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## The Sandbeach People and dugong hunters of Eastern Cape York Peninsula: property in land and sea country

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Thomson (1933:457) described the Sandbeach People of eastern Cape York Peninsula as ‘a very distinct type of Australian [A]borigine ... essentially fishermen and dugong hunters, and ... often great seafarers ... skilled canoe builders and navigators ... [who] make adventurous voyages among the coral reefs and sand banks of the Great Barrier Reef, in search of dugong and turtle, and the eggs of turtles and sea birds’. Thomson (1933, 1934) made much of their marine orientation and he wrote of their outrigger canoes, harpoon technology and beach-based camps in which they spent much of the annual seasonal round.

In their indigenous languages, they indeed describe themselves with phrases such as Umpila *pama malngkanichi* and Uuk-Umpithamu *ma-yaandhimunu* ‘people who own the sandbeach’. <sup>1</sup>Thomson (1934:238) noted that their homelands extended from ‘the shallow waters of Princess Charlotte Bay almost to Cape York’, and he (Thomson 1933:458, 1934:237) identified them as the tribes<sup>2</sup> which he called ‘the

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1 The linguistic forms in this paper are from Rigsby’s fieldwork on the Sandbeach People’s languages and from Thompson (1988). We write the single Umpila and Kuuku Ya’u rhotic, a tap-trill, here as *rr* so as to use the same inventory of characters for all the languages. Our spellings are given in a conventional Australianist practical orthography where *th* is a laminodental stop, *ch* a laminopalatal stop, etc.

2 The term ‘tribe’ has a long history in anthropology and in the study of Aboriginal society and culture, but since the publication of Service (1962), the term usually signifies a type of social organisation that is non-hierarchical and lacks formal political institutions and structures. In Service’s

Koko Ompindamo, the Yintjingga, the Ompeila, the Koko Ya'ò and the Wutati' (in south to north order). Together, these 'tribes' of Thomson's Sandbeach People account for over 300 km of coastline and associated waters, northward from the bight of Princess Charlotte Bay. We too write of the cultural bloc of Sandbeach People, but building upon Thomson's work, we identify them somewhat differently and we distinguish their contemporary social organisation from its classical antecedent. As well, it is plain that there were and are many similar maritime-orientated Aboriginal groups along the coasts of the continent.

## The Sandbeach People

The Lamalama people are the southernmost Sandbeach People. Their territory extends along the coast some 70 km from Goose Creek, near

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evolutionary typology, tribes are more complex than bands, but less so than chiefdoms and primitive states. But from the 1970s, there has been a consensus amongst Australianist anthropologists that tribes as well-bounded units did not exist in classical Aboriginal social organisation. See Dixon (1976:232–235) for a brief historical review of Australianists' definitions of the tribe, including Howitt, Spencer, Radcliffe-Brown, Elkin and the Berndts. As Peterson (1976b:50) notes, Tindale and Birdsell's working definition of the tribe derives from Radcliffe-Brown, who wrote (1918:222): 'By a tribe I mean a collection of persons who speak what the natives themselves regard as one language. the name of the language and the name of the tribe generally being one and the same.' Thomson also used the term in its Radcliffe-Brownian sense.

More recently, Rumsey (1989, 1993) has argued that 'tribe' is usefully employed to label the language-named groups that have emerged as land-owning groups in the recent period. Rigsby and Hafner (1994a, 1994b) used the term in the same way in the Lakefield and Cliff Islands National Parks claim books, noting that it corresponded closely to the claimants' usage—see also Rigsby (1995). However, contemporary indigenious usage of terms such as 'nation,' 'tribe,' 'mob' and the like have variable reference by context, etc., so we caution that our technical use of 'tribe' here is not always exactly paralleled by local usage.

the heel of Princess Charlotte Bay, where the sandbeach gives way to mangroves and salt pans, northward to the Massey River vicinity—see Figure 12:1. They are the direct descendants of many of the people whom Thomson worked with at Port Stewart in 1928–1929,<sup>3</sup> the people whom he (Thomson 1934) called ‘The Dugong Hunters of Cape York’. They live mainly at Port Stewart, having reestablished a community there in the late 1980s after people were removed from there in 1961 (Rigsby and Williams 1991:11; Hafner 1995; Rigsby 1996a). Under Aboriginal law and custom, they own an estate of land and sea country that includes most of the Princess Charlotte Bay and surrounding coastal region. Under Australian law, they own 2100 ha of land at Port Stewart which they acquired by transfer under the state *Aboriginal Land Act 1991*. With neighbouring groups, they made a successful claim under the 1991 Act to Lakefield National Park (Lakefield Report 1996) and on their own, under the same Act, they successfully claimed the Cliff Islands National Park (Cliff Islands Report 1996). They await the Minister’s decisions whether to follow the Land Tribunal’s recommendations to grant the lands on the grounds of traditional affiliation. The remaining terrestrial part of the Lamalama estate is on Lily Vale Station, Running Creek Station and Silver Plains Station. The state government currently owns Silver Plains, but its future as national park and Aboriginal homelands is unclear.

