

## VII. Territorial Organisation

Although Carl Strehlow was not documenting territorial organisation, and did not elaborate on Aranda and Loritja land tenure as such,<sup>1</sup> he made some explicit remarks about an individual's rights to and affinities with his or her conception site and about mother's conception site. He took these to be links to places and their dreamings. He also recorded, though less systematically, data on patrilineal descent, inheritance rights through fathers, and rights to ritual knowledge. These data give evidence of a number of pathways to connections to land or place and show the relevance of Carl Strehlow's work today in the context of land and native title claims. They provide some of the earliest evidence for ways of being connected to country other than through patrilineal principles among Aranda and Loritja people. The data allow us to canvas various dimensions of traditional laws and customs relating to land ownership as it may have existed at the time of Northern Territory sovereignty in 1825.<sup>2</sup>

In the course of the twentieth century a number of researchers passed through the area and made observations that clarify Carl Strehlow's findings. Some of these were based on views of informants who were born before the incursion of white people into Aranda and Loritja lands. These later records have expanded in a major way our knowledge of traditional ownership and the nature of contemporary landholding groups. Carl Strehlow's material indicates that even the Western Aranda, who are often viewed as the paradigm of patriliney in central Australia, had a system of land tenure that offered 'multiple pathways' to 'belonging to country' (Myers [1986] 1991: 138ff). This does not mean that these connections were not ranked, qualified or otherwise proposed mainly as cultural norms, as can be the case today. Before I consider Carl Strehlow's contributions, an outline of what a 'country' implies today in central Australia and an overview of the history and twentieth century issues and debates of Australian land tenure are important to understanding the significance of his ethnography.

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1 The focus in this chapter is on Aranda land tenure, because the Loritja Carl was mainly writing about, the Kukatja-Loritja, had similar social institutions (Strehlow 1908, 1910: 1; 1913); and according to T.G.H. Strehlow, Western Aranda and Kukatja had virtually the same land tenure system (Strehlow 1970: 99).

2 British sovereignty over Australia was acquired in several stages. In 1788 it extended westwards from the east coast of the continent to longitude 135 degrees taking in what is now the eastern third of the Northern Territory. In 1825 sovereignty was extended to around the present day western border of the Territory. Western Australia was claimed in 1829. In a native title claim the claimants are required to prove that their system of land-ownership is consistent with the system that might have been in place at 'sovereignty' or at effective 'sovereignty' as far as Aboriginal life was concerned. Under the *Native Title Act 1993* (Cth) Aboriginal people also have to prove that their ancestors were the original inhabitants and traditional owners of the area claimed.

## Pmara and Ngurra

Today, Western Aranda people refer to countries that they may claim, usually through their grandparents, and its associated esoteric knowledge, as pmara (pmere), called 'country' in Aboriginal English and 'estate' in the anthropological literature. Luritja call it 'ngurra' and it can mean place, camp or country depending on context (see also Myers [1986] 1991: 54–57). Carl Strehlow spelled pmara 'tmara'. He recorded tmara altjira, tmara runga or tmara rungatja as well as the term knanakala for 'totem place' in general and the terms mbatjita (*grosser Totem-Platz*, big totem place), tmarutja (*ewiger Platz*, eternal place) and takuta (*immerwährender Platz*, everlasting place) for important places associated with particular ancestral beings (Strehlow 1907: 5). In his son's work these places were called pmara kutata (everlasting place). Today, Western Aranda people use the term mekemeke for 'sacred site' (Kenny 2004a: 20), which also means 'dangerous place' due to its spiritual powers. T.G.H. Strehlow's unpublished material records makamaka (mekemeke) as meaning 'to be avoided' or 'sacred cave'<sup>3</sup> and defines 'pmara makamaka' as 'asylum, a place whither men in danger of death can flee for safety, e.g. the area around an arknganaua, where nothing could be killed and within whose precincts not even a hunter could pursue an animal that already had a spear stuck into it'.<sup>4</sup>

The country of a landholding group generally comprises a set of significant sites or areas that are associated with one or more dreamings. Each country is usually associated with a particular patricouple, i.e. subsection couple as discussed in the previous chapter. These local group countries were called 'njinaŋa (patricouple) section areas' by T.G.H. Strehlow. It is also identified with predominant dreaming tracks, sites, site names and particular families or groups. Aranda people usually think of their country in terms of sites and the dreamings connected to them rather than as a bounded area. Although, sometimes the notions of boundaries, 'blocks of land' (as may be used in the pastoral context) and even the word 'estate' (as used in anthropological reports for legal proceedings) appear in conversations with Aranda people. While people do speak of 'boundaries' this cannot be taken at face value as it really denotes areas which can be up to several kilometres wide. Where boundaries of neighbouring estates converge or become better defined is often at a site or sites along tracks of travelling dreamings, so that each estate group has interests in such a site or sites.

For these reasons, and due to the aridity of the environment, boundaries are not always clear. Pink observed during her work on Northern Aranda territory

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3 T.G.H. Strehlow's Diary 38 (1968: 39).

4 T.G.H. Strehlow's unpublished dictionary M: 126.

that 'on the outer edges the boundaries of individual estates became somewhat indefinite' (Pink 1936: 283), while T.G.H. Strehlow recorded boundary points between countries called 'arkngata' or 'barrier':

It marked the limit beyond which a myth might not be told, a song not sung, nor a series of ceremonies performed by members of a njinaŋa section area who shared these traditions with neighbours. (Strehlow 1965: 138)

He remarked that such sites could figure equally prominently in a number of myths held by different people or groups of people (Strehlow 1947). In the Palm Valley Land Claim Justice Gray heard evidence and found that definitive boundaries were rare (Gray 1999: 116). Earlier, Stanner noted that the 'known facts of inter-group relations simply do not sort with the idea of precise, rigid boundaries jealously upheld in all circumstances' (Stanner 1965: 11).

Knowledge about country, that is the knowledge of the cultural geography and associated mythology, is one of the defining principles for traditional Aboriginal land ownership. According to T.G.H. Strehlow (1965: 135), the extent of a Western Aranda local group's country was defined geographically and validated by episodes mentioned in the sacred myths. Pink made the observation among her Northern Aranda informants:

The songs, according to my Aranda informants, definitely establish a man's title, to use legal phraseology, for the site a man inherits has a song, or songs, associated with it; to inherit the song is to inherit the estate. (Pink 1936: 286)

This knowledge relating to land was well-guarded and concealed – not freely transmitted – because rights to country hinged on it. Great effort was invested in the acquisition of knowledge which was not evenly distributed in central Australian Aboriginal societies, as Róheim observed ([1945] 1971: 2). Claims to country are still commonly based on knowledge of the associated dreaming stories and places, about which members of a landholding group simply know more than others. T.G.H. Strehlow in *Aranda Traditions* (1947) writes that his informants, even the best informed, would not know the entire body of myths, and Spencer and Gillen (1899: 10) observed that 'Old age does not by itself confer distinction, but only when combined with special ability'. Carl Strehlow (1915: 1–2) wrote in a similar vein that it was knowledge that made an 'inkata knara' (great chief), while 'inkata kurka' (little chief) was a title to father's country inherited simply through descent. People with knowledge are still respected in Western Aranda society, and are frequently referred to, because ritual knowledge is and was highly valued and the basis of prestige. Knowledgeable

people have the right and duty to be involved in the management of mythology and land; and are entitled to some kind of payment for the knowledge they transmit to others.

Although Carl Strehlow's myth collection has been effectively used in the context of land claims over traditional Arandic lands and in native title determinations, nowhere does he explicitly indicate that these narratives are owned by particular individuals or groups of individuals. He seems not to have realised that ownership of myths played an important role in connecting people to their countries and conferring rights and responsibilities both to individuals and groups. This creates a distance between Carl Strehlow's view of myth and the political and legal contexts in which myth is often canvassed today, as land ownership has become a topic of enduring debate within Australian anthropology.

