoeuvre in relation to controversies in PNG that have arisen under the Treaty.102

Through the course of the trial the Islander claimants reduced their original exclusive claim to concede that others had co-existing rights in the claim area (including, for example, commercial fishermen with valid licences, and Papua New Guineans under the Treaty). Ultimately the judge decided that the PNG respondents did not have any legally recognisable rights or interests in the claim area “that might be affected by a determination in the proceedings.”103

There is no formal review mechanism built into the Treaty, and after an initial spate of accounts of the negotiations that led to the eventual agreement (e.g. Boyce and White 1981, Griffin 1976), and analyses of its legal implications (Lumb 1990, Burmester 1982), with a few exceptions the terms of the Treaty and the situation of the border have attracted little public attention.104

In 2009 the Australian Senate Standing Committee on Foreign Affairs, Defence and Trade held an Inquiry into matters relating to the Torres Strait region including in its terms of reference the provisions of the Torres Strait Treaty. The committee received submissions from an array of Australian government departments and statutory authorities, and almost all of these speak of “challenges” but give assurances that there is great cooperation between departments and with their counterparts in the PNG government in managing the challenges, and none recommend any significant change to the current arrangements.

102 Akiba on behalf of the Torres Strait Islanders of the Regional Seas Claim Group v State of Queensland (No 2) FCA 643 (2 July 2010) at paragraph 955.

103 Ibid, paragraph 966.

The submissions from Australian government departments and agencies and the committee’s report give the overwhelming impression that the Australian government is content with the Treaty as it currently operates. Despite some challenges posed by the physical environment and social and economic circumstances of the region, the various departments’ submissions all stated that they are able to manage within the terms of the Treaty to their satisfaction. This is not surprising: while the Treaty creates a complex jumble of jurisdiction lines, the terms by which the free movement provisions allowing traditional inhabitants of PNG to cross to Australian islands are subject to a range of other considerations, and the traditional inhabitant provisions are worded in such a vague manner as to require substantial interpretation to be implemented. It has been estimated by the Australian Department of Immigration and Citizenship that 98% of the cross-border “movements”\(^\text{105}\) (of which there were 59,000 in 2008-9), are by Papua New Guineans entering Australia (FADTRC 2010:79); almost all of the border enforcement activity is done by Australia to monitor and protect its side of the border, and the Treaty allows them sufficient scope to regulate and limit the activities of the Papua New Guineans who cross under the Treaty provisions. The Papua New Guinea government has shown little interest in representing the interests of its citizens in the border region, and the public servants and police who are involved in cross border monitoring and regulation often rely on financial assistance from their Australian counterparts to enable them to participate in joint exercises and meetings. Those Papua New Guinea citizens who are not content with the way that the border operates have no effective means to press for change.

The Senate Committee did not receive any submissions from PNG government departments, but there were several from disaffected PNG citizens who do not come from Treaty Villages but believe that they should be classified as traditional inhabitants. Their final report states:

\(^{105}\) Each “movement” counted is a one way trip, so the number of return trips is half the number of “movements.”
The committee understands that a number of villages along the coast adjacent to the Torres Strait maintain that they should be included as Treaty villages and are able to produce evidence that establishes their traditional connection to the Torres Strait. It understands that the 2000 exchange of notes contemplated that at some future stage additional villages may wish to be included as Treaty villages. The Australian Government has indicated that it is prepared to receive and discuss any such request from the PNG Government. Even though the committee believes that any changes to the status of Treaty villages should be initiated by the PNG Government, it is of the view that the Australian Government should be aware of the views of these villages on the Treaty and their rights (FADTRC 2010:282-3).

The committee’s report made a range of limited recommendations for improving the way that the Treaty operates, but did not consider that any substantial changes were required, and made no recommendations in relation to whether or how the issue raised by people excluded could or should be addressed.