The Lamalama are a language-named tribe: see footnote 3. Their identity as a distinct people or tribe is based upon their ownership of particular land in the region (Chase *et al.*, 1995), upon common close genealogical relationships, upon a common cultural heritage and upon a common history over the past century. The Lamalama emerged as a distinct group over the past century through the amalgamation of people from upwards of forty patrilans, perhaps five indigenous languages, an unknown number of local groups and their transformation into a language-named tribe made up of over a dozen cognatic descent groups.

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3 Hale and Tindale (1933–1936) visited Port Stewart for a fortnight in January–February 1927, and they met and worked with some of the same people that Thomson encountered a year later.

Customary marine tenure in Australia

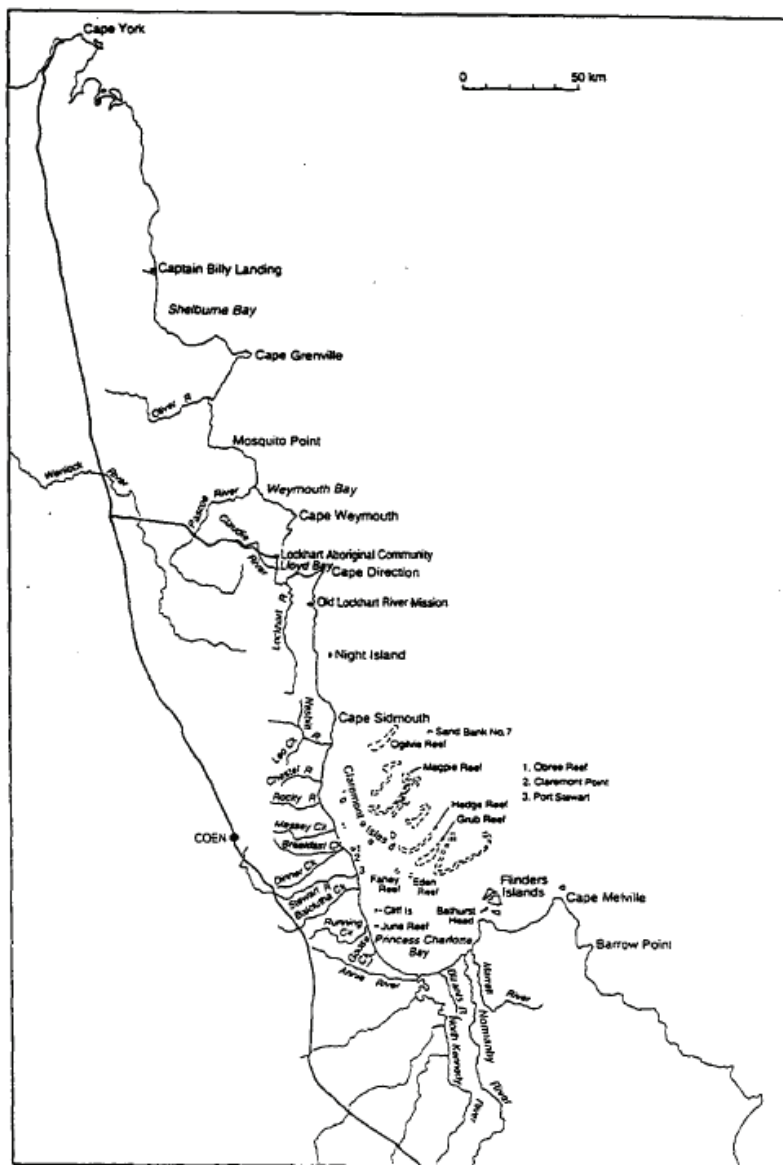


Figure 12:1 Lamalama and related peoples, sea country

The Umpila, Uutaalnganu<sup>4</sup>, Kuuku Ya'u and Wuthathi peoples are also organised as language-named tribes, but the first three groups, as contrasted with the Wuthathi and the Lamalama, have retained strong knowledge of the more distinctive clan estates which comprise the language territories. This is no doubt in part due to their long residence at the Lockhart River Mission (the 'Old Site' at Bare Hill), in Uutaalnganu territory. From there, people travelled constantly up and down the coast while employed on lugger boats and for bush 'holidays' away from the Mission from 1924 until the late 1960s, as outlined below. Throughout the period, the Umpila, Uutaalnganu and Kuuku Ya'u people were never out of visiting range for their countries. They now live mainly at Lockhart Aboriginal Community, near Iron Range in the Lloyd Bay area, but some Wuthathi people live at Injinoo, formerly Cowal Creek, in the Northern Peninsular Region (Sharp 1992). Under Aboriginal law and custom, these groups own estates of land and sea country that extend eastwards from the coastal ranges, across a narrow littoral plain and out to the Great Barrier Reef. The Umpila, immediately north of the Lamalama, extend some 55 km to the vicinity of Friendly Point, and northward of the Umpila, and the Uutaalnganu territory encompasses the coastal area for approximately 70km to the mouth of Lockhart River. Further north are the Kuuku Ya'u, whose coastal territory ends around the Olive River (about 90km), and beyond them are the Wuthathi, who have land and sea country along another 70 km or so of coastline to Captain Billy Landing. Under Australian law, the Aboriginal people who live at Lockhart Community, whose core are Umpila, Uutaalnganu and Kuuku Ya'u people, own the former Reserve lands by a Deed of Grant in Trust. All four groups also have land claims active under the state *Aboriginal Land Act 1991* and under the *Native Title Act 1993*, for example the Ten Islands claim, the Iron Range National Park claim, the Mungkan-Kaanju National Park (formerly, Rokeby-Kroll National Park), and the Night Island claim. The Umpila people have also lodged a native title claim to their sea country and part of the adjacent mainland,