## **A brief account of research into traditional land ownership**

The study of territoriality, called local organisation in early ethnography, did not feature prominently on the agenda of the emerging discipline of anthropology in the nineteenth century. The documentation of rights to country is incidental and linked to other aspects of Aboriginal life. Early writers did not canvas clear structures of land ownership. They paid little attention to indigenous land rights, decision-making processes, succession and many related subjects that are relevant for a systematic treatment of Aboriginal land tenure. Nevertheless they collected some limited data on local (territorial) organisation that indicates that Aboriginal Australians had rights in land (Peterson 1986: 13). In 1839 Reverend John Dunmore Lang, for example, suggested that property rights certainly existed among Aboriginal people in Australia (Grey 1841: 232–236; Hiatt 1996: 18). He wrote that:

I have already observed that the aborigines of Australia are universally divided into distinct and independent tribes, each occupying as their hunting-grounds a certain portion of territory, of which the limits are generally well defined by prominent features in the natural scenery of the country, and well known to all the neighbouring tribes. This division appears to have taken place from time immemorial, as there is no part of the available portion of the country to which some tribe or other does not lay claim. (Lang 1861: 335)

The territory of each tribe is subdivided, moreover, among the different families of which it consists, and the proprietor of any particular subdivision, has the exclusive right to direct when it shall be hunted over, or the grass burned, and the wild animals destroyed. (Lang 1861: 336)

In 1865 August Oldfield who had spent many months with the Nanda people in Western Australia remarked on the general nature of 'tribes' that their territorial boundaries were well defined and that Aboriginal people had not been able to retreat 'before the white invader, for to pass beyond their own limits would be to expose themselves to the hostilities of some other tribe' (Oldfield 1865: 221). In Aboriginal Australia land ownership often manifested itself in strict rules relating to trespass and elaborate invitation and welcome rituals that commonly regulated access to and control over country (Peterson 1986: 27). The use of the concept of 'tribe'<sup>5</sup> by early writers is often confusing as it can refer to anything from an extended family to a linguistic grouping; the implication that groups at the linguistic level had property rights and ownership in land was clearly wrong. However, the use of this concept indicated to some degree that early writers departed from some kind of assumption that tribes had rights to land (see Hiatt 1996: 18).

Some early writers observed that 'tribes' were divided into smaller landed units and found hints that patrilineal descent, totemic affiliation, birthplace and knowledge pertaining to place played a role in conferring rights to land. Smaller landholding groups belonging to distinct areas in south-east Australia, for example, were mentioned by early writers such as Breton (1833), Barlow (1873: 174), Howitt and Fison (1883), Howitt (1884, 1904), Mathews (1906, 1912, 1917), Parker (1905) and Mathew (1910: 129, 147).

In 1880 Lorimer Fison and A.W. Howitt published *Kamilaroi and Kurnai: Group Marriage and Relationship, and Marriage by Elopement* and in 1883 'From Mother-right to Father-right'. While their book focuses on the social organisation of these groups (kinship, moieties, section system), their article was of 'seminal importance' (Hiatt 1996: 20) in some ways, because it progressed the discussion about territoriality by distinguishing between the social and local (territorial) organisation. They showed that traditional societies had two separate but interconnected institutions (Howitt and Fison 1883: 33–34). One was a system determined by totems and exogamous intermarrying classes in which descent was traced in the matri line and, the other system in which country was inherited 'with descent through the father'. They wrote:

The Australian tribe (or community) presents itself under two aspects, and it is very necessary to see clearly, and to keep in view, the distinction

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<sup>5</sup> It has been clear for some time that the 'concept of tribe' is inadequate to describe traditional landowning units in Aboriginal Australia. See, for instance, Strehlow (1947) and Berndt (1959).

between them. We may view the tribe as a whole made up of certain exogamous intermarrying classes, or we may study it as a whole made up of certain local divisions, each of which may contain classes aforesaid. The former may be called its social aspect, the latter we may speak of as its local and physical aspect. The two are co-existent and conterminous; they cover and inter-penetrate each other, and yet the classes of the one are distinct from the divisions of the other, excepting in rare cases to be mentioned by-and-by, and are subject to quite different organic laws. Let us for the sake of convenience call the former the social organisation, and the latter its local [territorial] organisation. (Howitt and Fison 1883: 3)

They maintained that a tribe was composed of a number of local groups or clans, each having 'a local position in some part of the tribal territory' and that 'perpetual succession through the males, who hunt over the same tracts of country over which their fathers hunted before them' took place (Howitt and Fison 1883: 34). In 1904 Howitt restated that 'the principal geographical and territorial division of a tribe', the 'clan', recruited its members by 'descent in the male line' (Howitt 1904: 89).

A.R. Brown, better known as A.R. Radcliffe-Brown, was the first professional anthropologist in Australia to make a serious attempt to systematise the entire study of social and local organisation of Aboriginal Australians. Soon after his Western Australian fieldwork in 1911 he reinforced the notion that the basic land-owning unit 'forms what we may call a "clan" with male descent, all the male members of the clan being "father's father," "son's son," "father," "son," or "brother," to each other' (Brown 1913: 160). He suggested that 'tribes' (linguistic groups) were divided into small landed units and that patrilineal descent in particular, as well as knowledge of country and totemic affiliation pertaining to place and land together played a role in conferring rights and interests to country in all traditional Aboriginal societies.

During his work in Western Australia he had found 'over a considerable area from the Western Kimberley district in the north to the Murchison River in the south' (Radcliffe-Brown 1929: 399) the existence of localised rites and ceremonies for the increase of natural species that were tied to local totemic centres and owned by particular clans.<sup>6</sup> These localities were associated with certain mythical beings who were believed to have existed at the beginning of time and who were 'responsible for the formation of the totem centres' which were in the territory of different clans. A clan's country he generally defined as 'a certain area of territory, the boundaries of which are known', and the persons belonging to the horde [sic clan] as 'possessing in common proprietary rights

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6 To clarify Radcliffe-Brown's model in this paragraph 'clan' has been inserted where he often used 'horde'. The reason for this is set out in the following paragraphs.

over the land and its products'. He maintained that the clan 'is the primary land-owning or land-holding group' and membership of a clan 'is determined in the first place by descent' (Radcliffe-Brown 1930: 35). He found that each clan had a number of different totem centres, some more important than others (see Radcliffe-Brown 1930: 60–63). He wrote about the close connection of people and country in the following manner:

It should be noted that the most important determining factor in relation to this wider structure is the strong social bond between the horde or local clan and its territory. The strong local solidarity, which is the most important thing in the social life of the Australians, is correlated with a very strong bond between the local group and its territory. There is an equally strong and permanent association between the territory and the animals and plants that are found on it. It is this intimate association of a group of persons with a certain stretch of country with its rocks and water-holes and other natural features, and with the natural species that are abundant in it, that provides the basis of that totemism of local totemic centres that is so widespread and so important in the Australian culture. (Radcliffe-Brown 1930: 63)

Radcliffe-Brown's early model of local organisation remained unchallenged until 1962 (Hiatt). In that year Hiatt pointed out that Radcliffe-Brown did not distinguish between a descent based land owning group, and the land using residential group, collapsing the distinction by using the term horde for both. This has led to his version of the land using group being referred to as the 'patrilineal band'. In fact he did recognise a distinction but did not see it as relevant. All males in the patrilineal band, like the clan, were of the land owning group, in his view, but because of exogamy only unmarried girls of the clan were part of the band, all adult women were in-marrying wives from diverse clans and the adult women of the clan off elsewhere living with their husbands. After a comprehensive literature review Hiatt (1962) argued that the patrilineal band in Radcliffe-Brown's sense was unrecorded, and had probably never existed (see also Peterson 1970: 9).

Stanner contested Hiatt's criticism of Radcliffe-Brown in his 1965 article 'Aboriginal Territorial Organisation; Estate, Range, Domain and Regime'. He suggested that any examination of Aboriginal land tenure patterns (territoriality) should take the distinction between 'estate' and 'range' into account. He described 'estate' as 'the traditionally recognized locus ("country", "home", "ground", "dreaming place")', of some kind of patrilineal descent-group forming the core or nucleus of a territorial group' and 'range' as 'the tract or orbit over which the group, including its nucleus and adherents, ordinarily hunted and foraged to maintain life'. The range normally included the estate, and together Stanner called them (1965: 2) a 'domain'. The domain was the ecological 'life-

space' of a group. He proposed that issues concerning ecology and season could be seen to influence the composition of a residential group at any particular point in time so that males of several clans could be found living together.

