

# Anthropologies of change: Theoretical and methodological challenges

A workshop for native title anthropologists

SELECT PROCEEDINGS

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Edited by  
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## Presenter biographies

**Professor Diane Austin-Broos** is Emeritus Professor of Anthropology at the University of Sydney. She has worked both in the West Indies and in Central Australia. Her research interests include issues of social and cultural change and transformation, religion, the racialisation of difference, kinship and anthropological theory.

**Toni Bauman** is a Senior Research Fellow in the Native Title Research Unit at the Australian Institute of Aboriginal and Torres Strait Islander Studies. She is an anthropologist, mediator, facilitator and trainer who has published widely and made presentations to a range of national and international audiences. She has over thirty years' experience in Indigenous matters including land and native title claims, agreement-making, decision-making and dispute management processes, joint management of national parks and Indigenous Protected Areas, government policy, art and craft, program evaluation, feasibility studies, tourism and training.

**Dr Gaynor Macdonald** is a Senior Lecturer in Anthropology at the University of Sydney. She pioneered anthropological research with the communities collectively known as Wiradjuri in central New South Wales, and is concerned to re-inscribe recognition of the distinctive historical and cultural practices characterising Aboriginal peoples' lives in south eastern Australia. Her native title research has focused on south-eastern Australia including work on cases in New South Wales, South Australia and Queensland.

**Professor Emeritus Robert Tonkinson** is Honorary Senior Research Fellow in Social Anthropology at The University of Western Australia, where he edits the international anthropological journal, *Anthropological Forum*, and pursues his regional interests in Aboriginal Australia and insular Melanesia. His recent research relates to issues of change and development in the area of government policies, resource development, land rights, identity, the politics of tradition and religion. In several recent papers he has explored the role of comparison using data from both his regions of interest.

**Dr James F. Weiner** is a Visiting Fellow in the 'Resource Management in Asia-Pacific Program' at the Crawford School of Public Policy Australian National University (ANU). Dr Weiner received his PhD in anthropology from ANU in 1984 and has taught anthropology at ANU, University of Manchester, University of Adelaide and currently at the University of St. Andrews. He has conducted extensive ethnographic research in Papua New Guinea for 35 years. Since 1998 he has been a full-time private practice anthropologist working in the field of native title and has also conducted research in Aboriginal heritage.

## Introduction

This report documents key proceedings from the *Anthropologies of Change: Theoretical and Methodological Challenges* professional development workshop co-convened by the University of Sydney, the Native Title Research Unit of AIATSIS and the Centre for Native Title Anthropology at the Australian National University (see Appendix 1). The two-day event, held at the University of Sydney 25-26 August 2011, was funded primarily by a grant awarded under the 2010-11 Attorney General Department's 'Native Title Anthropologist Grants Program'.

The workshop was targeted at anthropologists currently working in the area of native title research. It was attended by almost 30 practitioners employed in native title representative bodies and service providers, private practice and the university sector around the country (see Appendix 2 for a list of participants). The primary aim of the event was to address some of the central conceptual challenges of documenting the traditional laws and customs of Australian Indigenous peoples in relation to land in the context of native title law. In particular, the workshop was concerned to explore a variety of approaches to modeling social change that might usefully assist with the task of articulating shifts in cultural practices through time.

The intention of these Select Proceedings is to provide an accessible summary of the key ideas and questions raised over the course of the two days. Discussions are not reproduced in full; rather participants' contributions—which were inevitably wide-ranging—have been edited so as to provide a more useful and targeted resource for readers. Three of the papers presented during the workshop are reproduced here in full or, where a transcript was not available, in a summary form. Each paper is followed by edited participant responses to the ideas and evidence each author raised. Details of additional texts referred to during papers or discussions have been included in footnotes.

Facilitated by Gaynor Macdonald and Toni Bauman, Day 1 of the workshop program featured presentations by a number of distinguished academics who addressed ideas about social change and continuity both generally and in relation to their particular research interests. Papers were presented by Professor Emeritus Diane Austin-Broos from the University of Sydney, Professor Emeritus Robert Tonkinson from the University of Western Australia, and Dr Gaynor Macdonald from the University of Sydney. Dr James Weiner from the Australian National University acted as a discussant.

The program for Day 2 focused on applying some of the issues raised in these papers to the specific business of doing native title research and the writing of 'connection' reports. Gaynor Macdonald, Simon Blackshield (native title lawyer) and Maroochy Barambah (Turrbal native title claim applicant) led a session titled 'Writing "change" into a native title report: a case study'. Participants were asked to identify and respond to theoretical challenges raised in a number of pre-circulated papers and in the presentations. (Discussions from Day 2 are not included in this report.)

Taken together, the papers presented in these Select Proceedings offer practitioners significant insights into the history of anthropological thought about the phenomenon of social and cultural transformation. They provide valuable strategies for describing, critiquing and challenging popular assumptions about Aboriginal people's experiences of social change over the past two centuries. Gaynor Macdonald's paper which is summarised in these proceedings, 'Change in social theory', problematised the concept of 'change' and provides a background to some key historical and contemporary texts that attempt to understand it. She encourages reflexive critical engagement with normative understandings about 'change and continuity' that are embedded in early anthropological writings, native title law and within practitioners' own work.

In her paper 'The Western Arrernte today', Diane Austin-Broos draws on specific examples of social change among Aboriginal families in Central Australia to explore three different dimensions, or registers, of change: ontological, socio-historical and symbolic-imaginary. Her work challenges us to understand how social continuities are made (rather than given) as people actively engage with the past in the pursuit of various social objectives and relationships in the present.

Robert Tonkinson's paper 'Anthropological approaches to the study of social change' provides an overview of approaches various anthropologists have taken to the study of social and cultural change, in particular in relation to Aboriginal Australians. He offers insights into the subject through a comparison of Western Desert Aboriginal hunter-gatherers and insular Melanesian horticulturalists in New Hebrides (now Vanuatu), drawing attention to the need to describe the underlying processes and structures of change in order to understand the dynamics of transformation.

The fourth and final paper, *The Dilemma of Tradition* by James Weiner, was not presented at the workshop but instead was written in response to it. It extends discussions about social change beyond what was covered during the workshop in order to propose some challenging ideas about the consequences of the enduring fascination with notions of tradition and change that is encouraged in native title jurisprudence, in particular by the Yorta Yorta decision.

The final section of this report provides details of the pre-circulated readings and documents participant questions and comments provided in response to them. Although unanswered, these questions draw attention to the multiple dimensions of the deceptively simple phrase 'continuity and change' and potentially generate new avenues for practitioners to explore in the future.

The Editors  
November 2012

## PAPER 1

## CHANGE IN SOCIAL THEORY

**Dr Gaynor Macdonald**  
**University of Sydney**

*Editors' Note:*

*The text below provides an overview of Dr Macdonald's presentation on Day 1 of the 'Anthropologies of Change' workshop.*

*There is nothing permanent except change.*

*You can never step into the same river twice.*

*The world is like an ever-living fire: 'kindling in measures and going out in measures'.*

**Heraclitus (540-480BC)**

The search for explanations as to why things 'change' is as long as human history and imbedded in ideas that are religious, philosophical and scientific. The concept of change is intimately linked with other *temporal* notions, including those of history, evolution, past, backward, future, and so on. These are temporal in different ways, salient in differing contexts, and for different political and historical reasons. Some are bound up with notions of modernity, while others are foci of ancient debate, as the three reflective comments above, from Greek philosopher, Heraclitus, illustrate.

Amidst these terms, what does 'change' mean, and how can and should it be used within a native title context? I do not propose to provide an easy answer to this question but I do want to problematise change as a concept all too readily taken-for-granted. I sketch a brief history of thinking about change in social and cultural anthropology and cognate disciplines so as to highlight influential but disparate ways of thinking about change. This background is essential to understanding how to review and critique early literatures as required in the context of native title, as well as enabling us to become more reflexive with regard to the implicit and explicit ways in which our own work adopts models. While I will historicise ideas about change, this does not mean that actual usage is confined to the time in which ideas were developed, or that they were then superseded. Ideas have lives of their own and those associated with change are no more or less subject under the control of anthropologists than is the case of the notion of culture.

Change implies a difference that can be discerned over time. Sometimes it is synonymous with difference, when certain characteristics of interest are historicised by looking at a comparison observable or inferred between time A and time B. That does not tell us what change is, how and why it occurs, or what its consequences are. Nor is there any necessary moralisation involved, a qualitative assessment between past and present, or a present and a situation aspired to. This is where different models come into play.

**The study of change raises various issues:**

*Why do we need to be aware of different theories and paradigm shifts?*

- Anthropology, unlike sociology, has been 'politically passive' (see Sider<sup>1</sup>) thus not engaged with debate on change.
- We cannot critique earlier literature unless we can recognise the ideas influencing observers
- We need to know what our own approaches are before we can develop historicised analyses.

<sup>1</sup> G Sider, 'Anthropology and history: Opening points for a new synthesis', in D Kalb & H Tak (eds.), *Critical Junctions: Anthropology and History Beyond the Cultural Turn*, Berghahn Books, New York, Oxford, 2005.

### *How can change be conceptualised?*

- Change is not a neutral concept. It is conceptualised and described according to context. It can refer, for example to:
  - History: the difference between revival, tradition, continuity
  - Disorder, violence, mayhem vs. inherent conservatism (cultural harmony)
  - Cyclical processes (birth-growth-breakdown-disintegration-death-renewal/rebirth)
  - Technological innovation
  - Metamorphosis
  - Demographic change
  - Diffusion, adaptation and acculturation
  - Power, law, politics
  - Environmental change
  - The impact of individuals
  - Structural change

### **How does social life proceed?**

- Whether the above examples of 'change' constitute change depends on how social life is understood in the first place. What is the norm? Is human social life subject to orderly patterns, serendipity, and/or chaos? What is the 'opposite' of 'change': stability, conservatism and/or inertia?
- Such observations and questions have prompted many theories of change. Some have been more influential than others, and particularly in anthropology.

### **Theories of change have included, for example:**

#### *Linear or evolutionary change (biological and/or social):*

- Key thinkers in this school include Herbert Spencer, Karl Marx, and August Comte.
- This approach is linked to the notions of modernity and progress, in particular faith in science and the inevitability of progress. It was one of the most popular approaches of early anthropology and retained currency well into the twentieth century.
- Spencer: all social change is manifestation of a natural law of progress. Dynamic force in progress = competitive struggle for existence (justification for individualism).
- Very popular among social Darwinists (who did not include Darwin!)

#### *Dialectical change:*

- Marx adapted Hegel: change in society arises from the development of internal contradictions.
- Hegel viewed history as dialectical progression: a thesis inevitably generates its antithesis, and this interaction leads to synthesis, creating a new thesis which becomes part of new triad.
- Comte attempted to describe invariant natural laws that determined social stability and change (which he referred to as 'social dynamism'). He argued that the human mind, all knowledge, and world history develops through three successive stages: theological, metaphysical, and positivist.

**Other theories of change that were around in the nineteenth century but which anthropology did not draw on included:**

- *Cyclical* (Toynbee, Spengler, Sorokin):  
Change is fundamentally cyclical, a dynamic interplay of challenge-and-response; cultural breakdown = uniformity, lack of inventiveness, loss of flexibility, too rigid, cannot adapt, loss of harmony leads to social discord, disruption, disintegration. Cultural mainstream ossifies, clings to fixed ideas, rigid patterns of behaviour; creative minorities appear, carry on the process of challenge-and-response.
- *Cultural renewal, transformation, routinisation* (Anthony F.C. Wallace)

**Still other theories of change developed in sociology and science in the twentieth century:**

- *Chaos and complexity theory* (from science e.g. Ilya Prigogine)
- *Social movements, revolutions* (e.g. Tourraine)

*Editors' Note:*

*Dr Macdonald's presentation concluded with a discussion of how this history of social change theory can inform native title connection reports, how to deal with older literature, and how to consciously engage with notions of change and continuity. The point was made that anthropologists should be cognisant of their own assumptions about continuity and change and these should be transparent when thinking and writing for native title claims.*



**PAPER 2****THE WESTERN ARRERNTE TODAY: IN RECOGNITION OF SPENCER AND GILLEN****Professor Diane Austin-Broos****University of Sydney**

My ideas about change in an Aboriginal milieu have been shaped by an engagement with a particular people. Therefore my approach here is to extrapolate from their experience in order to discuss some dimensions, or registers of change that could be more general ones.

The first thing I would like to do is locate the Western Arrernte for those of you who work in other regions of Australia. If you look at this language map [Map 1]—a well-known map for Central Australia—you will see where the Western Arrernte language group is located, due west of Alice Springs. You can see Hermannsburg, and also Alice Springs. Western Arrernte country extends from the western Macdonald Ranges south through the James Range to the northern part of Southern Arrernte country – it’s a blurry divide. On the second map [Map 2] you will see more clearly the river system that I think has informed the life of all Arrernte peoples both prior to and following settlement. That gives you some idea of where the Western Arrernte are today.

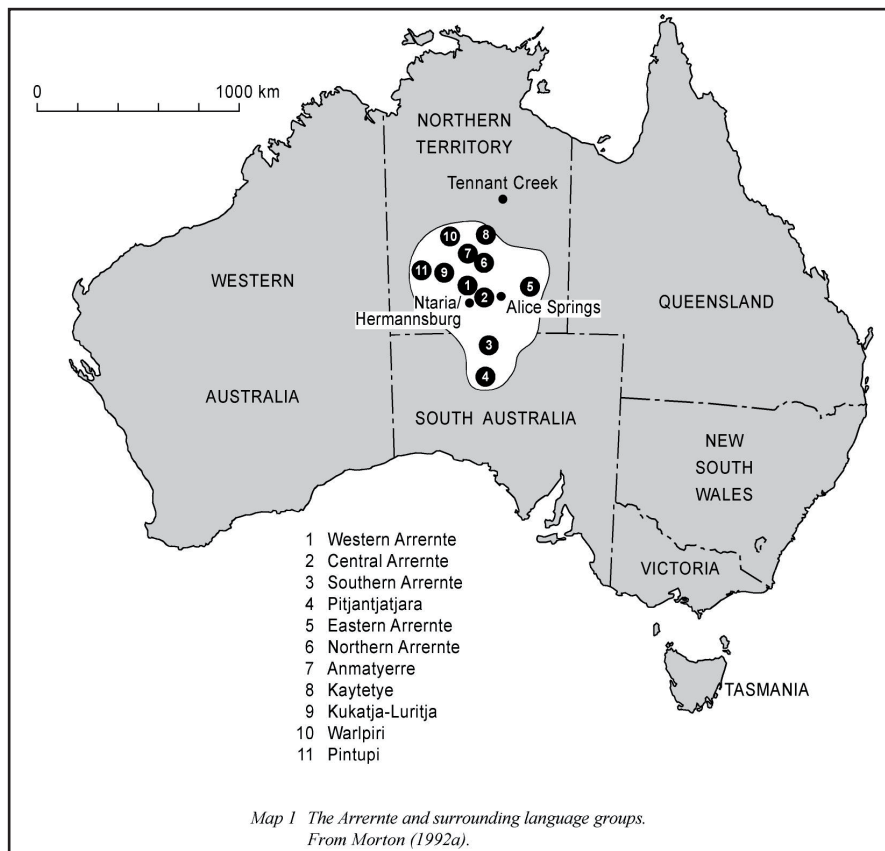
Although this estimate may now be slightly out of date, the figure given for Western Arrernte speakers in the region is around twelve to thirteen hundred. They are part of the larger Arrernte-speaking group that has quite an extraordinary ethnographic history. This means that there is a lot of documentation to draw on if one is engaged in land rights work or native title issues among Arrernte people. This documentation includes the seminal work of Spencer and Gillen, the Strehlows, [father and son, Carl and Ted), Geza Roheim and a host of more recent characters including John Morton on the one hand and me on the other. You also have a huge amount of ethnography for groups around the Arrernte including Meggitt, Munn, Peterson, Dussart and Musharbash for the Warlpiri; Fred Myers for the Pintupi; and Yengoyan, Hamilton and Eickelkamp for the Pitjantjatjara. So there is a huge amount of rich ethnography for this region – though probably less detail about the historical experience of these peoples since settlement. So at the outset, let me say a few words about Western Arrernte experience of settlement just to give you a rudimentary timeline of what’s been involved.

