Chapter 6

IN AUSTRALIA, IT’S ‘ABORIGINAL’ WITH A CAPITAL ‘A’

Aboriginality, politics and identity

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Sometime in the 1960s, for both ethical and political reasons, the term ‘Aboriginal’ and ‘Aboriginal’ began to be written with a capital ‘A’, thus becoming an ethnonym; it applied to the descendants of the first inhabitants of the Australian continent, some 500 groups speaking different languages and designated — even now — by different names. Today, Aboriginal groups have not only different languages and cultural backgrounds, but different histories as well — reserves, separation of children from parents, mixed descent — all of which has put more or less distance between them and their heritage. And yet many still claim that there is such a thing as an ‘Aboriginality’ which unites everyone under the same identity, even if not everyone can agree on its definition.

Sociologists and anthropologists generally concur that this is an ongoing process in which they themselves have a part. Nevertheless official and private discourses offer contradictory versions of this identity: on the one hand, an identity of continuity, based on language, religious beliefs and practices, and pre-contact world-vision and life-style; on the other hand, an identity of resistance, aimed at the revision of contact history, valorisation of national identity symbolised by a flag, land-rights, denunciation of bad living conditions, analyses in terms of exclusion and exploitation. While some calls to resistance have gone out from the cities to tribal communities countrywide, the emergence of pan-Aboriginality is also accompanied by new affirmations of singular identities partly defined by tradition. In other words: all Aboriginals insist on their Aboriginality, but rather than advancing this claim by opposition to non-Aboriginals as a political entity, Aboriginal people affirm themselves as different from their other Aboriginal neighbours. It is as if pan-Aboriginality itself were prompting the emergence of these identity singularities, as if the process of anthropological and social heterogenisation were part and parcel of political uniformisation.

The various federal, state and regional governments regularly create royal commissions, make recommendations and pass laws and budget priorities in an attempt to find solutions...
for all Aboriginal descendants. It is the government that says who is legally an Aboriginal
person, how he can claim his rights and what is supposed to promote Aboriginality; and it
continues to enlist more and more public servants and consultants to do this — including
Aboriginal people. Yet, despite this élite participation in the constant elaboration of
indigenous policy and programs, the population concerned insists on the differences of
interests and opinions within the Aboriginal community, and on the need for negotiations
with the ‘rank and file’, and not only with appointed or elected representatives. Over the
course of their long struggle for the right to exist and to manage their own affairs,
recognition of an initial sovereignty, which would confirm once and for all the Aboriginal
peoples’ original ownership of the land, has become a question of principle. In the 1970s and
1980s, a committee of non-Aboriginals and the National Aboriginal Conference (NAC), an ex-
body of nationally elected Aboriginal representatives, militated for a treaty with the federal
government. But many Aboriginals proved to be reticent about the idea, arguing primarily
that no one body was qualified to sign on behalf of all groups concerned. Nevertheless, the
idea of a treaty became a popular symbol, in particular due to a song by the Aboriginal rock
band, Yothu Yindi. The 1988 bicentennial celebrations held out hope for a solution. At the
Aboriginal Festival in Barunga, the Prime Minister confirmed the relevance of the issue and
the necessity of negotiating a treaty or a compact aimed at ‘reconciliation’.

After the bicentennial, the idea of reconciliation supplanted that of a treaty, which had
been rejected by all opposition parties, who saw the two-nation distinction as a threat to
Australian unity. A council for reconciliation was created in September 1991, with both
Aboriginal and non-Aboriginal members. A year later, its task turned out to be highly topical.
For the first time in Australian history, a native community won a Supreme Court decision,
recognising their native title on lands: this was the ‘Mabo case’, and it concerned a group of
Torres Strait Islanders. The situation was tossed about in the local and national media, and
aroused bad feelings and incomprehension among non-Aboriginals, who took increasingly
hostile and open positions: racist declarations, alarmist appeals, and even the constitution of
defence committees to counter what was felt to be a threat. Yet these first Australians now
constitute less than two per cent of the population; just what kind of threat could they pose?
The Mabo verdict should enable other Torres Strait Islanders and Australian Aboriginals to
command recognition of their native title; but the concrete application of such titles remains
to be determined: according to some politicians, 80 per cent of Australia could be subject to
such claims. What power do the Aboriginals stand to gain by winning recognition as native
land-owners? No one really knows. Except that they would become inevitable partners in
most decisions involving development. In this context, Aboriginality is synonymous with a
destiny rooted in the land, in the name of ancestral ties, and engaged in an alliance with the
nation’s future. This would be the philosophical rewards of a bond with the land traditionally
defined as eternally present.

Aboriginality: body versus spirit

Aboriginality as a pan-Australian identity is a post-contact construction with respect to non-
Aboriginals, whereas ‘nativeness’, as an ethnic identity, has always been the very basis of the
cohesion of every Aboriginal group, through theories of conception and kinship, the organisation of society and marriage, the domain of economic survival and the religious system. It is politically correct, in today’s social sciences as well as in political movements against racism and for universal equality of civil rights, to criticise all essentialist arguments attempting to justify ethnic differences or make distinctions between peoples on the basis of racial characteristics: i.e. biological and genetic transmission, and references to blood or to skin colour. In other words, anything having to do with the body or with innate features is now taboo. It is preferable to explain differences by non-corporeal and acquired criteria, such as culture, or the length of time a group has occupied a territory conferring native or assimilated migrant status.

For indigenous peoples, however, the notions of innate and acquired, like those of body and spirit, are inseparable insofar as the definition of what is innate and of the place of the body is cultural. Without this discourse, their culture loses a major mode of transmission. In everyday life, popular discourses on the transmission of physical features and on body marks have become more important than ever and increasingly sought after, whether as expressions of ethnic tensions or in the paramedical domain. Popular essentialism, like various indigenous theories, is not based on innate transmission alone, however, but also on the notion of contagion or pollution from outside substances, where an individual’s body is thought of as reflecting the health of the society as a whole. The same logic operates in everyday racism, which abusively amalgamates a people’s identity with the ills afflicting certain of its members. In this context, criticism of essentialism should include two aspects that are often neglected: first, the ideological effects of the West’s depreciation of innate features as opposed to acquired ones; and second, the specificity and the place in discourses on identity of indigenous essentialistic theories. In Australia — as in many other Oceanic societies — essentialism has proved to be inseparable from a certain relationship with the environment, which differentiates people according to the natural species with which they identify.5

Conception and transmission: how totemic and linguistic identities are distributed

For nearly a century, anthropologists have been fascinated by Aboriginal theories of conception. The theme is well known: traditionally, Aboriginals did not attribute conception to copulation but to a spirit-child’s entry into the uterus; this conception was announced in a dream to the father, mother or a close kinsman. (I will not go into the question of whether or not Aboriginals were aware of the connection between copulation and conception.) For decades, whenever the question has been put to them, they have replied time and again that there is no child without a spirit-child. In other words, the human being is something other than the result of what we call biological transmission. We could also say that there is no body without a spirit, and that this spirit comes from somewhere else than the body of the father or the mother.

What we are interested in here is the status of this ‘somewhere else’ and how it links a human being ‘from the inside’ with his ancestors. For this contains a paradox: the spirit
transmits certain ‘essences’ that are going to identify the child in its spirit and its flesh with certain kinsmen, but also with certain natural species or phenomena, and with a land. Anthropologists customarily call this spiritual and physical link a ‘totem’; in Australia it is known as a ‘Dreaming’. Here again the many debates on whether or not totemism is a manufactured concept tend to obscure the fundamental reality: while there is no general definition of totemism, the term ‘totem’, and even more specifically ‘Dreaming’, tend to translate highly complex indigenous concepts which differ from group to group. Although we lack a standard definition or even an adequate translation of singular concepts, we must nevertheless attempt to understand what they say about the body and the spirit that is different from Western conceptions. In the present case, they say that the identity of each person is founded on an exterior agency which internally links the person to ancestors, animals, plants and so forth, and to places.