He departed from a static model of a residential group strictly composed according to patrilineal principles by adding some flexibility, which allowed the incorporation of other kin to join the group to hunt and gather on a certain stretch of country which belonged at its core to a patrilineal group. He concluded that a local or residential group was of mixed clan composition for males as well as females and that 'visitations of cognates and affines' (Stanner 1965: 15) was common. However, he insisted that it was generally true to say that:

- (1) Some sort of exogamous patrilineal descent-group was ubiquitous.
- (2) It had intrinsic connection, not mere association, with territory.
- (3) There was a marked tendency towards, though not iron rule requiring, patrilocality and virilocality.
- (4) The group thus formed was basic to both territorial and social organisation, however concealed by other structural groups (e.g. phratries, moieties, sections, etc.) or by dynamic emphasis. (Stanner 1965: 16)

Stanner (1965: 3) conceded that patri-virilocal residence on account of ecology was at best a hypothetical assumption. Factors other than patri-focal criteria influenced residence and group composition. Male knowledge of a tract's resources could easily be exaggerated. Moreover, foraging by women was just as if not more crucial to a group's survival. Peterson (1970) affirmed that links through women were an important factor that determined the composition of residential groups in Aboriginal society. Both sociological and ecological considerations had an impact. It was quite common for a man's first marriage to require uxori-patri-local residence so that he could fulfil bride-service obligations towards his in-laws. In Aranda society, for example, Carl Strehlow (1913) recorded that young spouses had to supply food to their in-laws, and this would have had an impact on where and with whom the couple would live. Another reason why a newly married man might reside with his wife's father's group involved a senior man's desire to keep his (female) labour force together, observed by Peterson in Arnhem Land (1970: 14). Alternatively, in the Western Desert, a young woman may have wanted to remain close to her parents because she received meat from her mother and father (Hamilton 1987: 41). These individual choices of everyday life explain many aspects of group composition. Myers demonstrates that among the Pintupi individual choice determines how people see themselves as part of a group and that there are multiple pathways to claim connection to a place and country (Myers [1986] 1991: 129–130, 138–140).

In the eastern Western Desert, Hamilton (1987: 38–39) suggested that an important tool used for grinding seeds by women, and exclusively owned and

inherited by women, influenced the local organisation. These implements, belonged to groups of uterine kinswomen and were left behind in countries affiliated to mothers as they were often large and heavy sometimes weighing as much as 22.5 kg. During major ceremonies, when the men were dependent on the labour of women who produced much of their foodstuff, the location of these grinding stones influenced where and who would have been present. She writes that 'this aspect of women's labour around a single scarce resource (the grindstone and mill) acted as a kind of perpetual opposition to the men's desires to promote patrilocal residence' (Hamilton 1987: 40).

Hamilton writes, that the 'Hiatt-Stanner debate led to a crucial clarification – that is, the necessity to maintain a clear distinction between economic and ritual relationship to land – so that instead of a horde there is both a ritual and an economic group' (Hamilton 1998: 91). Notwithstanding, the ritual group also has economic roles (Hamilton 1998: 94). In this context she cites T.G.H. Strehlow:

Each Aranda local group was believed to perform an indispensable economic service not only for itself but for the population around its borders as well ... the religious acts performed by the totemic clan members of all the inland tribes at their respective totemic centres were regarded as being indispensable for the continuation of all human, animal and plant life in Central Australia. (Strehlow 1970: 103)

Thus, it is important not to confuse the ritual group (clan) with the residential/land-using/economic group (band). They are different groups with highly variable degrees of overlap in their composition.

The passing of the Commonwealth's *Aboriginal Land Rights (Northern Territory) Act 1976* and *Native Title Act 1993*, has led to a great deal more research into relationships to land for the preparation of land claims that these Acts make possible. The result has been a diversification of models of land tenure, ranging from strictly patrilineal to the fully-fledged cognatic, some, but not all of this diversity due to more recent changes in people's lives.

The *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) shifted focus onto the 'local descent group' as defined in the Act. In the initial claims this was equated with the clan but later expanded to include matrilineal as people that also had a 'common spiritual affiliation' to a country as required by the Act. Under the *Native Title Act 1993* (Cth) no definition of traditional owner was provided and so the definition of land owner was left to the empirical situation in each case, although descent from the original owners at sovereignty is required. This research provoked considerable academic debate around land tenure issues.

Ian Keen's paper 'Western Desert and the Rest' (Keen 1997: 66) provoked debate on the nature and the significance of descent groups. Keen's research among the Yolngu in the 1970s and 1980s, and strategies of belonging to country by individuals in the McLaren Creek Land Claim,<sup>7</sup> threw doubts on the existing assumptions regarding patrilineal dogma, in particular the clan system in Arnhem Land. In his article, 'The Western Desert vs the Rest: Rethinking the Contrast', he reinforced his view that in Arnhem Land groups were not as strictly patrilineally organised as portrayed in the literature, but that individual choice played an important role. Keen argued that rather than being clan-based, Yolngu society is more appropriately thought of in terms of a kindred (Keen 1997: 66–67; Morphy 1997: 130). He offered a re-analysis of the patrilineal identity of the Yolngu clan which he preferred to call 'group', and put forward that it would be more appropriate to use metaphorical expressions, such as 'strings' of connectedness, rather than the terms 'patrilineal descent group', 'clan' or 'corporation' (Keen 1997: 67), which he maintains do not capture the 'Yolngu constructs related to identity, country and ancestors' (Keen 2000: 32). Morphy (1997) responded by offering a processual model that maintains the clan-based model taking individual behaviour that determines variation in a system into account and thus, aims 'to transcend such divisions and to show how structural factors, such as an on-going system of clan organisation, can be integrated into a praxis-oriented framework in which the individual has a role in the transformation and the reproduction of the system over time' (Morphy 1997: 124).<sup>8</sup> This seemed to a degree acceptable to Keen (2000) provided social change is considered alongside ancestral law and politics; though he added that 'the concept of the "clan" is perhaps the last vestige of the Radcliffe-Brown synthesis to remain' and that 'it has long been unsafe to assume a fundamental uniformity in aboriginal social arrangements' (Keen 2000: 39).

Sansom (2006, 2007) also critiqued Keen and his 'West' is not all that much different to the 'Rest'. He was not necessarily opposing Keen's view that patrilineality did not have such an exclusive position, but he thought that Keen ignored underlying social structures and norms. Sansom writes:

Those (like me) who radically distinguish the contemporary desert West from the contemporary Rest, do so by pointing to normative difference. In The West there are nowadays 'multiple pathways' to land. Outside the Western Desert, specific rules of kinship traditionally prescribe that primary right-holders in land would be patrilineal inheritors of estates in land, and that holders of secondary (and mediated) rights constitute a limited set of persons who have particular and specified relationships

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7 See quotation of claim book (exhibit CLC 3) in Aboriginal Land Commissioner's report (Olney 1991: 11–13).

8 Myers' emphasis on 'multiple pathways' and his re-rendering of kinship in terms of relatedness and identity have affinities with these more praxis-oriented approaches.

that link them to those who hold the primary rights. Keen sets aside modelling that emphasises explicitly rendered ideological rules (or 'normative norms') by shifting the emphasis from normative norms to statistical norms. He then looks past ideologies to instances of behaviour and to rates that describe trends to actions. (Sansom 2007: 79–80)

Keen's response was that he clearly accords 'patrification rather more than mere rhetorical value', and while he had 'certainly questioned the usefulness of the concept of corporate "clan" to Aboriginal relations to country and sacra', he had not thrown into doubt 'the concept of social structure as a whole' (Keen 2007: 170).

In general, Western Aranda today emphasise patrilineal connections to land strongly, making it part of the 'Rest'. They are disposed towards a tighter land tenure model than Western Desert peoples, mainly because their country belongs to the better-watered areas in central Australia. In his essays written in the 1930s, later published in *Aranda Traditions*, and in particular in his article 'Culture, social structure and environment in Aboriginal Central Australia' (1965), T.G.H. Strehlow maintained that the landholding group was strictly patrilineal (Strehlow 1947: 139; 1965). In these works he appears to present an ideal group that is mainly determined by ritual and not by 'secular' links which would have determined the everyday composition of an Aranda residential group. He wrote that due to harsher environmental conditions Western Desert peoples had a local organisation that was of much looser and fluid nature, but that the Kukatja-Loritja were an exception, because their social and local system was very similar to the Aranda's, although linguistically they belong to the Western Desert people (Strehlow 1965: 143; 1970: 99).