The claims for inclusion by non-Treaty Villages

By the time I wrote the consultancy report on the claims being made for inclusion as traditional inhabitants by people who were excluded from the 2000 Treaty Village list I had been living at Buzi for well over a year, and had visited several other villages, both Treaty villages and inland villages that had been excluded. The issue of their exclusion irked them and they wanted to tell me why they thought it was wrong. It was made clear to me that the issue of the Treaty was only one aspect of a much broader set of disputes between the people of the Coastal Kiwai villages and the Trans Fly groups who lived in villages that were mostly inland (although there are a few that are on the coast). I made a trip specifically to research the questions that I had to address in my Treaty report, going by dinghy along the coast from Bula in the west to Parema at the mouth of the Fly River, and up the Wassi Kussa, Mai Kussa, Pahoturi and Binaturi Rivers, and Kura Creek, to visit people living in inland villages. People came from numerous other villages (not on the banks of one of these rivers) to meet me on
this trip. I also spent a couple of weeks at Daru, where I met mainly with people who originally came from villages in the Fly River Estuary. I spent another year at Buzi after this trip, during which I made another trip to many more inland villages, where these same issues came up for discussion on numerous occasions, and the fact that I had done the consultancy work on the Treaty was important in defining the context in which people told me their stories; thus I was told, without ever prompting, many stories that stressed connection and relationships with Torres Strait and the Torres Strait Islanders, of which versions of some are set out in chapter 6.

People from the excluded Trans Fly villages were keen to tell me stories that demonstrated their relationship to Torres Strait, but equally or more importantly they wanted me to understand the history of how the Coastal Kiwai people had migrated in relatively recent times along the coast. In the Trans Fly accounts, the Coastal Kiwai migration caused physical displacement inland of Trans Fly groups that had previously occupied the coast, but also resulted in Coastal Kiwai people forming relationships with Torres Strait Islanders that, to some extent, displaced the relationships that the Trans Fly groups previously had. They saw this pattern continuing with the introduction of the new Treaty Village list.

According to the accounts that I was told by numerous people from excluded villages, when the request for a list of Treaty Villages was made by the Australian government to the Papua New Guinea government, the PNG Border Liaison Officer at Daru was a man whose mother was from the Coastal Kiwai village of Mabudauan. They saw a direct connection between this fact and the list that eventuated, which at first restricted Treaty Village status to the Coastal Kiwai villages of Sui, Parema, Katatai, Kadawa, Tureture, Old Mawatta and Mabudauan, plus the three Agob language villages located on the coast, of Sigabaduru, Ber and Buzi. Later the four far-western villages of Tais, Mari, Jarai and Bula were added. The people from villages that had been excluded said they were not consulted about the list before it was introduced, and that effectively
the Coastal Kiwai had managed to capture the decision making process and exclude them.

As described in chapter 2, prior to colonial annexation in the 1880s Coastal Kiwai people had displaced several Trans Fly groups who were living on and near the coast. The arrival of missionaries and colonial government officers in this region in the 1870s and 1880s occurred after the beche de mer and pearlshell fisheries had been established in Torres Strait, and Coastal Kiwai people, particularly those living at Old Mawatta (then known as Katau), were engaged in intensive interactions with European and Pacific Islander commercial fishermen before colonial annexation. Many Coastal Kiwai men were recruited to work in the new colonial regime, and they were also the first to receive missionaries and be recruited as missionaries themselves. As policemen and missionaries, Coastal Kiwai people were involved in the efforts of the colonial regime to induce the inland Trans Fly peoples to settle in villages and to subjugate them to the law. Still today there are many Coastal Kiwai people who assert moral superiority to the Trans Fly peoples, and those Trans Fly people most directly affected by the Coastal Kiwai expansion along the coast onto lands that they claim as their own continue to resent this. These Trans Fly people attempt to claim the moral high ground themselves by asserting that they are the landowners and that the Coastal Kiwai are recent migrants.

Mabudauan was established as a government station in the early colonial days but was soon abandoned, and relocated to Daru in 1895. Prior to the establishment of the government station Mabudauan was uninhabited, and after it was abandoned by government the Coastal Kiwai who had been employed there as labourers and police also left. It was established as a “model village” at the instigation of the colonial government in 1919 by Coastal Kiwai people who were induced to move from Mawatta (ARP 1919-20:18). It is noteworthy that Acting Resident Magistrate Flint, who had proposed the move to the Mawatta people and made the land officially available to them, wrote at the time that
there was a “danger of trouble arising between the immigrants and their neighbours, who would treat them as interlopers” (ARP 1919-20:18).