In the case of physical transmission, the development of the foetus, which is animated by a spirit-child that comes from the land — it can be a tree, a rock, a water hole — reacts to all outside substances that enter the mother’s body. Therefore all Aboriginal groups traditionally imposed dietary taboos on a woman during pregnancy, forbidding her to eat various foods believed to be dangerous to the child. Some taboos lasted as long as the mother breast-fed the child, as her milk was also thought to be capable of transmitting harmful substances. The following example was recorded in the Kimberley in the 1930s: the mother could not eat honey received in exchange for pearl-shells, for pearl-shells being associated with Kaleru, the Rainbow Serpent, giver of spirit-children, might harm the child or make the mother sick.6

There are many indigenous theories about contagion through contact with substances, but I will not go into them here. I will simply add that, in addition to food, the semen transmitted to a pregnant woman during sexual intercourse was also believed by some groups to contribute to the child’s development. Whatever physical likeness the child bore to the father or mother, however, was attributed to the Dreaming, to the totemic essence; people who had the same Dreaming were also supposed to share certain physical traits stemming from their spiritual affinity with a particular species. These characteristics may be different for men and women. For instance, among the Warlpiri, I found that Opossum clan men have a particular foot shape which recall this animal, while the women’s lips become black when black plums are in season: the ‘Plum’ is a female totem associated with the Opossum.7 Commonly, too, a child may have a birthmark, explained by the circumstances in which its spirit entered the mother’s body. For instance, an infant may have a mark where his father shot the kangaroo that was the child’s spirit before it was born. Over and above the complex symbolic elaborations each Aboriginal culture has developed in its own language, all theories about the process of conception and gestation stress one fact. The body and its substances, blood in particular, carry essences that go beyond the purely human dimension, although they are also what gives each person his human nature, his singularity, and identifies him with a place that will enroll this individual in the collective identity of the group that is tied to the same land as well as in the broader identity of all those who speak the same language.

The shared language itself is believed to come from the ancestors, for the spoken word comes from the Dreaming. For the Warlpiri, in particular, it is the spirit-child that transmits
the power of speech. It has been pointed out that, for the original groups from the Western Desert that migrated northwards (south of the Kimberley) — now the majority of the Aboriginal populations, known as Wolmeri (Walmadgeri, Walmajarri), Julbaridja (Yulparija) or Wonggadjunga (Wangkajunga) — the notion of human being covered first of all those who recognised each other as *djandu*, nearby groups speaking the same language, and extended outwards to the *ngai*, distant neighbours having different languages and customs but with whom there were direct or indirect exchanges of objects or rituals. Beyond this horizon, even if objects and rituals circulated, the more-or-less 'human' status of people was debatable. The notion of *djandu* is found in different desert languages. The same study shows that the terms Walmadgeri and Yulbarija were both used by the northern river peoples to designate those in the south, but when they became local culture markers, they were also adopted by new migrants from the desert.

There is a general tendency throughout Australia to use different terms, depending on whether one is designating a group from the inside or the outside. For example, northwestern peoples usually call the desert peoples to the east (Central Australia) Waringari, Warmalla or Woneiga. These same groups, however, differentiate each other by the language they speak (Warlpiri, Aranda, etc.): in reality, Warlpiri use the terms Warmalla and Woneiga (Warnayaka) to designate dialectal variations that characterise Warlpiri associated with the lands on the far western edge of the tribal territory. With colonisation, certain terms came to circumscribe expanding local identities, such as Walmajari in the Kimberley, or Warlpiri, Pintupi or Pitjantjatjara in Central Australia. What should be remembered from all this is that traditional ethnic designation was based on local proximity and the ability, if not to speak the same language, then at least to understand each other in spite of differences. The borders between 'tribal' identities were fluid and were redefined with each new alliance that brought the various intra- or extra-tribal groups into contact for the purpose of exchanging goods and rituals. Marriages tended to be contracted within the linguistic unit, although from time to time union with outside groups would renew or inaugurate alliances between the contracting parties.

**Kinship and ritual:**
*how mythic filiations and alliances are reproduced*

I have shown elsewhere that the Warlpiri and their neighbours apply the term 'human being', Yapa, to all those, whatever their language, who identify each other using the same classificatory kinship system or certain equivalences. Of course identification assumes encounters and alliances. But the particularity of this system of communication is that the alliances are based primarily on shared rituals before being grounded in marriage; they are founded on the sharing of certain non-human ancestors, often designated by totemic names. More specifically, it is the route travelled by these ancestors, known as a ‘Dreaming’, that connects one group’s places to those of another, that endows them with this common, shared identity designated by the Dreaming which goes with it: Kangaroo Dreaming, Goanna Dreaming, Emu Dreaming, Yam Dreaming, Rain Dreaming, and so on. Some of these routes are more than a thousand kilometres long and run through the territories of different
language groups: the ritual cycles and objects associated with the different places are also transmitted, eventually returning to their starting point enriched with new mythic episodes and rituals. Celebration of these connections by the local groups constantly renews the ties of classificatory and totemic kinship. This is not to say that the groups at either end of the chain necessarily know each other or even recognise their kinship, but that, in each place, identities are thus recomposed.

But classificatory ‘kin’ is by no means synonymous with consanguinity: various anthropologists have stressed this point all too often forgotten by theoreticians. Traditional Aboriginal people speak of these relations as their ‘skin’, as opposed to our notion of blood, but others also speak of ‘flesh’ or ‘body’; so to say someone is of the same ‘flesh’ explicitly designates an essence of the Dreaming that is shared by all members of a group, an essence that is both external and internal, corporeal and spiritual, and which is usually also a totem. The notion of being one ‘body’ or one ‘skin’, on the other hand, refers I think to the surface marked or penetrated by this essence which inhabits the body on a continuous basis (in the case of a small group) or temporarily (in the case of a bigger group) when it is painted on the body with ritual designs.

This is not the place to explore the complex connections between inside and outside that can be found at every level of ritual life, as well as in gender relations. Nor am I going to attempt an explanation of the classificatory kinship systems: the complexity of the Australian models is a constant source of wonder for mathematicians. But there is one fundamental rule that should be retained: traditional Aboriginal societies had a kinship system that, in many cases, divided the group into two, four or eight categories. The members of the same category regarded each other as ‘brothers’ and called those in another category by another kin term. This system does not use ranked classes but alternative roles: during any ritual, everyone in the same category automatically receives the same role; this role changes for the whole category when the context changes, in another ritual, for example. This applies to initiations, funerals and totemic rituals. In each case, it is the position of ‘brother’, ‘father’, ‘mother’, ‘spouse’, ‘mother- or father-in-law’, and so on, with respect to the initiate, the deceased or the ancestor celebrated, that determines the role the person plays. Thus both kinsmen and direct allies are placed in a category of classificatory kinship. There is no room here for outsiders, unless they are identified with a classificatory category and thus become ‘kin’ in their own right.

