

Master narratives and the dispossession of the Wiradjuri

Gaynor Macdonald

Discursive spaces and contradictions

This paper and the concerns it raises developed from my study of Wiradjuri people's relationships to land, as part of a study of the Wiradjuri Regional Aboriginal Land Council's experiences with the New South Wales *Aboriginal Land Rights Act* 1983. At first, it seemed it would be straightforward to identify practices, values and speech acts through which Wiradjuri people understood and articulated these relationships. But as soon as I started to ask, what does land *mean* to Wiradjuri people today, I found I was writing defensively rather than descriptively. I was needing to convince, conscious of a refusal 'out there' in the world of potential readership, academic and non-academic, to acknowledge that Wiradjuri people, encapsulated in the centre of New South Wales' agricultural heartland, had *any* relationships to land after their 180 years' experience of colonisation. This paper does not look at those meanings I wished to write about, except briefly to contextualise my discussion. Instead, I look at the sources of my disquiet and the larger question which kept confronting me: *within what discursive space can one talk about Wiradjuri people having any meanings at all?*

This discussion takes place within political and theoretical contexts which currently debate issues of identity, Aboriginality/indigeneity, authenticity and entitlement. These debates predated but have assumed greater significance since the passing of the Commonwealth *Native Title Act* in 1993. The issue about who is or is not an 'Aboriginal person' in Australia has plagued policy makers for a century, and a history of changes in official definitions, as well as popular ones, attests to a preoccupation with discovering palatable criteria at different historical moments for the inclusion or exclusion of 'Aboriginal people' from a right to the benefits of the day (sometimes defined as benefits Aborigines receive, sometimes which non-Aborigines receive). Even though, since 1972, the Commonwealth Government has recognised the right of self-definition in its requirement that a person who claims to be Aboriginal be of Aboriginal descent and recognised as such by an Aboriginal community, in practice it is clear that there are still different shades of Aboriginality. These are likely to be voiced in terms of the presence or absence of certain cultural attributes (which make people 'real' or 'not real' Aborigines) than the previously popular 'biological' ones (full-blood, half-caste, quarter-caste).

Wiradjuri country encompasses approximately 80,000 square kilometres of central New South Wales. When you enter it for the first time, you will probably have come

from the east, through the city and then urban sprawl of Sydney and over the Blue Mountains to Lithgow, a distance of about 150 km. But even if you come into it from the semi-arid lands to the west, or the hills to the north and south, the presence you will read on the landscape will tell you that this land is peopled by white farmers rather than Aborigines. Roads and fences carve out fields of wheat and rape (appropriately one might say), and orchards, as well as endless paddocks for sheep. Every now and then is a small town or even large rural city. Even though there are probably more Wiradjuri than European place names (such as Dubbo, Cowra, Canowindra, Narrandera, Cootamundra), and there are many signs of past and present Wiradjuri cultural activity once one is off the beaten track, the farming scenery dominates. The landscape's message about Wiradjuri people is 'disappearance', because these signs in the landscape are read within a discursive space that implicitly interprets them as evidence of European activity. An 'Aboriginal' landscape should be definable as 'wilderness', 'untouched'—the irony being, of course, that Aboriginal people, including a great many Wiradjuri men and women, built a vast number of these New South Wales' fences, cleared much of the bushland, and picked the fruit in the orchards each year. This paper explores reasons why Wiradjuri people—as is the case for other Aboriginal people of New South Wales—have seemed non-visible within the landscape which they have continued to people and to shape, as well as bringing to it their own meanings and values.

Understanding the notion of 'Wiradjuri' requires a spatial referent. It is dependent on there being places called, collectively, Wiradjuri places, within which people are born and nurtured in ways of life which become characteristic of those named places. Land has meaning only in the context of discursive practices. The experience of 'Wiradjuri' is an experience of a matrix of social relationships which are activated within particular landscapes, which are themselves constituted in terms of the activating in space of those social relations. It is as they move through space: in and out of Aboriginal and non-Aboriginal spaces, in and out of known and kin-populated areas, and in and out of areas where they can use a Wiradjuri lexicon that Wiradjuri people experience through their bodies what it means to be Wiradjuri. Wiradjuri country emphasises the continuity of Wiradjuri people over time. It encapsulates the space and time of Wiradjuri as against all other spaces and times. It locates people vis-à-vis others, past and present.

Wiradjuri consciousness of space, and the ways in which it is constructed, is a system of knowledge that Wiradjuri people share but, like all systems of knowledge, it is not equally accessed or distributed. Various discourses are available by which Wiradjuri speak of the divisions within the landscape that make that landscape meaningful. These are frequently and not unexpectedly contradictory. They may emphasise the autonomy of the local area but also the commonalities of the region. They may prioritise economic or political or spiritual relations at different times, depending on context. They will differ according to one's age, or the ways in which one's ancestry is constructed in terms of a political landscape history. The idea of Wiradjuri country, which now includes approximately 20 different communities associated with rural towns and cities, has taken on new institutional expression since the passing of the New South Wales *Aboriginal Land Rights Act* 1983. This Act required that Local Aboriginal Land Councils be clustered into regions. Of the State's 13 regions, the Wiradjuri region was the only one which was based, by Wiradjuri choice, on the traditional language-speaking area. More recently, in response to the High Court's Mabo decision in 1992 recognis-

ing the prior ownership of Australian lands by indigenous peoples, they also formed a Wiradjuri Council of Elders in 1994 to deal with land, heritage and cultural issues on a regional basis.