Hamilton observed in the eastern Western Desert during 1970–71 an ideological preference for patrilineal and patrifocal structures amongst her informants, that were counterbalanced by women's labour organisation and female secret ritual life, as well as by the climatic and environmental conditions (Hamilton 1987, 1998). Munn wrote about the residential foci of Pitjantjatjara that 'the men of the group ideally based themselves after marriage in their father's home country (even though at any given time they might actually have been living or hunting elsewhere)' (Munn 1970: 146). In the anthropologists' report of the Yulara Native Title Claim another factor is mentioned that determines the connection of a woman to an area:

There is some tendency for men to have a special relationship to their fathers' and fathers' fathers' places, and for women to have a similar connection to those of their mothers and mothers' mothers, though this is not a uniform rule. It appears in some kin sets but not in others. (Sutton and Vaarzon-Morel 2003: para. 7.55 cited in Sutton 2007: 178)

It is likely that T.G.H. Strehlow's informants, who were male, stressed this patrilineal preference. However, his own work (Strehlow 1971, 1999) shows how men have ritual rights and links to country based on a range of other claims. Connections to country through mothers are already mentioned in his first essays written in 1934, as well as individual rights through conception at a particular place. These people with matrilineal rights, he called kutuṅula (kwertengerle). Its role in central Australia is well understood now (see Pink 1936; Meggitt [1962] 1986; Morphy and Morphy 1984; Peterson 1986; Myers [1986] 1991; Morton 1997a,b; Vaarzon-Morel and Sackett 1997; Elliott 1999: 105–110; 2004: 74–76). It became clear during the land claim era that claims to membership of a landholding group through matrilineal descent were and are of great importance and that these people hold distinct and significant rights and responsibilities in relation to land. In the Palm Valley Land Claim under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth), Justice Gray recognised in addition to patrilineal and matrilineal descent, cognatic descent as a basis for membership of the Western Aranda landholding groups involved in the claim (Gray 1999: 17–18). These other connections provided the land tenure system with (strong) provisions for ways to claim places and dreamings other than through the patriline, which is evident in a large number of land and native title claims in the Northern Territory and elsewhere in Australia.

These various pathways to 'belonging to country' find early support in Carl Strehlow's data. They suggest that around 1900 the Western Aranda had beside patrilineal connections to country, connections to their own conception site and their mother's conception place, (i.e. where mother's mother conceived mother). This mother's place may or may not have been located on mother's father's country. He wrote:

Every individual, then, is placed into a relationship with two totems. He belongs to one totem by virtue of his birth<sup>9</sup> and is related to another because he inherits it from his mother. He may actively participate in the cult of both totems. (Strehlow 1908: 58)<sup>10</sup>

In the following sections I will show how Carl Strehlow's material does not support the Radcliffe-Brownian view though one might expect this from data collected from Aranda during the late nineteenth and early twentieth century. It is not my contention that Carl Strehlow's true account is only now being discovered through land claim debates. Rather, the fact that Carl Strehlow emphasised conception and mother's conception place and not father's father's place suggests that systems may be dynamic over time, and subject to varieties of representation – what is said and to whom in the micro-politics of relationships and translation.

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<sup>9</sup> He means here the dreaming from an individual's conception site.

<sup>10</sup> See also Strehlow (1910: 2).

## Rights to country through conception

The literature on Arandic cultures shows consistently that conception was important in conferring rights in or 'belonging' to country in the first part of the twentieth century (Spencer and Gillen 1899: 121–127; Strehlow 1908: 52–61; T.G.H. Strehlow 1947: 86–96; [1964] 1978: 20–23; 1971: 158, 596). In Carl Strehlow's work the conception dreaming is called 'ratapa' which can mean totem in general or spirit child; and the conception site of a person is called 'tmara runga' or 'tmara rungatja'. This place is where a person entered 'his mother as a ratapa, and where his tjurunga is kept' as well as where she felt the first movement of the foetus in the womb (1908: 53, 56). The terms 'tmara runga' or 'tmara rungatja' mean 'my own place' (Strehlow 1908: 57–58). He also used the general term for 'totem place', 'knanakala', for conception site (Strehlow 1907: 5; 1920). He remarked on Aranda and Loritja conception beliefs:

The totemic conceptions of the Loritja are very closely related to those of the Aranda. Every Loritja also belongs to two totems, a personal totem which he calls aratapi (= (A) ratapa), and a maternal totem which he calls altjiri (= (A) altjira). The manner by which children enter the womb of the mother is seen by the Loritja in exactly the same way as by the Aranda. Either an aratapi enters the woman or a totem ancestor emerges from the earth and throws a bullroarer at her, which changes into a child inside the woman. The Loritja say that the latter case is the more frequent. (Strehlow 1908: 60)

His son's earlier work (1947) and genealogy collection evokes the impression that T.G.H. Strehlow was mainly interested in conception sites of individuals to whom they were of great importance, as their significance as personal totems may have rested on a 'mythopoetic' and 'their experience of self in a world forged through hunting and foraging practice' (Austin-Broos 2004: 60). The conception site 'pmara kjanintja' (Strehlow 1971: 596) was a well-defined place which was of particular significance to an individual, as his spirit or soul was believed to have come from there; one had the right to detailed knowledge about this place and conception bestowed on the owner a special connection to it (Strehlow 1947: 87; 1971: 158). In *Aranda Traditions* he placed great emphasis on them, writing that the conception site took 'by far the most important place in all the complex arguments which centre around the possession of the myths, chants, ceremonies and sacred objects owned by any large local totemic clan' (Strehlow 1947: 87), but at the same time he maintained that 'the doctrine of the conception site is deliberately counterbalanced by the strong emphasis laid upon the unifying ties represented by the allegiance claims of the pmara kutata and by membership obligations to the local njinaŋa section' (Strehlow 1947: 139–140).

The probability of being conceived on one's father's father's country was quite high (Pink 1936: 288; Austin-Broos 2004: 62; 2009: 114) when people resided on well-watered land, as did the Western Aranda. This seems to be broadly substantiated in T.G.H. Strehlow's genealogies (Austin-Broos 2009: 289, fn. 13).<sup>11</sup> If a person's conception site was on their father's father's country, they would quite likely have had a stronger connection to that site than to others. However, there were exceptions. A person conceived outside their father's father's country had a right to acquire detailed knowledge of their conception site, but required some personal efforts. In 'Agencies of Social Control in Central Australian Aboriginal Societies', T.G.H. Strehlow ([1950] 1997) described how Rauwirarka, a Western Aranda man, went to a substantial amount of trouble to acquire knowledge about his Anmatyerr conception site to the north of his primary estate on the Ellery Creek.

Under certain circumstances people with strong connections to and knowledge of their conception site and adjacent areas outside of their father's father's country could over time potentially establish themselves in a country as a new landholding group, if the original group had reached the end of their patriline. Although rare, it may even have resulted in a change in the patricouple associated with that country (Morton 1997a: 119), in situations where a person's conception site was located on a country associated with the opposite patrimoiety.<sup>12</sup>

Knowledge about one's conception site alone seems not to have been sufficient to entitle a person or group to make claims to hold rights and interests in the land concerned; other factors, such as long-term residence, neighbouring estate affiliation, intermarriage, and political negotiation skills also played a vital role in the process of succession and establishing a new landholding group where the original owners were extinct or the patriline severely depleted. Spencer and Gillen's work seems to support this proposition:

Once born into a totem, no matter what his class may be, a man, when initiated, may witness and take part in all the sacred ceremonies connected with the totem, but, unless he belongs to the predominant moiety, he will never, or only in extremely rare cases, become the head man or Alatunja of any local group of the totem. His only chance of becoming Alatunja is by the death of every member of the group who belongs to the moiety to which the Alcheringa men belonged. (Spencer and Gillen 1899: 126)

Writing about Northern Aranda people, Pink maintained that the country of one's father's father was of primary significance in relation to land ownership,

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11 Helen Wilmot, pers. comm., 2009.

12 More commonly the individual with the conception site is seen as either pmerekerteye or kwertengerle based on their subsection in relation to the known subsection identity of the land.

and the country on which one's conception occurred was 'only of personal and secondary importance' (Pink 1936: 285). Indeed today, people sometimes refer to it as one's 'own personal or little story', to which individuals have an emotional attachment. The conception site is sometimes conflated with birthplace, a tradition that may have been imported from neighbouring Western Desert areas, and has lost much of its significance as a basis for rights and responsibilities in relation to land. Justice Gray suggested a reason for the reduced significance of the conception site, when he observed that 'Otherwise the large number of people conceived and born at a place such as at Hermannsburg would have the potential to swamp the land tenure system' (Gray 1999: 18). Indeed, settlement seems to be the main component for conception's loss of relevance. The multiple demographic and land use factors involved in settlement seemed to undermine the imagination of a social world embedded in country, in which conception had a central part (Austin-Broos 2004: 60). Initially, movement over Aranda country was restricted by pastoral expansion into the region and the efforts of both the church and state to settle Aranda people at missions and in other permanent settlements. More recently, settled community life and employment have resulted in fewer opportunities for people to be permanently present on their country. Austin-Broos writes that Christianity's creationism as well as sedentary life and the attenuation of practical and ritual knowledge it brought contested the Western Aranda's notion of conception (Austin-Broos 2009: 128–129) and may have caused an ontological shift (Austin-Boos 2009: 5–7, 112; 2010: 15).