The articulation of this form of kinship, which is still used in those communities and towns where Aboriginal groups have kept ritual alive, brings us back to the initial question of essences. A child is identified by its spirit-child with one or more Dreamings, as well as with a place. But it is the rituals that enable close kin to situate a child in a filiation which, according to the group, will give it the essence it will share with its father’s line, its mother’s line or with another group. Through these rituals, the child will acquire, in addition to its — let us say ‘biological’ or ‘adoptive’ — parents, yet other ‘fathers’ and ‘mothers’, together with as many potential classificatory kinsmen and allies as there are people present in a given context. This kind of generalised kinship does not encompass everyone as sharing the same essence, however. Instead, it defines a conjunction of Dreamings for each person, with the associated stories, rituals and places, for which the child will be responsible, together with a
group of brothers within a broader category of ‘skin brothers’. Rituals constantly reaffirm
these singular filiations shared between a group of people, non-human ancestors and specific
places by consolidating the alliances that maintain these singular ties between all the allies.
Aboriginal people call this in English ‘The Law’. ‘Following the Law’ means first of all being
initiated: passing certain tests, receiving the secrets revealed to one sex or the other, and
being at the same time affiliated to one group and allied with another. Both a man and a
woman are duty-bound to follow and celebrate certain Laws: the term Law designates the
ritual cycles that distinguish the various groups, but these can also be transmitted from one
group to another.

The circulation of Laws strengthens kinship and alliance links while affirming the
differences of identity. Since the 1970s, however, the southern Kimberley has been
experiencing a ‘Walmadgerisation’, owing to the fact that the Walmadjeri (Walmajarri)
desert groups have brought their Laws to the decimated groups of Fitzroy.12 How have the
Laws of one linguistic group come to supplant those of another? This can be explained by
three partially linked factors: some decimated groups have been prevented from celebrating
their respective Laws; they have also totally or partially lost their language; and there has
been increasing intermarriage between different groups. In regions with more than a century
of colonial contact behind them, many people are now of mixed ancestry, not only mixed
Aboriginal and European descent, but also mixed with Asian indentured labour working in
the pearl-shell industry. Aboriginals of the Kimberley have developed numerous strategies to
cope with this situation. Despite the reserves and the near century-long ban on free travel,
increasing numbers of rituals have circulated between coastal groups, and the western and
the central deserts. Motorised vehicles have enabled tribes to extend their links with other
far-away groups; some have changed kinship systems and the organisation of their rituals;
new funeral rites have developed to include people of mixed descent and adapt the various
changes brought in by the European settlers.13

The result of the accelerated circulation of the rituals and their accompanying myths was
not a uniformity of beliefs, but the inclusion of various local versions in a new mythico-
historical continuity that sometimes gave rise to messianic-type cults.14 The exchange roads
tavelled by the objects and the rituals, which covered northwestern Australia and spanned the
entire desert in pre-contact times, as well as the routes followed by the stories that linked the
groups into a long chain, took on a different dimension. Increasingly Aboriginals on the move
had the opportunity to compare local versions. In the 1950s, Petri had noticed that the coastal
and the desert groups held certain pre-human ancestors known by different names to be
equivalent: for instance, the Wanji peoples, who moved from the coast to the desert, are
supposed to have brought with them the first Laws on the continent, while for all the desert
groups, the Dingari are the first to have performed initiations.15 Another myth runs in the
opposite direction, crossing part of Central Australia and the whole Kimberley; this is the
Two-Men Dreaming, also known as Watiwutjarra Dreaming.16 Stories about Rainbow Serpent,
Kangaroo or Dingo link other groups. Through this recognition of common Ancestral Beings,
the desert groups, who have maintained their Laws, are seen by certain groups in the north,
who have lost their own Laws, as custodians of the ancestrality and the authenticity of a
Dreaming order in the regions where, for various reasons, these Laws have been abandoned; on
the other hand, ancestral heroes from the northern coastal regions continue to attest the power of these lands in certain desert cults.

People have always adopted ceremonies from neighbouring groups, but replacing one's own ceremonies by new ones means a partial change of identity, which introduces different levels. In the Kimberley, coastal or river groups, who identify with their locality and their original language, insist at the same time on their differences and on the fact that, by virtue of a given Law, they are all the same or the same as the desert peoples. There are also families who do not participate in any ceremony, but believe that Aboriginal identity should be marked on the body of their boys through some aspect of the ritual initiation common to most northern and desert groups. Some therefore send their sons to be initiated in a group speaking a different language, while others have them circumcised in the hospital. In this case, interestingly enough, circumcision is no longer the sign of affiliation to a local group and of alliance with others, it has become a physical indication of pan-Aboriginality. Others still, faithful to the Christian injunction, do not practice circumcision, but found their Aboriginal identity on a different base.

**Mixed descent and separation:**

*how the ban on mixing the colours provided a pretext for taking the children away*

At the time of the first European contacts, many Aboriginal people regarded white skin as the sign of a ghost. Europeans were therefore often thought to be spirits of dead persons. Nevertheless, the first children of mixed descent born with light skin were not identified with a European father. Their skin colour was explained by the indigenous theory of contamination by substances: for instance the mother must have eaten too much flour. This remark can be understood in another way, though: as meaning that the ingestion of food imported by white settlers marked the onset of a disorder in the transmission of substances or essences, in other words, identities. In the same vein, among the Worora of the northwest, the men were reported to complain that their dreams had become too ‘heavy’ since they had been working on the cattle stations: they dreamed of too many things from the white people’s world and there was no room left to dream of spirit-children; this was the explanation they offered for the near sterility of their group. In Arnhem Land, in the 1970s, on the other hand, many women found themselves with more than four children; the unusual numbers were blamed on the fact that white people had sunk too many wells, which attracted spirit-children. These examples indicate that Aboriginal people do not view conception as a matter of biological transmission, but instead always as a relationship with the environment: the confrontation of the Aboriginals’ world with that of white people had altered the circulation of essences.

The way Aboriginals look on people of mixed descent has varied with the region and in reaction to colonial policy, which was obsessed with preventing the mixing of colours. Until recently, administrators and settlers spoke of ‘full-blood’, ‘half-caste’, ‘quadroons’ and so forth. Based on the idea that Aboriginals do not have recessive genes in the colour of their skin, the notion of a racial ‘whitening’ was developed. ‘Half-caste’ girls were separated from
their families to be married to ‘quadroon’ boys, so that their daughters might be married to even lighter boys, until every trace of Aboriginal ancestry had vanished. In this process, the men were not to be married to a lighter girl. The theory, put into practice by the welfare services, is not without its similarities with Nazi racial rules stipulating that an Aryan woman would be permanently defiled by a single sexual relation with a Jewish man. This idea was based on the theory of impregnation that all of a woman’s children would be marked by her first sexual relation. At the turn of the century, Bischofs, a German Pallotine Father in charge of the Aboriginal mission at Beagle Bay in the Kimberley, expounded on this theory in a text devoted to the Aboriginals of the northwest coast. He devoted over a page to the idea that, if an Aboriginal woman had intercourse only once with an Asian, all children born thereafter would be of mixed blood. As Chief Protector of the Aboriginals of the northwest, he therefore urged that Aboriginals be kept away from both Europeans and Asians: mixed unions were regarded as a crime, and Aboriginal women surprised with Asians were charged with prostitution and either jailed or sent to a mission. Children born of unions with Asians or Europeans were taken away from their parents.