But what really makes Wiradjuri space their space is their presence. The idea of land is the idea of presence, a writing of oneself onto the landscape: it is a humanising and socialising of that within which one is embodied. Presence is expressed in the stories of people which make places live, which bring people and place into relationship. These can be stories of events that took place, or part of journeys people make, historical events or places where people have lived and worked. They include heritage sites where Wiradjuri people of the past have left the marks of their presence, and sites which, even without those visible marks, they strongly believe are places their ancestors would have favoured and frequented. There are places associated with the presence of spiritual power, experienced as strong feelings of warmth, fear or apprehension. It is the notion of 'presence'—of self and others understood as part of particular selves—which characterises many of the Wiradjuri land-people speech acts and practices. This is a land-people relationship defined primarily in *social* terms, whether or not it also includes spiritual, economic or political dimensions or expressions. Land that has been alienated through its development by non-Wiradjuri and the erection of, for instance, fences prohibiting access produces a sense of loss. I remember when Cowra Wiradjuri people got their first land purchase through the *Aboriginal Land Rights Act* provisions in 1985 that the older women spent time just being there, as if to give it or restore to it that social dimension, that presence, feeling it back into being 'theirs'. As Duncan and Ley have remarked, 'landscapes consolidate shared meanings; they act as community builders'.¹ Some stories of place survive generations, others do not. The significance of a particular story of place/people lies in its continuing relevance for constellations of social relations which themselves continue. New stories are continually being generated which link people and people, and people and place, including today of course, sites of political action in metropolitan centres outside of Wiradjuri country, such as the Tent Embassy in Canberra, a site of political protest which has always involved Wiradjuri people.

The Wiradjuri landscape is also contested space, space which defines contests between different groups of people: Wiradjuri and colonisers, Wiradjuri and Aboriginal migrants who have moved into Wiradjuri country, Wiradjuri who are local and those who are from other parts of the region. The existence—symbolic and material—of Wiradjuri country continually reproduces the relations between these contesting groups. Within the Wiradjuri landscape are smaller spaces which become foci for those relationships: containment in camps and missions, struggles over the right to sit on benches in the main street of town, who can sit and drink in the park, who 'owns' patches of the river, the right to put up signs and flags, the ten year struggle which raged over whether a drug and alcohol detoxification centre could be built among farming neighbours. There is a continual development of new cultural expressions of sociality, effort, protest and defiance. Power differences are inscribed in activities, in the ways in which people leave or enter their own domains, the ways they speak and deport themselves at home or in government offices, the spots they choose to swim at the river, and so on.

¹ Duncan and Leys 1993, p. 17.

There are known and safe places as well as places which are unknown, potentially unsafe. Outside of one's own country is always unknown to a certain extent: that country's kin and ancestors cannot be relied upon to look after you. Wiradjuri people returning to their own communities remind me of bell hook's words when she said that she experiences a joy at returning to spaces 'constructed in terms of understandings that form part of her sense of self'.² She also notes that for her these are places 'removed from the topography of racial oppression and discrimination'³ and this also reflects the freedom to live out the Wiradjuri's own cultural values and practices, without fear of condemnation, once on their own land.

Landscapes are thus ways of seeing the world. They provide ongoing commentaries on established ways of doing things and divisions of privilege, reminding us of our position in the scheme of things: as Mills states, 'places encapsulate and communicate identity'⁴—space is constructed in gender terms, ethnic terms, racist terms. Mills argues that:

Each society's 'moral order' is reflected in its particular spatial order and in the language and imagery by which that spatial order is represented. Conversely, the social is spatially constituted and people will make sense of their social identity in terms of their environment. Their place of residence offers a map of their place in society.

The reserves are Aboriginal space: sites of self-valorisation and identification. So too are certain spots on the river, a particular corner of the park, or the benches in front on the supermarket. In the case of the reserve the land is now legally Aboriginal land. In the latter examples, the sites are contested—hence the redevelopment of the park, and the removal of the benches by the Shire Council to prevent further Aboriginal use. Spaces are hierarchised to reflect relations. Fences are designed to keep out, to prevent trespass. Regulations governed where Wiradjuri people could sit in the picture theatres, and which end of town they could live. A racist landscape is one which denies a Wiradjuri presence. The reserves kept Aborigines in: they were invisible, reinforcing messages of deprivation, poverty and loss which form the core of discourses of loss. Aborigines had 'no place' in Euro-Australian society and it was assumed they had, as a result, no notion of place important to themselves.

Colonisation creates new relationships of meaning. Meanings are contested and marked out by difference. The extent of difference becomes what is contested: you are not one of us. The idea of Aboriginal rights to land is genuinely incomprehensible to many non-Aboriginal residents of New South Wales, for whom the shifts in meanings are inevitable, taken for granted, and they do not understand them as their own means of maintaining power. Duncan has argued in a more general context that 'the landscape . . . is not merely the site where the political struggle takes place, it becomes the means by which each party attempts to defeat the other. As such the landscape is an important part of the practice of power'.⁵ Expressions such as 'to place someone', 'to know one's

2. hooks 1991, p. 81.

3. Ibid., p. 80.

4. Mills 1993, p. 50.

5. Duncan 1993, p. 232.

place' in English are statements of power, a geographical language of social existence⁶ which gives Wiradjuri people no place in contemporary New South Wales society.