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4 However, the Uutaalnganu more often call themselves and are called the 'Night Island mob.'

and the Lamalama people have accepted their invitation to join them in an extended sea claim. The inland Kaanju (linguistic congeners of the Umpila, Uutaalnganu and Kuuku Ya'u) have also lodged a native title claim for land.

The four coastal groups north of the Lamalama have a somewhat different contact history. They were much more involved in the marine and sandalwood industries, which dominated European intrusion into this area from the 1870s to the outbreak of WW2, and for about 40 years most of them were missionised (Chase 1980:87–132; Thompson 1995). The Anglican Church established a mission at Orchid Point in Lloyd Bay in 1924, but shifted it south the next year to Bare Hill, on the coast 15 km south of Cape Direction, remaining still within Uutaalnganu territory. The gazetted Lockhart River Reserve took in all of the Uutaalnganu land, the southern portion of Kuuku Ya'u territory, and a large portion of the Kaanju country which lies inland behind the coastal area. During the 1920s–1930s, the state native affairs department and missionaries removed children and adults from along the coast and the interior and shifted them to live at (Old) Lockhart River Mission. Numbers of people from all the Sandbeach groups were removed to Lockhart, as were also people from Flinders Island and the coast nearby in the 1930s. For a period during the Second World War when Japanese invasion seemed imminent, the missionaries were evacuated and people were told to avoid the mission and set up new bush camps. The Lamalama and Flinders people walked home and resumed bush life along the coast, and other groups returned to key locations in their homelands along the coast. During the early 1960s, the state government took control of the Lockhart River Mission from the Church and made plans to shift people from the Bare Hill site to Bamaga. A small group accepted relocation there in 1964, but the majority strongly rejected the resettlement plans. The people remaining at Lockhart River Mission were persuaded to accept a new site, close to Iron Range airstrip, about 3 km inland. By 1969, they were resettled, and the state native affairs department administered the community with a stern hand until the 1980s. Since then, the Lockhart Reserve has been made

into the Lockhart DOGIT (Deed of Grant in Trust, a form of tenure), and an elected Council having new powers and a new sense of its independence has governed Lockhart Community. However, there have been homelands movements at Lockhart since the mid-1970s, and currently, there are outstations located at the old Bare Hill mission site, at Portland Roads, inland on the Wenlock river and at Chinchanyaku on the coast opposite Night Island. Others are planned.