Many life-stories tell of the strategies used to shield mixed-descent children from the segregationist policy: they were hidden from passing patrols, or even rubbed with charcoal to hide their light skin. Today many Aboriginals are looking for their lost families. For years they were refused access to the colonial archives, but now an Aboriginal organisation has been created to assist them in their search. Numerous reports indicate that Aboriginal men and women in the north did not necessarily see these short-lived unions with Europeans or Asians as a bad thing. In the Broome region, affairs between Aboriginal women and fishermen from Malaysia or the Philippines are often presented as love stories. Maddock reports that, in Arnhem Land, Aboriginals did not reject half-castes, but they did make fun of them and called them ‘dogs’ if they refused to take part in ceremonies. Unlike European settlers, Asians were not generally feared because they did no harm; instead, they brought ‘good things’, like curry and opium. On the northern coast, ‘yellowfella’ designated people of mixed Aboriginal and European or Asian descent and their descendants. On the west coast, the expression ‘coloured’ was employed more explicitly for people of mixed Aboriginal and Asian descent who had developed their own community after two or three generations. Following the Second World War, many Asians were sent back to their own countries in accordance with the ‘White Australia’ policy; their descendants, raised by their families or in the centres reserved for people of mixed descent, were assimilated by the administration to the other Aboriginals, unless the ‘whitening’ policy gave them European status.

Like the administration, Aboriginals on the reserves continued for a long time to use the expressions ‘full-blood’ and ‘half-caste’. But these terms indicated a difference of status having less to do with skin colour than with a way of life: half-caste tended to refer to Aboriginals, whether or not of mixed descent, who lived in town or in the white people’s world. Urban militants have denounced the use of both terms and for a time used the expression ‘part-Aboriginal’ for people of mixed descent. Later it was decided that all persons of Aboriginal descent, whatever the shade of their skin, could identify as ‘Aboriginal’ and be given this status.

Jordan writes that this insistence on an Aboriginal identity stems in part from the fact that, after having been depreciated by Europeans for decades, it once again took on a positive
value after the referendum granting Australian citizenship to all Aboriginal people and giving
them various social advantages, such as scholarships or, more recently, the possibility of
obtaining a lease to live on a land. With the new laws, many families that had maintained
their ‘coloured’ status (as descendants of Asian settlers) to protect themselves from the
discrimination against Aboriginal people began to claim their Aboriginality, and the term
‘coloured’ has fallen into disuse. Some people were even unaware of their Aboriginal
background, kept from them by their adoptive families. The latest census figures, however,
show that the majority of Aboriginal people are now proud of their roots. Although all
descendants of Aboriginals are now officially recognised as Aboriginal in all government
reports and brochures concerning them, it is still not unusual for the opposition ‘full-
blood/half-caste’ to resurface at the first sign of discord within Aboriginal organisations or
even in families. Nevertheless, with the valorisation of Aboriginality, the opposition does not
have the same meaning. The mention of blood does not refer to some purported racial purity
but to a way of thinking: anyone who seems to betray the Aboriginal cause will be accused of
being ‘half-caste’; but ‘full-blood’ can also be used as an insult, suggesting the incapacity to
understand the new issues of Aboriginality.

The desert and northern Aboriginal peoples who have survived European contact have
tended, for the past twenty years, to define their way of living as following two Laws,
generally opposing everything that came from the ‘blackfella’ to the rules imposed by the
‘whitefella’. The Warlpiri thus use the term *yapa* (humans) for all Aboriginal people — even
the coloured people they now see on television. This is contrasted to Kardiya, which is used
for ‘Europeans’, as non-Aboriginal Australians usually call themselves. Although the
opposition between the two Laws is expressed in terms of colour — black versus white — as
well as in terms of relations of power, I believe it also reflects acknowledgment of the
impossibility of any traditional alliance, as this would require that the partners’ idea of self
have a common foundation. This is a directly cognitive issue: it is not so much a question of
same skin colour as of sharing a certain way of thinking, which for traditional Aboriginal
people is directly linked to the environment and to the reinterpretation of myths and rituals.

Defining identity in terms of locality, language, totemic essence (Dreamings),
classificatory kinship or ritual life (the Law) raises the question of the relationship between
these identities as Aboriginal points of view and our Western categories, which, to put it
schematically, oppose the identity of the self (in psychology or psychoanalysis) and cultural
identity (in anthropology and classical sociology). I believe that this dichotomy does not exist
in traditional Aboriginal societies. Not, as some suggest, because the notion of self is purely
social, the individual being identified with society as a whole, but because society is entirely
grounded in a notion of the self that defines each individual as involved in a network of
identifications and self-references. These vary according to the context, but remain based on
socialised internalisations of something external that is found in all manifestations of the
cosmos (people, places, animals, plants, wind, rain, etc.): the notion of Dreaming, which
permeates these cultures, partakes of this kind of internalisation. In a context of relative social
disintegration, particularly in urban communities, Aboriginal identity, at the family or even
the purely individual levels, is often based on certain characteristics which reveal a link with
the traditional notion of self: attachment to places and development of local Kriols,
importance of extended kinship networks and duties of assistance, search for direct links between transgressions of some Law by Aboriginals and natural catastrophes or accidents, confirmation of paranormal powers to kill or cure, visions or dreams containing messages or stimulating creativity, and above all interpretation of signs attributing a totemic and localised spirit-child to a newborn infant.

**Aboriginality: culture versus policy**

Aboriginal spirituality is the core part of being Aboriginal. There is a need to push for Aboriginal Spirituality (capital S) being recognised as an established philosophy by educational authorities, religious groups (...). Aboriginal Spirituality gives everyone, from infancy to old age, a sense of ‘who I am’. It is Aboriginal Identity (capital I). It is respect for Elders, caring and sharing for each other and a strong connection and love of the land. Aboriginal Spirituality should be nationally registered as an Aboriginal Religion, and as such, given the recognition and status to which other recognised religions have privilege. Resources should be made available to teach Dreamtime stories to non-Aboriginals and those Aboriginals who were removed from their cultural heritage in infancy or as children. Aboriginal children should be given Aboriginal names at birth to reinforce their Aboriginality.

The above passage sums up the recommendations made by a delegation of Aboriginal women to a conference on the theme of ‘Safe keeping: women’s business’. After decades of anthropological discussions on the religious or non-religious status of Aboriginal spirituality and at a time when deconstructionist tendencies are blaming traditional cultural references for freezing Aboriginality in an ideal and nostalgic image of a mythical Dreamtime, it is interesting that the same elements are asserted by Aboriginal people, women in this instance, as the basis of a religion that should be made official like any other and as the very foundation of Aboriginal identity. Yet it is clear from various analyses that many young — or not so young — Aboriginals, who insist on their Aboriginal identity, do not rely on religious beliefs or may even reject them. On the other hand, the call for ‘caring and sharing’, here used to define their religion, also frequently serves as a secular statement of Aboriginal identity. Aboriginal health organisations, among others, advance the formula to oppose risk-taking and deviant behaviours (alcohol abuse, domestic violence, etc.).