It is noteworthy that today many Western Aranda people speak in terms of a 'conception dreaming' rather than conception site. The place of conception is not necessarily associated with a particular site, but rather with one of the dreamings found in an area. A particular encounter with an animal or natural phenomenon ultimately confirms what kind of spirit or spirit child has entered a woman. An encounter with an animal that might determine the dreaming of conception can be connected to an incident experienced by the father of a child while out hunting, according to Aranda woman Mavis Malbunka (2004: 13). They speak affectionately of their 'dreaming mark' or 'birthmark dreaming' and use the word *tnengkarre* when they refer to it (Kenny 2003: 35). Munn (1970: 146) found in the mid 1960s among the Pitjantjatjara living at Areyonga that such birthmarks were believed to be 'marks left by the ancestors at their birthplace'.

Unless conception has occurred on one's father's father's country, which is very rare in the contemporary context, it appears that today relatively little significance is placed on site of conception by Western Aranda in regard to claims to land.

## Belonging to country through matrification

The first remark on matrification to Aranda country was made by the Lutheran missionary Louis Schulze (1891: 238–239). He recorded the term 'tmara altjira' meaning 'the place where mother of the dead person was born'. Likewise Carl Strehlow mentioned as one of his first encounters with connection to country, mother's conception dreaming, called in Aranda 'altjira'. He described the relationship of an individual to mother's dreaming, 'altjira', also called 'garra altjira' or 'deba altjira', and to mother's conception site, called 'tmara altjira or more precisely, tmara altjirealtja, i.e. the place of the totem associated with me' (Strehlow 1908: 57; 1910: 2). Altjira is used in this context as meaning mother's conception dreaming. He lists these in his published family trees (Strehlow 1913: Attachments) as 'ara' (kangaroo), 'ilia' (emu), 'jerramba' (honeyant), etc. and mentioned how to ask properly about this particular place:

The following question should be put to him in order to ascertain the totem place of his mother, tmara altjira (or altjirealtja) unkwanga ntana? i.e. Where is the place of the totem associated with you? (Strehlow 1908: 58)

He observed that sets of siblings with the same mother shared a dreaming and the associated site. He had found that an 'altjira (totem)' could be inherited from mothers.<sup>13</sup> There seems to be an emergent thought here that mother's dreaming and place were collectively held, as all children of one mother had the same altjira implying ownership rights to mother's place, and that at different times, different 'totem' affiliations were more or less important. Unfortunately these thoughts were not developed any further. Nevertheless, it shows, that the right questions, thoughts and concepts were emerging. A passage written on the 6 April 1907 to von Leonhardi indicates this clearly:

As the tjurunga [sacred property or object] is the symbol of the personal totem, some blacks have told me, that the wonninga can be seen as the symbol of the maternal totem or altjira. However, I am not yet certain about this, and will make further inquires. While the tjurunga of individuals are different (each individual has his own totem ancestor), the wonninga as the symbol of altjira would tie the members of a family together, because they all have the same altjira, but all have different ratapa ancestors. It is hard to tell which of the two totems is older, the personal or the one inherited from one's mother.<sup>14</sup>

The altjira, Strehlow wrote, had a providing and protecting role 'like a mother feeds and protects her children during the early years of their lives' and appears

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<sup>13</sup> Von Leonhardi to Carl Strehlow, 2.6.1907.

<sup>14</sup> Carl Strehlow to von Leonhardi, n.d. possibly 6.4.1907 (SH-SP-11-1).

in dreams to warn from danger but also to tell friends about a person's well-being (Strehlow 1908: 57). The particular tjurunga associated with a man's mother, he regarded 'as the body of his altjira (mother's totem ancestor), who would accompany him on his lonesome journeys' (Strehlow 1913: 25). He also recorded some interesting details surrounding the 'altjira' and 'tmara altjira':

After the boy has carried his knocked out tooth about with him for several weeks, he tosses it into the direction of his tmara altjira. (Strehlow 1911: 9)

After a person's death, his spirit goes first to his grave where he remains until the completion of the second burial ceremony. Then he goes to the tmara altjira to collect his tooth, which will show him the way to the Island of the Dead. From there he returns with the tooth and presses it into the arm or a leg of a former camp companion, causing him to become very ill. The magic doctor, however, is able to remove the tooth. (Strehlow 1911: 9, fn. 4)

Another aspect of its importance is expressed in death and burial customs and beliefs. At the death of a person, he is laid into his grave facing his tmara altjira ('maternal totem place') (Strehlow 1915: 16).<sup>15</sup>

Radcliffe-Brown, writing about the Arandic type of social organisation, had also noted 'that there is an important relation between an individual and the totem and totem-centre of his mother' (1930: 325). He did not elaborate on this observation while T.G.H. Strehlow wrote in the 1930s that people connected to land through their mothers had rights to 'mother's tjurunga' and were called kutuṅula, but did not define this role precisely. He wrote of 'mother's tjurunga':

In Western and Southern Aranda territory claims are frequently put forward by the older men to a share in the possession of the tjurunga which were once regarded as the property of their own mothers. (Strehlow 1947: 137)

A kutuṅula, according to Olive Pink, was a father's sister's son or a mother's brother's son, who should be theoretically the same person, however, in reality, she remarked in a footnote, that 'they seldom are in these days of diminished numbers' (Pink 1936: 303). At any rate these relatives are of the opposite moiety and of the same subsection. A male ego, for example, from the Mbitjana (Mpetyane) subsection, has a Paltara (Peltharre) man as his kutuṅula, who can also be classified as his mother's father. If close relatives are not available to deal with issues arising in relation to land and for this role then classificatory

15 T.G.H. Strehlow wrote in 1964 that 'when a man died, he was buried (generally in a sitting position) in such a way that his face was turned towards the conception site of his mother: for that was his pmara altjira, his "eternal home"' (Strehlow [1964] 1978: 39).

kinsmen from the opposite moiety with appropriate subsections and knowledge or seniority will be recruited for this position. Myers observed among the Pintupi that this type of process was 'to fill the ranks of an estate group depleted of personnel' (Myers [1986] 1991: 149) and Bell (1983) called it 'sufficiency of minds' concept. Accordingly, the division into intermarrying moieties has the potential to create and establish alliances between particular members of two social groups, neighbouring opposite moiety estates, even if no actual marriages or genealogical links otherwise exist, which is rather rare.

Today it is quite common for people of neighbouring countries who belong to opposite patrimoieties to express their rights and interests in those countries by saying that they are 'kwertengerle [kutuṅula] for each other'. This kind of reciprocity is based on the fact that one can find in neighbouring estate groups of the opposite patrimoiety, potential spouses, mothers, mother's brother's sons, sister's sons, and mother's fathers, all of whom can assume the important role of kwertengerle. The strength of any reciprocal rights is dependent on various factors, including the perceived closeness of kinship and personal relationships, intermarriage, knowledge of shared dreaming stories and associated sacra. In the course of the 1960s and 1970s the concept of kutuṅula/kwertengerle became well understood, in particular through the land claim process under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth). The first 'claim book' by Peterson and others (1978) for central Australian Aboriginal people under this legislation, outlines clearly the role and recruitment of the kurdungurlu amongst Warlpiri people, for example.

In Western Aranda society today kutuṅula/kwertengerle are usually said to be people who claim rights to land through their mother's fathers, tyemeye, which is the other main way to claim country beside one's father's father, arrenge. Also people who claim country through their father's mother, perle, and mother's mother, ipmenhe, are often called kwertengerle, however, they may require the recognition and support of primary patrilineal landholders to ascertain their rights (see Morton 1997b: 26). Although kwertengerle who acquire rights and responsibilities in this way have incontestable rights to country, they are usually not as strong as rights derived through father's father and mother's father.

In 1947 T.G.H. Strehlow made general remarks on the kutuṅula's role and in his later work he wrote that kutuṅula status was gained through 'matrilineal inheritance' and that 'they did have the right at all times to be present at performances of the totemic acts that belonged to their mothers' (Strehlow [1964] 1978: 25, 38). The kutuṅula remains loosely defined in his work; it is not clear what the exact matrilineal requirements were to become one. He did not define precisely how the kutuṅula is recruited in kin terms, but rather recorded that this role involved ritual preparation and was crucial in the preservation of knowledge, calling them 'servants' and 'ceremonial assistants' (Strehlow 1947:

123–125, 132, 148–150, 164, 170; 1971: 248, 752). It was not simply a kinship connection to country among the Aranda for him (see also Meggitt 1966: 30; Nash 1982: 149). In his earlier work, Morton (1992) found that *kwertengerle* was not strictly defined among Western Aranda people. Central Arrernte in Alice Springs told him (Morton 1997b) during native title claim research, and I also have been told by Western Aranda, that people who claim country through their father's mother and mother's mother are called *kwertengerle*.<sup>16</sup>

It should be noted here that the term *kutuṅjula/kwertengerle* seems to be a relatively recent introduction into Arandic cultures while the underlying concept pre-existed in Aranda thought. Nash suggests, that *kurdungurlu* is a Warlpiri word that diffused southwards (Nash 1982: 149–151). A letter written in Aranda by Nathanael Rauwirarka to Carl Strehlow, suggests that Ilpara men from the north, believed to be Warlpiri people, had visited Hermannsburg in the first decade of the twentieth century.<sup>17</sup> This Warlpiri term, *kurdungurlu*, is composed of 'kurdu' and -ngurlu. Nash suggests that *kurdu* in this context is most likely to mean 'sister's child' (Nash 1982). The word does not seem to appear in Carl Strehlow's or in Spencer and Gillen's published work. It features only in Carl Strehlow's unpublished dictionary spelled *kutungula* in Aranda and *pipawonnu* in Loritja meaning 'subject, servant'.<sup>18</sup> In his bible translations and the small primer he wrote for Aranda children it is used for 'disciple' or 'evangelist' (Austin-Broos 2010: 21).