North of the Lockhart DOGIT lands, the tenure status (under Australian law) of the land up to Shelburne Bay varies, ranging from special leases, pastoral leases, occupation licences and national park lands. To the south, the Lockhart DOGIT lands abut Silver Plains Station and a Timber Reserve, where the southern Umpila and Kaanju homelands are situated. During the development boom years of the 1980s and early 1990s, the Lockhart-based groups successfully resisted plans for silica mining (on Wuthathi land), a satellite launch site (on Kuuku Ya'u and Wuthathi lands), a large resort (on Kuuku Ya'u land), a resort village (on Kuuku Ya'u land) and various mining activities (on Umpila and Utaalnganu lands). The Kuuku Ya'u people are currently challenging in the Land Court another resort development proposed for one of their islands.

The Sandbeach People have extensively intermarried among themselves, as well as with their inland neighbours, such as the Kaanju, Ayapathu, Wik Mungkan, Olkola (formerly spelt Olkolo in the literature) and Kuku Thaypan peoples, and with Torres Strait Islander people.

## **Classical and contemporary social organisation**

In the classical social organisation of the Sandbeach People, the land-owning groups were patrilines, exogamous and perpetual corporations of people who acquired membership by patrilineage. The clans were named; in fact, they often had names in several languages. The clan names often identify the group as having a particular Story or totem or as owning or coming from a particular country; in some

cases, the clan names are those of human ancestors. As well as property in land and sea country, the clans also owned particular ceremonial and religious knowledge, songs and bodypaint designs. While the old clan-based organisation has virtually disappeared among the Wuthathi and the Lamalama, the other tribal groups have retained it for much of their coastal estates. This retention has been, in part, a function of anthropological recording. Chase and others carried out detailed territorial mapping work with Umpila, Uutaalnganu and Kuuku Ya'u people during the 1970s when considerable numbers of older bush-born people were still alive. Young people and children accompanied them on these visits which took place at a critical time in the history of the Lockhart River community. Active older people were much concerned about the possible loss of knowledge, and they were anxious to have it recorded. In May 1997, the Umpila people drew upon Chase's recorded information when they revisited Umpila territory in order to reacquaint themselves with specific estates and their sites.

While people's knowledge of their families' estates may be very attenuated in parts of the Sandbeach Region, some people know that they are primarily connected to particularly well-known sites and locations. The vagaries of survival among older knowledgeable people is clearly a factor in the retention of knowledge, as also are the historical facts of settlement and residence at the Lockhart River Mission and at Port Stewart. Among the Wuthathi, all knowledge of clan estates has disappeared, and they regard themselves as a single land-owning 'tribe' (Chase 1996).

The estates of all the clans from the Normanby River to Massey Creek have passed into Lamalama tribal ownership through the operation of traditional law and custom (but see next paragraph). In at least one case, a sisters' sons' clan inherited the estate of their mother's fathers' and brothers' clan, and the combined estates have passed to tribal ownership. More commonly, the estates of clans that otherwise died out without obvious heirs were looked after by members of neighbouring clans and became part of the larger tribal estate.



These same processes of succession sometimes give rise to disputes about land where two modern tribes border each other, for example the Lamalama and the Umpila contest which of them owns the land between Massey and Breakfast Creeks (and similar potential disputes can be found around language border areas further north). In the classical system, say, of 1930, the estates of two clans covered this area. The estate of the Morrokoyinbama clan (whose indigenous language was a coastal Ayapathu variety) included Dinner Creek, Breakfast Creek, the Silver Plains homestead area and the upper Massey Creek, while the Morrindhinma<sup>5</sup> clan (whose indigenous language is an Umpila variety) clan estate centred on the lower Massey Creek and adjacent coast. It is unclear how the Lamalama and the Umpila will resolve their differences at the tribal level, but the senior descendants of the two clans recognise one another's rights and interests in their respective estates.

In the contemporary system, the language-named tribes are, as we have seen, the landowning units for the Wuthathi and Lamalama, but among the Lamalama, the contemporary cognatic descent groups also continue some of the old clans in that their members regard themselves as having special relationships with the estates of the clans of their founding ancestors. In the Lakefield and Cliff Islands National Parks claim books, Rigsby and Hafner (1994a, 1995b; see also Hafner 1995) described the classical and contemporary social organisation of the wider claimant group, who included the Lamalama. They labelled the cognatic descent groups there as 'families' before they recognised that these are cognatic descent groups—see Ackerman (1994) and Sutton (1996b). Among the Kuuku Ya'u, as well as an emphasis on clan estates for key areas, there are two intermediate cognatic 'countryman clusters' (Thompson and Chase 1997), which group together families originating from the old clans whose estates adjoined in the classical situation.