Aboriginal spirituality, it must be remembered, is part and parcel of a relation to the land. And it so happens that land claims top the list of political demands. Justification of Aboriginal peoples’ claims as the original occupants of the land are based on peoples’ spiritual association with places and their responsibilities as custodians. Even when these responsibilities are not longer exercised, it is with reference to the past culture as heritage that Australian law recognises the protection of Aboriginal sites. In other words, ‘religion’ has become synonymous with ‘culture’, not necessarily in the way it was traditionally practised, but in a way it can be acceptable to national, and now international, norms, such as the status of recognised religions, schooling, the art market or legislation designed to confirm the ancestral link between Aboriginals and the land.
**Between the land and God:**

**how Christian Churches negotiate with the principles of Aboriginal spirituality**

The debate over the connection between religion and ethnic identity is reminiscent of the question of Jewish identity: to what extent can a person be considered Jewish if he or she does not practise or even believe?\(^23\) The answer depends on the branch of Judaism. Since a person is Jewish by ancestry, and more specifically through the maternal line, all that is needed for some is to acknowledge one’s Jewishness and to be acknowledged by the others (which brings us back to the ethnic questions raised in the first part of this chapter). For others, being Jewish is inseparable from living a Jewish life style, which implies religious practice and the physical inscription it commands for boys (circumcision); this idea is also found in certain Aboriginal groups, as I mentioned earlier. In either case, Aboriginal or Jewish, the religious arguments — unlike Christianity, Islam or Buddhism — have one point in common: it is inconceivable that adopting the Jewish religion or Aboriginal spirituality is enough to make a person a Jew or an Aboriginal. Knowledge, or even practices like circumcision, cannot confer this identity. The reason for this inconceivability differs in the two cases at one level at least. Judaism is a collective and historical destiny, and a sign of a people’s specificity; it is transmitted through both essence and culture. It is this memory, passed from one generation to the next in what tends to be an endogamous community, that founds the group’s ‘authenticity’, whereas the majority of the Jewish people lives in exile (even though for some the return to the land of Israel is a necessity). Aboriginal religion lies both in the individual and in a network of connections between individuals and their respective lands and myths. But this network does not include all Aboriginal people nor does it cover the entire territory of Australia, either historically or geographically. Each individual exists only because he or she embodies ancestral spirits of the land, those celebrated in ritual life; in other words, spirituality is inseparable from the notion of person and place. From a traditionalist point of view, Aboriginal people who deny the link between the individual, the spirit and the land have ‘lost’ the knowledge of their link. But it is still present, not only through their ancestors, but in their very being, because there is no person without a territorialised spirit.

Does this mean that non-autochthonous people are without a spirit? A text by Stanner carries the title, ‘White Man Got No Dreaming’, according to the expression used by many Aboriginals, for whom ‘lacking Dreaming’ is the sign of not being Aboriginal.\(^24\) In various parts of Australia, it has been reported that, when non-Aboriginals live for a long time with Aboriginals, their children born in that place are given a Dreaming, the sign of their implantation. Some Aboriginals also consider that Christianity — or rather the story of the Bible and of Christ — are the white people’s Dreaming. Nevertheless, most of them note a fundamental difference: Australian Dreamings are rooted in the land, whereas this European Dreaming claims to be everywhere and nowhere. In reaction, some groups in the Kimberley suggest that Noah’s ark has its secret place in the Australian desert and will save them from a new flood.\(^25\) Similarly, Jesus (Jinimin) showed himself to some Woneiga (Warlpiri) in Central Australia: he had a black and white skin, and announced that Aboriginal people will have a white skin once they win their fight against the Europeans; he promised to protect their culture, which he took with him into the sky in the form of two cults — Wanadjarra
and Woronga — which have since spread through the Australian West.\textsuperscript{26} The differences in the way Dreamtime Beings and the Christian God are linked to the land invite us to rethink the whole question of ‘monotheism’.

Aboriginal people who have not abandoned the beliefs of their ancestors often take a theological approach to Christianity.\textsuperscript{27} The aim of their reflection is not strictly religious, however. Just as the ancestral religion was inseparable from the social and political organisation, especially the distribution of land rights enabling the people to live, so today’s spiritual reflection is concerned to define the ‘place’ of Aboriginal people in Australian society through the respect of their land rights in an economic environment of development (urbanisation, mining, cattle stations, etc.). In other words, while Aboriginal spirituality defines Aboriginal identity, it is also a political statement. Tony Swain has defined the Warlpiri’s idea of the Christian God as the ‘ghost of space’: he opposes the Aboriginal notion of place to that of space, an encompassing notion alien to the Aboriginal mind, which thinks in terms of relations between places but not of a spatial continuum encompassing them.\textsuperscript{28} He shows that this notion was more or less included in, or rather seen as assimilable to, an alliance between Dreamtime Beings and space, between the Warlpiri and God. The aim of this alliance was for God to ‘learn the Warlpiri’s language’ (from the translation of the Bible into Warlpiri) so that he would understand and recognise their relation to place, thus enabling his representatives on earth — especially the governments — to do likewise and give Aboriginals back their ancestral lands. Translations of the Bible, encouraged by several Christian groups, help preserve local languages, but not without the risk of transposing indigenous spiritual concepts. Adaptation of traditional elements to celebrate the Christian message (song rhythms, boomerang percussion, body painting or the painting of objects, use of dreams) has also given rise to indigenous churches with their own cults.

On the initiative of Christian groups, an exhibition was held in 1990, entitled ‘Aboriginal Art and Spirituality’.\textsuperscript{29} Religious paintings from various Aboriginal communities were displayed; the few Biblical themes represented were surrounded by a majority of works featuring itineraries and places from ancestral Dreamings. Mainstream Churches, contrary to most of the new evangelical sects, tend to promote the spiritual importance of attachment to the land. A manifesto on land rights was published by the Catholic Commission for Justice and Peace of the Australian Council of Churches,\textsuperscript{30} and the World Council of Churches also came out in favour of land rights.\textsuperscript{31} In January 1988, the Australian Heads of Churches, in a declaration entitled ‘Towards Reconciliation in Australian Society’, called on Parliament to formally recognise Aboriginal prehistory and the continuing importance of its heritage; the counsellor for Aboriginal affairs to the Catholic bishops submitted a project to all political parties for negotiation of the terms of a ‘compact’. After discussion with all the parties, the term ‘reconciliation’ was adopted.

The Australian Churches have taken sides in the debate, but this does not mean they are leading the Aboriginal movement, or, as in other parts of Oceania, that Christians have provided activists with political training or even raised their indigenist consciousness. Although Pat Dodson, of Yawuru-Djugun descent and ex-Chairman of the Council for ‘reconciliation’ set up by the government in 1991, trained for the priesthood, his kinsmen had him initiated immediately after his ordination, and when he took up the political struggle
after law school, he left his religious functions. In fact, Aboriginal activism has often developed in reaction to mission schooling.

The impossible alliance: how conversion and allowances contribute to neutralising attempts at self-determination

Christian conversion, with its various syncretisms, allows some groups to maintain their tribal identity, but the Churches can also have the opposite effect, channelling former local and linguistic singularities into a uniform Christian evolution. Conversion to Christianity was often violently imposed in the missions, which took children away from their parents to raise and teach them in mission schools. Native languages were frequently undermined. The marriages organised by missionaries were purposely conceived to oppose polygamy and the large age difference between the spouses inherent in traditional marriage by bestowal. By opposing the marriage prescriptions, the missions destroyed the social cohesion of the traditional alliances. And by forbidding the performance of certain rituals that once marked the life-cycle, they weakened the models for becoming an adult and threw traditional sexual roles into question. Finally, by refusing to recognise European or Asian paternity, they prevented the emergence of new family structures. The paternalism practised by the missions into the 1960s has been strongly criticised. In a way, the inability of many communities to manage their own affairs under the new structures of authority is directly related to decades of infantilisation. Destitution of the father’s authority in particular led to a rise in the number of matrifocal homes, leaving the men without authority and drowning in grog. For lack of family models, many young people, boys and girls alike, succumbed to alcohol. Christians found an ideal source of converts among the young or older drinkers, who had resisted conversion until then. For many Aboriginals, being a Christian became synonymous with ‘no grog and no gambling’, in other words with fighting the financially irresponsible attitude entailed in playing cards and drinking and thus ignoring the family's needs.