In the anthropological literature on Arandic people the term *kutuṅjula* is first documented in the 1930s in Olive Pink's *Oceania* articles (1936) and T.G.H. Strehlow's unpublished essays (1934). The recent importation of this term may also account for its various concepts among people speaking different Arandic languages. Considering the concept under these diffusionist and linguistic aspects, it is no wonder that anthropologists have found a number of variations of the *kutuṅjula* (*kwertengerle*) concept in Arandic areas. They explain to some degree why it has been difficult to find and describe the meaning of the term. Some Arandic people seemed to define the concept of *kwertengerle* more broadly than others. It was, and maybe still is, evolving, and meanings from other terms moved to such newly acquired words and concepts. It seems, for example, that some Western Aranda meanings of *altjira*, in the sense of mother's dreaming, was shifted to this newly adopted expression, while other parts of *altjira*'s semantic field moved to *tnankara* (*tnengkarre*) as discussed in Chapter V.

16 Connections to country through one's mother's mother may be construed to *pmerekwerteye*, because ego and his mother's mother are in the same patrimoiety. However, mother's mother connections are usually understood as conferring *kwertengerle* status among Western Aranda people, in my experience.

17 Letter from Nathanael (and Moses) to Carl Strehlow, 30.4.1911.

18 Carl Strehlow's handwritten unpublished Aranda-German-Loritja dictionary manuscript (c.1890s–1909) held at the Strehlow Research Centre in Alice Springs.

Carl Strehlow's record of *altjira* meaning 'mother's dreaming' provides one of the earliest comprehensive pieces of evidence that rights to country could be gained through mothers and determine a number of entitlements, including ritual rights. He writes concerning these ritual rights that actors for certain ceremonies should be of the appropriate 'ratapa' or 'altjira':

During the *mbatjalkatiuma* the men selected as actors for the respective ceremonies must belong to the totem concerned, or at least it must be their maternal totem (*altjira*). For example, if a kangaroo cult ritual is to be held the actors may be chosen only from among those whose *ratapa* or *altjira* was a kangaroo-*altjirangamitjina*. In the case of the *initjiuma*, however, men belonging to the totem concerned will be preferred, but men of other totems may also appear as actors. Hence, a lizard-man may play an active role in a kangaroo ceremony. (Strehlow 1910: 1–2)

*Altjira*, meaning mother's dreaming in this context, seems to indicate that Western Aranda land tenure was somewhat differently orientated during Carl Strehlow's time, although it still confers rights through mothers. These affiliations are now articulated through the concept of *kwertengerle* in Western Aranda society. The rights to be a *kwertengerle* come mainly through mother's father, and sometimes through father's mother and mother's mother. In other Arandic languages the term *altjira* still denotes today similar meanings to those Carl Strehlow elicited from his informants (see, for instance, Green 2012: 167). *Altyerre* in North-Eastern Arrernte (Henderson and Dobson 1994: 105) and *altyerr* in Alyawarr<sup>19</sup> (Green 1992: 29–30) and *Anmatyerr*<sup>20</sup> (Green 2010) which are often glossed as 'dreaming' in English, can also refer to the dreaming tracks, places and stories which are inherited through maternal ancestry, and can mean mother's place. Green writes:

The compound from ALYERR-ANKETHENH (lit. 'having Dreaming') refers to 'those related to a place or Dreaming through their mothers'. (Green 1998: 57)

## Father's father's country

There are no explicit remarks on land ownership through a patrilineally inherited 'totem' (dreaming) in Carl Strehlow's work. However, belonging to land through fathers appears in some ways 'at the beginning of time'. It is striking how the mythological account of primordial times on earth, that presents embryonic

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<sup>19</sup> Arandic language spoken in parts of north-eastern central Australia.

<sup>20</sup> Arandic language spoken in parts of north-western central Australia.

people slumbering under the earth's surface, divides them into patrimoieties and patricouples, although at the time the subsection system was believed to have been a very recent introduction into Arandic cultures:

The rella manerinja, who lived on the slopes of the mountain, were divided into four classes: Purula, Kamara, Ngala and Mbitjana. Because these people lived on dry land they were referred to as alarinja [land dwellers]. However, there were other undeveloped people who lived in the water, called kwatjarinja, water dwellers. These people had long hair and their food consisted of raw meat. They were also divided into four classes: Pananka, Paltara, Knuraia and Bangata. More of these undeveloped people lived at Rubuntja [Mt Hay] in the north-east and at Irbankara on the Finke River, now known as Running Waters. (Strehlow 1907: 2)

It was only with Mangarkunjerkunja who had come from the north that the helpless rella manerinja's lot was improved. It was he who awoke them, explained to them how their subsection system worked and who should marry whom. In addition, he allocated patricouples to all areas in the Aranda landscape (Strehlow 1907: 6–7; 1915: 1).

The mythology of the Loritja provides similar data on this issue. Carl Strehlow wrote that 'the undeveloped people matu ngalulba of primordial times were already divided into 8 marriage classes [that is, a subsection system] and lived in the vicinity of Unkutu-kwatji' (Strehlow 1908: 4). Unlike the 'rella manerinja' of the Aranda who were divided into land dwellers and water dwellers, the 'matu ngalulba' of the Loritja lived beside each other; 'one group resided in the north and east and the other group lived in the south and west' (Strehlow 1913: 79).

In a chapter called 'The Constitutional and Legal Order' of the Aranda (Strehlow 1915: 1–15) he refers again to the fact that country is allocated to subsections and talks about what can perhaps be described as estates, or at least, as forerunners of what his son would call the 'njinaŋa (nyenhenge) section areas':

According to the primordial legends, Mangarkunjerkunja had already partitioned the vast territory of the Aranda among the individual marriage-classes (Aranda Legends, page 6,7). *This division of territory, presented in detail in Part I, p.6f., is important to the extent that the individual marriage-classes still regard the tracts of land given to them at that time as their property and claim chieftainship over them.*<sup>21</sup> For example, in the first mentioned western territory of the Aranda the chief has to belong to either the Purula class or the Kamara class. In Alice Springs and the surrounding region he must be a Paltara or a Knuraia. In

21 Emphasis added.

the Ellery Creek territory he must be a Pananka or a Bangata; whilst in the territory south of Rubula only an Ngala or Mbitjana may claim the honour of a chief. (Strehlow 1915: 1)

He goes on to explain that the chief of an estate is called 'inkata' (chief or father of all), but on a general level he is only a 'primus inter pares', and that his position is hereditary.<sup>22</sup> He wrote:

The Aranda and Loritja do not elect their chief. He is, as it were, born into that position. The chieftainship is always inherited by the next younger brother, and after the death of the youngest brother it passes to the oldest son of the oldest brother, should he still be alive. If that is not the case, then it passes to a younger son of the oldest brother, etc.

The greater or lesser esteem for a chief depends on his personal achievements. Although every larger settlement has a resident chief who presides at meetings, only those from among them who have distinguished themselves by their courage and strength would be called inkata knara (= great/big chief) and held in higher esteem than the inkata kurka (= little chief), who holds this honour merely by virtue of his inheritance and does not exceed the other men of his camp in terms of personal achievements. (Strehlow 1915: 1–2)

The old men were called 'knaribata (kngerrepate)', 'pintulara' in Loritja and 'pinaru' in Diyari meaning 'the big man, the older man of high status' in Carl Strehlow's time<sup>23</sup> and these men were highly esteemed according to their level of knowledge (see also Spencer and Gillen 1899: 10). This term appears in volume one (1907), but is only much later explained and translated in Carl's work (1913). T.G.H. Strehlow also uses the term 'knaribata' which 'always refers to an old man who knew all the sacred traditions of his clan or group, and is therefore fit to be a member of the council of elders of his group'.<sup>24</sup>

Carl Strehlow writes that the subsection 'is passed on from grand-father to grand-child or, to put it in other words, that the class continues along patrilineal and not matrilineal lines' (Strehlow 1913: 71). He concurs with the findings of Spencer and Gillen (1899: 115) that 'so far as the class [subsection] is concerned, descent is counted in the male line' from one's father's father. In this context, Spencer and Gillen make an interesting comment on the way in which a 'churinga' dropped by a spirit child is found, once it has entered the mother:

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22 Inkata (A) = tina, atunari (L) = Kapara (D): Häuptling, Herr (allg. Vater) (Carl Strehlow's unpublished dictionary c.1900–1909).