Following the route of earlier explorers, a telegraph line was built from Adelaide, through what became Alice Springs, to Darwin. The telegraph line was opened in 1862 and it was around that time that a lot of pastoral leases were taken up in Central Australia. It seemed appropriate land for running cattle and the Lutheran missionaries came along with that expansion and arrived at a place called Ntaria in 1877, subsequently known as Hermannsburg. A railway line was built from Adelaide to Alice Springs in 1929. There was an army camp in Alice Springs during the Second World War, which was interesting because it gave many Aboriginal people an experience with larger-scale European settlement, employment with Europeans, and a whole register of interaction they had not encountered previously. Following World War II and the beginning of the 1960s, other forms of change began to occur in this region, which had already begun elsewhere, and ultimately culminated in land rights, including the Western Arrernte lands listed in Schedule One of the *Australian Land Rights (Northern Territory) Act 1976*.

From the 1920s on, the Western Arrernte became markedly more sedentary than they had been even with the early impact of pastoralism. Prolonged drought drew them into the mission and other settlements. As a result, there seemed to be some attenuation of ritual life. It was interesting when I first went as a fieldworker to the Western Arrernte. It was often said of them that ‘there’s not much culture left there’. How much is left or not left or how we conceptualise that, certainly I think these forms of change began to gather some pace in the 1930s. Notwithstanding, the Western Arrernte have retained their own language as their first language, which involved an interesting intersection of Indigenous and non-Indigenous dynamics. This is because the Lutherans were proselytisers. They translated the Bible into Western Arrernte very early on and produced their own Western Arrernte primer for use in schools in the 1920s. First language literacy came very early to Western Arrernte.

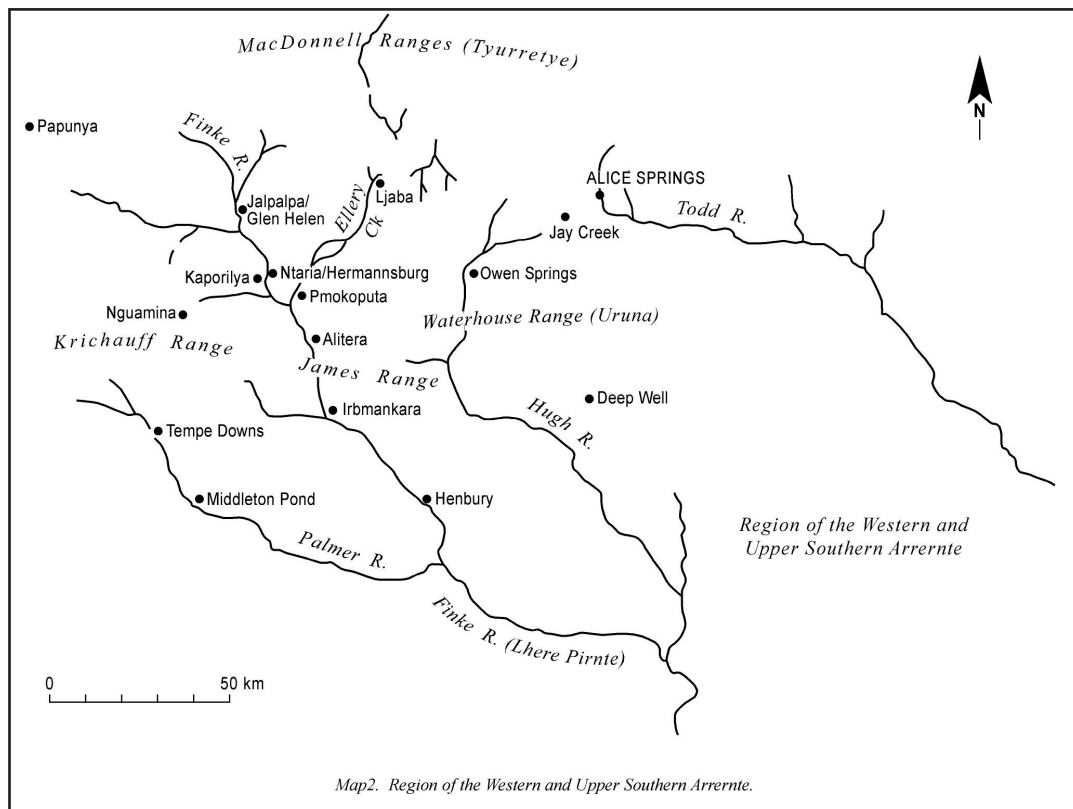
A ‘homelands’ movement began prior to the passing of the ALRA and continued thereafter. At the height of the homelands movement, five Western Arrernte estates hosted about 40 outstations. I think the number of outstations that are actively occupied have contracted to some degree but I would be surprised if today there weren’t somewhere very close to 30 outstations that are actively and continuously occupied by Western Australia people. The economic base, for want of a better term, that has supported these outstations has been mainly of the Community Development Employment Projects (CDEP) variety, and with CDEP has come certain sorts of problems concerning Indigenous authority structures. Problems have also emerged as Western Arrernte people have sought to work through various conflicting aspirations involving the reproduction of custom on the one hand, and the pursuit of English literacy and numeracy on the other. Such dilemmas also involve considerable inter-generational tension.

I now want to talk a little bit about change. I am going to talk about three dimensions or registers of change. The first is ontological change, which involves changes in the material lived or experienced world that defines a people’s life in a fundamental way. So if I am talking about ontological change then I am talking in terms of the things that change everyday experience substantially, and perhaps even one’s knowledge of oneself. The second register of change I want to talk about I term ‘socio-historical’. It includes changes to socio-spatial relationships that impact on specific practices and ideas, especially concerning matters of social organisation and everyday belief. It is hard to talk about ontological change without talking about socio-historical change. In my view, this is the case, past or present, for all Aboriginal groups across Australia. By contrast, there are many people who have migrated to Australia from another European cultural milieu who are certainly involved in socio-historical change without necessarily experiencing what I call ontological change. The latter concept, of fundamental experiential change, points to the magnitude of difference between the systems—Indigenous and non-Indigenous—that Aboriginal Australians have had to deal with.



**Map 1: The Arrernte and surrounding language groups.<sup>2</sup>**

<sup>2</sup> D Austin-Broos, *Arrernte Present, Arrernte Past*, University of Chicago Press, Chicago, 2009, p.3.



**Map 2: Region of the Western and Upper Southern Arrernte<sup>3</sup>**

In other words, the change that Aboriginal peoples have faced and still face is something a little bit beyond normal, everyday social-historical change. The third register of change that I call attention to can be termed the ‘symbolic-imaginary’. It involves representation, a constructionist register. It concerns what people in a reflective way are making of their own experience of change.

When I talk about ontological change, one of the things to be understood is that this form of change could only have occurred within a large-scale colonising process that involved law and capitalism both, the state and its economy. Being encapsulated in a modern state and being shifted from the centre of a foraging economy to the margin of an industrial one has wrought massive change among all Aboriginal peoples. What I am interested in is how large-scale repositioning of people that may not be entirely evident in the everyday, nonetheless shows up in some particular dimensions of life. For example, when I talk about ontological change, one of the things I think about is the impact that the European built environment had upon the Western Arrernte. When I talk to women about changes brought about by the missionaries, many women say ‘oh, they made big shade, big shade’. People talk about walking into the church at Hermannsburg, a solid stone structure with a high ceiling, or walking into a Lutheran house or the dormitory to find summer, autumn, winter, and so forth, a huge and permanent ‘shade’.

Sometime later I was reading the autobiography of an early Western Arrernte evangelist, Moses Tjalkabota, transcribed in Arrernte by missionary Fredrick Albrecht and translated into English by his son Paul. Tjalkabota recalled the clash of authority and knowledge systems between his people and the missionaries, and his attempts to address these events. There is one point in his account where he recalls walking up to a building and running his hand along the wall and asking, ‘How did they do this?’ I read that comment as an expression of curiosity, wonderment, and a perception of power. I linked this comment to those made by the women about ‘big shade’ and how it was created by the missionaries. On the plain, no idiot would go and camp permanently where there is so little shade. Arrernte people camped mostly in the hills of the various ranges and close to almost permanent waterholes or the run-offs that fed down to the rivers. Their shade was small impermanent structures or else caves. The missionaries, stupid things, camped on the plain, but then they built ‘big shade’.

<sup>3</sup> Ibid, p.14.

And here's Tjalkabota actually saying, 'How did they do this?' What I am pointing to here are intimations of different types of power reconfiguring to some extent the material world that people know and their experience of it. The like of it could not occur without the state, and without the state fostering a new sort of economy that we today call capitalism. But for Western Arrernte in Central Australia, this was an intimation of the state without having as part of their awareness or experience what exactly that form of power would amount to.

Another example I will give is a more contemporary example that has to do with carbohydrates: think of Tim Rowse's flour in his book, *White Flour, White Power*.<sup>4</sup> The example I have in mind came in a section of a wonderful film called *Benny and the Dreamers*,<sup>5</sup> about the Pintupi coming into Papunya in the late 1950s and early 1960s. On film, Benny is there talking about his first engagement with settlers. Benny relates how he took a tin of jam and just ate the whole thing. I have told this story many times and when I was lecturing first year students I would talk about what was involved for desert people in collecting sugar and the minute grains of sugar that had to be painstakingly gathered from the abdomens of honey ants and lerp on gum leaves. Both are only available seasonally. In this context, a tin of jam was a wondrous thing; an incredible boost of energy.

It is these initial intimations of power that interested Arrernte people and others in and around the mission but that didn't mean that they become sedentary or stopped practicing relatedness as a regional, located phenomenon. In short, they still travelled a lot, foraged and visited relatives far and wide. What I think influenced the Arrernte to become more sedentary was the intersection of pastoralism with periodic drought in the 1920s that produced a truly horrendous situation in Central Australia. A third of the Arrernte died of scurvy or beriberi. Equally important, the drought both registered the impact of pastoralism on the environment and, in itself, made that impact worse. I have walked across country with Arrernte people and watched as they pointed out the different forms of grass that were brought in to the region on the hoofs of cattle. These grasses took over from others and this invasion affected the range of things that one could forage for in that region and so forth. Various species were affected and some became extinct as rabbits also became pervasive. When I talk about ontological change, I am talking about forms of change in environment that seriously challenged the maintenance or reproduction of hunting and gathering as a principal form of activity in life. I don't think that form of change is characteristic of all Aboriginal people Australia-wide, but as a register of change it was something that affected the Arrernte.

If we go on to socio-historical change, I am interested in the Western Arrernte becoming more sedentary, beginning in the 1930s. I think it is fair to look at how that affected social organisation and in turn how that affected knowledge and ideas of the self. The Palmer, Finke and Hugh rivers were like highways up and down which people walked. I think there is some evidence that it allowed them to organise intermarriage in some fairly regular ways across generations, so you have very typical links between people across regions. I would like to describe the social dynamics of Western Arrernte people in terms of a whole range of aggregations and dispersals, to do with marriage, to do with visiting, to do with seasonal foraging, to do with ritual life; a very dynamic process of aggregation and dispersal. I see the pre-settlement system involving aggregation and dispersals and, where the accumulation of knowledge was concerned, this gave rise to consolidation and diversification. People knew quite a lot about their place and something about a number of other places. I am interested in these dynamics because of an article by Annette Hamilton about track-based systems shifting into site-based systems in Central Australia.<sup>6</sup> She suggests that the relatively well-watered nature of Western Arrernte country made it easier for people to emphasise the dimension of their system where fathers passed knowledge on to sons (knowledge focused on a particular site or sites). One could say that the Arrernte system was dynamic and certain endogenous factors moved it more towards a patrilineal system. One endogenous factor was that it was well-watered land, people could be leisurely about their aggregation and dispersal. Another factor was the coming of subsections to the Western Australia which provided the means to systemise issues of land, social groups and cosmology in a way that did not exist before.

<sup>4</sup> T Rowse, *White Flour, White Power: From Rations to Citizenship in Central Australia*, Cambridge University Press, Melbourne, 1998.

<sup>5</sup> F Douglas, *I Buran and M Liddle, Benny and the Dreamers* [video recording], Ronin Films, Civic Square, ACT, 1993.

<sup>6</sup> A Hamilton, 'Descended from the father, belonging to country: Rights to land in the Australian Western Desert', in E Leacock and R Lee (eds.), *Politics and History in Band Societies*, Cambridge University Press, Cambridge, 1982. pp. 83–108.

I like to think about the Western Arrernte as people involved in this dynamic system with possibilities for knowledge consolidations and knowledge diversification, there being certain endogenous factors that were perhaps tipping the register a little bit towards consolidation. It seems that settlement brought many exogenous changes, the principal one being a more sedentary society. Consequently, more people began to have the same conception site, as is recorded in Ted Strehlow's genealogies. Since people were not moving around as much, there was a homogenisation of conception sites and therefore the role of conception in diversifying knowledge began to attenuate.

Ted Strehlow suggested that any simple minded notion of a boundary was not a major feature of that system. Gary Stoll, a lay Lutheran, suggested that people's understanding of site knowledge has become less specific because they have rebuilt knowledge within boundaries, which is linked to the impact of settlements and pastoral leases. In the Palm Valley claim, John Morton discovered that amongst the Arrernte there are large cognatic groups (or 'families of polity'). I have always had problems with Peter Sutton's [idea], 'families of polity'<sup>7</sup> because the notion is too tied to Meyer Fortes and very different formations in West Africa. Such groups among the Arrernte, for instance, are in my view an artefact of change. One can record now large cognatic groups that have a marked patrilineal identity. But this depends on a particular history. In a system where there is attenuation of site-specific knowledge, you are going to try to get as many people under the knowledge that remains as you can. Moreover, because conception is no longer a diversifying and discriminating factor, patrilineal identities are fewer and more generalised. Conception identities that were once central have become both limited and peripheral. Boundaries that were not central have become more important, and very large cognatic groups have developed very generalised patrilineal identities. I don't think one could identify such formations in a hunter-gathering pre-settlement past.

These are issues of social organisation that rest on continuity, but also on socio-historical change. They can be made sense of in terms of change. One can ask, 'What was going on in terms of endogenous change and what forms of exogenous change did settlement bring?'

The third type of change concerns how, in the context of these dynamics, the Western Arrernte have made sense of themselves. I would like to juxtapose two countervailing factors, hegemony and transformation. An example of hegemony would be the downgrading of conception in the system as it is presented today. This has involved a certain exercise of power of colonial settler society in a quite material sense. It involves the 'deafness' of settlers which is a powerful thing; what Indigenous peoples can say and have heard by the invaders who not only don't listen but, in fact, can't listen. It's an act of meaning/power. Thus, the downgrading of conception, (some might call it a simplification of the system) is a function of colonial hegemony. However, the ways in which the system has been transfigured and, possibly, the transporting of a site focus to boundaries, is what I call 'transformation'. It is about reconfiguring what you have and what you can do with your own means of imagination; a product of the continuing conversation among the people who actually have to deal with change. In short, I am pointing to the effects of hegemony – 'you must see things our way' – and the concurrent products of transformation among the denied - 'we will make our own interpretations of our circumstance'. There is a wonderful remark by Marshall Sahlins, 'Hegemony is not forever'. People can take command of their own history. In my view, land rights and native title are about revaluing and reconfiguring and getting on with what you have available to you.

The second thing I want to mention in this third register of change is the process of symbolic mediation. Let's take a Western Arrernte site called Kaporilya. The point about the site is that it is significant in more than one system and the Arrernte are aware of that. It is significant in terms of Western Arrernte law, it is significant as a Lutheran site, and it becomes a medium through which the Arrernte can explore their engagement with these different systems. I have written about this site at length in my book *Arrernte Present, Arrernte Past*.<sup>8</sup>

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<sup>7</sup> P Sutton, *Native Title in Australia*, Cambridge University Press, Melbourne, 2003, pp.206-231.