The very notion of an evil inherent in humanity is fundamentally alien to the Aboriginal way of thinking; nevertheless for Christian Aboriginals, the concept becomes a means of exploring the evil introduced by the European settlers. In this new distribution of powers, many Aboriginals see Christianity as the only way to protect themselves from the harmful effects of contact — alcohol, violence, disintegration of society or new sexually transmissible diseases. Some charismatic movements hold up ‘healing’ as proof of the power of Christianity. In April 1993, a gathering was organised at Halls Creek to show the Aboriginals invited from far and wide the lame being made to walk and the blind recovering their sight. Such a display of Christian ‘power’ does not necessarily invalidate the powers of the Dreaming, though. Instead, it becomes one of the recognised magical principles that legitimises Europe as a conqueror against whom all indigenous powers must be mobilised. For instance, today most funerals are celebrated by the Christian Church with a religious service and burial in the cemetery. But they are also the occasion for huge community gatherings at which kin and allies, who have often travelled hundreds of kilometres, perform the traditional rituals to find the culprit. It is the power of the Dreaming that is believed to
bring about the punishment. In the same vein, the northern Aboriginals tell a story, in demonstration of their Law, of some workers drowned during the construction of a dam: the site should not have been disturbed because it was the home of a dangerous serpent ancestor-spirit that lived in the sacred rock.

Is the alliance of Christianity and Aboriginal spirituality compatible with the existence of two separate laws, the Dreaming and the Australian government seen as being connected with the Bible? This is by no means clear if we consider the exclusive character of Christianity as well as that of Western economics and politics represented by the Australian government. The same question arises when traditional elements receive their only official recognition from Western institutions like art, schools and the justice system. By showing certain images of Aboriginals yesterday and today, indigenous writers, artists, musicians or film-makers participate in the promotion of Aboriginality and in defining this concept according to international cultural norms. The introduction of an Aboriginal school curriculum and bilingual programs has perverse effects as well, however. The dynamism and creativity of oral literature is thus threatened by the purported ‘authenticity’ of the written versions of myths, which are often desacralised in the process and even made into stories for children instead of remaining knowledge acquired in the course of initiation into adulthood. A young Aboriginal boy, who was a brilliant student at the Broome school and had been initiated according to tradition by the Bard people, maintained that the teachings of the bush did not belong in school. The concern to keep the two laws separate can also be seen in the way the elders insist on keeping their secrets, even if it means withdrawing some books from the shops. Some even refuse to transmit their knowledge to the following generations, perhaps to prevent it from being dissolved in the generalised mediatisation. This might explain why some elders have abandoned their traditional functions and have taken to drinking out of solidarity with the younger men.

A series of so-called ‘Captain Cook’ myths, from north Australia, tells the story of European contact. Comparing versions, Maddock has found some recurring themes such as that of white men offering gifts that are rejected by the Aboriginals or that of white men stealing from the Aboriginals. In the stories about the Macasans, who traveled to the north coast every season before the arrival of the European settlers, the interaction is more ambiguous: when the Aboriginals try to accept the gifts, the exchange doesn’t work.

In no case was there an attempt on either side at a balanced alliance. The elders in Broome tell of a treasure buried in a particular spot in the present-day town: they say it is a ‘will and legacy’ left to the Yawuru, the traditional custodians of the region, by the first European navigators. According to the official history of Australia, the first to land on this shore, in 1699, were the Dutch captain, William Dampier, and his crew. However the linguist Von Brandenstein has recently suggested that, in the sixteenth century, the Portuguese established a secret colony slightly further north and cut a road as far as the present-day town of Broome; in contrast to the violence that followed the arrival of the English settlers, relations between the Aboriginals and the Portuguese were quite peaceful. One sequence of Walungarri, an important ritual performed in the Kimberley, shows a dance evoking the gift of wine and tobacco to the Aboriginals by the Europeans (were they the Portuguese?) as well as a grand celebration held by the latter upon arriving. Dampier, on the
other hand, was unable to communicate with the natives of what is now Broome, and ultimately fired on them. So is alliance with the order imposed by the settlers possible or not?

Since Aboriginal people began receiving money, in the form of wages, allowances, pensions or mining royalties — which only dates from the late 1960s — they have often been accused of ‘throwing it away’ on cards or alcohol, or of running down the cars or the houses given to them by development programs. The latest militant slogans urge rejecting the image of Aboriginal people as victims in favour of a successful image. But many families of Aboriginal men or women who have broken into politics or achieved renown as international artists (painters, film-makers, rock musicians) find it hard, in spite of their success and newfound resources, to escape the pressure of their surroundings and being sucked into ‘fourth-world’ living conditions. In these circumstances, Aboriginal culture is perceived as more profitable to the non-Aboriginal dealers than to the artists themselves. Could this be a replay (or demonstration) of the ‘Captain Cook’ myth, where white men have their gifts systematically rejected by the Aboriginals and at the same time go on stealing from them? Is it possible to think in terms of reconciliation when there has never been an alliance? Alliance by definition supposes that each partner retains his differences, not only culturally but also and above all socially, which means keeping power of decision to manage one’s own affairs. But all non-Aboriginal gifts (money, food and other consumer goods or equipment), and even the Australian laws, continue to have a perverse effect. They either destroy or assimilate, or, more subtly, do not leave room for self-determination.

Some non-Aboriginals complain of racism in reverse, which might be explained in the following way: day in, day out, Aboriginal people are confronted with a bureaucratic machine that constantly frustrates their attempts at self-determination. They can therefore only regard with suspicion any non-Aboriginal they identify with this dominant order which excludes them by stigmatising them and at the same time alienates them while purportedly trying to seduce them. But this climate of suspicion and rejection is not restricted to relations between Aboriginals and non-Aboriginals; it can often be observed between Aboriginal family groups living in close proximity. In such conflicts, one group or individual typically accuses the other of making ‘bad’ alliances with non-Aboriginals, or of being like ‘coconuts’, black on the outside but white inside. When someone is highly successful, the accusation is that they are too different to have a legitimate place with the others (the insinuation being that the accused are not genuine Aboriginals and should not be there).

Such accusations burden everyday life with tensions and conflicts, and highlight the breakdown of the traditional approaches to conflict resolution that used to enable different groups of people to cohabit seasonally on the same spot. But they also show that the massive cohabitation imposed in communities and towns is now a permanent phenomenon. Because new self-management structures are lacking, the indigenous population has grown increasingly dependent on a bureaucratic welfare system which spawns its own contradictions. But it is also possible to see these conflicts in a positive light, insofar as they call for new forms of reconciliation and oblige all parties to constantly define themselves, thus reinforcing local singularities. In the process, the conflicts become a site for the construction of a multifaceted Aboriginality, one to which each party, through its involvement with a community, is required to contribute.
Reconciliation and decentralisation:
how policy makers and bureaucrats fight over Aboriginal status

The policy of assimilation means that all Aboriginals and descendants of Aboriginals are expected to attain the same manner of living as other Australians, and to live as members of a single Australian community enjoying the same rights and privileges, accepting the same customs and influenced by the same beliefs, hopes and loyalty as other Australians. 39

Aboriginal legislation can be divided into roughly four phases. Between 1829 and 1936, in reaction to the violence committed on Aboriginals by the settlers — sexual abuse, killings, enslavement 40 — the government set in place legislation based on a policy of ‘protection’. Its purpose was to segregate Aboriginals from the European Australian society by providing them with ration depots when they were driven off their lands by settlers. Gradually control of the population movements legitimised the arrangements with the settlers, allotting them free Aboriginal labour on the cattle stations or sending the Aboriginals away to work at missions or on reserves.