However, the Coastal Kiwai who settled at Mabudauan regarded themselves as the rightful landowners of the place. Although their village of Mawatta was some way to the east, they regarded themselves as the owners of the entire coastal area, having explored as far as the mouth of the Mai Kussa River, and were utilizing fishing camps and garden sites in the vicinity of Mabudauan. In a similar manner to the claims of ownership of the Trans Fly people, the Coastal Kiwai claim to have taken possession of the land by virtue of being the first to explore, name and occupy it. They distinguish their claims by asserting that their ancestors were human and that their stories are true history, in contrast with the Trans Fly stories which the Mabudauan people argue involve mythical beings and should not be regarded as historically accurate.

Although the Annual Reports of the colonial government and various other documentary records from the time are clear on which villages were established before annexation and which after, and on where the first missionaries were posted, people from the Coastal Kiwai villages and those of their nearby Trans Fly neighbours dispute the history of these migrations and the circumstances in which the new villages were established. The disputes are multifaceted; they include a dimension in which ownership of land and marine resources are contested, but they also involve conflicts in which social status is a central concern.

The report that I wrote on this issue for the several government agencies from both governments outlined the conflicting histories, noted that violent conflicts over issues of land ownership and colonial history had erupted on occasions, and suggested that the issue of status as traditional inhabitants was now implicated in the same complex of disputes. I concluded that violent conflict over the issue of inclusion and exclusion from traditional inhabitant status was a distinct possibility, but I didn’t expect it to happen quite as soon as it did.
In 2004 I went to Thursday Island to write up my report and a few days before I returned to Daru there was a raid by people from Masingara on the village of Old Mawatta over this very issue. Armed with machetes, firesticks, bows and arrows, they set off toward the neighbouring village of Old Mawatta, less than two kilometres away. Trouble had been brewing for the previous few days, and some Old Mawatta men came out to meet them, but when they saw that the group approaching them was armed, and as arrows started flying toward them, they turned and ran back to their village, to warn everyone there to escape the raiding party. The Masingara group ran into Old Mawatta and set all of the houses and other buildings on fire, except for the church, the pastor’s house, and the water catchment structure that had been supplied by the Australian Agency for International Development (AusAID). The Old Mawatta people ran to the beach and swam across the Binaturi River, and then made their way along the beach to the neighbouring village of Tureture where they took refuge. From there some people went by dinghy to Daru to alert the police to what had happened.

The police went to Masingara and arrested most of those involved, and took them to the lockup in Daru. They found the remains of a person among the ashes of one of the burnt houses, and rumour had it that he had been beheaded before his body was left in the house when it was set alight. In the following days and weeks several houses in Daru belonging to Masingara people were burned down. The market stalls in Daru where Masingara people come to sell their produce were destroyed, and several Masingara people in Daru had bones broken and knife wounds inflicted on them, but as far as I know nobody else was killed.

Masingara people told me that the catalyst for this episode of violence began when, after more than a year of intermittent work, they finally completed construction of two double-outrigger canoes. Arrangements were made with the village pastor to bless the canoes and preparations for their official launch were
complete. The canoes were decorated with flowers and colourful foliage, and a shade for the official party was erected down at the beach, ready for the following day. Everybody returned to the village for their evening meal. Later in the evening a small group of young men walked back down to the beach to check on the canoes and discovered that the decorations had been torn down. (In some versions of events the canoes were burned at this stage of the argument, in other versions they were burned later, as the dispute escalated). They went to the Old Mawatta Komiti\textsuperscript{106} and asked him if he knew anything about it, and he said that nobody from Mawatta had done it, that it must have been somebody from Masingara. As they walked out of Old Mawatta on their way back to Masingara an old woman told them that the Komiti was tricking them, that in fact some young men from Old Mawatta had destroyed their decorations.

They returned to Masingara and reported what had happened to their Local Level Government Ward Member, who called a community meeting to discuss the issue. While this meeting was in progress a young man from Old Mawatta walked to Masingara and went to one of the small trade stores to buy tobacco. The canteen owner sold him the smoke and told him not to hang around, that there was a meeting on and that the Masingara people were angry about what had happened. Rather than going home, however, he went over toward the meeting to find out what was going on. Some Masingara men saw him, grabbed him and bashed him, breaking one of his arms in several places. According to newspaper reports, although I didn’t hear about this from any of my informants, he was also stabbed with a knife.