The way in which the material world is organised is an encoding of dominant cultural meanings and discourses, and the Wiradjuri landscape is clearly imbued with messages of domination, containment and invisibility. However, since meaning is given to the organisation of space through practice, it follows that changes in practice will provide new interpretations of space. Wiradjuri people have, since the early nineteenth century, had to modify their understandings of their own spaces, and they have also understood that changes in racist relations cannot take place unless the physical relations of the material world are changed to allow for social change. They will remain powerless, peripheral, while relegated to reserves on the outskirts of town or given 'rubbish land' in land rights packages. They want to reinscribe themselves on the landscape meaningfully. Political action has been directed towards attempts to change unequal power relations through a return of lands so as to provide access to stable and secure space for community living, to develop economic autonomy, and to assert a Wiradjuri presence, socially, politically and symbolically.

The land rights movement has explicitly recognised the need to reconfigure land and material relations in order to resist or combat, and then change the conceptual and social relations of Aboriginal peoples' colonisation and relative powerlessness. It has been a demand that the colonisers reinscribe indigenous peoples on the landscape as peoples who experience their presence in that landscape in myriad ways but whose spatial and social presence has for almost two centuries been denied. Land rights rallies took place in the symbolically constructed sites of colonial domination: marches moved from Aboriginal domains (Redfern's Aboriginal Legal Service) to European domains (Parliament House in Sydney's Macquarie Street). The State Government, particularly through the *Aboriginal Land Rights Act 1983* (NSW), has attempted to restrict the interpretation of 'land rights' to a right to economic development and humanitarian (welfare) aid, thus reconfiguring its political dimensions. Economic autonomy has long been a Wiradjuri goal but only because Wiradjuri leaders have also understood that, without it, social and political respect do not follow. The opposition to land rights in New South Wales by, for instance, the National Farmers Association, was largely framed in terms of an extinguishing of rights on the grounds of culture 'loss'. But it was also an opposition to the statement implied in the very notion of allocating land to Aborigines. It suggested that the well established European discourses of power and privilege were flawed. Land rights legislation threatened to shift the grounds of meaning, and thus the grounds of power and privilege. A decade later, the *Native Title Act 1993* (Cwth) met with a similar response.

Competing discourses (1): colonisation

I have wanted very briefly to establish that there are a plethora of discourses and practices associated with the meanings of land from one Wiradjuri person to another, depending on how they are differently located within the Wiradjuri social world, and among non-Wiradjuri people, both Aboriginal and not. They range from strong essentialising beliefs that Wiradjuri people are of the land and are nothing apart from it, to

6. Mills 1993, p. 160.

those who maintain that no relationship of any kind exists except perhaps ones influenced by political activists or some kind of sentimentality. However, whilst very different and often competing, these views have in common the fact that they largely take place within a single discursive field whose basic premise frames them all: this is, that when the Wiradjuri were colonised in the nineteenth century they lost their culture in the face of the moral and material superiority of their colonisers. Not only those who would deny Wiradjuri people any relationship, but also the most ardent Wiradjuri claims to spiritual associations with their land tend to be framed in relation to this premise, whether in support or refutation. This was the source of my own initial defensiveness.

It is not difficult to identify how such a discursive field could have developed. By the end of the nineteenth century, scholars and travellers were being encouraged to record the 'remnants' of pre-colonial lifestyles and languages in New South Wales. Once on the reserves or so-called fringe camps indigenous people were defined as cultureless. By the mid-twentieth century, influential anthropologists such as Ronald Berndt were referring to them as the people in a cultureless vacuum, caught between their traditions and modern Australian life, capable of adhering to neither—as if they actually had a choice of either. When I started my fieldwork in Wiradjuri country in the early 1980s I was told by one senior academic that I was wasting my time: there were no Aborigines left in New South Wales. Frequently members of the non-academic public would express surprise and ask if there were enough left to study or, conversely, react with a dismay that suggested I had joined a polluted sect.

The tendency to see indigenous people in south eastern Australia as little other than products of the colonial encounter has encouraged 'race' and 'colonialism' to be seen as more significant analytical concepts than, for instance, 'culture' which might focus on indigenous experiences, meanings and practices rather than just those framed by black/white relations. This in turn encourages a simplistic reading of the Wiradjuri landscape in terms of a loss of Wiradjuri power and the imposition of colonial power. Indeed, the roads, fences and powerlines are read as symbols of conquest by Wiradjuri people themselves, as they complain about restrictions on their access to sites and to the rivers and creeks. European signage and buildings can be sources of annoyance, defeatism as well as humour. They know that indigenous landscapes are assumed to have to equate with a European notion of 'wilderness', untouched by human hand. This is an impression one meets with among local Euro-Australians despite a now considerable literature which speaks of indigenous transformations of the material environment, through a variety of farming and agricultural practices, both prior to colonisation and in the post-colonisation period in which Wiradjuri and others demanded that land be made available for them to farm. The activities of farming sheep, building houses or engaging in the workforce are represented as evidence of assimilation into European lifeways rather than as an Aboriginal assimilation of European practices into their own frames of meaning. Goodall has demonstrated that prior to World War I, indigenous communities in south eastern Australia had reconstituted themselves after the waves of armed hostilities and depletions in their population and that, by the early twentieth century, up to 75 per cent were in economically self-sustaining situations, employed on stations, in towns and, in some cases, running their own farms on land provided to both individuals and communities by the State Government. Both the autonomy and the

entrepreneurial activities were undermined by progressive revocations of the allocated land (retrospectively legalised in the *Land Revocation Act* 1983 (NSW)), compounded by the effects of the Great Depression in the 1930s which saw renewed efforts to contain people on government-run reserves.⁷