<sup>8</sup> D Austin-Broos, *Arrernte Present, Arrernte Past: Invasion, Violence, and Imagination in Indigenous Central Australia*, University of Chicago Press, Chicago, 2009.

Finally, regarding this third register of change, I want to mention both ellipsis, and what I call 'augmentation'. I take the notion of ellipsis from Beth Povinelli in her original ethnography, *Labor's Lot*,<sup>9</sup> where she describes the way in which the presentation of a particular traditional system involves dropping some things out. So, in the Palm Valley land claim for the Western Arrernte, conception figured very little although Ted Strehlow reported in the 1930s that it was the pre-eminent form of Arrernte identification. At the same time, people augment their current system in other ways; for example, by developing a discourse about boundaries. Thus, things come and go into that system as it is being reconfigured. In addition, there is a fundamental negotiation of who we are and who we are in relation to others, the politics of moral order. The idiom in which that was manifest at Hermannsburg concerned talk about 'two laws' - Arrernte law, and God's or whitefella law. With this talk, Arrernte people were putting a view about their own autonomy and authenticity over time.

So I think that I am saying in all of this there are three registers of change: 1) the ontological, the change of greatest magnitude which occurs to a greater or lesser extent and in different ways in different histories; 2) socio-historical change, which has to occur in order for the ontological to occur; and 3) the symbolic imaginary, which is the way people think about it. The symbolic imaginary is important because it tells us in a very fundamental way that continuity is made, not given. One of the central messages in *Arrernte Present, Arrernte Past* is that people have to work at continuity, which involves acknowledgement of change. I think what is comforting, and in fact liberating, about the idea of continuity being made not given, is that people will always have continuities, and in those terms I think it is part of our job as anthropologists to understand and celebrate how those continuities occur. Nonetheless, as a very 'academic' academic I wouldn't presume to offer any advice at all about how that comes into a native title claim.

## Discussion

**James Weiner:** The first thing I would like to say is that the distinction between the three types of change is analytically quite useful, but it really is a heuristic device. I was talking to [a participant], and we reminded ourselves that an environment which in a previous anthropology always tried to pass itself off as a tract of land, a tract of earthly territory, is not an environment per se; it is much more than that. It's not just the pastoral stations that Aboriginal people used to live on and now have an opportunity to visit, or the towns they inhabit permanently; it's also the offices where they must go to for pension payments and medical checks to maintain their health under adverse conditions. The question is why we would want to create a boundary between the spatial and bureaucratic environments. Both involve a physical movement and a pattern of movement through a number of different spaces, some almost purely Aboriginal, some almost purely non-Aboriginal, and some quite mixed. So a consideration of this interpenetration is something that is going to endure throughout this conference.

I want to talk about the 'two worlds' issue because of the asymmetry, which I brought up in a recent review of Stuart Kirsch's book, *Reverse Anthropology*.<sup>10</sup> In this book, Kirsch talks about the environmental impact of the Ok Tedi Mine on the people of the Middle Fly River in Papua New Guinea's Western Province. This impact is completely asymmetrical. The Yonggom of the Middle Fly are obliged to inhabit two worlds, the world of the conjunction and whatever second, 'customary' world they struggle to maintain for themselves. Bob [Tonkinson's] paper<sup>11</sup> really drove home to me that everything else being equal, the Mardu would prefer not to see White people at all and he said that they were fortunate, in that because of the marginality of the environment they had a place to retreat to when the pressure of the conjuncture just became too much to deal with. Many Aboriginal people don't have that option. We inhabit one world, and they inhabit two; that is the enduring asymmetry of the conjuncture itself. It is Aboriginal peoples' obligation to use their capacities, however minimal and weak they are in that sort of absolute sense, to reconcile and to manage those two worlds. I am talking about Aboriginal people who are successful in inhabiting both worlds. It is still a titanic struggle for them.

<sup>9</sup> E Povinelli, *Labor's Lot: The Power, History, and Culture of Aboriginal Action*, University of Chicago Press, Chicago, 1994.

<sup>10</sup> S Kirsch, *Reverse Anthropology: Indigenous Analysis of Social and Environmental Relations in New Guinea*, Stanford University Press, Stanford, 2006.

<sup>11</sup> R Tonkinson, 'The Mardu Aborigines: On the road to somewhere', in G Spindler (ed.), *Four Cultures Through Case Studies: Continuity, Change and Challenge*, Wadsworth Belmont, CA, 2005.

You had other things to say that were really valuable insights. Living with ‘two Laws’ cannot simply involve bringing back the past but it can involve a valuing of specific Aboriginal ways today, and that surely belongs to your third register, symbolic imaginary change. I agree that symbolic imaginary change is a revaluing, but it may not explain the processes of mustering crucial alliances amongst kin. Gerald Sider said that an increase of conflict among Aboriginal people is a wholly endogenous reaction to the advent of the ‘two worlds’ issue. This is not an operation of two separate laws; rather the Arrernte sustain some traditional concerns and engagements with new meanings and forms of power. That is where the term mimesis fits, which has been used repeatedly by Francesca Merlan and relates to the reproduction of the conflict between the two worlds within the one world itself. So you have a mirror or a reproduction of the conflict itself.

This will be something we really bear down on over the next two days; how the post-settlement past is projected on a pre-settlement past which people have never known. All of us in this room who are consultants have been engaged in promoting that process. As one participant has said so clearly, the statutory process demands we do that if we are to make a success out of these applications. In addition, when speaking of the traditional and projecting it onto the past, those past ways are reshaped, redefined and remembered as traditional. Further within the Aboriginal world, within one of two worlds they inhabit, they recreate a factitiousness that is fully consonant with the factitious way in which they are projected; a static and idealised Aboriginal past, static anthropologically if not always politically. I think this is something that constrains native title and really retards any kind of social science progress we can make out of it, rather than allowing us the freedom to think of change in terms of statutory requirements. The explicit knowledge of spokespersons is taken as the culture of the Arrernte and what a great insight that was because all of us here know that we don’t do fieldwork. We identify the authoritative people, we interview them mostly in their own homes and if we are lucky, we get one or two trips onto country. It’s not anthropology, it’s not fieldwork. Claimants are encouraged then to move into that third register, the symbolic ideational register, because we do not actually check the relationship between how ideology is produced out of the material, actional, relational world. This is really what our obligation is as authentic anthropologists, which we are however not permitted to do.

**Participant:** Sometimes native title work does involve ‘fieldwork’—it depends on how much time you have been given. I am thinking of Yulara here.

**James Weiner:** There are exceptions. People’s ideological views are quite different in relation to what is actually being done.

**Participant:** I enjoyed that very much, Diane. I was reflecting on the first form of change you talked about, the ontological. The way you explored that surprised me because I previously thought there was a lot more to explore. One of the areas that seems to have undergone quite a lot of change was the conception sites and the way in which that was, in Central Australia at least, a kind of consubstantiation with the landscape. I guess most of you are familiar with Nancy Munn’s paper on transformations<sup>12</sup>, but I think people tend to use the idea of consubstantiation with the landscape very loosely. This is because my understanding of the Warlpiri people’s life is that consubstantiation is quite localised, and something from which people get detached when they get moved into or move onto, centralised places. We begin to see major transformation in the nature of the ontology, in the sense of self in terms of land and place. In a longer schema it is the process by which land ultimately becomes real estate which is what it has become down here in New South Wales in some areas. Even in remote Australia you hear people talking about ‘my block’.

The aspect of ontology that is the least changeable is the intractable gulf between Mardu people and the policy objectives of the Western Australian Government. I read about this in Bob and Myrna Tonkinson’s paper in the Canadian anthropology journal, *Anthropologica*.<sup>13</sup> They say roughly what that intractable gulf is, but I think at the very core of it is something that seems to be fundamental to the

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<sup>12</sup> ND Munn, ‘The transformation of subjects into objects in Walbiri and Pitjantjatjara myth’, RM Berndt (ed.) *Australian Aboriginal Anthropology*, University of Western Australia Press, Perth, 1970, pp. 141-156.

<sup>13</sup> M Tonkinson and R Tonkinson, ‘The cultural dynamics of adaptation in remote Aboriginal communities: Policy, values and the state’s unmet expectations’, *Anthropologica*, vol.52, no.1, 2010, pp.76-75.

whole dynamics in contemporary social life in remote Australia, and that is now what has become the relational ontology, the relational self. It is more important for Aboriginal people to be living with kin than where they live. People are more important than place. In a way, this is obvious because very few Aboriginal people live on their own land. They've got land nearby but they don't actually live on it. It is that aspect of ontology that seems to be the least changeable but the thing people feel the least secure about.

**Diane Austin-Broos:** [The participant] is right of course, and he's put his finger on an important issue. When I was trying to work out how I was going to present these three registers, I would have said that all of them are in that central point that he makes. One of the things I didn't mention was a period in my research career when I was fascinated by the issue of conception. I spent a long time at the Strehlow Centre working with Ted Strehlow's genealogies, which recorded names of people with their conception sites. Ted Strehlow had informants and no doubt those informants didn't know the whole population of Western Arrernte people, so there was probably an element of guess work. 'What was the conception site of so and so?' Strehlow said everyone used to be known by their conception site and their subsection. If they didn't know anything else about a person that is what they knew.

But there is a hazard in this data, because not everyone does know each other's conception sites. Nonetheless, I spent a very long time with particular groups that I knew moderately well, plotting the conception sites through generations. What I was interested in was whether they really walk around that place, because in a sense conception sites are like a trail. I have never done anything with that work. I've got two big books of plotting of different groups of Arrernte revealing more or less where I would expect them to walk about those waterways and round about. There is shading where the conception sites are that suggests what [the participant] was saying, namely that relatedness was once overlaid on a wholly interpreted differentiated space. I wish I could have expressed it as elegantly. The specific space of that relatedness has gone along with the importance of conception in the Western Arrernte system. However, the relatedness has been elaborated around the settlements and is apparent in all of the discussions about demand sharing and the way in which relatedness is acknowledged. What it does is demonstrate a contemporaneous relatedness of an extent that would be very hard to maintain in the old system. So once again, you have the impact of the hegemony, alongside the transformation and then the maintenance of a fundamental ontological feature.

My only other comment is that the most common way for Western Arrernte people to characterise Whitefellas is by the term *nindawara*, which means 'one alone': 'You mob live one alone. We don't live like that.'

**Robert Tonkinson:** What still seems to be fundamental is that notion of coming out of the land and going back into it. When you think about the fact that in the Western Desert people would have spent a lot of time outside their own countries because of the total unreliability and the distribution of rainfall, it makes sense. Also, the function of travel in dream spirit form would have been so important for the maintenance of that land, of homeland, especially when they were away from it for very long periods. There are droughts and some parts of the desert don't get rain for a decade. So clearly cultural methods had to evolve to continue to give the great weight of connection to country, if not physical it has got to be something else. The elaboration of the spiritual side of it does reflect that environmental theme, whereas, in well watered parts of Australia you may not have seen anything like that in terms of what gets elaborated and what doesn't.

**Participant:** I agree. However, kinship as a category is still very much there, it is the processes and the way people are relating to each other that are changing. 'Relational' being isn't necessarily the same as what it was before. There is an articulation here between land and commodification of land that comes with the process of land rights and royalties and things like that. These things affect the way people structure land tenure relations and relations between different families. That has also got to do with issues we are seeing play out in some parts of central Australia to do with payback, enforcement, and how modern technology (including mobiles and Facebook) is being used to reaffirm these things. So there is relatedness but also mimesis, as Jimmy was saying: differences between the two worlds being played out in antagonisms within the one. It is changing relational being, which is interesting to look at.



**Participant:** There is no doubt that, in my limited knowledge, money is doing an awful lot of work here, and money is making dissent more important because the basic function of dissent is to cut people out. I think Diane referred to Annette's paper on that: the whole issue where people have had to move a long way from their country, so their understanding of relationship to land is not constituted substantially through behaviour, it's simply through the categories they've got for thinking about it. In this way, dissent becomes more important and people can talk about country at a distance.

**Participant:** I was thinking about what was said about the basic function of dissent being to keep people out, and about broader cognatic descent models that are based on inclusion. With respect to the state, both the Victorian government and the Commonwealth government have policies of broader regional groups and broader agreements. In many instances across Australia, over time, we have seen fission in these broader cognatic groupings, with people wanting to act within smaller and smaller groups. On one level, this seems to be because they are trying to access resources more independently. On another level, it is simply about a having degree of recognition in some form or another by having smaller groups.

**Participant:** I wanted to hear from Diane about families of polity.

**Diane Austin-Broos:** I wonder whether or not a family of polity exists for a large part of the time. There is a highly laterally extended network of relatedness that is constituted in a jural fashion at the moment of a claim. If one thinks in very old fashioned social anthropological terms, this is possibly not a group that has much manifestation as a group at other times. It exists as the explored possibilities of those lateral relations that with a more settled life can become so much more frequent and extensive. Then at the point where people engage with that particular concrete jural order, it takes on that form. There is a lot in Aboriginal ethnography that would suggest that this is very much a function of where we are today. That is not a problem for me at all, but that is how I see it.

**Gaynor Macdonald:** Most of my native title research has been done in southeast Australia because that is my regional field site and it is the area I am interested in. It is one where the historical challenges are enormous. I am continually fighting the idea that there are real Blackfellas in remote Australia but not anywhere else. The other thing native title has done, and because I have been around quite a long time, pre native title in other words, I can see lots of younger anthropologists coming in to this arena who have no idea what it was like before they arrived. In other words, they don't necessarily appreciate that there has never been anything remotely like the idea of descent or apical ancestors. Such things might look like they are real to people now. I do think the notion of apical ancestors is a very useful tool but there is no ethnographic reality that I have ever come across that supports the idea that Aboriginal people understood themselves in terms of apical ancestors. There are kinds of amorphous beings called ancestors, but amongst the people I work with, and I have got thousands of people in family trees that I worked with long before native title, the only people who ever named a great grandparent were those who actually knew their great grandparents.

**Participant:** I think what Peter Sutton is talking about and what preceded this apical thing is the surnamed family. I don't think that has just arisen as a response to land claims.

**Gaynor Macdonald:** Yes, but I don't think that is a family of polity or a cognatic descent group either, it is a much more complex structure. I wrote about surnamed families in 1986 in my thesis. But it is about how you structure that, that's the problem with the families of polity.

**James Weiner:** I was always under the impression that the description of apical ancestors was just a convenient way that consultants have developed to describe the group, because group descriptions are statutorily important. Since the state always pressures us because they want certainty about who is in and who is out, the most convenient and easy way to do that is to create a list of apical ancestors. I always thought of that as an artefact of native title. It may or may not acquire some cogency as practice among various Aboriginal communities. After reading Myer Fortes when I was a graduate student, I thought that his concept of the jural dimension of kinship was a critique—that Radcliffe-Brown made too much of a distinction between the domestic domain of kinship and the jural domain of descent. Fortes attempted to critique that strong distinction. As a consultant who has been doing this for 14 years now, I could make a list of Western Desert claims that I know were constituted essentially as

a single family. We can identify them however we want to but they self-identify as members of that family hiving off and desiring to establish their own claim. This is a structural feature about how groups form and dissolve over time in the [Western] Desert area. So whatever your problem with Peter Sutton's model is, there is some very real atomisation and continuing fragmentation going on all over the country. I have witnessed this process both in Queensland and in Western Australia.

**Diane Austin-Broos:** That's not really my point. I think my point is rather that I see it as a laterally extended network that is constituted as a group at a particular time. With any cognatic group there has to be an 'opt in or out' provision. I have seen this amongst the Western Arrernte and it is documented that people say, 'I am going to be counted with this group rather than that group'. There is a point at which that happens, and what I am suggesting is that commonly, at least, the instigator of that process is the state. In those terms, I want to be careful that my observation is not a critique of 'cognitive group' as such. There is, certainly, such a formation. The issue is the manner in which we understand it both in the present, and in relation to the past.

**James Weiner:** Neither the lability nor the overlappingness of surnamed families detracts at all from their coherence as a group and their self-definition. There's a fundamental contradiction within the native title group that's illustrated by the demand for proving the existence of a normative system on the one hand, and the real level at which proximate rights to land are exercised, held and defended on the other. These latter are not held by a larger group. There is a possibility of them existing at that larger cultural level, but the groups who actually assert proximate rights to land are much, much smaller. Those groups are not recognised by the court or the state which are now looking for broader units of normativity.