The Native Administration Act of 1936 marked the beginning of the ‘assimilation policy’, based on the idea of racial ‘whitening’ and imposing specific regulations on ‘quadroons’ (see above). Until the 1960s, census figures divided Aboriginals of mixed descent into different categories: they were not considered ‘Aboriginals’ if they exhibited ‘positive’ characteristics, in the light of their character and the standard of their intelligence, according to a law passed in South Australia (1939 Act). People of mixed descent could gain citizenship rights by applying for a certificate of exemption if they could show proof of good conduct and had severed relations with their tribe; this was the only way of gaining access to paid employment and sending their children to school without separating them from the family. By forbidding Aboriginal people from different categories to mix, the policy of assimilation merely justified a form of apartheid that was already operating in public places. Until the 1960s, the Broome movie theatre had separate seating for each category as defined by the colour of their skin: white, Asian, half-caste, and full-blood. The Native Welfare Act of 1963 systematised segregation by denying Aboriginal status to whoever had a quarter or less Aboriginal ancestry. 41

The 1967 referendum giving all Aboriginal people the same rights as other Australian citizens marked the start of the policy of ‘integration’, bitterly summed up by many Aboriginals as the right to get drunk. The obligation of equal pay resulted in the dismissal of the Aboriginal workforce from the cattle stations rather than their integration. A population without work or a place to live was suddenly forced to take refuge in reserves or on the outskirts of towns. It was then that the government threw its ‘White Australia’ policy into question by admitting migrants first from the Mediterranean countries and then from Asia. The notion of a multicultural Australia, with its cocktail of ethnic immigrants, placed Aboriginal peoples in the context of the specificity of their own culture, as a minority sharing a common identity. Aboriginal status was extended to all people descending from an Aboriginal ancestor, whatever their other ancestry. While this new attitude helped promote the idea of Aboriginality, it exacerbated the opposition between those living in reserves and
those living in towns. New problems were created that were further complicated by contradictions between federal legislation and the state laws which gave Aboriginal people different rights according to their region. A federal law, for example, allowed Aboriginal people to apply for native title providing their lands were on ‘vacant Crown land’; but this law was valid only for the Northern Territory (Aboriginal Land Rights Act, 1976), the other states having rejected it. Western Australia has the ‘Western Australian Aboriginal Heritage Act, 1972’, which protects registered sacred sites; but the state only gives a 99-year lease on reserve lands. A complementary law, the Community Services Act of 1972, was passed with a view to community development on the reserves or in towns of this state.

Since the 1970s, official Australian policy has shifted from ‘integration’ to ‘self-determination’ and ‘self-management’. Although these promises reflect Aboriginal peoples’ desire to manage their own affairs, the bureaucratic complications created by the measures actually set in place have led many activists and anthropologists to conclude that they were a failure. In 1985, the National Aboriginal Conference (NAC), an independent group of Aboriginal advisors to the Federal Minister of Aboriginal Affairs, a consultative body without any real power but having a radical impact, was dissolved and replaced by the Aboriginal Development Commission (ADC), a body of Aboriginal public servants disposing of a budget to promote community development and to buy land for Aboriginals. In 1990, the federal government overhauled its Aboriginal services and replaced both the ADC and the old Department of Aboriginal Affairs with what was intended to be a decentralised administration, the Aboriginal and Torres Strait Islanders Commission (ATSIC), formed of a federal hierarchy with appointed members and regional councils with elected members. Its mandate was economic development. Interestingly, the name juxtaposes the term ‘Aboriginal’ with the expression ‘Torres Strait Islanders’. The latter are distinguished from Aboriginals because they have occupied a territory — the islands off the northeast coast of Australia — for a shorter time and because they are related to the Melanesian peoples. But the indigenist policy includes them as native peoples. The ATSIC allocates federal budget resources for the Aboriginals and Torres Strait Islanders to the different services concerned with them (development, health, housing, etc.), but it is constantly accused of being too centralised and not giving enough power to its regional councils, or of not taking local needs into account.

It was in this context of bureaucratic weight that the High Court verdict was handed down in 1992 in favour of a group of Torres Strait Islanders claiming native title on Murray Island. This was the famous ‘Mabo case’, after the name of one of the plaintiffs. ‘Mabo’ was a landmark because it invalidated for the first time the formerly legal notion of Australia as *terra nullius* and recognised the general principle of ‘native title’ predating colonisation. The question now is how to recognise other claims to such titles, and what rights do they confer? The Prime Minister suggested creating a special court to decide the claims of different groups. But at a conference held in 1993 with the Premiers of the six states, the proposal was almost unanimously rejected, especially by the Premier of Western Australia, who felt not that the decision should lie with each state government but that recognition of native title would threaten the economy, in particular that it would frighten away foreign investors. Prime Minister Keating replied that recognition of native title applied only to land presently
occupied by Aboriginal groups and that this could only facilitate negotiations with investors, especially the mining companies. A year later, a heated debate still divided much of Australia, and in 1997 the situation was at a standstill. The Native Title Act of 1993 was passed at the federal level, creating, among other things, a system of courts. But some states passed their own legislation allowing them to review or even overturn this process. Aboriginal people were caught in the middle. Nevertheless, alongside certain radicals who challenged the system by demanding native title to the entire town of Canberra, there are also communities that have already negotiated agreements with mining companies or tour operators.

The real solution, it seems to me, is not to oppose the interests of Aboriginals to those of the nation as a whole, but to see how, as the traditional owners of the land, Aboriginal people can participate in the decisions relative to development so as to benefit not only on an individual basis, but also to give their community something more to look forward to than soon joining the so-called ‘fourth world’. After decades of control and welfare, it is clear than money and services are not enough. For many Aboriginals, who call pensions (for children, the aged and unemployed) ‘sitting down money’, what they need is to be able to ‘stand up’ with dignity, and that is only possible through a complete social restructuration, implying recognition of their links with the land and development decided by themselves.

Some Aboriginals hold long-term leases on the land, especially in the Kimberley, where by the mid-1990’s 51 per cent of the land used for cattle stations was in Aboriginal hands. This recent evolution was possible because the stations were abandoned by the settlers when the cattle industry went into decline. From the viewpoint of Aboriginal people, running these stations enables them to survive, an example of a two-speed economy which provides enough for them though seeming unprofitable to non-Aboriginals. Many Australians feel that separate development for Aboriginals is synonymous with apartheid and that Aboriginal special services and rights give them an advantage over other Australians, an attitude echoed by the rejection of the idea of ‘native title’. Yet, in view of the failure of the ‘assimilation’ or ‘integration’ policies, it is clear that both precolonial and colonial history have given Aboriginal people needs that are different from those of other Australians or immigrants, but which also differ according to whether or not an Aboriginal group has been alienated from its land.

A challenge to anthropology:
legitimising indigenous status to obtain land rights

Native Title to particular land ... its incidents, and the persons entitled thereto are ascertained to the laws and customs of the indigenous people who, by those laws and customs, have a connection with the land. It is immaterial that the laws and customs have undergone some change since the Crown acquired sovereignty provided the general nature of the connection between the indigenous people and the land remains.

Membership of the indigenous people depends on biological descent from the indigenous people and on mutual recognition of a particular person’s membership by that person and by the elders or other persons enjoying traditional authority among those people. Native title to an area of land which a clan or group is entitled to enjoy under the
laws and customs of an indigenous people is extinguished if the clan or group, by ceasing
to acknowledge those laws, and (so far as practicable) observe those customs, loses its
connection with the land or on the death of the last of the members of the group or clan.