A discourse of loss assumes, of course, a static model of culture such that roads and powerlines are assumed not to be able to become a part of valued Wiradjuri discourses, or that they serve only to destroy Wiradjuri culture rather than augment it in any way. Roads and powerlines are important means of communication for Wiradjuri as well as non-Wiradjuri, part of a changing repertoire of practices which continue to facilitate valued social relations, thus having some commonality with tracks and message sticks which once conveyed people and messages. Fences are a truer symbol of power in that they exclude. They prevent access to the river.

Members of the Wiradjuri Council of Elders dissent from this colonial discourse of loss. The Elders have refuted the depiction of the Mabo ruling, which recognised prior ownership of Australia, as the end of the doctrine of *terra nullius* in Australia, the doctrine which asserted they had no prior rights. They saw the decision as the reverse: as the legitimisation of sovereignty. It may have recognised that people existed on the Australian continent prior to 1788 but, by legitimising the British and then Australian governments' right to extinguish native rights, it continues, they believe, to legalise the colonisation of Wiradjuri country despite no treaties or declarations of war against the Wiradjuri. The Council has viewed the *Native Title Act* 1994 (Cwth) as yet another piece of retrospective legislation legitimising the theft of the vast majority of Wiradjuri lands. In fact, they sought to challenge the limitations of the Mabo decision as soon as they recognised them.⁸ When Chief Justice Mason of the High Court rejected their claim to sovereignty and an additional claim that genocide had been practiced against Wiradjuri people, he allowed them to make an amended claim under the *Native Title Act* 1993 (Cwth). At the time, the Council of Elders reported in a newsletter that:

What is important about his decision is that he said the NSW and Federal Governments in Australia are not responsible for what the British Government did to Wiradjuri people when NSW was still a British colony. But our question is: well then, what is the relationship between the NSW Government and the colony it took over from? Does this lack of responsibility mean that Australia was not constituted properly when the colonies were handed over? Was Australia 'decolonised'? When? Wiradjuri people were colonised against their will and without their consent. If there was an act of decolonisation, the Wiradjuri people should have been consulted—but they weren't. So how did the colony become a State? Australian history is full of legal fictions. We have just seen the 'doctrine of *terra nullius*' overturned at last. It looks like we now have another one to fight: 'the doctrine of the act of state', which is supposed to hand over sovereign power to the Australian Crown.⁹

Although governments have, since 1983 when State Minister for Aboriginal Affairs, Frank Walker, recognised the then Wiradjuri Land Council's right to operate as

7. See, for instance, Goodall 1997.

8. *Coe v Commonwealth* (1993) 68 ALJR 110. See also *Sydney Morning Herald* 24 December 1993, p.3.

9. Wiradjuri Council of Elders 1994, p. 2.

a 'region' under the Land Rights Act, conceded the symbolic existence of Wiradjuri people, it is still the case that they do not exist as 'a people' in law. Current moves by several Wiradjuri communities to have traditional ownership of lands recognised through claims under the *Native Title Act* 1993 (Cwth) and purchases through the Indigenous Land Commission may prompt a change.

It is the denial of their own presence that has been the Wiradjuri experience of colonisation. One Wiradjuri woman once described land rights to me as a desire for 'justice and recognition'. It was an apt summation. The recognition she was talking about is of themselves as a people. This means literally—as human beings, and as people who are defined and differentiated in terms of socialities, lifeways and landscapes. But despite late nineteenth century maps illustrating the extent of Wiradjuri country, there is no Wiradjuri landscape recognised, whether by law or by symbol. It is this which represents the denial of the Wiradjuri presence.

An influential book published on the state of affairs of Aboriginal people in New South Wales is a good example of a discourse of loss. David Pollard, reducing Aboriginal experience to one characterised by poverty rather than culture, argues that 'The distinct and life-sustaining relationship between Aborigines and the land...[which] was the element which most imparted meaning to Aboriginal life and without this basis Aboriginal theology and hence community could not survive' was destroyed by the end of the nineteenth century when the Aboriginal population became a 'scattered remnant hovering on the margins of country towns or surviving in pockets in the bush, confused, fragmented and desperate', eventually no longer having 'the wherewithal to follow a traditional life style'.¹⁰ Although much of Pollard's historical construction sounds like wishful thinking rather than informed research, it is significant that he was writing his book in the 1980s, during the time that he was Senior Assistant Secretary to the Minister for Aboriginal Affairs, the Ministry responsible for the enactment and implementation of the *Aboriginal Land Rights Act* 1983 (NSW). This is the context for his contention that:

it is possible that New South Wales Aborigines might retain an especially deep attachment to land, even where they no longer live within the ambit of Aboriginal spirituality. It is difficult for most whites to see, however, that such a relationship can be of a different quality from that of a concerned white, say an ecologist or a conservationist.