## PAPER 3

## ANTHROPOLOGICAL APPROACHES TO THE STUDY OF SOCIAL CHANGE

**Professor Robert Tonkinson**  
**University of Western Australia**

My discussion of social change will largely be through the lens of my experiences as an anthropologist who has done research over a long period in two contrasting areas. Since 1962, my focus in three theses and many papers has been mainly on cultural continuities and change over time, with particular reference to how these processes have affected the two peoples with whom I have worked: Western Desert Aboriginal hunter-gatherers and Melanesian horticulturalists in New Hebrides (now Vanuatu). In our field of study, changes in socio-cultural processes and structures must be identified and described in order to gain a satisfactory understanding of the dynamics of transformation. While recognising that change is often initiated by external forces, I wish to emphasise the role of individuals and groups as proactive agents rather than inert sponges who simply absorb the change processes that constantly swirl around them.

***Conceptualising social change, and the challenge to analysis***

First, some general comments about how anthropologists have approached the study of social and cultural change in order to illuminate its dynamics over time and space. In the first half of the last century, particularly, questions regarding the locus of culture, and the prime movers of change, were hotly debated among anthropologists. One of my intellectual heroes is the English anthropologist, Gregory Bateson, who should be remembered for very much more than having been Margaret Mead's third husband. His collected writings, *Steps to an Ecology of Mind*,<sup>14</sup> was all the rage among fellow Oceanists when I was teaching in the United States in the 1970s. His notion of 'dynamic equilibrium' encodes the idea that no matter how stable a small-scale society may appear changes are inherent and always occurring. So in the case of traditional Aboriginal societies, the dominant ideology held that (except for seasonal changes) everything prior to the invasion by Whites is as it has always been, ordained by the creative beings of the Dreaming, notwithstanding ample evidence of social and cultural dynamism.

Today, the oft-heard notion of a 'global village' suggests a blurring of the 'local versus global' distinction in the face of pervasive Westernising pressures in an age of mass communications. There has been much debate among anthropologists over the utility and future of our central concept of 'culture' (see for example Cerroni-Long 1999<sup>15</sup>) and the relevance of the 'small-scale society' as a research locale. Yet as long as our fieldwork continues to evidence resistance to outside influences and the persistence of difference, the concept of culture retains its importance for us. As Appadurai notes, although we now live in an era of 'moving populations, multilocal social worlds, displaced allegiances, and circulating meanings', human social life is still played out through 'the practices of intimacy—the work of sexuality and reproduction, the webs of nurture and of friendship, the heat of anger and violence, the nuance of gesture and tone'.<sup>16</sup>

Contemporary anthropological views of culture are frequently event-centered, predicated on its fluid characteristics of contestation and negotiability, and tend to focus more on internal heterogeneity than unity and harmony – in other words, more on what A.F.C. Wallace termed 'the organisation of diversity' than 'the replication of uniformity' as keys to our understanding of social coherence.<sup>17</sup> Of particular note in anthropological attempts to understand the vital connection between individual decision-making and systemic social change has been the work of the American scholar, Clifford Geertz.<sup>18</sup> His symbolic interactionist approach moved our focus away from structures and systems by depicting culture as constituted in and from the experiences of daily life, providing its human creators and carriers with

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<sup>14</sup> G Bateson, *Steps to an Ecology of Mind: Collected Writings in Anthropology, Psychiatry, Evolution and Epistemology*, University of Chicago Press, Chicago, 1972.

<sup>15</sup> EL Cerroni-Long, 'Anthropology at century's end', in EL Cerroni-Long (ed.), *Anthropological Theory in North America*, Bergin and Garvey, Westport CN, 1999, pp.1-18.

<sup>16</sup> A Appadurai, 'Fieldwork in the era of globalization', *Anthropology and Humanism*, vol. 22, no.1, 1997, pp.115-116.

<sup>17</sup> AFC Wallace, *Personality and Culture*, Random House, New York, 1961.

<sup>18</sup> C Geertz, *The Interpretation of Cultures: Selected Essays*, Basic, New York, 1973.

both ‘models of’ and ‘models for’ social reality. As Sherry Ortner, another prominent North American scholar, noted in her influential essay on theory in anthropology, such approaches accept that the system in which the action takes place has important constraining effects on human action and the shaping of events, but, as social scientists, we need to discover where the ‘system’ comes from, how it is produced and reproduced, and how changes occur.<sup>19</sup>

In attempting to explain the often-devastating impacts of the spread of European ‘civilization’ on the rest of the world, many observers, in lamenting the ‘collapse’ of small-scale societies, have depicted them as essentially brittle. To take one glaring example, ‘technologies introduced from a more instrumentally powerful culture into traditional society ‘burn like a cigarette on a silken fabric’ into the wholeness of the cultural patterns that existed before’.<sup>20</sup> However, anthropologists have long been wary of such simplistic ‘collapse’ theories. For instance, Ian Hogbin in his book about social change employed a metaphor similar to that proffered by Hill yet offers a very different perspective: ‘Although the social fabric of the traditional culture is being unravelled, the threads are not lying in a completely disordered tangle. Some of them have been gathered up in an attempt to weave a new cloth based on a different set of patterns’.<sup>21</sup> Nearly eighty years ago, American anthropologist Ralph Linton (1936), in his discussion of cultural borrowing (by far the most common source of innovation), pointed out that the transfer which occurs is almost exclusively of form, but that alien elements inevitably undergo transformations in meaning, functions, and contexts of use by members of the borrowing society.<sup>22</sup>

Back in 1958, Hogbin reminded us that societies confronted by sudden alien incursion simply do not disintegrate – unless of course, they are physically exterminated. Rather, from the very moment of initial contact with foreigners, their members have no option (other than taking flight) but to engage in what becomes a never-ending struggle to reintegrate their lives around newly negotiated, and often conflicting, understandings of what is happening to them. In other words, as things begin to fall apart under conditions of extreme inequality in power relations, they must generate from their own intellectual resources reactive processes of resistance and accommodation.<sup>23</sup>

This adaptive process entails individuals and groups picking up the pieces of their practices, beliefs, values and institutions and rearranging them into forms that may be novel but nonetheless still make sense to them— in other words, that accord with their own *cultural logic*. As before contact, individuals and groups embed meanings in their ‘design for living’, but, when confronted by unprecedented changes they are compelled to engage in a continual process of accommodation and re-design. Marshall Sahlins, in an influential work focusing on early European contacts with Hawaiians, ably demonstrated the transformative potential built into frontier interaction: existing cultural categories take on new values, thus altering cultural meanings and transforming ‘traditional’ structures.<sup>24</sup> The process of reintegration, then, always involves a synthesis of indigenous, alien and newly created elements, making it difficult to conceive of anything remaining ‘traditional’ much past the point of contact. New meanings are generated in the indigenous society from the moment the aliens invade – or even before, in the case, for example, of New Guinea Highlander responses to the sighting of aircraft years prior to actual contact with Whites.<sup>25</sup>

Aboriginal Australia and insular Melanesia provide a striking contrast with respect to what the indigenous people made of the invading Europeans.<sup>26</sup> In attempting to account for this, I have pointed not only to the

<sup>19</sup> S Ortner, ‘Theory in anthropology since the Sixties’, in *Comparative Studies in Society and History*, vol. 6, no.1, 1984, pp.126-166; S Ortner, ‘Introduction’, in SB Ortner (ed.), *The Fate of Culture: Geertz and Beyond*, University of California Press, Berkeley, 1999, pp.1-13.

<sup>20</sup> S Hill, *The Tragedy of Technology*, Pluto Press, London, 1988, p.75.

<sup>21</sup> I Hogbin, *Social Change*, Watts, London, 1958, p.51.

<sup>22</sup> R Linton, *The Study of Man*, Appleton Century Crofts, New York, 1936.

<sup>23</sup> See for example: KOL Burridge, *Mambu: A Melanesian Millennium*, Methuen, London, 1960; P Lawrence, *Road Belong Cargo: A Study of the Cargo Movement in the Southern Madang District, New Guinea*, Manchester University Press, Manchester, 1964.

<sup>24</sup> MD Sahlins, *Social Stratification in Polynesia*, University of Washington Press, Seattle, 1985.

<sup>25</sup> See for example: A Biersack, ‘Prisoners of time: Millenarian praxis in a Melanesian valley’, in A Biersack (ed.), *Clio in Oceania: Toward a Historical Anthropology*, Smithsonian Institution Press, Washington, 1991, pp. 231-296.

<sup>26</sup> R Tonkinson, ‘Melanesia: Culture, technology and “tradition” before and after Western impacts’, in RA Stephenson (ed.), *Traditional Technological Structures and Cultures of the Pacific: Five Papers*, Micronesian Area Research Center, University of Guam, 1994, pp.32-66; R Tonkinson, ‘Encountering the Other: Millenarianism and the permeability of indigenous domains in Melanesia and Australia’, in H Jebens (ed.), *Cargo, Cult and Culture Critique*, University of Hawaii Press, Honolulu, 2004, pp. 137-156; R Tonkinson,

obvious differences in mode of adaptation that explain, for example, dramatic contrasts in attitudes to land and property, but to elements of worldview that differ fundamentally. For example, the institution of sorcery is found in both regions, but its significance and impacts are very different in each.<sup>27</sup>

Initially, my research attention was dominated by the many obvious continuities that linked living Mardu Aborigines, a Western Desert people, to their recent 'pre-European' existence, but over time my research trajectory has shifted inexorably to one that foregrounds transformations in the analysis of Western impacts.<sup>28</sup>

Attempting to capture the major elements of change and piece together their complex ramifications in a single account is a huge challenge. In the short term, particularly, a major problem for anthropological analysis lies in differentiating small organisational changes ('fads', for example) that prove to be temporary from those that later become structural and thereby more enduring and influential.<sup>29</sup> The only effective solution to this dilemma is repeated fieldwork visits—'the extended case method'—which is the norm in social-cultural anthropology.

Dramatic change in status from highly autonomous desert nomads to citizens of a modern nation-state has been the lived experience of older Mardu adults, and this often prompts them to make evaluative comments contrasting the present with the past. Yet, in my experience, Mardu tend not to philosophise about, or analyse or attempt to dissect and disentangle, the many strands of change, individual and collective, that have engaged their attention and tested their adaptive capabilities since leaving the desert. Theirs has been a running battle, often emotionally fraught, to protect and maintain their cultural integrity in a situation of adverse power relations. The core of the worldview bequeathed them by their religion and the Dreaming is one that discourages questioning and skepticism, and therefore an absence of much in the way of self-reflection in people's discourses. The Mardu, as a result of relative isolation, language retention and cultural values, are among the 'remote' indigenous Australians who display greatest continuities with the traditions of their pre-colonial past.

### ***Aboriginal Worldview: Assent, Activism and the Impossibility of Closure***

Stability and continuity in Aboriginal societies undoubtedly owed something to their apparently rapid settlement and long-term adaptation across the entire continent, plus their many millennia of complete isolation from the rest of the world. It appears that an absence of invasions and upheavals fostered an emphasis on the reproduction of sameness rather than the promotion of innovation; it was a worldview based on a fundamental 'abidingness', a passive 'assent to the terms of life'.<sup>30</sup> Yet, in this system, the spiritual imperative gives human actors major responsibilities for maintaining and reproducing society, endowing their earthly lives with meaning and purpose. The implications of an inevitable tension between a dominant ideology of a static and immutable universe and the reality of dynamism in social and cultural forms (let alone ecological relationships) have long interested me, and in various writings I have tried to show how such a massive contradiction between ideology and reality could be managed and perpetuated. Stanner had already provided his insight that Aboriginal religious systems constantly strained towards closure but, as if in recognition of its impossibility, their societies had established elements or mechanisms that enabled them to accommodate change as long it 'would fit the forms of permanence', enabling them to attain stability but avoid inertia.<sup>31</sup>

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'Dust to ashes: The challenges of difference', *Ethnos*, vol. 72 no.4, 2007, pp.509-534.

<sup>27</sup> R Tonkinson, 'Sorcery and social change in Southeast Ambrym, Vanuatu', *Social Analysis*, vol.8, 1982, pp.77-88; R Tonkinson, 'Forever Ambrymese? Identity in a relocated community, Vanuatu', *Pacific Viewpoint*, vol. 26, no.1, 1985, pp.139-159; R Tonkinson, *The Mardu Aborigines: Living the Dream in Australia's Desert*, 2nd edn, Holt, Rinehart and Winston, Fort Worth, 1991, pp.131-133.

<sup>28</sup> See for example: R Tonkinson, 'The Mardu Aborigines: On the road to somewhere', in G Spindler and JE Stockard (eds.), *Globalization and Change in Fifteen Cultures: Born in One World, Living in Another*, Thomson Wadsworth, Belmont, CA, 2007, pp. 225-255; R Tonkinson, 'Aboriginal difference and autonomy then and now: Four decades of change in a Western Desert society', *Anthropological Forum*, vol.17, no.1, 2007, pp.41-60; R Tonkinson, 'Dust to ashes: The challenges of difference', *Ethnos*, vol.72, no.4, 2007, pp.509-534.

<sup>29</sup> See R Firth, *Elements of Social Organization*, Watts, London, 1951.

<sup>30</sup> WEH Stanner, 'The Dreaming', in *White Man Got No Dreaming: Essays of WEH Stanner 1938-1973*, Australian National University Press, Canberra, 1979, p. 40.

<sup>31</sup> *Ibid.*

The spirits of flora and fauna, which are believed to be countless and reside within the landscape at certain sites ('increase centres'), respond to ritual acts performed every year by their human guardians to emerge and be plentiful in the living forms that benefit humans. Yet the *ultimate* sources of life-giving power in Aboriginal societies are located in the spiritual realm, beyond the reach of human attempts at suasion, manipulation, prayer, pleading, or sacrifice. New knowledge finds its way into the human realm through individuals, but it is a one-way flow in which the receiving individual is considered to be merely a passive medium, and cannot capitalise upon his or her creative acts because everyone understands that they come from the ancestral beings of the Dreaming. The belief that humans are merely channels for communication between spiritual and earthly realms precludes the accretion of power on the basis of individual difference; and this has significant political implications. People of course recognise and appreciate differences—in skills and verbal performance, for example—but they do not make such attributes a basis for status differentiation. Inequalities inherent in age and gender are the two most important differentiating criteria in the distribution of social and political power in almost all hunter-gatherer societies, where an egalitarian ethos tends to prevail. The Mardu verbs used to depict the act of transmission between the spiritual and human realms affirm this denial of agency on the part of ego: the *jjikarrkaly*, 'spirit messengers' or go-betweens, 'show', 'teach' or 'give' to human recipients new information, songs, dances, body designs, sacred objects and so on.

### ***Cultural redundancy in the religious system***

What I have just described captures another important element of dynamism, characteristic of Aboriginal Australia as a whole: the diffusion and transmission of ritual and associated songs, objects and items that are exchanged between groups. There is continual pressure to allow the release of newly revealed rituals and associated paraphernalia into regional exchange systems like those of the Western Desert bloc.<sup>32</sup> Thus the religious system's existing ritual repertoire was constantly being enlivened by a measure of novelty. I say 'a measure' of novelty, because one notable characteristic of Aboriginal religious systems, and a key to the seeming ease of memorisation of religious lore (such as several thousand songs), is a kind of in-built cultural redundancy. New rituals will contain few novel ingredients; instead, for the most part they comprise re-combinations of elements drawn from a pre-existing repertoire of ritual components. In this respect, there is almost nothing new under the sun, a point made by Barnett in his classic work on innovation and social change.<sup>33</sup> The 'forms of permanence' of which Stanner speaks are manifest in these basic themes; they render the 'new' always somewhat familiar and therefore readily assimilated and memorised.<sup>34</sup>

The feats of memory exhibited by initiated men and by senior women are aided also by the overlapping nature of the major conduits through which religious meaning and understanding flow. The deeply interdependent media of songs, rituals, objects and altered states of consciousness are really different modes of communicating the same profound truths about the cosmic order. Inculcated in every succeeding generation of Law-carriers is the imperative to ensure that harmony reigns among the human, natural and spiritual realms if both people and Law are to endure.