People and (thus also) clans belonged to named moieties. The

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5 Morrokoyinbama and Morrindhinma are the Morrabalama language names of these clans; they are Mangulthanahu and Uukinhu, respectively, in Uuk-Umpithamu. We have not recorded their own names for themselves.

moieties, like the clans, were sociocentric, exogamous groupings. The moiety organisation cut across clan and local group insularity and provided some basis for regional organisation. Moieties played a role in ceremonial life, and the landscape and seascape was a checkerboard of estates of the moieties—for example see the text and maps in Chase (1984:110–11). Thomson (1934:493–499, 1946:160–161) noted that the complex of custom relating to tooth evulsion makes reference to moiety membership. At or about puberty, young people underwent evulsion of an upper incisor tooth (right incisor for righthanded person, etc.). The operator came from mother's (i.e. the opposite) moiety, and they called out the personal names and totems of members of that moiety. When the tooth broke off—in Creole and Aboriginal English, people say that it 'jumps out'—that was a sign. If it broke at the calling of a personal name, its bearer would give one of their clan totems to the young person. If it broke at the calling of a totem, then that totem was given to the young person. Such totems were not called *puula* 'father's father', as one's own clan totems were, but they were called *ngachimu nguunthachi* 'mother's father having-the-vital force' (from *ngachimu* 'mother's father' and *nguunthal* 'fontanelle, breath or 'wind', i.e. vital force'). They were the objects of taboos, for example one should not kill or eat them, and they were associated with the animating part of the spirit (*nguunthal*), which leaves the child when the frontal suture closes and goes to live in the mother's country. At death, the *nguunthal* spirit reunites with the *mitpi*<sup>6</sup> spirit, the part of the person's spirit which travels during dreams, etc. We speculate that these maternal clan totems also conferred non-transferrable rights and interests in one's mother's clan land—see Sutton (1996a). Some older people still alive underwent tooth evulsion, but the custom is no longer practiced.

The moieties were still operative at Port Stewart when Thomson worked there, but contemporary Lamalama people say that they are a feature of Lockhart people's law and custom, not of theirs. When Chase worked at Lockhart in the 1970s, the recognition of people's moiety

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6 *mirrpi* is the southern Umpila variant of the word. The terms in this section are all Umpila and Kuuku Ya'u.

membership was very strong and exogamy remained a cardinal rule, and people said that they could identify people's moiety affiliations by their physical features. Likewise, the physical attributes of 'countries' identified their moiety affiliations too (Chase 1980). But among young people and children there today, moiety recognition has all but disappeared.

The moieties are called Kaapay and Kuyan in the Ayapathu, Umpila, Uutaalnganu and Kuuku Ya'u languages, and they are Aparra and Urrana, respectively, in Uuk-Umpithamu.

Sharp (1939:259) said the Wuthathi lacked named moieties, but Thomson (1972:24) recorded them as *o'waiya* and *o'garra*, respectively. There are no moiety names recorded in Lamalama, Morrabalama and Rimanggudinhma, and speakers say there were none in the past. The dual division between the Kaapay and Kuyan moieties is symbolised by mythic oppositions between Dugong and Wallaby Stories, and Emu and Cassowary Stories, respectively (Chase 1980:140). The absence of moieties and moiety names among people of the Lamalama-, Morrabalama- and Rimanggudinhma-speaking clans is perplexing because most, if not all, of their neighbours have or had moieties in the past. Among the Olkola-speaking people, they are associated with Elar 'mopoke owl' and Akabakab 'owlet nightjar'/ 'carpenter bird' (Philip Hamilton, personal communication). Although Hale and Tindale (1933-36:79) reported moieties among the people of the Flinders Islands and adjacent mainland, where Owaimini and Ungawu are equivalent to Kaapay and Kuyan, Sutton (pers. comm.) doubts that the Flinders people had moieties, on the basis of his deeper ethnographic and linguistic work. Terwiel-Powell (1975:114-118) and Haviland (1979:213-215) reported moieties among the Guugu Yimithirr-speaking people, where they are associated with the nightbirds, Mirrgi 'mopoke owl' and Wambal 'owlet nightjar', and with Nguurraar 'black cockatoo' and Waandaar 'white cockatoo'. The moieties are also associated with short-funnel and long-funnel<sup>7</sup> native bee species, but we do not know the details.

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7 These terms describe the shape of the entrance to the hives.