As far as he is concerned, the 'havoc wrecked by white culture' and a 'lack of [spiritual] orientation' means that New South Wales Aborigines are irrevocably divorced from their past—including from land and kin. Pollard maintained that 'this divorce from the past is also a divorce from spirituality' without which Aboriginal people cannot sustain any social life. He was arguing against the position taken by Maurice Keane, Chair of the NSW Select Committee of the Legislative Assembly upon Aborigines, who described the Aboriginal relationship to land as special because it had deep religious connotations. To this extent Pollard agrees that the Aboriginal-land relationship 'demands religious context to have meaning at all' but that leads him, in the case of New South Wales, to maintain that 'it is difficult to argue the "special relationship" of

¹⁰ Pollard 1988, p. 48.

Keane, and in the absence of any evidence to the contrary, we must assume that it does not, in fact, exist'.¹¹

Ideologies always appear natural. It seems natural now to a great many Australians that Aboriginal land/people relations should be expressed in spiritual terms. And, in fairness to Pollard, he uses one of the best known anthropologists, Ron Berndt, to assert his case. Berndt argued in the late 1970s that whatever social practices might be amenable to revamping in southern Australia, 'One aspect which is not and which is (incidentally) basic to the Aboriginal heritage is Aboriginal religion—namely, its sacred and especially its secret sacred dimensions...For those who have lost that vital traditional linkage that encompassing sphere remains elusive—a mirage which is not amenable to transmutation'.¹² It could be expected that social commentators and politicians might, in the light of Australia's continuing colonial record, contribute to the reproduction of these theories of loss. But Berndt's comments raise a different issue. What is pertinent to Wiradjuri concerns is why it is that *anthropology*, despite an engagement over the past 20 years with critiques of colonial practices, with feminist perspectives, and new understandings of power and the subject, has not responded in greater measure with more informed models of culture and of change¹³ and has thus contributed, implicitly as well as explicitly, to the privileging of a second discursive field which has acted, along with that of colonial loss, to further dispossess Wiradjuri people.

Competing discourses (2): Dreaming

This second discursive field I will refer to as the 'Dreaming', an all-encompassing explanatory system within which all Aboriginal people are constructed and without which they do not exist as cultural beings. References to the 'Dreaming', to Aboriginal 'spirituality' and the social practices through which it is expressed, have become a privileged set of discourses about authenticity and land-people relationships which peripheralise, subsume, or even ignore relationships constituted in terms of, for instance, economic, political, social or legal dimensions. Whether or not one agrees that this privileging process is all pervasive, from a New South Wales subject position it assumes monolithic proportions.

The 'Dreaming' is an Australian version of Said's 'orientalism',¹⁵ one against which I realise I have been continually pitted, as an anthropologist trying to make anthropological sense out of contemporary Wiradjuri experiences. Cowlshaw has argued that 'Aboriginalism' more generally is a form of 'orientalising'¹⁶ but I am particularly interested in the concept of the Dreaming which is not commonly seen to have negative implications. Not that I recognised the workings of this discourse in my early work. As an unreflexive woman might experience patriarchal narratives, it had become the taken for granted, an oppression felt but not deconstructed. The 'Dreaming', too, is patriarchal, concerned with high (male) culture, male rituals, male spirituality.¹⁷ The 'Dreaming' discourses have made up a master narrative which is elitist, patriarchal, exclusionist, and essentialist. In addition, the use of religion as an explanatory system

11. Ibid., pp. 56-7.

12. Berndt 1977, cited in Pollard 1988, p. 111.

13. But see recent studies by Austin-Brooks 1996 and Merlan 1998 for evidence of a change in approach.

carries with it the impression of prehistory, stasis and primitivism. The privileging of this particular explanatory framework is an act of domination, a discursive field which acts to subtly legitimate Wiradjuri colonisation in *moral* terms. Wiradjuri *social* or *economic* existences are devalued, rendered even non-existent. For almost half a century the Dreaming discourses have collectively maintained, in concert with the earlier but continuing colonial discourses with which they articulate effectively, that Wiradjuri people did not survive—that they are not 'real Aborigines'. In anthropological terms this is nonsense. Anthropological practice has never reduced any of its models of 'culture' to religion or metaphysics, or even ontology—except perhaps in this context. Indeed, anthropology emerged as one of the 'sciences' of the nineteenth century as a humanistic and post-theological study of human lifeways. There has been a slippage between the explication of characteristics of an Aboriginal philosophical and moral order and the culture of which that order is part at a particular historical moment. This leads to an assumption that the moral order is not capable of change or adjustment, an assumption clearly demonstrated by Stanner when he maintained that:

Aboriginal life has endured feeling that continuity, not man, is the measure of all. The cost in the world of power and change is extinction. What defeats the blackfellow in the modern world, fundamentally, is his transcendentalism. So much of his life and thought are concerned with The Dreaming that it stultifies his ability to develop.¹⁴

Stanner underestimated the desire and ability of Aboriginal people to change and develop because his own model blinded him to their creative efforts to encompass change. Had he desired, he would have been able to see these transformations around him in many parts of Australia, including New South Wales in the 1950s when he first wrote these words. He was not looking for change. For him, too, change signalled a loss of what Aboriginality meant to *him*.