Mythology is another important conduit for the absorption of contemporary knowledge into an ideologically immutable cultural universe. I mention this because you might be puzzled about how newly revealed knowledge and objects move from individual experience and the periphery into the core collective structures of Mardu culture. In this crucial movement, they are transformed via the magic of time and space from the immediacy of the here and now into what Stanner very aptly describes as the eternal 'everywhen' of the Dreaming. With ritual, dance and song-line, all of which function as major facilitators of religious understandings, a strong emphasis is placed on accuracy and faithful reproduction to ensure that these acts will be instrumental; that is, will have the desired effects on the desert world.

In an oral culture, however, mythology is inherently flexible, and open to individual interpretation and biases in the telling (but within certain bounds, naturally, because it has to articulate with these

<sup>32</sup> R Tonkinson, 'Individual creativity and property-power disjunction in an Australian desert society', in T Widlok and W Tadessein (eds.), *Property and Equality Vol. 1: Ritualization, Sharing, Egalitarianism*, Berghahn, Oxford, 2005, pp. 32-46.

<sup>33</sup> HG Barnett, *Innovation: The Basis of Cultural Change*, McGraw-Hill, New York, 1953.

<sup>34</sup> WEH Stanner, above n 29.

other modes of transmission of religious meaning). Myths, as statements about absolute truths of the Dreaming, are capable of extension and expansion. Newly revealed knowledge emanates from two major sources: the creative beings, via their spirit-messengers; and the discovery of new objects and subsequent recognition of new linkages between particular sites in the landscape and the hitherto unknown intentions and activities of creative beings during the Dreaming. As Munn has so ably demonstrated, their landscape is alive with possibilities and potential.<sup>35</sup> Needless to say, the political implications of such discoveries and interpretations may be considerable.

To quote a Mardu example, it became known that the major rainmaking ancestor, Winpa, had travelled through Mardu territory (a fact 'proved' by the discovery of a number of limestone solution pipes). These objects were readily identified with this ancestral snake-being by their colour and phallic shape). The discovery of these stones in an area long occupied by Mardu strengthened their claims to proprietary rights in the Ngaawayil, a major rainmaking ritual associated with Winpa and his fellow serpent-ancestors. The Mardu were now able to reap the benefits in status that accrue to them as a 'host' group (the status distinction between 'host' and 'guest' is significant in many hunter-gatherer societies).<sup>36</sup> Since desert cultures have many features that compress genealogical time (for example, taboos on using the names of people who die, and notably shallow genealogies), it is easy for newly incorporated knowledge to meld seamlessly and rapidly become assimilated, as 'timeless', into the all-enveloping Dreaming.

### ***Theorising social change***

This is never easy, but a central issue for anthropologists is to understand the workings of power: its control, manipulation, distribution and discontents. From a moment very early on in their direct experience of Whites, the Mardu knew that the invaders and their sources of power were located well beyond the bounds of what the Dreaming ordained. What they also must have realised quite early, though, was that the Whites understood nothing of either their social organisation or their religion, the building blocks of Aboriginal culture. Disengagement via a return to the desert became increasingly impossible for them, largely as a result of their being 'seduced' by the reliability of food rations provided in fringe stations and settlements. From these centres, able-bodied women and men were soon drawn into labouring work, but continued to supplement their diet with food gained from hunting and gathering. The social-spatial dichotomy, between *ngurra* and *maya* ('camp' and 'house') constituted a significant barrier between the Mardu and the Whites, one that the Mardu sought to maintain and which resisted encroachment by the Whites. As long as the Mardu turned up for work and did as they were told on the job, frontier station people generally did not interfere with life in the *ngurra*/camp unless threats to life and limb arose via conflicts. Not until the arrival of fundamentalist Christian missionaries at Jigalong settlement, shortly after World War II, did the first direct threats to their culture become visible to the Mardu. These were duly and largely successfully resisted, despite an obvious economic, coercive and legal power imbalance. From their perspective, the Mardu were conceding little of value while effectively maintaining the integrity of their own domain, especially in matters pertaining to their Law.<sup>37</sup>

The eventual penetration and compromise of the Mardu domain, which was gradual and largely invisible to them, was not brought about by any concerted frontal attack. Instead, a host of small elements of change and accommodation insidiously ate away at the barrier, yet certainly did not destroy it. Of major significance to their adaptation was the evident reluctance of the Mardu to transfer into the Whitefella domain the logistical skills they employed very effectively, for example, in organising and running 'big meetings'. These periodic gatherings constituted the high points of the desert peoples' social calendar and were vital for social and cultural reproduction.<sup>38</sup> A few hundred people from neighbouring groups would assemble at a prearranged venue every six to twelve months to conduct the business of the society writ large. These were major affairs, requiring the efficient management and allocation of resources, constant

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<sup>35</sup> ND Munn, 'The transformation of subjects into objects in Walbiri and Pitjantjatjara myth', in RM Berndt (ed.), *Australian Aboriginal Anthropology*, University of Western Australia Press, Perth, 1970, pp. 141-156.

<sup>36</sup> See for example, M Meggitt, *Desert People*, Angus & Robertson, Sydney, 1962; G Silberbauer, *Hunter and Habitat in the Southern Kalahari Desert*, Cambridge University Press, Cambridge, 1982.

<sup>37</sup> See R Tonkinson, *The Jigalong Mob: Aboriginal Victors of the Desert Crusade*, Cummings, Menlo Park, 1974.

<sup>38</sup> See R Tonkinson, 'Resolving conflict within the Law: The Mardu Aborigines of Australia', in G Kemp and DP Fry (eds.), *Keeping the Peace: Conflict Resolution and Peaceful Societies Around the World*, Routledge, New York and London, 2004, pp. 89-104.

scheduling of personnel and coordination of different activities that were simultaneously ongoing. In the settlement situation, however, much that gets done in the economic life and maintenance activities still stems from the organisational and managerial activities of the non-Aboriginal workers, so there is considerable scope for Mardu to exert much greater influence over these aspects of their communities.

What seems to be required is for them consciously to bridge the two domains that they have for so long striven to keep separate. This would reverse the flow of influences from the dominant society, as the Mardu themselves breach the mental boundary they have erected, thus freeing knowledge, strategies and power deriving from their Law to flow out from the Mardu domain into current circumstances that demand such skills. They are increasingly doing so with funerals, for example, but could also transform their new regional 'prescribed body corporate' from an imposed and alien structural form into a truly Mardu institution in its functioning and cultural significance.<sup>39</sup> Some Mardu have already expressed the hope that this regional forum will respond to pressing matters of Law and tradition in addition to managing economic and bureaucratic relationships with the outside world, most particularly the decline they perceive in the place and strength of the Law. What more appropriate context could there be in which to fuse the strands of both domains?

The various challenges, outlined above, to the future social and political integrity of their society may well be effectively addressed only through this suggested expansion of worldview. What seems to be required is a shift in focus towards process: the various ways in which power can be organised and employed. This would have the effect of situating the urgent task of organising and managing their representative body within a single undifferentiated domain of action. Power conceived of as having common properties regardless of its source would accord equal relevance and potential to both Law and law, and Business and business, and to the Dreaming and Christianity.

It must be stressed that meeting these challenges is not simply a matter of the Mardu changing their mindset, given where they are currently located socio-economically within the dominant society, remote and lacking entry to its stores of power. They and their communities remain heavily dependent on government monies, most Mardu are unemployed, inadequately educated, and disadvantaged by their seriously compromised health levels and social circumstances.

Compared to the situation forty years ago, though, it is clear to me that much has been achieved, particularly in the level of confidence with which Mardu interact with and respond to elements of the non-Mardu world that confront them. Although still very poor by the standards of the wider Australian society, they are materially better off than at any time since they left their desert homelands. Beneath the host of visible changes in the settlements, Mardu worldviews continue to strongly reflect their cultural singularity. Take away the material trappings of Western culture that are now so readily evident, and concentrate instead on what Mardu value most highly, and the cultural differences between them and the society at large remain deep-seated and manifold.<sup>40</sup> As [Myra Tonkinson and I] noted in our paper:

Mardu values of sharing, compassion and deep, abiding emotional attachment to kin, home and country remain firmly at the core of their worldview. Such cultural conservatism and group-centredness is patently at odds with many prominent values in Australian society (for example, those relating to property, time management, progress, aspiration, improvement, wealth accumulation and future-orientation).<sup>41</sup>

Yet the major battle—as most older Mardu still see it—continues, and will be a difficult one: to hold on to their Law and continue to transmit it to the younger generations. The Law and culture whose integrity Mardu will be nurturing in fifty years' time, while undoubtedly retaining many features, will be very different from that which we see, and they experience, today. The nature and rate of social and cultural changes will depend partly on the choices that Mardu make and partly on the extent to which the wider society and its governments are willing to accommodate such differences.

<sup>39</sup> M Tonkinson, 'Solidarity in shared loss: Death-related observances among the Martu of the Western Desert', in K Glaskin, M Tonkinson, Y Musharbash and V Burbank (eds.), *Mortality, Mourning and Mortuary Practices in Indigenous Australia*, Ashgate, Farnham, 2008, pp. 37-53.

<sup>40</sup> M Tonkinson and R Tonkinson, 'The cultural dynamics of adaptation in remote Aboriginal communities: Policy, values and the state's unmet expectations', *Anthropologica*, vol.52, no.1, 2010, pp.76-75.

<sup>41</sup> *Ibid*, p.69.



## Discussion

**James Weiner:** I am going to take issue with some of what you have said. First of all, I think you have fabricated both a position of subjectivity for the Mardu and a protracted continuity within a certain period of historical time. That's your prerogative, because that is what anthropologists have been trained to do. But the effect of it is to assume the contemporaneity of continuity of Mardu culture, rather than expose it to an objective analysis. I would like to expand on this by reference to some of the things you explained very artfully.

I think you are absolutely correct when you say that the task of pre-contact Aboriginal spiritual activity was to attempt to elicit a certain form or a certain presence of supernatural power (given that we may also want to admit that there is nothing discontinuous with quotidian life about the power of certain mythological beings). However, it wasn't necessarily that they were able to anticipate the precise form and content of it. It was sufficient for the Mardu, it seems to me, to make manifestations of it appear. The focus of peoples' intention was, both to demonstrate mythopoietic<sup>42</sup> immanence in people's lives and also to demonstrate the relevance of human agency in making it visible.

This does not equate with the idea that the Mardu people had a *culture* before there were White people there to construe one for them. I think one would be very hard pressed to make a case that the Mardu people in their own vernacular terms thought they had a 'culture' or a 'language', given that these things were never completely revealed to them in their totality at any given time. Nevertheless, as soon as anthropologists come on the scene, it becomes spoken of as a 'world view', with all the totalising implications that term contains. The 'world view' becomes equated with the possession of a culture. At the moment of this conjuncture, as termed by Marshall Sahlins,<sup>43</sup> the Mardu become a 'people with a culture'. They are not a people whose main task is the elicitation of these manifestations of Law. They have a culture constructed for them within which the ancestral power is a component but is no longer the whole rationale for their actions both in the quotidian world and the ritual domain. The agency of Aboriginal people shifts from these attempts to make visible supernatural power to articulating a more alien, external, totalising framework. They are obliged to articulate this imposed framework and this makes their own status as traditional beings with a traditional culture visible to people who are subjecting them to this external gaze. I think it is a profoundly different motivation for acting and thinking about where human agency and action fits into the world. It is that moment of mimetic mirroring, and it is totally asymmetrical. I have tried to characterise this in some other publications.<sup>44</sup>

From this point, other points in the paper follow, including the ambiguity about whether the anthropologist really believes that for 40,000 years nothing ultimately changed in terms of the basic constitution of the creative ancestral law. You do say that in this paper. You also said that this implies that the stance of Aboriginal people towards the world is not to question, but to accept authority, and not to project new, imported or novel meanings. But later on, you said there is fluidity. I would like you to respond to that and say which it is. Or is it both? Which I think you can make a case for. Then at the end of your paper you said—and you are absolutely right—that there is decline of activity based on the Law, which means that the whole proportionality of ancestral power and human agency has altered markedly. This is a real change.

You also made the argument of the 'two worlds', which I spoke of earlier. From whichever point you started, you come to the same two world issue that Diane did. You said the same thing about it, and that's fine because that's really where we are at now historically and culturally at this point in time. We are within that 'two world' epoch. I will quote what you said, '...their world view discourages questioning

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<sup>42</sup> From the term 'mythopoesis', which [the author] glosses as 'the causing to come into being through the agency of mythology or mythological discourse'.

<sup>43</sup> For example, M Sahlins, *Historical Metaphors and Mythical Realities*, University of Michigan Press, Ann Arbor, 1976.

<sup>44</sup> See for example: J Weiner, 'The epistemological foundations of contemporary Aboriginal religion: Some remarks on the Ngarrindjeri', *Aboriginal History*, vol.24, 2000, pp.260-263; J Weiner and K Glaskin, 'Introduction: The (re-) invention of Indigenous laws and customs', in J Weiner and K Glaskin (eds.), *Custom: Indigenous Tradition and Law in the 21st Century, Special Issue of the The Asia Pacific Journal of Anthropology*, vol. 7, no. 1, 2006, pp. 1-13.

and skepticism'. I am contrasting that characterisation with what we know about the peoples of Papua New Guinea and I think of the recent monographs we have had from PNG lately, like those of Andrew Lattas, Joel Robbins, and Stuart Kirsch,<sup>45</sup> and the way they have characterised this conjuncture there. These tremendously complicated PNG cosmologies take account of Christianity, of material culture, of mechanisation, of the state and its newly perceived power. These people are in a constant fervent re-mythologising of their world. But where is the book about Aboriginal culture that shows the same thing happening? If it is true what you said, that they discourage questioning and skepticism, then that re-mythologising would never occur, and perhaps it hasn't. What are we to conclude? Are we going to say that Melanesians have 'more culture', or that their pre-contact cultural toolkit allowed them to create more culture in the moment of the conjuncture? Something very different in the epistemological framework of Aboriginal people did not allow for that to happen. If there was 'more culture' to work with, think about how much easier the job would be for native title anthropologists. Or maybe we just turn away from those manifestations of such conjunctural invention, or consign it to a non-anthropological disciplinary field. I believe this is part of what makes native title so difficult.

**Robert Tonkinson:** I have written specifically on the contrast between Melanesia and Australia in a paper on the prevalence of millenarian movements in Melanesia and their rarity in Aboriginal Australia. I am trying to get back to elements of world view, particularly those that probably stem from the difference between the tropical horticulturalist mode of adaptation and that of hunter-gatherers, because that is a huge difference in terms of how we are to understand how human societies are constituted.

As a person interested in how we are to understand religion, I was intrigued by the huge and rapid overnight acceptance of Christianity in remote Melanesia and its general absence in Australia. I can refer you to a specific comparative paper, trying to nut out why there's such a massive difference when you move from one culture to another. The huge contrast in what people make of you and what they are interested in asking about. I will never forget when I tried to explain to a small group of Mardu men something I thought totally incredible: the advent of the huge Boeing 747. They just sat there, yawning. I said, 'It can carry 480 people, it's big and it's this and it's that'. Then one of the men matter-of-factly said to me, 'Yeah, we've got that. We've been flying forever.'

On another occasion, two sacred stone objects were shown to me: one was shaped just like a revolver and the other like a hatchet, a tomahawk. I said, 'Look at that, that one is shaped just like a pistol, and the other one like a tomahawk—that's amazing!' And one the men with me just said, 'No, we've always had them. Long before you fellas came. This is not Whitefella business only, we've already got all that.' They were totally unsurprised and had an attitude that struck me as very different, moving from our culture to this one. I don't know if that helps, but it is that kind of matter of factness about these things, about flight, about the dream spirit, about you name it: 'Isn't this what everybody has?' An ethnocentrism, of course. 'Doesn't everybody else fly? Can't you go *partunjarri* (in dream-spirit form) up to the Kimberleys and visit and do something there and be back before (you wake up) in the morning?'