23 Knaribata is composed of knara (big) and ata a contraction of atua (man). It was used for 'old man' (Carl Strehlow's unpublished dictionary c.1900–1909).

24 T.G.H. Strehlow's unpublished dictionary K (n.d.): 92a.

Sometimes it is found, sometimes it is not. In the former case, which is stated to occur often, we must suppose that some old man – it is most often the Arunga or paternal grandfather who finds it – has provided himself with one for the occasion, which is quite possible, as Churinga belonging to their own totem are not infrequently carried about by the old men, who obtain them from the sacred storehouse in which they are kept. (Spencer and Gillen 1899: 132)

It is noteworthy, that Carl Strehlow very rarely recorded any explicit remarks on subsection affiliations of myths in either prose or poetic texts. He only made a comment on the subsection affiliation of the frog ancestors. He wrote that they ‘belonged to the Mbitjana class’, and it was the only myth and song in his entire oral text collection (Strehlow 1910: 72–73; 1911: 37) in which his informants had made an explicit remark that it was about ancestors of a particular subsection:

It will be noticed that the marriage-class of the *altjirangamitjina* concerned is mentioned in this legend only, while in the legends passed on by Spencer and Gillen they are almost always specified. However, the marriage-class was given to me only in this case. I suspect that Spencer and Gillen made it a practice to ask for the class to which the respective totem ancestor belonged. I have deliberately avoided this, the black can, by means of simple deduction, state the marriage-class of a particular totem ancestor (*iningukua*) because every individual is born into the same class as his specific *iningukua*. Therefore, if one knows a person whose *ratapa* has emerged from a rock, tree, or *tjurunga* of a particular *altjirangamitjina*, and if one takes into account the marriage-class of the mother, then it is easy to state the marriage-class to which the *iningukua* must have belonged. It should be obvious, however, that such a subsequent determination by the various black narrators is without value. (Strehlow 1907: 82)

It seems to have been taken for granted by his informants that he knew, as they did, that a myth was about a particular country and ancestors with particular subsection affiliations. In 1932 his son went to considerable trouble to find out to which subsections the protagonists of the myth ‘*atua arintja*’ of Ulamba belonged. He found out that the father, *Toppatataka*, was a *Purula* and his son, the *atua arintja* (monster man), a *Kamara*.<sup>25</sup> It may have been taken for granted and, thus, completely unnecessary to mention that a myth or an ancestor was of a particular subsection, as it was clear to everyone at that time that country had subsections.

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25 T.G.H. Strehlow's Diary I (1932: 145).

In the 1930s, Olive Pink witnessed an emphasis on traditional estates associated with patricouples and owned through the patriline among Northern Aranda people and T.G.H. Strehlow among the Western Aranda. In his early work, although it was not the centre of his attention, T.G.H. Strehlow defined the landholding group as consisting of 'all men, women and children of a given totemic clan who stand to one another in the relation of fathers, sons, brothers, sisters, and daughters, relationship being determined both by actual and by class ties' (Strehlow 1947: 139).

A tight reading of this statement and of T.G.H. Strehlow's 1965 view on Aranda land tenure appears in the 'Summary Statement' of a Finke River Mission report. The authors of this statement appear to be perpetuating and emphasising a patrilineal and patriarchal model, although they add the role of the kutungula, defined as 'custodians or managers of the tjurunga, and so also the land' who are the 'male descendants from women belonging to the land-owning group'. They wrote that:

The most important kin grouping in relation to land ownership is the patrilineal descent group, composed of people descended from a common male ancestor through the male line. Each patrilineal descent group belongs to a particular tract of land and its members are called the Pmarakutwia (people belonging to the land, the land owners) for that particular area of land. A clearly defined system of leadership, and a recognised leader, exist within each of these groups. The female descendants from the male line are part of the patrilineal land-owning group, but only the fully initiated males are taught the secret knowledge relating to the land and its tjurunga. (Albrecht et al. 1976: 1)<sup>26</sup>

T.G.H. Strehlow called the country of a patrilineal descent group the 'njinaŋa (nyenhenge) section area'. Rights and interests in such an area were and still are articulated in terms of knowledge of particular dreaming tracks or segments of dreaming tracks and sites, as well as in terms of kinship links. Aranda people affiliated with a landholding group and its country through their fathers and father's fathers are today called pmerekwerteye (Morton 1992, 1997a,b; Kenny 2003: 31). According to Morton, T.G.H. Strehlow's 'njinaŋa' group more or less corresponds with what is understood under the term pmerekwerteye (Morton 1997a: 117). In land rights and native title claims this was found to be one of the principal ways to become a member of a landholding group and thereby acquire rights and responsibilities in relation to land. The other principal way today is through mother's father discussed above. Pmerekwerteye means literally 'country-owner'. It is a compound: pmere-ke-rtweye. The -ke is a dative suffix, which is very common, and -rtweye is the same as artweye (Henderson and

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26 This summary statement has been reproduced in Albrecht (2002: 80–82).

Dobson 1994: 286–287) in Eastern Arrernte and means ‘owned or owner’. However, in Western Aranda it does not seem to be used as an independent word (as *artweye* can be, but is not usually); *-rtweye* is rare in other combinations, and so people do not think of it as a unit.<sup>27</sup> Gillen in 1899 mentioned ‘Kartwia Quatcha’ to Spencer ‘meaning rain or water country and applied to the district occupied by a water totem group’ (Wilkins 2001: 508). Wilkins continues:

It is not clear whether *kartwia* is really intended as a separate word or not. The form *artweye* means ‘custodian of, person having major responsibility for something’ and it typically follows a noun in the dative case *-ke*. For instance traditional owners of country are *Pmerek-artweye* (country-DATIVE-custodian). Thus *k-artweye* could be a misparsing of some more complex construction. *Kwatye-k-artweye* would be the term referring to custodians of rain and water Dreaming country. (Wilkins 2001: 508–509)

The term *pmerekwerteye* seems to have emerged in the context of land right claims in the Northern Territory. In written records *pmerekwerteye* seems to appear for the first time in 1976 in a land rights submission of the Finke River Mission (FRM), spelled ‘*pmarakutwia*’ (Albrecht et al. 1976). Garry Stoll<sup>28</sup> remembers hearing it in the late 1960s. This expression does not seem to appear in either of the Strehlows’ or Pink’s work. It appears as ‘*Atwia-atwia*’ in Spencer and Gillen’s work where it is said to be the ‘name applied to the men who operate at the ceremony of circumcision’ (Spencer and Gillen 1899: 647). It appears that one of the two ‘*Atwia-atwia*’ of the ceremony they witnessed in Alice Springs was the novice’s father (Spencer and Gillen 1899: 241–248). According to Wilkins, this Central (Mparntwe) Arrernte term *artweye-artweye* can be understood in the following way:

The form *artweye* means the person/people who have the primary responsibility for looking after something; the custodians or ‘owners’ of something. This form shows up in the term for parents, the term for traditional owners of country and the term for the ancestors (‘the custodians of us all’). In Arrernte the term *artweye-ke-artweye* means related to one another in kinship. (Wilkins 2001: 496)

The suffix *-gatuia* appears on T.G.H. Strehlow’s genealogies collected from Anmatyerr people in July/August 1968 at Alcoota and Laramba.<sup>29</sup> *Imora-gatuia*, for example, translates as ‘possum dreaming owner’ or ‘belonging to possum

27 Gavan Breen, email, 17.9.2007.

28 Garry Stoll worked for over three decades at Hermannsburg. Initially he worked as a mechanic and later became the executive officer of the Finke River Mission. He is a fluent speaker of Aranda and was involved in most aspects of public Western Aranda life, including the land rights movement.