The significance of the privileging of static religious or mythic explanations of Aboriginal societies is that these do not allow for continuities in cultural practices over time—'traditions', or 'customs'—to be valued unless informed by or expressed in terms of religious (mythical) beliefs. But Wiradjuri principles of transformation can be discerned in the social, political and economic dimensions of their experience *despite* the fact that there is no *mythic* language by which they now describe these practices. Their landscape is social rather than mythic, a history not quite become myth—which begs once again the question of the relationship between myth and history, past meaning—present meaning.¹⁵

The continuities, and the transformational principles by which Wiradjuri people construct themselves in terms of people and place are clearly informed by practices which are indigenous by 'tradition'. Wiradjuri people are not simply products of a colonial process, to be constructed in the oppositional terms of racism and oppression, although I do not deny the significance of these dynamics. My own work¹⁶ has consistently demonstrated the adjustments and transformations which have allowed for Wiradjuri cultural continuities in the face of voluntary and enforced change, including

14. Stanner 1979, p. 36.

15. See, for instance, Sutton 1988.

16. Macdonald 1986, 1988b, 1993, 1998.

persistent attempts at their physical and cultural genocide.¹⁷ Even those recent and much needed studies which have revitalised anthropology in New South Wales¹⁸ through a focus on, for instance, colonial relations, resistance, racism, identity and citizenship, tend to implicitly reinforce the assumptions of cultural loss because they do not directly address issues of culture and continuity. The implication is that Aborigines are defined in terms of the state because they can no longer be defined in terms of the Dreaming.

The 'Dreaming' discourses have posited Aboriginal lifeways in terms of an indissoluble land-people-spirits nexus. If change takes place in any of the facets of this relationship, Aboriginal culture is deemed not to exist. But how important is an explanatory system, whether mythic or scientific or any other, compared to the practices it purports to explain: such as labour which produces food, tools, technologies of industry, fighting and medicine; or modes and contents of economic and social exchange; or strategies and negotiations of politicking and power; or the nurturing of the young and the old; or lovemaking, healing and camp/house keeping. And what happens to these practices if the mythic explanatory system by which they have been understood, linked, articulated, is no longer transmitted; if the vehicles for its transmission are forcibly suppressed—language, ceremony, movement in the landscape? Do they disappear? Do the people disappear? It would seem that, to some anthropologists and their readers at least, that they did. Anthropologists recorded rituals, authority systems and section systems, apparently unconcerned at the devaluing of centuries of knowledge about, for instance, medicinal plants and treatments, local ecologies, the usefulness of fire in land care, women's lives, the raising of children, how people understand their spatial relations.¹⁹ The monumentalising of 'high culture' with its focus on great achievements (or what appear as their equivalents in non-western societies) marginalises much if not most of what culture is made up of. We need to know how and why have certain practices been valued over others by writers in different historical periods if we are to read these partial accounts (which all are by definition) for what they are.

The Dreaming discourses have limited the ways in which Wiradjuri and other Aboriginal people are understood to have acted on the ideas introduced by their colonisers. When Wiradjuri people made demands to their conquerors for land, there is no record of these demands having been made in spiritual terms—in order, for instance, to maintain ceremony or preserve particular sites. It is clear that Wiradjuri local groups differentiated different areas of land in different ways. Colonists seemed welcome in some areas while other intrusions provoked intense conflict. Because those areas were sacred? It is tempting to assume so, because the privileging of the 'Dreaming' discourse makes this seem obvious. But the historical record does not mention this, although it does include references to Wiradjuri people's economic, social and health concerns. Per-

17. See, for instance, Salisbury and Gressor 1971; Hankins 1982; Read 1984; Gammage 1983, Human Rights and Equal Opportunity Commission 1997.

18. Including, for instance, Beckett 1988, 1996; Morris 1989; Cowlishaw 1989.

19. The most prolific writer in late nineteenth and early twentieth century NSW was R. H. Mathews, whose work best illustrates this trend. Others include Howitt 1904; Radcliffe-Brown 1929, 1930; and Berndt 1947. The topics they overlooked in New South Wales have been a focus of more contemporary interests in 'remote' Australia.

haps the early colonists were not tuned into a society which framed its land/people relations in spiritual terms, and just ignored or could not hear such comments. Perhaps Wiradjuri learnt quickly how to appeal to their market-driven colonisers on their own, economic, terms. What we do know is that the demands of Wiradjuri that have been recorded are expressed in *non-religious* terms: their desire to forage for their own foods, their rights as the original owners, their need for security of tenure to re-establish their community lives; their concerns about the polluting of waterholes by stock; and fences that denied them access.²⁰

Povinelli has argued that Stanner was responsible for popularising the view, contrary to prevailing opinion of his time, that Aboriginal societies' cultural institutions were not determined by their modes of production but the reverse: economic practices were merely subject to the seasons, while 'land-tenure and social practices were organized by complex philosophical notions known as the Dreaming'. But she points out the cost of Stanner's efforts to have Aboriginal people recognised as having a sophisticated organisation:

[His findings] contradicted legal and popular opinion that Aborigines lacked any sense of proprietary interests in their land. It is, perhaps, deeply ironic that in order to present the proprietary interest of Aborigines, Stanner felt he had to demonstrate that economy and culture could be unhinged and that each differently influenced the shape and function of the social group.²¹