**James Weiner:** I can't deny that these things have happened, the sorcery cult that came up in Western Australia was something I know has been described by people such as John Wilson, who also wrote a thesis the social and cultural changes wrought during the Pilbara strike in 1946 some years ago.<sup>46</sup> In PNG today they talk about *kastom*, 'custom', and custom is everything that is now left-over from that pre-colonial world. But the shrinkage of it, conceptually, actionally, epistemologically, whatever, is not a cause for concern for indigenous people there because what is added are many other novel things. People in PNG always use the imagery of pathways or roads, which is one thing that links the dominant Melanesian and Aboriginal spatial idiom: PNG communities now have the 'custom road', which is what the old people still remember to tell the young ones; the 'Christianity road', the 'development road' the 'road of money' and the 'road of government'. All of these things are not necessarily in any hierarchy

<sup>45</sup> A Lattas, *Cultures of Secrecy*, University of Wisconsin Press, Madison, 1998; S Kirsch, *Reverse Anthropology*, Stanford University Press, Stanford, 2006; J Robbins, *Becoming Sinners*, University of California Press, Berkeley, 2004.

<sup>46</sup> J Wilson, 'Authority and leadership in a "new style" Aboriginal community: Pindan, Western Australia', Masters thesis, University of Western Australia, 1961.

of value.<sup>47</sup> They are just alternative places that they occupy at different times in their lives, depending on where they are, where they want to be and where they live. I think the ease with which Papua New Guineans (both educated and non-educated) move from one road to the other accounts for the lack of destructive impact of any one of these things against each other. The relationship between these alternative pathways in Australia seems to be full of conflict, which could be caused by many things. These include deterritorialisation, dispossession of land and the real power asymmetry between Australian society and Aboriginal people, an asymmetry never articulated in that same way in PNG. As far as colonial experiences go, that of PNG was one of the most benign that we've encountered. And maybe that is what accounts for the fact these alternative pathways don't conflict and aren't in a destructive relationship with one another. Do you want to comment on that as someone who knows far more about Aboriginal epistemology than I do?

**Robert Tonkinson:** There is a massive lack of interest on the part of the Mardu in what is 'out there' in the rest of Australia and the world as a whole. Myrna [Tonkinson] and I thought that, when we did our four year research project [between 2002 and 2006], particularly focused on continuities and elements of change, that after 22 years of television which we can call a 'window on the world', we would find notably expanded Mardu worldviews. To our total astonishment, we found the impact of all that over all those years, looking at desires, wishes and a lot else, appeared to be virtually nil with all the teenagers and older men and women we interviewed. Their interest in, and understanding of, the world outside the Western Desert was minimal, despite the fact that they watched a great variety of programs on TV (with sport being a great favourite).

What they *had* gleaned about the United States was its dangers. They all reacted strongly to my offer to take them to New York city which was in every interview forcefully declined; in one example I recall the young men exclaimed, 'Fuck that, they'll kill ya, they'll fuckin' kill ya. I'm not going to New York.' The amazing thing was just how strongly their responses pointed to a world view that is almost entirely Mardu-centric: what matters is being with kin, and being able to spend time on country, where they feel comfortable and secure. Mardu, Mardu and more Mardu, and yes, the Whitefellas exist out there but they have their Law and we have ours and we aren't like them. When I was in Melanesia I got this feeling of a readiness to copy and adapt; as you've said, there's active incorporation and a desire to learn more about how Europeans tick and possible ways of increasing one's chances of benefiting economically from emulating some of their ways.

**Toni Bauman:** I want people to talk about the idea of boundaries that has come up. There are lots of people dealing with overlaps, constantly, unresolvedly, and I am really interested in a discussion around that.

**Diane Austin-Broos:** There are boundaries that have been contested for quite a long time. The issue really came into focus in relation to Olive Pink's ethnography with the Warlpiri stretching down towards the Western Arrernte. She made suggestions that were compatible with Nancy Munn's style of ethnography and the ideas of Les Hiatt. Les believed that meaning radiated out from sites and then went fuzzy, and what we understand as boundaries was constituted through practices of avoidance and transgression rather than lines on maps. Also, with Ted Strehlow's famous 1940s map of the Western Arrernte estates there has always been a suggestion that he was influenced by Radcliffe-Brown's ideas. In short there were never such boundaries.

Nonetheless, Strehlow made a fair case for the accuracy of his map. Perhaps this had at least something to do with both Strehlow and the Arrernte modelling country in terms of the impact of pastoralism. Everyone has their own 'block' or lease. There are particular boundaries between the countries that are to the south of Western Arrernte where, over time, there has been dispute and additional knowledge brought to the process of contesting those boundaries. It reminds me of that old functionalist idea: where there are conflict structures, or in this case boundaries, they are secured rather than undermined. That notion of boundaries certainly has become a part of Western Arrernte law.

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<sup>47</sup> See J Weiner, 'Conflict in the statutory elicitation of Aboriginal culture in Australia', *Anthropological Forum*, vol. 21, no.3, 2011, pp.257-267.

**Robert Tonkinson:** The best way to understand boundaries is through the concept of zones. If you asked about whose country it is at a particular place, people would say 'Nyapardi' At the next place you would ask, 'What about this site?' 'Nyapardi.' At the next site, 'Half Nyapardi, half Ngaruja.' At the next one, 'Ngaruja' and so on. Like zones, what does it mean when boundaries are not contested or defended? Really, nothing.

**Diane Austin-Broos:** When there are fewer sites that remain known, there is more country that is relatively undifferentiated. In a sense because there are now less known sites, the emphasis went to talking about boundaries. Ted Strehlow's map gives you an idea of what proportion of the sites was actually recorded; it is a very dense map. You can imagine what it might have looked like once, especially going up and down the Finke River or somewhere like that. Looking at what is registered now, there has been a diminution. In a sense, the attempt to sustain and reformulate the knowledge gets pushed into the boundary.

**Toni Bauman:** What I am interested in is taking what you have just said, and transposing it to more urban areas so we can think about the idea of diminution of sites. What's going on in these areas? As the number of sites has gotten smaller, knowledge becomes compacted and boundaries change from being understood as zones or site specific in some way or another, to being lines on the map? How does this inform ideas of change and continuity?

**Participant:** In western NSW, people talk in terms of runs. However, according to Beckett for example, you get people saying, 'We're from here to here, here to here, then we meet up with those fellas there, we meet up here, we meet up here'. By the time Beckett's there, they're talking about named places, stations, water points, and pastoral leases at different times.

**Gaynor Macdonald:** The point I make is that there is not only one understanding of what a site is across the continent of Australia. There are no sites in the Riverine area in the way that there are sites in the desert or sites in Arnhem Land; country is not defined in terms of sites.

**Toni Bauman:** How does it work in Victoria?

**Participant:** It depends where you work in Victoria, because we have some groups we work with where the knowledge isn't there. They'll say, 'What does Tindale say?' There are some groups who are on mission stations on their own country who have a better sense of it. It's a little bit more diffuse. If there were sites then a lot of that information is lost.

**Gaynor Macdonald:** What I find challenging is the idea that there is a straight domain/range/country distinction all over Australia. I also see the nation state model as being very influential. Under the *Northern Territory Land Rights Act*, where people had to demonstrate association with sites rather than country, I think that has had a real influence on the way in which connection to country is understood. Although there are differences in different places, there is a stronger anthropological focus in, for instance, the Northern Territory, which influences the ways that people approach ethnography in other areas.

**Toni Bauman:** There is also a question of contemporary meaning conflicting with previous records. To me, it is basically people producing meaning out of the conditions in which they find themselves, and that's native title. The continuity is that process of negotiating meaning, the way that meaning has been produced.

**Participant:** In some cases with which I have been involved, the country that Tindale mapped is not necessarily the way I would suggest it should ever be mapped.

**Toni Bauman:** So how do you talk about that in a connection report?

**Participant:** I have been in recent years lining up quotations from people speaking about where they think their country is, the extended country, the named country. I then go back and look at that in the ethnographic record from earliest to most recent. That's a starting point.

**James Weiner:** There is a concept in common law called ‘adverse possession’ that American law Professor Robert Cooter articulated in respect of indigenous use and ownership of land: viz., that land not actively used and inhabited by its traditional owners can become the subject of claim of ownership by those who do inhabit and make use of it.<sup>48</sup> But it just doesn’t apply to Aboriginal relationship to land. I think that’s important to understand. Also, with respect to what [the participant] and Gaynor were saying, there are these sites which are more or less immutable; they don’t change, their ownership doesn’t change, they are fixed points in the universe so to speak. Everybody from birth to the end of their life has a biological traverse. Aboriginal people may call it a pad, a beat or a run. Your biographical traverse is a different space from the space of mythology which is theoretically immutable. Again, hypothetically, in the before time, the space of one’s biographical traverse would have been intimately coeval with the space or the sites for whom one’s group had ritual responsibility. Of course that is not the case now in many places.

In ‘settled’ Australia, biographical space has become the dominant mode of historical relation to and claims to place. It governs the way in which people picture their country, and since that country is different with every life, everyone has a different run. In the Western Desert and also up in the Kimberley, where I have been working more recently, one can acquire a conception site where one’s mother became pregnant or spiritually imbued, and a connection to the site at which one was actually born. That gives one a full cultural connection to country that people further west, coastal people for example in Western Australia, didn’t have and don’t have. It gives the Desert people a tremendous advantage in asserting ‘traditional connection’ and in making that traditional connection appear congruent with their own biographical space. This has led to the inexorable western movement of Desert people in Western Australia, both pre- and post-settlement, which has redrawn the map of native title.

**Gaynor Macdonald:** In one of my reports, I have done some rigorous comparisons between Tindale and other sets of mapping, dozens and dozens of maps in certain areas. I am going to defend Tindale perhaps more than you might expect me to, because if we understand what Tindale was trying to do and what he couldn’t do, we understand why he got it wrong. I found out that he actually gets it right more often than anybody else. Tindale worked on ecology—that was his model. He didn’t understand the difference between a big language territory and the dialects within it, and he didn’t understand that when people said, ‘that mob over there, that’s the coastal mob’. ‘Coastal mob’ wasn’t actually the name of the language that was spoken. There are a whole lot of different terms Tindale uses, but you can actually sort through those and therefore compare him with other people. I have map upon map upon map of southeast Queensland that does this.

In the mid-70s, Nic [Peterson] wrote about the importance of catchments. I can map the Lachlan River, the Macquarie River and the Murrumbidgee River as catchments, but I have got genealogies that go back further than 1788. There are people whose grandfathers were 30 [years old] in 1815 and things like that, apical ancestors, and I know because the records are better than I would have ever expected so that I can literally trace them on those creeks. They lived on those creeks which became pastoral stations right up until the end of the 19<sup>th</sup> century when Erambie Mission started in Cowra. When the Hollywood Mission started in Yass, and the Flakeney Creek mission started, those people gathered. The families that gathered on Erambie Mission in 1890 are the same families that are there now with three exceptions. They were all people moved by the Welfare Board, with only three exceptions in that entire history. There was a split between the families that came off these rivers into Cowra and Yass, because Yass is on the Murrumbidgee. That is where you now get the split that’s become the Ngunnawal people, who would have once called themselves Wiradjuri, but these are very closely associated languages.

From my own fieldwork in the 1980s, I can give you examples of people describing this country. I picked up a painting of Isabel Coe’s, a portrait of one of the older men on Erambie from a series of portraits she did. I said to her, ‘What’s that background?’ She said, ‘Oh, that’s the hills that separate us from Young.’ I started to look at these landscape features that people talked about. How do people understand who are the Condo mob, who are the Cowra mob, who are the Young mob? Their experience of themselves in country is extraordinary. We have to be careful not to think that these social/biological histories

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<sup>48</sup> R Cooter, *Issues in Customary Land Law*, Institute of National Affairs, Waigani, Papua New Guinea, 1989.

are somehow not tied to country. They are absolutely tied to country in so many cases. I have 200 years' worth of material on this. People say, 'Oh, but they were all taken to Warangesda down here.' My genealogies pre-date Warangesda, and I can tell where they came from before they were sent to Warangesda, and where they later went back to 20 or 30 years later. So don't underestimate what is going on in settled Australia.

**Participant:** I did some work on the south coast around Bermagui. We found 25 Aboriginal people from the 1830s who had about 130 descendants still living within a 30 km radius of Mt Gulaga, [near] Bermagui in 2009. They were really stuck in place, which reinforces the point that Gaynor is making. My point is quite different about boundaries, and I am surprised that boundaries are such a problem because it seems to me it is up to the Native Title Representative Bodies (NTRBs) to package the claims they are doing so boundaries are not much of an issue. I always tell students who are working on Native Title claims they should be working to the land and not the people. You should be taking blocks of land which are already defined by other tenures and taking the whole area and then you just take all of the people with interests in the land, and start to distribute it without trying to concern yourself with the internal boundaries. It's about managing the claim as much as anything else, and managing the conflicts between people. One of the big criticisms we all have of NTRBs is that they are very poorly run in most cases and most of the people, including lawyers or anthropologists, are either too inexperienced, or don't have any sense of strategy in the way of organising things. You can think in terms of heartlands, central foci of people's interests, and not get too worried about the overlap. Claimants may be worried about their issues themselves but that should be able to be contained as long as you can show where people have their principle interest and leave the internal division of bigger areas of land more ambiguous.

**Participant:** In Victoria, in terms of our ethnographic research with contemporary people, there may be something like a line of runs (which may also be called a biographical area). Sometimes it is difficult to relate to the country of the claim area, but you also have this burning strong sense that 'it's our ancestor's country', which is talked about in different ways. Which are often heavily dependent on archival research rather than on lived knowledge. 'My grandfather told me that that's where his grandfather came from', may be a very diffuse, references maybe a station, maybe a town, maybe just that end of Victoria. Contemporary groups are really dependent on historical research and ethno historical research to build a picture around a group of people who say, 'we know our mob'. However, sometimes unfortunately there is a bit more of artificiality. Earlier claims have been put together and they are living with somebody drawing a line and saying, 'let's find ancestors born in this country and get a group together.'

**Participant:** I head up the heritage unit at my land council. I think one of the reasons for the reluctance of land councils to take on heritage is because heritage is so messy in Western Australia. I am well aware of the perception that heritage anthropologists are not really doing anthropology and the land council is trying to ensure quality in these ethnographic reports. Every time the heritage unit makes waves, or there is a hassle with consultants for example, the land council lawyers threaten to shut down the unit and cease working on heritage. One of the differences between native title and heritage work seems to be that native title is fixated on boundaries that are drawn on by anthropologists and lawyers to represent certain groups and their claims to country. On the other hand, heritage is about sites, and about art, and about archaeology and is not concerned with boundaries. I enjoy this about heritage work—not being stuck to a claimant group but also consulting outside of that claimant group.

Just like native title anthropologists however, heritage anthropologists are often caught on a very slippery slope of being forced into making judgments on authenticity rather than simply describing and analysing. We are being forced by both the state government and the Department of Indigenous Affairs, who want us to comment not only on the significance of the site, as well as mining companies; they want us to say whether something is a site or not to determine whether they have to go to a very expensive section 18 application.<sup>49</sup> It is a very slippery slope, and it creates corruption in the industry

<sup>49</sup> Section 18 of the *Western Australian Aboriginal Heritage Act 1972* provides for owners of land on which an Aboriginal site is located to apply for consent from the Minister for Indigenous Affairs to use that land for development or other purposes. Consent may involve permission to disturb an Aboriginal site. For more information, see <http://www.dia.wa.gov.au/en/Section-18-Applications/>.

amongst anthropologists and it creates a lot of cynicism in the claimant's motives for doing heritage. That was something I saw as soon as I entered into the heritage industry as a graduate. At the time I was determined not to become like the rest, but there is a certain cynicism in me now. I think it is all right to have a little bit of cynicism about it but at the same time, this should not transform into judgments about whether people are authentic in their claims and their knowledge. There are a lot of people in the Goldfields who although they are not necessarily living on country and might not be doing certain 'cultural' activities anymore, feel strongly connected to country and know where there country is.