Eventually he managed to get back to Old Mawatta, and the people there put him in a dinghy and took him to Saibai for medical treatment. On the way they stopped at Mabudauan to tell his family there what had happened. A party of men from Mabudauan mobilised. In several dinghies they travelled to Old

\textsuperscript{106}“Komiti” is an elected position of authority in the village.
Mawatta, and joined their relatives to form a raiding party. They went to the gardens of the Masingara people and destroyed most of their taro and banana crops before returning to Old Mawatta. The next day the men from Masingara made their raid on Old Mawatta, and following that there were the attacks on Masingara people and their houses in Daru.

A tense standoff between the two groups continued for a few years. Immediately after the Masingara raid on Old Mawatta many Masingara people, particularly the women, children and old people, left the village and went to stay at various camping places in the bush. Some of these people remained in the bush for more than a year, too frightened to return to their village. A mobile squad of paramilitary style police came from Port Moresby and some were based at the former village of Old Mawatta, others in Daru, to prevent further retaliatory attacks by either side.

For a period the Mawatta people, who initially went to the neighbouring allied village of Tureture, lived in camps along the beach back toward their former village, some just across the mouth of the Binaturi River from the old village site. On several occasions they attempted to start rebuilding houses at Mawatta, but each time the Masingara people removed the house-posts as soon as they were planted. In statements published in the national press at the time, representatives of the Masingara people who live in Port Moresby called for “ethnic cleansing” to continue. They argued that the Old Mawatta “settlers” should be permanently evicted from the land that they claim rightfully belongs to Masingara people.

The people of Masingara, and several other excluded villages, have continued in their efforts to have their status revised; examples are cited above of their involvement in the Native Title Claim over the seas of Torres Strait, and their submissions to the Australian Senate Committee Inquiry. Yet despite the strength of their claims to be classified as traditional inhabitants they have been thwarted at every attempt.
As noted above, the Australian government position on the issue has consistently been that it would consider any proposal that is put to them by the government of Papua New Guinea, but they have received no such proposal. The relatively large numbers of people who currently come across to the islands, by comparison with the Islander population, places a burden on the people and facilities on the islands, and there are many Torres Strait Islanders who would prefer the number of Papuan visitors to be reduced rather than increased. There is thus no pressure on the Australian government from the Islanders to allow more people to come across under the Treaty, rather the reverse is the case.

Representatives of the existing Treaty Villages attend the annual Traditional Inhabitants Meetings established by the Treaty, and this is the body that government officials consult with in assessing whether changes should be made to the practical arrangements and how they should be introduced. The Coastal Kiwai villages, from Sui to Mabudauan, comprise a majority of the existing Treaty Villages and these are the same people who have manifold disputes with the Trans Fly groups who believe they should be included. As noted above, the formal note that defined the current list of Treaty Villages did not preclude the hypothetical possibility of inclusion of further villages on the list, but the condition on which that could occur is important; it will only occur “if at some point in the future their inclusion is deemed appropriate by the traditional inhabitants of Australia and Papua New Guinea.” Given the burden already faced by Australian traditional inhabitants in accommodating the existing number of visitors and their consequent reluctance to increase numbers, and the political context of the current Papua New Guinean Treaty Villages, it appears unlikely that there will be any change to the current definition of who is recognised as coming within the category of traditional inhabitant until such time as there is a move by one or the other government to review the terms of the Treaty. The wording of the Treaty is vague and requires substantive interpretation in order for the categories that it establishes to function to exclude as well as include. The interpretations that are currently applied exclude people not on the basis of
whether they meet the criteria of the Treaty, but rather as a result of some deft political manoeuvring at the time the list of Treaty Villages was introduced. Given the broader political and socio-economic context spanning the border, the terms of the Treaty are arguably anachronistic.
Chapter 8: Conclusion

In this thesis I set out to analyse the effects of the international border between Australia and Papua New Guinea on the people living adjacent to it, with a primary focus on those from the Papua New Guinea side. The location of this border, separating the Australian Torres Strait Islands from the New Guinea mainland, derives from a series of colonial annexations in the late nineteenth century; it was not generated out of local processes of social differentiation, rather it was imposed from distant centres of state power in response to their own geopolitical concerns.