Stanner and Berndt appear to have been concerned not only to counter the primitivism of social darwinism through their appeal to Aboriginal religion but also Durkheim's primitivisation of Aboriginal beliefs as 'elementary'. They brought Aboriginal studies into a new era of respect, thus contributing to changed attitudes towards Aboriginal people themselves. But their models were holistic and homogenising and the focus on religion further contributed to the de-historicising of Aboriginal cultural experience in denying them the right to change. Stanner's separation of economy and culture profoundly influenced the framing of the Northern Territory *Aboriginal Land Rights Act* (1976) so that, in Povinelli's words:

Pragmatic everyday interactions between a stretch of country and a group of people were treated as side issues to the exegesis of the 'deep meaning' and 'spirit' of myth. Posited as direct and unmediated, the practicalities of economy paled in comparison to the elaborations of myth and totemism.²²

She goes on to add:

Later legislation would further exacerbate the division between economic and cultural practice to the point that the effect of labor-action and economic practice on the spiritual/totemic relationship between human groups and the countryside was denied. Early political-economic theory postulated that laboring subjects created proprietary interests in things and that the mode of production determined the level of those proprietary interests. And colonial law settled Australia as *terra nullius* based on this assumption. But today current land rights legislation has

20. Gamage 1983; Read 1988; Goodall 1996; see also Reay 1949; Goodall 1988.

21. Povinelli 1993, p. 10.

22. Ibid, pp. 10-11.

swung full circle, denying virtually all correlation between laboring subjects and proprietary interests.

I would argue that it has, in addition, denied the correlation between socially and spatially constructed subjects and proprietary interests. Hiatt's 1984 review of the land tenure debate is a good example. He starts by noting the:

rich variety of criteria used by Aborigines to legitimate access to resources or claims to the land itself. Birthplace, conception place, previous occupation, father's deathplace, mythological links, as well as descent along various pathways, all can be found in the ethnographic record.²³

He describes these as a tool kit, variously appealed to as and when appropriate, although noting that attempts to codify and prioritise them have rarely met with success. However, he then makes a subtle, almost indiscernible leap from 'legitimate access' or 'claims' to land, to the notion of 'title': 'It is well established that title to land is expressed symbolically through myth and rite, and that ritual performances are public affirmations of ownership'. Despite Hiatt's acknowledgement of social relations as a means by which people gain legitimate access to land, it is the mythic and ceremonial expressions of those relations which are privileged. I would argue that fights which arise when people are caught hunting in areas that do not belong to them are also public affirmations of ownership, as is the need to ask permission to gather medicinal plants in the country of others, the etiquettes required by visitors to a community, the desire for Wiradjuri signage in public places, and the politics of the traditional owners and the historical people (migrants).²⁴ Povinelli's focus, for instance, is on labour action, women's in particular, as an expression of proprietary interest.

Povinelli's argument is important for two reasons. She is challenging the dominance of the Stanner model, one for which Elkin and Berndt must take equal responsibility, which has privileged myth and totemism over economic and social practices. In addition, she wants to challenge 'the hegemonic employment by the state of political economic notions of work, leisure, subject, and object' which devalue indigenous understandings of labour and the labouring subject.²⁵ She notes:

There are, therefore two ways in which Aboriginal action is assessed in contemporary Australia and, more generally, how hunter-gatherer action is assessed worldwide. On the one hand, when the Aboriginal economy is the focus of study, it is assessed according to notions of productivity based on Western notions of what happens when intentional subjects labor in an insentient environment. Work is measured—the values it produces and the leisure it affords. On the other hand, when Aboriginal proprietary interests are the object of study, the productive relationship between laboring humans and the laboring environment is pushed to the background if not excluded outright. The rich symbolic/interpretive studies of Aboriginal conceptions of land are artificially and quite unproductively isolated from studies of Aboriginal land use.²⁶

More than unproductively: destructively.

23. Hiatt 1987.

24. Macdonald 1997.

25. Povinelli 1993, p. 8.

26. *Ibid.*, p. 11.

Povinelli's is one of the few studies now appearing after almost 50 years which challenges the 'Dreaming' approach to understanding the dynamics of Aboriginal life-ways and their land-people relationships. Her central theme, that one must understand labour and the labouring subject from an indigenous point of view, specifically seeks to challenge the androcentric and de-historicised approach which has privileged male ceremonial activity. Her approach also calls for the labouring subject and the labouring environment to be understood in much broader terms than 'western' models of economics or work allow for. Beckett has also pointed out that, in the process of finding a nationally acceptable Aboriginality, 'the Aboriginal claimant for land was cast in the role of *homo religiosus* rather than *homo economicus* and the case presented in terms of sacred sites rather than hunting grounds'.²⁷ Others who have also moved towards alternative approaches include Wolfe and Cowlshaw.²⁸

It seems no coincidence that the totalising mythic explanation of Aboriginal societies was popularised at precisely the time—in the 1960s—when their proprietary interests in land were being given their most forceful expression since their colonisation began—in land rights cases and in the framing of land rights legislation. It not only appealed to the age of 'new spiritualism' in Australia, it also proved a useful principle of exclusion. First there was an attempt to exclude all proprietary interests to land on the grounds that, according to Justice Blackburn in 1971, Aboriginal people did not own the land, the land owned them.²⁹ Ironically, Blackburn also remarked that the Milirrpum people had not shown the clan to have a significant economic relationship with the land claimed even though the spiritual relationship was 'well proved'. His implicit challenge to strengthen argument in this regard was not to influence the Northern Territory land rights legislation. The *Aboriginal Land Rights (Northern Territory) Act 1976* (Cwth) allowed for claims to land where mythic relations could be demonstrated by 'traditional owners'—who became the 'real Aborigines' in consequence. The politics of Aboriginal identities were then given new force by the unsuccessful attempts in the 1980s by the Hawke Government to introduce national land rights legislation.³⁰ The problem of how to find a nationally acceptable definition of Aborigines continues into the native title era, with Justice Olney declaring that, in the case of the Yorta Yorta of northern Victoria, 'the tide of history has indeed washed away any real acknowledgement of traditional laws and any real observance of their traditional customs'.³¹ All this contributes to the simplistic and distorting equation that history eliminates culture.