29 T.G.H. Strehlow’s Diary 38 and Anmatjerra FT series IX.

dreaming'. The same dreaming affiliation appears on a Western Aranda family tree as 'imora kŋ. (kŋanintja)'. However, the suffix -gatuia appears in the word pmaragatuia used in documents written for the Palm Valley Land Claim (Morton 1992 and Gray 1999).<sup>30</sup> In the Land Claim by Alyawarra and Kaititja (Toohey 1978: 5) and Utopia Land Claim by Anmatjira and Alyawarra to Utopia Pastoral Lease (Toohey 1980: 5) some patriclans had the tendency to add the suffix -rinya (meaning 'belonging to') to their estate name. This though is another suffix.

In sum, Carl and T.G.H. Strehlow use inkata and knaribata to reference what we today understand as primary Aranda land-owners. The term pmerekwerteye that carries connotations of ownership has replaced some of the meaning that was covered by the terms inkata and knaribata which implied ritual authority and power.<sup>31</sup> Austin-Broos (2004: 63) suggests that the impact of settlement life, pastoralism with its ideas and notions of 'ownership' and the state's jural order shifted the focus from custodianship of rites and sites to 'blocks' of land and 'bounded patrilineal estates'. A term such as pmerekwerteye with its affinity to notions of European ownership possibly was a convenient one in the land claim context and seems to have been reinforced by its use in legal procedures.

## Change and continuity?

Clearly there is a tension between Carl and T.G.H. Strehlow's respective emphasis concerning connections to country in Western Aranda culture. While both documented conception as important, their data seem to diverge with regard to mother's and father's connections to place and dreaming. In fact Strehlow senior did not even mention explicitly a connection to a father's 'totem', only to a patch of country that was inherited through patrilineal descent and associated with patricouples. His data on ratapa (conception dreaming) and altjira (mother's conception dreaming) and associated places stands in contrast with the emphasis that his son and others have given to dreamings and places inherited through patrilineal principles. Carl's altjira as well as ratapa were connected to mother, both her own conception and that of her child. These personal details seem to give 'mother's side' some significant meaning in belonging to country. T.G.H. Strehlow did not explore these mother's connections in detail. His father's 'altjira' would appear in some way in connection with the kutuŋula's rights to mother's tjurunga ([1964] 1978: 38). In his work patrilineal connections conferred primary land-ownership rights which were transferable through the

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30 '-gatuia' meaning 'own' or 'self' (Morton 1992).

31 The term pmererenye (A) meaning 'belonging to country' seems to give in the contemporary context some counterbalance to the notions of 'owner' in the word pmerekwerteye. (Ngurraritja (L) has been translated to me as pmererenye.) However, I have not discussed its translation and its underlying concepts sufficiently yet with Aranda and Loritja people to make a conclusive statement here.

patriline. Connections and rights to a conception site he seems to have mainly understood as an individuating characteristic within the context of a patrilineal descent group, his *njinaŋa* group, and were generally not transferable. This may have given the ritual group balance within their estate, as the people involved shared a ritual focus but also had their own personal identity (Austin-Broos 2009: 116).

One wonders if Carl Strehlow's informants provided him with these personal details because that is what he seemed to ask rather than for an account of a located socio-territorial order. Perhaps his style of questioning elicited personal details most readily, or perhaps the personal details were the most readily provided information. These seem to be egocentric principles, as described by Myers ([1986] 1991), that are operating at the turn of the twentieth century. Or, possibly, Carl Strehlow's informants took it as evident that every person was connected to a father's dreaming, as it was obvious that all country on Western Aranda territory had subsection affiliations, that is the bond between fathers and their offspring was embedded in land.

A tight and literal reading of T.G.H. Strehlow's work and the ideologies he presented at different times during his long career as an anthropologist, have led to the view that he promoted a rigid patrilineal model or gave too much prominence to conception sites. It seems he was trying to grasp a land tenure system which was undergoing shifts due to a number of events that had been occurring since the 1870s, and focused at different times on different aspects of the system. To understand the Western Aranda's land ownership system and the changes it was undergoing in the twentieth century, T.G.H. Strehlow's complete work spanning over four decades has to be considered. It shows that he had found evidence for multiple paths to be included even in a system such as the one of the Western Aranda (though the rights are not all equal) and that it was changing as he was researching it. In his publications he seems to have been oblivious of socio-cultural changes, as he opted to present the Aranda's 'classical' system as if it had been handed down unchanged 'since time began'.

The fact that T.G.H. Strehlow tried to capture an untouched, pre-contact world of the Western Aranda people – an ideal Aranda world – in which demographic and climatic accidents of a desert environment, like long droughts or the end of a patriline, were not taken into account, shows clearly that he was not formally trained in modern anthropology. Morton has argued that Strehlow junior attempted 'to over systematise a dynamic framework of land tenure in which contradictions have been as historically significant as harmony and integration' (Morton 1997a: 109). While the patrilineal model was likely to have been an ideal even in a desert environment that was relatively well watered, such as the areas of the Aranda, it would have been impractical, if not unrealistic. People had to move to survive – and to maintain their far flung social networks, as

they still do. In an environment as unpredictable and harsh as that of central Australia, mechanisms to ensure the maintenance of knowledge and land ownership needed to be inherent in a land tenure system. Their system had to survive in a desert environment which only allowed a low demographic density; the population was made up of very small groups, with lineages that constantly expanded or diminished in numbers in unpredictable ways. T.G.H. Strehlow's model of Western Aranda land ownership does not always reflect what contemporary indigenous landholding groups regard as true.

It also has to be kept in mind that Strehlow junior worked with men and did very little research into the world of Aboriginal women. He made a remark late in his oeuvre about women and their ritual knowledge. In *Songs of Central Australia*, he writes briefly how little is known about the sacred life of Aboriginal women and how regrettable this is (1971: 647–653). He remarked that women 'were aware of *all*<sup>32</sup> the landscape features associated with the various totems located in their area of residence' (Strehlow 1971: 648) as they were the ones who ultimately determined the conception sites of their children, and that there 'is the undoubted existence of a body of unknown dimension of special women's lore, which used to be kept jealously secret from the men' (Strehlow 1971: 649). His work depicts largely a male Aranda worldview. His bias towards a patrilineal land tenure model may to a certain degree be the result of the lack of consultation with women.

Nevertheless, there seems to be little doubt that Western Aranda society had and still has a preference for the inheritance of knowledge through the patriline connecting people to father's father's country. Carl Strehlow's references on how country is associated with subsections, and chieftainship is inherited through the male line as well as his position on patrilineal descent, seem to point to a patrilineally biased model, despite his evidence that matrification and conception were other pathways that were valid ways to claim rights to land and very possibly emphasised by individuals.

In sum, we find generally in contemporary Western Aranda culture that the group of landholders of a country consists of *pmerekwerteye*, who connect to their land through their father's father, and *kwertengerle*, whose rights and responsibilities are mainly derived through mother's father. They are the core members of a landholding group under traditional laws and customs. People who are connected to country and have rights and responsibilities in relation to it through their father's mother and mother's mother are also called *kwertengerle* and can acquire membership in a landholding group. Long-term residence, conception sites, responsibility of shared dreaming tracks, and knowledge and authority in relation to dreaming tracks and stories enhance the status of the

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32 T.G.H. Strehlow's emphasis.

latter kwertengerle (Kenny 2010: 42–48) – in rare cases this includes exceptional individuals without descent links. Morton described a comparable situation among Central Arrernte people:

While a person's connections to, and rights in, all four grandparental estates are held simultaneously, those connections tend to be more or less ranked in people's minds. One belongs first to the estate on one's father's father; second to the estate one's mother's father; third to the estate of one's father's mother; and fourth to the estate of one's mother's mother. However, there may be exceptions to this ranking system based on factors such as knowledge, seniority and long term residence. (Morton 1997b: 26–27)

This type of model based on traditional principles manifests itself in the context of land and native title claims and decision-making with regard to some infrastructure and mining developments on Aboriginal land rather than in everyday life. It is determined by dreaming associations and certain kinship links, because many principles of land ownership are based on descent and who has a right to acquire knowledge of the mythology associated with particular parts of the landscape. Indeed, kin or rather descent-based connections to land are becoming in the contemporary setting more prominent in claiming rights and the accepted way to be part of a landholding group, in particular when the distribution of resources from mining ventures or joint management of National Parks are involved. Sutton (2003: 252) has observed that there is a tendency in settled areas of Australia to move towards a cognatic model of inheritance to rights in land. Western Aranda people seem to oscillate between a patrilineal 'biased' and a cognatic model depending on the social, economic and political context.

Carl Strehlow's material, and its many imponderable dimensions, especially when it is placed beside that of his son, suggests something other than a mere developmental sequence or a static model. Aboriginal rights to land in central Australia have involved a significant range of personal as well as socio-centric links. These have been ranked in a variety of ways, and can be made more or less prominent, according to context. This is unsurprising in view of the Aranda's twentieth century history.