The account of socio-cultural similarity and difference prior to the colonial annexations in Chapter 2 includes a description of culture areas, and argues that these can be defined at several levels of scale. At a broad scale the culture area of Melanesia includes all of mainland New Guinea and the Torres Strait Islands (as well as many other islands to the north and east); narrowing the criteria for differentiation, the southern lowlands of the New Guinea mainland and Torres Strait Islands can be classified together in contrast with the highlands fringe and highlands proper. Narrowing the focus yet further results in several groupings, known in the ethnographic literature as Kiwai, Suki, Marind, Trans Fly and Torres Strait Islander. Of these, the Trans Fly grouping contains substantial internal diversity, and the Torres Strait Islander grouping could equally be classified as two sub-groups of the Trans Fly grouping.

The pre-colonial history of the region through which the international border now passes involved extensive movement and social interaction, with dynamic demographics resulting from relatively large scale headhunting, physical displacement of some groups, and migration and establishment of new settlements by others.
In Chapter 3 I describe how the colonial border came to be located where it was, and the negotiations over the international border that resulted in the Torres Strait Treaty with its Protected Zone and special provisions allowing traditional inhabitants to cross the border without passports and visas to engage in traditional activities. In analysing the wording of the Treaty I note that it differentiates space, people and activities in categorical terms, but it is ambiguous in relation to each of them. The differentiation of space is done by specification of geographical co-ordinates, but in some parts of the Treaty references to the places defined by these means are rendered ambiguous through the use of the phrases “in and in the vicinity of” and “adjacent coastal area.” The vague wording in the definitions of categories of people and activities, and their use of the concept of “tradition,” similarly incorporate indeterminacy. In order for these definitions to function as categories, and thereby not only include but also exclude certain people and types of activities, requires either substantive interpretation or arbitrary decree.

Evidently the people who drafted the Treaty were conscious of the extent to which interpretation would be required for its provisions to be realised in practice; and equally clearly, they intended the traditional inhabitants provisions to benefit the people of the border region by allowing continuation of cross-border relationships. “Barter and market trade” are listed among the examples of traditional activities, but the interpretive note that follows stating that “except in relation to activities of a commercial nature, “traditional” shall be interpreted liberally and in light of prevailing custom” leaves the question of how “barter and market trade” should be interpreted unanswered.

Chapter 4 describes the economy of the border region, illustrating the pronounced discrepancy in relative affluence between Australian Torres Strait Islanders and neighbouring Papuans. The vast majority of cross-border visits that occur under the Torres Strait Treaty are by Papua New Guineans coming across to the Torres Strait Islands, and I argue that this is a direct consequence of the
scarcity of manufactured commodities and limited opportunities to participate in a cash economy on their side of the border.

I use the village of Buzi as an example to describe day to day subsistence activities that people engage in to meet their basic physical needs, and note that the people of the villages in the border region are acutely aware of their relative poverty as they have direct knowledge and experience of the contrasting situation of the Torres Strait Islanders to compare with their own plight.

Chapter 5 analyses land ownership at Buzi. I show that hopes for and anticipation of development have played a part in the way that people define themselves as members of clans asserting exclusive rights over bounded tracts of land. I argue that in doing so they have adopted structures that define people in categorical terms. However the ways in which people recognise actual relationships is at odds with such categorical identification of groups, and the complex histories of migration and movement, combined with the central role of origin mythology in reckoning the identity of landowners for any particular place, has resulted in unresolvable disputes over land ownership.

The mythology of the Trans Fly region is set out in chapter 6, and analysed in terms of three main themes: the critique that it poses of the poverty and powerlessness that the people of this region experience; the explicit connections that are made across the international border in a context in which people were seeking to be recognised as traditional inhabitants for the purpose of the Torres Strait Treaty; and the transformation that has occurred in the context in which these myths are meaningful and relevant to ongoing social life, by which the former tolerance of multiple valid perspectives and versions is being displaced by attempts to assert singular hegemonic versions.

Chapter 7 brings the analysis of the preceding chapters together to examine the way that the Treaty is now applied in practice. I note the narrow interpretation that is given in the official interpretations of several of the terms that are left
ambiguous in the Treaty, and for some, interpretations that appear to contradict the wording in the Treaty. Many people who were excluded from the traditional inhabitant category when it was defined as the list of Treaty Villages have been seeking to have their status revised, but have been frustrated at every turn.