A mere preoccupation with high culture is an insufficient explanation for this act of privileging. The suppression of the value of political, social and economic aspects of Aboriginal peoples' land relations has enabled the suppression of political economic models, or any dynamic and transformable forms of interrelating spheres of social/material/spiritual practices in relation to land, the recognition of which would have made it much harder to limit Aboriginal demands for justice.

27. Beckett 1988b, pp. 206-7.

28. Wolfe 1991, 1994; Cowlshaw 1987.

29. Blackburn 1971, pp. 270-1.

30. Beckett 1988, p. 13.

31. Olney 1998, p. 48.

There has been an unwillingness in Australia to acknowledge, for instance, that Wiradjuri people expressed a desire to become a part of the colonial economy, and that they fought vigorously for control of and return of their lands, often precisely in order to do so. The refusal to acknowledge such activity paves the way for the impression that indigenous people do not value their land except mythically. Historical records do show that European colonists of the nineteenth and early twentieth century knew that, for Aboriginal people, land and economic autonomy went hand in hand, that their economic activities were evidence of the differentiation of proprietary interests between neighbours, and that they persistently and continually refused to be moved off their lands even where land/people relations were no longer expressed in mythic and ceremonial terms. But these have not been part of the producing of historical knowledge³² and at times it would clearly have been embarrassing to incorporate such values and practices into the *white* discourse of Aboriginal land-people relations. While loss of economic and social relations is directly attributable to colonisation, loss of mythic/religious relations can, in contrast, more easily be seen as an inevitable consequence of the meeting with the modern world: the attractive but fragile and primitive spiritual beliefs by which superstitious peoples organised their social and economic lives, destined to disappear with the advent of modernity. Constructed in these terms, it follows that, if the beliefs that are essential to their economic and social existence are deemed to have disappeared, all else—despite evidence to the contrary—will be deemed to have disappeared. Fragility of culture has been a myth of colonial justification.

Why have anthropologists focussed to such an extent on spirituality, ritual, ceremony, myth? Not only does it suggest an unanthropological preoccupation with 'high culture', it disallows the valuing of social or economic relations outside of its framework. It suppresses information about cultural continuities in the context of colonial relationships by stressing the exotic as absolute difference, thus denying the historical constitution of Aboriginal peoples. Maddock has argued that the language of 'sacredness' and 'spirituality' was only emphasised in relation to land and specific sites because of the political imperatives of the land claim process. He demonstrated how Aboriginal people themselves view other aspects of their culture, such as kinship, as equally important to their way of life.³³

The politics of this might be quite understandable. In any dispute situation, a discourse which emphasises differences is both politic and useful and difference is, of course, a valued ingredient of the creation of meaning and of identity construction. The issue here is which notions of difference are privileged and why at any particular point in historical time. The clear separation between European and indigenous conceptions of land, one economic, one religious, probably lent itself both to anthropological preoccupations with exotica—despite rather than because of its own more dynamic models of culture as 'lived lives', as well as to the framing of a response to indigenous demands for rights in terms of *moral* responsibility rather than legal or political rights. Conserving the Aboriginal Dreaming has been articulated in much the same terms as conserving the environment. The two movements merge ambiguously at times, often to find they can be ill-matched bedfellows. And like the selective concern to preserve what are

^{32.} But see Read 1988, and, more especially, Goodall 1997.

^{33.} Maddock 1991.

defined as wilderness areas rather than address issues in environments with greater degrees of impact and thus greater consequences, the emphasis on 'Dreaming' allows for the conserving of the less socially and politically damaging indigenous societies. If they have a bit of religion or rain forest left, we will listen. If they claim Australia's agricultural heartland in central New South Wales, forget it. Hence the need for degrees of Aboriginality.

Not all subjects positions are equal. Some carry greater rewards and are more positively sanctioned than others, depending upon one's position within the particular as well as the wider discourses of power and privilege of which one's own position is a part. One challenges dominant positions at one's peril. The cost in terms of social power, approval and material benefits may be considerable—this applies to academic positions, political ones, and one's presentation of a native title claim. It is the *Native Title Act* 1993 (Cwth) which is now highlighting the influence of these discourses for claimants in New South Wales. Whether or not indigenous people in New South Wales will be seen to have continued their 'customary practices' depends on *which* customary practices are being deemed important in the perception of mediators and judges. Will it be possible to have New South Wales claims freed from debilitating discursive practices, promoted in the past by anthropology and popular opinion alike, which emphasise loss on the grounds of the moral/material superiority of the coloniser and the moral fragility and material irrelevance of Wiradjuri lifeways? The anger Wiradjuri people express from time to time about anthropological research arises from their perception that their presences have been as much denied by anthropology's concern with exotica as they have been by the farmer's fences.

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