This is the definition of native title given by Justice Brennan, one of the judges in the Mabo
case. But another judge, Toohey, founded native title not on observation of custom, but on
the plaintiff’s argument of ‘occupation of the land since 1788’, not necessarily with constant
presence but regular visits proving ‘possession’. According to the lawyers who have
commented on these judgments, if this criterion is accepted for attribution of Aboriginal
titles, it becomes possible to claim a land without having to prove current practise of customs
but merely by justifying occupation of the land at the time of colonisation. The Supreme
Court also ruled that a title is extinguished when the land is used for permanent public
establishments such as roads. But contrary to the legislation in the Northern Territory, which
restricts claims to ‘vacant’ lands, native title can be claimed on national or maritime park
lands. The status has not been defined for land sold to private parties or under lease — most
cattle or fishing enterprises — or when development activities such as mining, tourism and
so forth have been started on them. The different questions of compensation also remain to
be settled. In the Northern Territory, the land handed back under the 1976 Land Rights Act
gave the Aboriginal owners a right of veto over future development as well as a right to
royalties (4 per cent maximum) on profits from mining. Most of the mining companies,
however, backed by some local governments, refuse to generalise this system to pending
native title claims.

Given the knotty legal situation, many lawyers and anthropologists have been recruited
to define the local content of eventual native titles. Aboriginals themselves disagree over the
question of traditional inheritance rights. With the transmission of land, for instance, what
should be the rule: traditional descent reckoning, patrilineal, matrilineal, or some other? Or
should the colonial history be taken into account and right to land given to all descendants?
In the 1970s, at the time of the first land claims in the Northern Territory, some
anthropologists criticised the systematisation of unilineal transmission and the notion of
patrilocality. In the Western Desert, for example, links with the land are determined
primarily by the individual’s conception Dreaming (totem, see above), which often differs
from the father’s Dreaming. Even in the Central Desert groups, who follow a patrilineal
pattern of transmission, land ownership is inseparable from other ritual land rights held by
the matrikin or other allies. As for the groups on the northwestern coast of the Kimberley, I
am currently working with the oral history and analysis of the ritual system of custodianship
of the Dreamings (partially maintained) to show that the traditional land-holding system
was highly complex and in fact incompatible with generalised patrilocality.

The current interest in providing an anthropological definition of the content of native
titles highlights the importance of this moment of Australian history when indigenous
people are consolidating their Aboriginality, not as a shared political ideology, but as a force
of local cohesion, locality by locality. More important than the similarities visible in these
approaches, though, is the fact that localisation carries with it a singularisation of identities
which implies both continuity with local ancestral heritage and creation of new social
structures. This continuity is affirmed, as can be seen in the many Aboriginal initiatives, through the maintenance or renewal of ceremonies, the creation of cultural festivals or the reconstitution of local history. The new structures are evident in the many new Aboriginal associations: tribal or family corporations for the purpose of resettling lands or negotiating their participation in the development of towns or national parks, women's groups, resource centres, and so on. As Myrna Tonkinson writes:

> While Aboriginality is developing as a political force, local and regional Aboriginal identities continue to have salience and provide, though not exclusively, some of the content of Aboriginality. And there are reciprocal influences on local attitudes. The two forms of identity help sustain each other and are therefore likely to coexist well into the future.50

This polarization between local identities and a pan-Aboriginal identity is, in my view, a particularly dynamic element in the creation of new alliances with local powers (ruling structures like the shire) or non-Aboriginal interested parties (like developers). These alliances bring both autonomy and support, owing to the political alliances contracted at the national level, which involve not only Australian interests but also a form of international solidarity with indigenous groups from other parts of the world.51 In its 1993 public report on the Mabo decision, the Commission for Reconciliation underscored, for example, treaties concluded by other governments: New Zealand with the Maoris and Canada with the Indians.

In the past decade, militant groups themselves have developed exchanges with other indigenous peoples, both political — at the United Nations — and political-cultural — the Festival of the Pacific, held in Townsville in 1990 and in the Cook Islands in 1992. Local delegations travelled to these manifestations taking with them both the specificity of their regional heritage — dancing and traditional art forms — and new forms of individual creativity — plastic arts, literature, theatre, cinema or music. National recognition of these artists and the recent fame of some Aboriginal sport champions no doubt helps to promote a respect for Aboriginal culture that makes them symbols of a new political force. Not only Aboriginals who have remained close to their land, their language and their customs but those, too, who have been dispossessed of these are increasingly coming to identify with this many-sided Aboriginality.
Footnotes


2 In the mid 1990’s the French edition of Hachette encyclopedia recognised the Australian use of the term as a proper noun. Many in France, unaware of the etymological origin of the term ‘Aborigène’ (‘ab’, from the origin), pronounce it ‘Arborigènes’, perhaps associating these first Australians with tree-dwellers (tree = arbre in French)?


5 In one work devoted to identity in the South Pacific (Linnekin and Poyer 1990), the authors raised the question of the relevance of these societies of the Western opposition between Mendel’s genetic theory and Lamarck’s transmission of acquired characteristics: Watson (1990: 39) notes that culturally inherited ethnic differences persist only when a people identifies with its land.

6 Kaberry (1939: 169). These pearl-shells circulated as wealth transmitted by both women and men, although they were used as ritual objects exclusively by men, when they would go into the desert to perform rain-making ceremonies. Among coastal groups, they were hung on the pubic tassels by both the boys, as a sign of their initiation stage, and by girls as a sign of virginity.

7 Glowczewski (1989).


12 Akerman (1979). Recent fieldwork by the author in the region (Glowczewski 1999, 2001) demonstrates more complex phenomena, for instance the spread of the didjeridu, a NE musical instrument, or the cultural revival of some groups of mixed descent, and the reappropriation of indigenous data recorded in the past.


15 Editor’s annotations to the writings of E.A. Worms (1972).

16 Glowczewski (1998a)

17 Lommel (1950).

18 Bischofs (1908).

19 Maddock (1977).

20 Jordan (1988).

21 Keen (1988).


23 The South Australian Jewish community officially backs the Aboriginal peoples by lending their support to an oral history project. Other ethnic minorities have also spoken out for recognition of Aboriginal rights in the name of their own religious denominations, for instance the Armenian Apostolic Church or the Greek Orthodox Church.


26 Petri and Odermann (1988 [1964]).

27 Mowaljarlai and Malnic (1993)


Some people of mixed Aboriginal and Malay or Indonesian descent were in contact with the Muslim religion, which, like the Aboriginal religion, was rapidly opposed by the Christian Churches: the children were taken away from their parents and forced to convert.

Goodale (1987) suggested, following an unpublished paper by McKnight, that, for some Aboriginal groups, card-playing was a way of redistributing resources, something like the traditional hunting ethic. But this redistribution was (is) disturbed when the winners spent all their money on grog or on paying the fines of those jailed for drunkenness, upsetting the social and physical health of the entire community (Hunter 1993).

For example, a hairstring rope is passed around and, when it shakes, it is believed to indicate the person(s) responsible for the death.

Myrna Tonkinson emphasises in italics 'all Aboriginals and part-Aboriginals are expected' and adds: 'The 1965 Native Welfare Conference modified the wording: 'the policy of assimilation seeks that all persons of Aboriginal descent will choose to attain a similar manner of living to that of other Australians' (Reynolds 1972: 175, emphasis added)' (M. Tonkinson 1990: 213).

For example, the organised enslavement (blackbirding) in the northwest of men, women and children by pearl-masters, who made them dive for pearl-shells.

The policy of assimilation founded Australian citizenship on an Anglo-Saxon model which excluded all immigrants supposed to be non-assimilable: Asians, Mediterranean peoples and Jews. After the Second World War, the immigration service received confidential instructions indicating the physical characteristics — specially skin colour — to be taken into consideration for refusing applications. When Australia agreed to accept war orphans, it was stipulated in writing that they were not to be of Jewish descent.

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