In his written submission to the 2010 Senate Committee Inquiry, Peter Sawabarri of Masingara wrote:

> Upon granting of Independence to Papua New Guinea, and more specifically, upon the Treaty coming into force in 1985, our freedom to travel, interact, visit our relatives and extended family, maintain our customary contact and obligations, maintain our community and society, maintain our dominance over the seas, the reefs and cays was lost. Our rights... were taken away from us. Notwithstanding treaty provisions that allow traditional border crossers access; those provisions are not worth the paper they are written on. The document is ambiguous and has not been properly constructed. It is impractical to enforce without causing grave miscarriage of justice. It is a draconian document that does more harm than good. In practice the Australian Customs and Immigration constantly breach the intended spirit of the Treaty. The document does not allow us to maintain our tenure over our seas, islands, reefs, marine resources, etc. The enforcement of the treaty is prohibitive rather than facilitating. It is an evil document. It is a tool of great oppression.... The Australian government has passed laws that interferes with and destroyed our traditional way of life.¹⁰⁷

In giving an oral submission, over the telephone from Cairns, Mr Sawabarri was just as strident, stating “we do not recognise the treaty,” and outlining his grievances at the actions of the Australian government at length, from the first assertions of British sovereignty in Australia and dispossession of Aboriginal

people of their lands, through the colonial history of Torres Strait, to the creation of the international border.

I maintain that the treaty really has got nothing as far as its initial purpose of what it was supposed to deliver. The current situation that has developed and what we are trying to address at the political level is the misdoings of the past. That is why we do not at all recognise that treaty. Up till now our approaches to the Papua New Guinea government have fallen on deaf ears, so there is no point for us to become a treaty village when our own system has not understood the suffering and the pain that we have come through.  

Given the frustrations endured by the people who were excluded from the category of traditional inhabitant when the list of Treaty Villages was introduced it is hardly surprising that some might give up on the prospect of ever being included and develop a fundamental critique of the border itself. While the Treaty holds out the promise of maintaining their traditional way of life and livelihood, and their relationships across the border inform their understandings of who they are and their place in the world, their exclusion through the application of a restrictive categorical definition is evidently a source of great angst. There have been some violent conflicts in the past in which the list of Treaty Villages has been implicated as a cause, and it is likely to again in the future, as manifestations of the tension between the demands for categorical exclusion by the state and demands for recognition of relationship by those categorically excluded.

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108 Hansard, Senate Foreign Affairs, Defence and Trade References Committee; Matters Relating to the Torres Strait Region, Friday, 18 June 2010, p.58.
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Appendix 1: Language map of south west Papua New Guinea (Wurm & Hattori 1981); enlarged copy of Figure 2.
Appendix 2a: Extract of 1892 map of Torres Strait and adjacent New Guinea mainland.

Map of Torres Strait and Islands, Queensland Surveyor General’s Office.

Appendix 2b: Extract of 1892 map of Torres Strait and adjacent New Guinea mainland.

Map of Torres Strait and Islands, Queensland Surveyor General’s Office.

Appendix 3: Annex 7 of the Torres Strait Treaty; Map showing jurisdiction lines (copy of Figure 3).
Appendix 4, Copy of Figure 5, Villages of South Fly District
GUIDELINES FOR TRADITIONAL VISITORS

UNDER THE TORRES STRAIT TREATY

The Torres Strait Treaty was signed by Australia and Papua New Guinea (PNG) in 1978 and came into force in 1985. The Treaty set the boundary between Australia and PNG and established the Torres Strait Protected Zone to protect the traditional way of life of Torres Strait Islanders and the coastal people of PNG who live adjacent to the Torres Strait. The Protected Zone also protects the land and sea environment of the Torres Strait.

PNG traditional inhabitants from Bula, Mari, Jarai, Tais, Buji/Ber, Sigabadaru, Mabadauan, Old Mawatta, Ture Ture, Kadawa, Katatai, Parama and Sui (the 13 Treaty Villages) can make traditional visits (free movement without passports) into the Protected Zone. PNG traditional inhabitants can travel south into Australia as far as the 10 degrees 30 minutes South latitude (near Number One Reef).