**Toni Bauman:** This brings us back to the whole issue of, how to represent situations like these without implying that people are being inauthentic. Earlier today we were talking about transformation and adaptation. How might these terms apply?

**Participant:** It seems like these are terms or concepts that people want to know about. They are concepts addressing writing anthropology reports and claims and I think there was a comment this morning about defining key terms in reports. The law isn't particularly interested in our theories on these things. The law has its own theories about them.

**Participant:** It is terribly ironic that the dynamism that was very clearly there, and was an essential feature of the culture, as an oral culture becomes illegitimate in the modern era because the law doesn't want dynamism, the law wants fixity in that sense. This is what brought us here.

**Gaynor Macdonald:** Why would any society need law unless it's trying to regulate conflict, chaos, dynamism and all kinds of things so that people can live together? Is that any different from 300 years ago in any society? We tend to talk about Aboriginal societies as somehow pristine and perfect in 1788 too. You know how you can understand boundaries in the NSW literature? The umpteen fights about trespass. If there is no boundary, how come people are getting killed for trespass?

**Participant:** One of the greatest anthropological paradigm changes relates to how anthropologists look at themselves and their own community, and the standards that they apply and have been enculturated into, particularly intellectually and ethnically. It seems to be in a parallel universe to native title as defined within legal discourse which employs definitions that first year students would lose their jobs over. So working within that framework, I was thinking about how to go outside it. It would be interesting if we had someone who was professional at game theory and we could look at game theory and other theories outside anthropology to be able to cross discourse boundaries and play that game. It is a hard game, but it is still a game. We are so defensive: thinking this, reviewing that, talking in and amongst ourselves to keep the standard up, which is right and proper, but then we go back into this game. You go back into that parallel world, so it is about speaking across discourses which I think we need to unpack and not be so precious about our intellectual and ethical traditions—but also without underestimating the role of anthropology. It is much more of a game-centred anthropology without having to resort to cynicism or dragging our ethical standards down.

**Participant:** I am not a practicing anthropologist, but what is interesting to me is that it seems the law is flawed but anthropologists have this sense of guilt about having to meet the requirements of a faulty law.

**Participant:** Like you said, we have been dispossessed of all peer reviews and forced to rub two sticks together.

## PAPER 4

## THE DILEMMA OF TRADITION

Dr James Weiner

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*Editors' Note:*

*James Weiner was a plenary discussant for the 2011 'Anthropologies of Change' workshop. The paper that follows here was written after the workshop with the aim of expanding on key themes and theoretical considerations explored during the workshop. The paper will be presented at the European Society for Oceanist (ESfO) Conference, 'The Power of the Pacific', to be held in Bergen in December 2012.*

## Part I

Consequent to the *Mabo* case in 1992, heard in the High Court of Australia, in 1993 the Australian Parliament passed the *Native Title Act (1993)*. It provided a statutory avenue for Aboriginal people in any state of the country to apply to the Federal Court of Australia for the recognition of traditional rights and interests in their ancestral country. It was acknowledged at the time that many Aboriginal families and communities in what is termed 'settled Australia' would face difficulties in pursuing such an application—because of the comprehensive way that Aboriginal people were killed, removed from their land, and placed in government and mission sponsored 'reserves' in the early 20<sup>th</sup> century, as pastoralists and agriculturalists asserted control over Australia's main productive areas. Particularly in the east, many Aboriginal people no longer speak their ancestral language, have not occupied their ancestral land for generations, and have become 'deculturated' by mission and government anxious to assimilate remaining Aboriginal Australians, especially those that now had mixed Aboriginal/non-Aboriginal ancestry.

In Victoria, a group of such Aboriginal people who were descended from the original Yorta Yorta, the named group that occupied a region along the Murray River between Victoria and New South Wales, lodged such an application. The single judge of the Federal Court, Justice Olney, dismissed the case, saying that the current Yorta Yorta descendants had failed to continuously occupy their country in a traditional manner and had, in effect, abandoned their traditional culture. The tide of history had 'washed away' their native title, as one of the original *Mabo* High Court judges, Justice Brennan, had originally described it. The Yorta Yorta case was eventually heard on appeal by both the Full Federal Court and the High Court of Australia, both of which upheld the original Federal Court's decision.

Nearly 19 years after the passage of the *Native Title Act (1993)* and over 16 years since the native title claim on behalf of the Yorta Yorta community was first lodged (although the case was not finally resolved in the High Court until 2003), many anthropologists conducting research on behalf of native title claims in Australia continue to be preoccupied with the decisions made by the Federal and High Courts during these trials, and the wide-ranging implications these judgements had for native title assessment by the States and the Courts afterwards. Two of the most important opinions of the judges in these court cases were: (1) that for Aboriginal native title claimants to demonstrate that they had maintained continuity of connection to their traditional lands, they had to demonstrate that they still belonged to a recognisable Aboriginal 'society' whose existence could be shown to antedate Settler contact. (2) Furthermore, this 'society', it was stipulated, must have normative properties—that is, it had to be shown to be constituted by a body of traditional law, and these laws had to be shown to be operative and imposable by this society.

The State of Queensland in particular, for example, has since 2003 advocated a strongly literalist reading of Olney J.'s original judgement in *Yorta Yorta* and the State of Queensland and some Queensland-based Federal Court judges have dismissed a number of claims originating from the heart of settled Queensland, where historically, the social and territorial dislocation of Aboriginal people has been quite pronounced since the 1800s.

The content and structure of anthropologists' connection reports on behalf of native title applications have changed virtually not at all since anthropologist Rod Hagen's original reports on behalf of the



Yorta Yorta claimants. But starting with the *DeRose* hearing concerning a claim over a pastoral station in northern South Australia, a number of judgements in the Federal Courts have gradually undermined all of the structures which were put in place by the *Yorta Yorta* judgement. In *DeRose* (over DeRose Hill Station, South Australia), *Wongatha* (the Goldfields area claims in Western Australia), *Bennell* (the Single Noongar Claim in south west Western Australia), *Alyawarr* et. al. (Murchison Davenport in the Northern Territory) and *Akiba* (the Torres Strait regional Sea Claim), the concept of ‘society’ was accepted as residing simultaneously at a more regional and more conceptual level and was judged to have a less decisive role in determining the nature and appropriateness of the claimant group structure *per se*. Furthermore, in *Bennell*, the very narrow and restrictive dimensions of ‘continuity’ that were conveyed in *Yorta Yorta* were interpreted considerably more expansively by Justice Wilcox.

Anthropologists then must first understand that in such unwieldy and time-consuming processes as native title, subject to the glacial pace at which bureaucratic policies and court decisions are arrived at (and necessarily so, I might add) we are subject to a pronounced hysteresis—we continue to frame native title arguments according to state-authored connection report guidelines that are becoming increasingly irrelevant to the native title interpretations and forms of agreement making that are emerging as a result of the most recent court judgements.

At the same time, and perhaps partly because of this, Indigenous land use agreements (ILUAs) have become a more common alternative to a consent determination in some Australian states. An ILUA is not subject to the judicial precedents in regard to Aboriginal tradition, continuity or societal survival. They have developed into a more pragmatic tool for the recognition and negotiating of Aboriginal interests in any given claim area, particularly those over which development projects of one kind or another are being planned.<sup>50</sup>

Furthermore, as David Ritter has recently observed in his book *The Native Title Market* (2009),<sup>51</sup> non-Aboriginal parties are becoming less and less concerned with the evidentiary procedures of native title and more interested in speedier resolutions with native title parties that involve compensation or other financial and employment packages. In other words, the parties to native title determinations and negotiations seem to have acquired some working measure of the intercultural space where Aboriginal and non-Aboriginal interests in Australian land converge in this context. Having done so, they are less interested in ‘origin myths’ *per se* than in arriving at a settlement (however asymmetrical that agreement may appear according to certain perspectives).

I make these observations in order to argue that it is past the time that native title anthropology needs to keep dwelling on the effects of the *Yorta Yorta* judgement. Native title has moved on considerably since then and I am therefore not sure that native title anthropology has necessarily kept pace (although anthropologists such as David Martin, Peter Blackwood, Paul Memmott have been anticipating to some extent what both Native Title and its anthropology will look like in the post-determination era).<sup>52</sup>

I would go further than this: I submit that continuing to place *Yorta Yorta* at the centre of what native title anthropology is all about, has, among other things: (1) distorted the anthropological analysis of contemporary Aboriginal social and cultural life—it has, that is, focussed native title anthropologists’ attention on maintaining a factitious continuity within Aboriginal communities, (2) maintained Australian Aboriginalist anthropology’s commitment to an inappropriate and indefensible notion of ‘tradition’ and traditionalism, and (3) obviated the possibility of a truly anthropological perspective on the relationship between time, history and socio-cultural formations.<sup>53</sup>

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<sup>50</sup> D Martin, ‘The governance of agreements between Aboriginal people and resource developers: Principles for sustainability’, in J Altman and D Martin (eds.), *Power, Culture, Economy: Indigenous Australians and Mining*, (CAEPR Monograph No. 30), ANU E-Press, Canberra, 2009.

<sup>51</sup> D Ritter, *The Native Title Market*, University of Western Australia Press, Crawley, WA, 2009.

<sup>52</sup> See for example: M Mantziaris and D Martin, *Native Title Corporations: A Legal and Anthropological Analysis*, The Federation Press, Sydney, 2000; P Memmott, P Blackwood and S McDougall, ‘A regional approach to managing Aboriginal land title on Cape York’, in J Weiner and K Glaskin (eds.), *Customary Land Tenure and Registration in Australia and Papua New Guinea: Anthropological Perspectives*, ANU E-Press, Canberra, 2007.

<sup>53</sup> G MacDonald and T Bauman, ‘Concepts, hegemony, and analysis: Unsettling native title anthropology’, in T Bauman and G MacDonald (eds.), *Unsettling Anthropology: The Demands of Native Title on Worn Concepts and Changing Lives*, AIATSIS, Canberra, 2011, pp.1-20.

The distortion introduced to anthropology is the obligation to disavow the role of ‘invention’ in every human cultural articulation, to disavow that the articulation of persistence is an *active* process, not the mere passive refusal to countenance transformation. But this in fact was one of the foundations of Marshall Sahlins’ notion of culture-in-history,<sup>54</sup> a theory that affirmed the resilience of indigenous culture in the face of trenchant world colonial processes of physical control, administration, regulation and codification.

As Joel Robbins points out,<sup>55</sup> Sahlins’ reading of Lévi-Strauss’ (1966)<sup>56</sup> notion of hot versus cold societies was considerably more positive than Sahlins is given credit for. Cold societies, Sahlins wrote, are ‘distinguished by a special capacity to absorb perturbations introduced by the event with a minimum of systematic deformation’.<sup>57</sup> A great deal of local societal work with the available repertoire of, for example, narrative, power, rhetoric and local modes of revelation goes into the quotidian work of maintaining the status quo. As Robbins succinctly puts it, ‘continuity is thus a historical product, not an indication of an absence of history’.<sup>58</sup>

Perhaps this was always going to be too subtle an observation to get across to the lawmakers and jurists within the Australian legal profession. In *Yorta Yorta*, continuity simply became a gloss for the wholesale disavowal of the active, vernacular construction of time and temporality; the active, praxical articulations of what we have always glossed as ‘structure’ as intrinsic components of human social and cultural life.

Instead, anthropology ultimately has been forced to collude with the court’s interpretation of the *Native Title Act* that ‘continuity’ was the mere replication of an unchanging set of laws and customs. Aboriginal people for the most part play their own role in this collusion by holding fast to the rhetoric of ‘40,000 years’, their own disavowal of transformation, survival and accommodation, an articulation which anthropology sanctified by means of the language of ‘resistance’ and the elevation of indifference and withdrawal to the status of active and innovative cultural differentiation.<sup>59</sup>

By assuming that the only way around the *Yorta Yorta* problem is to ‘prove’ continuity of tradition and occupation, native title anthropology has done a great deal towards maintaining the double bind that now constrains Aboriginal Australians’ political progress—that is, Aborigines are obliged to maintain themselves as people whose culture has remained unchanged and undetached from their Land ‘for over 40,000 years’, and at the same time they must also find some strategy towards addressing their very pressing social and economic disadvantage and dysfunction within the conjunctural world of the wider Australian society in which they live. But it is questionable whether acquiring a set of largely notional and symbolic rights to land through the native title process has uniformly provided Aboriginal families and communities with any meaningful step forward towards the latter goal.

## Part II

The rubric of ‘change and continuity’ which participants were invited to address at the AIATSIS and University of Sydney workshop in Sydney in 2011, in which I acted as discussant, is currently articulated within a contemporary anthropology in Australia that is now a highly polarised between two positions. On the one hand, anthropologists who appear to take their cue from certain European critics of Enlightenment and its resultant forms of contemporary Western governmentality (none of these critics are anthropologists themselves) evince a suspicion of all laws and statutes of contemporary liberal nation states. These anthropologists generally maintain that racism, intolerance and unculturalism pervade the most mundane and quotidian of State actions, laws and apparatuses. Thus Elizabeth Povinelli, even as she identifies the contemporary global influences which are altering the language

<sup>54</sup> See for example: M Sahlins, ‘Goodbye to *Tristes Tropes*: Ethnography in the context of modern world history’, in M Sahlins, *Culture in Practice: Selected Essays*, Zone Books, New York, 2000 [1993]; J Robbins, ‘Humiliation and transformation: Marshall Sahlins and the study of cultural change in Melanesia’, in J Robbins and H Wardlow (eds.), *The Making of Local and Global Modernities in Melanesia*, Ashgate Publishing, London, 2005.

<sup>55</sup> J Robbins, ‘Humiliation and transformation: Marshall Sahlins and the study of cultural change in Melanesia’, in J Robbins and H Wardlow (eds.), *The Making of Local and Global Modernities in Melanesia*, Ashgate Publishing, London, 2005, p.6.

<sup>56</sup> C Lévi-Strauss, *The Savage Mind*, Beacon Press, Boston 1966.

<sup>57</sup> Sahlins, *Historical Metaphors and Mythical Realities*, University of Michigan Press, Ann Arbor, 1976, p.23.

<sup>58</sup> J Robbins, above n 55, *ibid*.

<sup>59</sup> The articulation of this position reached its height during the years of John Howard’s Prime Ministership in Australia.

of Aboriginal cultural articulation feels it necessary to lay the blame for this on a persistent inequity of power upon which any State is founded:

...the simulation and drift of signs of indigenusness have reached profound proportions ...But at another level this re-appropriation and redeployment of a cultural signifier, a hybridization of cultural hybridity, is a profound meditation on the meaning of urban Aboriginality's relation to its traditional localities, under the disciplinary surveillance of state governance.<sup>60</sup>

But there are two problems with this position in my opinion. The first is that the 'state' is not some artificial anti-human institution but is one of the primordial conditions of human sociality and history (to defer to another pair of European thinkers).<sup>61</sup> As I have said elsewhere, there is no domain of the 'customary, and by extension, the 'traditional', except as they are elicited and made possible by the presence of a state, itself founded on a counterposed formal, non-vernacular law.<sup>62</sup>

The second problem with this approach is that just as it impoverishes and stereotypes indigenous peoples' social action, it also oversimplifies at the ethnographic level what a 'State' is and how poorly, inconsistently, and contradictorily any state exercises whatever 'power' it is assumed to control. Those of us working within the native title domain, or in fact any domain in which Aboriginal people confront some manifestation of 'the Australian state', find it equally as interesting to realise that different organs of government are actively undermining each other. For example, in the native title domain, it is in one part of states' and federal government's interests to weaken and disempower the functioning of another of its own branches of government (NTRBs). How does one 'see like a state' (with all the misleading panoptical allusions such a phrase invokes) in such instances?