Australian traditional inhabitants from Badu, Bolgu, Poruma (Coconut Island), Euri (Darley Island), Dauan, Kubin, St Pauls, Mabuig, Mer (Murray Island), Salbair, Ugar (Stephen Island), Warraber (Sue Island), Iama (Yam Island) and Masig (York Island) can make traditional visits to the PNG Treaty Villages and travel north as far as the 9 degrees South latitude (just north of Daru).

WHILE ON A TRADITIONAL VISIT:

- Follow national law and local laws and customs
- Land your boat at the proper place
- Report to the authorities before you enter the community
- Respect the traditional way of life - don't get drunk or rowdy
- Keep our communities beautiful - do not litter
- Do not chew or spit betel nut (buai) in public places
- Respect the Treaty and your rights under the Treaty
Free Movement and Traditional Activities:
- Free movement is only for Torres Strait Islanders living in the Protected Zone and for Traditional Inhabitants from thePNG Treaty Villages.
- PNG nationals from Treaty villages who become Australian citizens or permanent Australian residents and live in the Protected Zone can still make traditional visits to the PNG Treaty villages.
- Free movement is only for traditional activities—that is, “activities performed by the traditional inhabitants in accordance with local tradition” (Treaty Article 1 k).
- Traditional activities include activities on land, including gardening, collection of food and hunting; activities on water, including traditional fishing; religious and secular ceremonies or gatherings for social purposes, for example marriage celebrations and settlement of disputes; and barter and market trade (Treaty Article 1 k).
- The Treaty preserves traditional customary rights of access to and usage of areas of land, seabed, seas, estuaries and coastal tidal areas in and near the Protected Zone (Article 12). These traditional customary rights must be acknowledged to be in accordance with local tradition by the traditional inhabitants living in or close to these areas (Article 12). Traditional customary rights must be permitted to continue in the same way as for local traditional inhabitants (Treaty Article 12).
- Traditional visits do not include activities that are not traditional, for instance visits to the medical clinic, attending court cases, shopping at the store, picking up deliveries from the barge, baby sitting, working or accessing money from the ATM.
- Traditional visitors can only travel by dinghy or canoe, not by airplane or helicopter.
- The Treaty bans commercial activity, business dealings and working for money during traditional visits, for example cray fishing from a licensed Australian cray boat selling artefacts or crabs to commercial operators or working as houseboys or housegirls.
- Traditional movement can be restricted for disease outbreaks, resource limitations (for example, water shortages), security or quarantine concerns (Treaty Article 16).

Arrangements for Traditional Visits:
- Traditional Inhabitants must get a prior advice notice requesting a visit signed by the registered signatory—the Village Chairman, Councillor or Leader. A Councillor from one village cannot sign a pass for someone from another village.
- The signed prior advice notice requesting permission to visit must be sent to the relevant community before visiting. Do not travel until you receive approval (signed pass) back from the community you wish to visit.
- Consistent with local tradition and custom, wives from non-Treaty villages can make traditional visits with their husbands if the man is from a Treaty Village. Husbands from non-Treaty villages cannot make traditional visits if they are married to a lady from a Treaty Village. The Treaty lady can make traditional visits with her children.
- Children must travel with their parents or legal guardians. This helps to keep children safe.
- Do not bring non-traditional or non-approved objects to trade.
- Make sure you have enough petrol to travel back home and your dinghy / banana boat is in good order. Always travel in daylight hours for your own safety. Make sure you carry safety gear on your boat (EPIRB, marine radio, flares, V-Sheet, Personal Flotation Devices – PFD Type 1, fire fighting devices, navigation equipment, bilge pump for boats over 5 m, bucket for bailling water, anchor, cans or paddles, drinking water).
- If you stay longer than the approved period on your pass without the approval of the Community then you become an ‘overstayer’ and you might be asked to leave or you might be forcibly removed. Overstaying puts lots of pressure and stress on Torres Strait Islands and PNG communities. If you regularly overstay your visit, you might be banned from making future visits.

For Traditional Inhabitants travelling to Australia:
- Only people from Treaty Villages can travel in your dinghy.
- You will be turned away (weather permitting) and prevented from entering Australia if you:
  - travel for a non-traditional purpose (apart from emergency health treatment);
  - bring non-Treaty people into the Torres Strait;
  - travel with children without their parent or legal guardian on board; or
  - travel with a person banned from making traditional visits (Section 16).
- Check in immediately with Immigration Movement Monitoring Officers (IMMOs) and Quarantine.
- Land and depart from the proper ramp or wharf.
- Different islands have different rules for lengths of visits. Please respect these rules. All islands have a maximum visit of three weeks. Your approved visit might be less than three weeks.
- Torres Strait Islands can ban or limit visits for reasonable circumstances, for example water shortages. The island requiring a ban will notify Immigration, Department of Foreign Affairs and Trade (DFAT) and the Border Liaison Officer (BLO) in Daru of any restrictions. Bans will only operate if required and reasonable. If you think a ban is
not fair or reasonable, contact the BLO in Daru and/or the TLO in Thursday Island.
• If you need to stay longer than your pass (for example if the weather is bad) see the Immigration Movement Monitoring Officer (MMO) straight away. The Community might agree to extend your stay for a valid reason.

Traditional Fishing:
• Traditional fishing means “the taking, by traditional inhabitants for their own or their dependents’ consumption or for use in the course of other traditional activities, of the living natural resources of the sea, seabed, estuaries and coastal tidal areas, including dugong and turtle” (Treaty Article 11).
• When visiting Torres Strait islands to catch turtle or dugong be aware there may be community management plans in place. Traditional visitors must comply with these plans, and should contact community leaders, local Native Title Body representatives or the local Island Division of the Torres Strait Island Regional Council for information on plans specific for waters near that island before hunting turtle and dugong.
• Bag limits apply for tropical rock lobster (crayfish) and beche de mer (sea cucumber). The limits are three per person or six per boat.

Quarantine:
• Australian quarantine rules apply to traditional visitors to prevent exotic pests and diseases coming into the Torres Strait. Australian Quarantine and Inspection Service (AQIS) officers will check what you bring with you. If the AQIS officers are away, the Immigration MMOs can check you and your dinghy for quarantine purposes.
• Do not bring live animals including birds, live plants, fresh fruit and vegetables, meat, feathers, eggs and other animal products into the Torres Strait.

Endangered Species:
• The Treaty gives Australia and PNG the right to implement measures to protect indigenous flora and fauna which are or might become threatened with extinction (Article 14).
• The Treaty gives Australia and PNG the right to implement measures regarding flora and fauna which is protected under international law (Treaty Article 14). PNG and Australia have signed an international agreement, the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), which regulates international trade to ensure it does not endanger wildlife.
• Dugong and turtle are among the species covered under CITES. This means you cannot take or trade dugong or turtle specimens and their products for eg: dugong or turtle meat, dugong bone or tusk or turtle shell across the border. Not from PNG into Australia or from Australia into PNG. If you do bring dugong or turtle products (including carvings) into the Torres Strait from PNG these items can be seized by Australian authorities. If you are not sure whether your goods are listed under CITES please contact the Department of Environment, Water, Heritage and the Arts, CITES Management Authority on +612 6274 1900.

Crime:
• Do not bring non-Traditional Inhabitants into Australia or PNG.
• If you commit a crime during a traditional visit you will be dealt with under Australian law.
• Do not bring drugs, guns, alcohol or pornographic material into Australia or PNG.
• Do not steal.

Contacts
Australia:
Torres Strait Treaty – Brett Young, Torres Strait Treaty Liaison Officer (TLO), Thursday Island, +617 4069 1495

Immigration and traditional visits – Contact the local MMO’s first – they are Australian Immigration Officers. Immigration (DIAC), Thursday Island, +617 4069 1292

Customs – Customs Liaison Officers (on Saibai, Erub, Mabulug and Poruma) or +617 4083 1800 (24 hours/7 days)

Quarantine – Contact AQIS officers on each island or AQIS Thursday Island +617 4069 1185

Police – Contact local Police Liaison Officers OR Qld Police Thursday Island 4069 1520 OR Australian Federal Police (AFP) Thursday Island, +617 4069 1899

Endangered Species – Department of Environment, Water, Heritage and the Arts, CITES Management Authority, Canberra on +612 6274 1900.

Papua New Guinea:
Torres Strait Treaty – Ravini Igo, Border Liaison Officer (BLO), Daru, +675 645 9160