On the other hand, other anthropologists are less committed to the idea of radical cultural and sub-cultural difference as anthropology's inviolable subject matter and are aware of the situational, contingent and rhetorical composition of such notions as 'culture', 'tradition' and 'difference'. These anthropologists are sometimes inclined to view inter-cultural encounters and negotiations as not necessarily doomed to instaurate endo-colonial control and its attendant cultural and political elision. They understand that something as coherent as contemporary Aboriginal traditions (in the plural) are not being *consciously* fabricated or invented, any more than any contemporary Australian State or Federal government's own policies or modes of implementation are. Local Aboriginal community 'culture' is a product of a number of ongoing obligatory responses to the variety of bureaucratic bodies and statutory process that support, manage and perpetuate Aboriginal community life. Although they are comprehensive and often overtly invasive, these different bureaucratic forces, as I've said, are by no means consistent or mutually supportive and by the same token, the Aboriginal Community produced by them evinces something of the dissociative effects—domestically, politically and otherwise—of these competing demands.

Another way to phrase this opposition—and it is in this form that it has dominated the arguments that have occurred over the 'Australian Anthropological Society' email listserv (AASNET) in the past year—is between those anthropologists who believe that Indigenous rights are intrinsic, *sui generis* and absolute, and that any non-Aboriginal government codification, negotiation or translation of them represents some method of control, diminution or domestication of such rights; and those anthropologists who acknowledge the contingency and rhetorical nature of such articulations, particularly as they take place in the 'intercultural' space that characterises the multicultural nation state.<sup>63</sup>

But the particular burden of Indigenous people in Australia, and other settler states, is that to make use of state-mandated support for Indigenous empowerment, they must continue to buy into the rhetoric of the unchangingness of culture, of the role of tradition in the formation of their lives, communities and personhood, and most importantly, to the utter centrality of **land** and its occupation as the *sine qua non* of their identity and well-being within such states.

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<sup>60</sup> E Povinelli, 'The state of shame: Australian multiculturalism and the crisis of Indigenous citizenship', *Critical Inquiry*, vol. 24, no.2, 1998, p.610.

<sup>61</sup> G Deleuze and F Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, University of Minnesota Press, Minneapolis, 1987.

<sup>62</sup> J Weiner, 'Eliciting customary law', in J Weiner and K Glaskin (eds.), *Custom: Indigenous Tradition and Law in the Twenty-First Century (Special Issue of The Asia Pacific Journal of Anthropology)*, vol. 7, no.1, 2006, pp. 15-26.

<sup>63</sup> F Merlan, *Caging the Rainbow*, University of Hawai'i Press, Honolulu, 1998.

As is the case with much writing about 'land rights', 'tradition' and 'culture' in anthropology in Australia, both scholarly and popular, these things are considered to be self-evidently desirable and 'good' for humans, in particular Indigenous people. At the recent Australian National University conference 'Anthropology in the Aftermath of Native Title', held in Perth in June 2012, I heard papers from anthropologists and others describing the kinds of activities that are now occurring on Aboriginal land that has been subject to positive determinations of native title. Although the presenters spoke about the manner in which traditional cultural information is being collected and managed, this was only one of a range of activities involving the dimensions of current Aboriginal relationships to and use of their traditional land, all of which depend decisively on maintaining relationships with and flows of expertise and funding from non-Aboriginal Australian government and private sources.

But in other versions of this conjunctural future (for example the protest over the construction of an LNG gas facility north of Broome in Western Australia), a disparate bundle of Aboriginal traditional practices is promoted and defended within the framework of a powerfully-held notion of Aboriginal exceptionalism. To see the negative implications of this from a comparative perspective: in Israel today, the State expends a great percentage of its national income on the support of unemployed Orthodox men and women who have the Constitutional and culturally-sanctioned right to devote their lives to the study of Torah. These Orthodox Israeli citizens characteristically have large families and enjoy a variety of subsidies not available to ordinary secular Israeli taxpayers, who more and more are foregoing civic expenditure and their own governmental benefits to keep this system going. Added to this is that this subsidised, Orthodox segment of the Israeli nation are for the most part vehemently anti-Arab and pro-West Bank Occupation (not to mention advocating strongly for public segregation of the genders),<sup>64</sup> attitudes which embolden an already conservative and religious government into pursuing national and international policies that, to many, are not in Israel's long-term interests either domestically or internationally. Israel as a nation was started by landless and marginalised European Jews with a vision of a socialist State built on the notion of a society of labour. Now it has become captive to its ancestral Land, its politics more and more doing service to its own perceived sense of messianic tribalism, while the original Zionist socialist experiment has all but disappeared not only from Israel but from the World at large.

In such a case, I am sure a number of well-meaning liberal Australians would not hesitate to sneer at such a dysfunctional and burdensome segment of society (it is also a socially and politically more acceptable opinion on both wings of politics than criticising traditional Aboriginal cultural practices) yet the roles that this overly static language of 'tradition' plays in both the Israeli and the Australian Aboriginal cases to my mind extremely similar on a number of levels, and the arguments proffered to demand their state protection are analogous. In both cases we might be inclined to ask, what social and political events have occurred that lead a nation of people to conclude that a specific segment of society has no other function, civic or otherwise, or no other life goals than to maintain its own traditions, to become, in the Australian case, 'full-time Aboriginal persons'?

In a letter to his niece, Sigmund Freud said that it was the absence of the Jewish Temple in Jerusalem that had liberated Judaism.<sup>65</sup> Freed of the land, the city, and its holy architecture maintained by and for the Priestly class, diaspora Jews were no longer subject to the oppressiveness of their own Law of the Holy Land; they were then able to develop a more mobile, vernacular and domestic Judaism which served them well in both ghetto and *shtetl* under conditions of intolerance and social and geographic marginalisation. Are there Aboriginal leaders, or anthropologists, willing to publicly muse over the desirability of a similar Aboriginal future? Will Australian anthropology be able to find a way to promote the interests of Aboriginal communities without having to consign them to the politically fraught and dangerous terrain of a tradition that anthropology no longer has a primary role in defining in the national legal and policy conversation? In other words, will native title anthropology finally be able to leave *Yorta Yorta* behind now?

<sup>64</sup> 'Thousands of Israelis Protest Gender Segregation in Beit Shemesh', *Ha'aretz*, January 12, 2012. (<http://www.haaretz.com/news/national/thousands-of-israelis-protest-gender-segregation-in-beit-shemesh-1.403916>).

<sup>65</sup> C Thubron, 'Apocalypse City', in *New York Review of Books*, 12 January 2012, p. 10.

## Background readings

*Editors' note:*

*A number of published papers on the subject of continuity and change were circulated to participants prior to the workshop. Details of these papers along with instructive questions and comments raised by participants in response to them are provided here.*

**Diane Austin-Broos**

### **'The Western Arrernte today: In recognition of Spencer and Gillen'**

Paper presented at the Museum of Victoria Conference, 'A century at the Centre: Spencer, Gillen and the native tribes of Central Australia (1899)', University of Melbourne, October 1999.

- Does it make a difference in terms of native title claims if we discuss social change as a choice rather than something foisted upon Aboriginal societies?
- What is the value to native title claim groups of describing distinctive Aboriginal practices that are not 'traditional'? Is the mere fact of cultural difference/distinctiveness beneficial to claims?
- [Austin-Broos writes] 'In the land claim setting, mainly men give evidence of a secret and sacred type.' What is the anthropologists' role in influencing this power imbalance? Is there a role?
- How can we deal practically with the consequences of ellipsis and augmentation in relation to native title boundaries and claimant knowledges?
- How might/would Austin-Broos respond to Sider? (see details for Sider's paper below)
- I am interested in Diane's further views on gender relations—only mentioned briefly at the end of her article. How has the holding of knowledge changed between men and woman and how is this (if at all) reflected in ethnographies over the last few decades? Does our gender (as anthropologists) affect how this is portrayed in our ethnographies?
- Augmentation: Yes, the loss of redundancy results in shifts of symbolic focus. Can we argue that the whole continues through those parts that remain focal?

**Peter Dwyer and Monica Minnegal**

### **'Theorising social change'**

*Journal of the Royal Anthropological Institute*, vol. 16, 2010, pp.629-645.

- How could 'agency' as a concept involving 'intentionality' rather than simply 'problem solving' potentially effect the description of claim groups?
- How do you sensitively insist upon the need for an etic perspective on social change in the context of working in an Aboriginal organisation where Aboriginal staff members show interest in having input/control over research processes/products?
- Dwyer and Minnegal state that, '(t)he products of change are self-revealing, but the process is not' and that, 'the latter may be understood only through inferences drawn retrospectively from analysis of the products.' Given the limited scope/timeframe of native title fieldwork how and in what ways can such inferences be made to adequately describe the process of social change, particularly in areas with a paucity of previous ethnography?
- In what way does the 'context' of native title affect the agency of the claimants in actions of cultural maintenance? In particular, forms of cultural revitalisation?
- A false dichotomy between adaptation and transformation is put forward. 'Adaptation' should be defined in relation to its biological meaning.
- Do we need Dwyer and Minnegal's notions of adaptation and transformation to understand their examples?
- 'The process of change is never self-revealing': I'm not convinced

**Bruce Rigsby****'Custom and tradition: innovation and invention'**

*Macquarie Law Journal*, vol.6, 2006, pp. 113-138.

- Is the interpretivist reading of tradition necessarily 'debilitating' as Rigsby states? Is the failure of this argument to persuade 'laymen' of any real consequence? Where it has failed, is this not simply because anthropologists have not been diligent enough in making the case?
- How do we reconcile the positivist (or partly positivist) approach to tradition advocated by Rigsby with the absence of or conceptual, methodological issues with earlier ethnography?
- Rigsby questions the place/usefulness of authenticity in discussion of Aboriginal culture. Despite this, it is certainly present (or implicit) in native title practice. What strategies can anthropologists employ to best deal with this?
- It is not the 'tradition' as a 'thing' that has moved authority, but the practices of authenticating that invoke/produce moral authority.
- What we need to describe are precisely the authoritative processes, rather than be overly concerned with the content of discursive struggle.
- Does an event have to be pivotal or large to affect societal change?

**Gerald Sider****'Anthropology and history: Opening points for a new synthesis'**

In D Kalb & H Tak (eds.), *Critical Junctions: Anthropology and History Beyond the Cultural Turn*, Berghahn Books, New York, Oxford, 2005.

- Should anthropologists pay more attention to the social relations of production?
- Sider seems to be critiquing a structuralist model of anthropology. How much does this model figure in the work of a native title anthropologist?
- Sider has a point about primary research not being a strong point of anthropology or anthropological training. Given its importance for native title research, should there be more focus on primary research skills in university/early career training?
- Is 'culture' used too much as a benign concept, obscuring the 'struggle over what values will and will not be shared, and by whom'?
- How might employing Sider's approach, with its stress on inequalities, help in the production of a connection report?

**Robert Tonkinson****'The Mardu Aborigines: on the road to somewhere'**

In G Spindler (ed.), *Four Cultures Through Case Studies: Continuity, Change and Challenge*, Wadsworth Belmont, CA., 2005.

- In his paper Tonkinson discusses tendencies amongst the Mardu that are based upon environmental factors such as cooperation, mutuality, and a fondness for mobility and movement. Are these tendencies reliant on environmental structure? To what extent does their persistence today bespeak an independent cultural sphere? Does change in economy mean change in identity/culture?
- How do you argue that Christianity has not 'transformed' Aboriginal societies, especially in cases where Christian ritual now dominates important events such as funerals?
- How do we interpret a younger generation rejecting the 'old ways' in terms of the continuity of a system of traditional law and custom?
- How do we interpret choice of place of residence in terms of continuity of a system of traditional law and custom?

- I am interested in the 'rebellion' of women to customary law. When we come to Aboriginal/non-Aboriginal differences which pertain to 'sexual liberation', is dissent an action of a few individuals or is it generalised? Can it be viewed as simply anti-law behavior? Will it be integrated?
- How ripe are the times for a transition to an 'all-Aboriginal' management of NTRBs? (i.e. no non-Aboriginal employees). Would it be desirable development?
- What to do about the problem of paternalistic/manipulative attitudes by state governments/mining companies lobbies?
- Tonkinson mentions a process of cultural borrowing-followed by integration as the way societies evolve. At this point in history, is the cultural borrowing still strong? Or has the paradigm changed (as borrowing implies a strong sense of separateness)?
- Are there differences in the processes of adaptation or transformation depending on scale and autonomy of a community?
- Does critical mass enable incorporative versus substitutive change?
- What are the implications for conceptualising Aboriginal political action?
- Asad's critique of Geertz is a better place to start if you want to understand symbolic systems as social products.
- Can identity provide the paradigm change for us to focus on?

Appendix 1: Workshop Flier



School of Social and Political Sciences  
Department of Anthropology



Native Title Research Unit

The second in a series of workshops for anthropologists working in native title

# Anthropologies of Change

## Theoretical and Methodological Challenges

### A Workshop for Native Title Anthropologists

Thursday 25 - Friday 26 August 2011

Marjorie Oldfield Lecture Theatre

University of Sydney

**KEY SPEAKERS:**

**Professor Emeritus Diane Austin-Broos**

University of Sydney

**Professor Emeritus Bob Tonkinson**

University of Western Australia

**Dr Gaynor Macdonald**

University of Sydney

**DISCUSSANT:**

**Professor James Weiner**

Australian National University

**FACILITATORS:**

**Gaynor Macdonald**

University of Sydney

**Toni Bauman**

NTRU, AIATSIS



Centre for Native Title Anthropology





## WORKSHOP PROGRAM

**Day 1:** Presentations and discussions on the ways anthropologists have understood and critiqued 'change' and 'continuity' past and present. This day is about critical and engaged anthropology - not native title *per se*. Mandatory reading materials will be pre-circulated when you register.

**Day 2:** Hands on application of Day 1 principles to native title and the writing of connection reports (bring your own materials to work on if you like)

**Registration:** Register as soon as possible  
Limited places - on a first come, first serve basis  
Email: [gaynor.macdonald@sydney.edu.au](mailto:gaynor.macdonald@sydney.edu.au)

**Costs:** Full time employed: \$150 (incl dinner)  
Full time employed, Day 1 only: \$100.00 (incl dinner)  
(Day 2 only not available)  
Some support for non-salaried applications may be available

**Participation:** Anthropologists working in native title  
Small *possible* allocation of places for native title historians

For your 2012 diary:

**2012 Workshop: Thursday 16 - Friday 17 February 2012**

**Connundrums of Kinship in Australian Aboriginal Anthropology**

to be held at the University of Sydney

Sponsored by the Federal Attorney-General's Department's

Native Title Anthropologist Grants Program

Participants will be invited to contribute issues in advance for the Workshop agenda.

Put yourself on the advance notice email list NOW by emailing  
[gaynor.macdonald@sydney.edu.au](mailto:gaynor.macdonald@sydney.edu.au)

## Appendix 2: Workshop Participants

Aimee Lamatoa, South West Aboriginal Land & Sea Council  
 Alex Crowe, Queensland South Native Title Services  
 Anna Nettheim, University of Sydney  
 Annie Muir, Goldfields Land & Sea Council  
 Ben Ripper, State Solicitor's Office WA  
 Bob Tonkinson, University of Western Sydney  
 Craig Elliott, Central Land Council NT  
 Cristoforo Garigliano, Macquarie University  
 Diane Austin-Broos, University of Sydney  
 Diane McCarthy, Native Title Services Victoria  
 Gaynor Macdonald, University of Sydney  
 Heather Lynes, Central Desert Native Title Services  
 Jacqui Hilton, Queensland South Native Title Services  
 James Weiner, ANU  
 Joe Firinu, Central Land Council NT  
 Lee Sackett, Consultant Anthropologist  
 Lydia Glick, AIATSIS  
 Mark Winters, University of Sydney  
 Myrna Tonkinson, The University of Western Australia  
 Natalie Kwok, Non-affiliated NSW  
 Nicolas Peterson, Australian National University  
 Olivia Norris, Pilbara Native Title Service  
 Petronella Vaarzon-Morel, Independent scholar/consultant anthropologist  
 Stephen Morgan, Yamatji Marlpa Aboriginal Corporation  
 Tatiana Romanovsky, Native Title Services Victoria  
 Tim Pilbrow, Native Title Services Victoria  
 Timothy Dauth, Crown Solicitor's Office  
 Toni Bauman, AIATSIS

The views expressed in this series are those of the author's and do not necessarily reflect the official policy or position of the Australian Institute of Aboriginal and Torres Strait Islander Studies

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