Kin terminology and classification in the languages of the classical system were quite similar. They distinguished relatives of one's own side or moiety (e.g. siblings and parallel cousins, father and father's brothers, father's sisters, man's children and brother's children) from those of the other side or moiety (e.g. cross-cousins, mother and mother's sisters, mother's brothers, woman's children and sister's children). All the languages distinguish older brothers and older sisters from younger siblings, and the same distinction was made among the children of parent's older and younger same-sexed siblings, e.g. father's older brother's daughter is classified as older sister and mother's younger sister's daughter is classified as younger sister. There was similar recognition of senior and junior cross-cousins, the children of opposite-sexed siblings. The prescribed marriage partner was a cross-cousin. The Lamalama people say that their old law and custom was for marriage with a first cross-cousin—Thomson's and more recent genealogies provide a number of instances of first cross-cousin marriage—but their new law is for marriage with a classificatory cross-cousin. Some of the Umpila and Port Stewart Ayapathu genealogies that Thomson recorded also showed evidence of generational skewing of the Omaha type, where mother's brother's children were classified upward with mother's brother and with mother, while father's sister's children were classified downward with sister's children (see Thomson (1955:40) and comments by Scheffler in Thomson (1972:4, 6, 46–47). Chase (1980:399–402) reported upward skewing in the recognition of children of cross-cousins for the Umpila and their northern neighbours. Thomson (1955:40) observed that only first cross-cousins were designated by the reciprocal senior and junior cousin terms, while other cross-cousins were designated by the appropriate affinal terms. Thomson (1972:28) recorded no cross-cousin terms in coastal Ayapathu—he called it Yintjingga, after the indigenous name of the Port Stewart area—and Rigsby has never recorded them in Lamalama, Morrabalama or Rimanggudinhma. It remains unclear in the latter languages whether cross-cousins were designated by generationally skewed terms or by affinal terms.

Kin classification and terminology in contemporary Creole and Aboriginal English basically maintain the same semantic distinctions. People at Lockhart and Port Stewart still use many of the indigenous Umpila / Uutaalnganu / Kuuku Ya'u terms, but they also use terms of English origin, but with indigenous semantics, for example, people address parallel cousins as 'brother' and 'sister', but refer to them as 'cousin-brother' and 'cousin-sister', respectively, which distinguishes them from siblings and cross-cousins. As in the classical systems, people address and refer to relatives of the great-grandparents' generation with the children's generation terms, and in return, relatives of the great-grandchildren's generation are designated by the parents' generation terms. Like the earlier situation that Terwiel-Powell (1975) reported for Hopevale, children at Lockhart and Port Stewart have lost the knowledge and use of some traditional kin and affinal terms. For example, they have collapsed the senior and junior cross-cousins into a single category, realised as *ngami* in Umpila and 'cousin' in Creole.

Thomson (1935, 1972) described some of the behaviours customarily associated with kin dyads, and some of these continue in similar form, for example, in-law avoidance, adult brother-sister avoidance and joking between classificatory grandparents and grandchildren. Again, the finer traditional distinctions in these behaviours are now disappearing. Similarly, older people observe traditional restrictions on who can share food with whom, or perhaps these are better stated in terms of who can eat food produced by whom. Parents cannot eat food from their children, nor can a father's younger sister or mother's younger brother (who are potentially spouse's parents), but grandparents, father's older siblings and mother's older siblings can.

Local groups or bands in the classical social organisation included men and women of different clans. The focal male leaders of local groups centred their residence and group movements on lands of their own clan estates, for example, Thomson's notes and genealogies identify the focal men of the Yintjingga local group in 1928–1929 as several older Mbarrundayma<sup>8</sup> clan men and their resident sisters' sons of the

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8 This is the Lamalama language name for the clan. It is called

Mumpithamu clan—see also Cliff Islands Report (1996:54). It was during the wet season that local groups were at their largest and most sedentary. There was plenty of fresh water available on the coast then and the weather was good for marine hunting; the northwest monsoon replaces the southeast tradewinds, many mornings are without wind and the waters are calm.

Households<sup>9</sup> were the smallest groups based on common residence and commensality in the classical social organisation. In past days, households were based upon a married couple and their dependents who together maintained a separate hearth and aggregated with other households to form bands. Today, households are larger (see Jolly 1997), they typically domicile themselves in permanent houses or semi-permanent tent-under-tarpaulin structures, and they aggregate to form permanent communities, as at Coen, Port Stewart and Lockhart.

## Religion

Thomson's writings (especially Thomson 1933) on the Sandbeach People made much of what he regarded as a distinctive religious cult, organised around 'tribal totemism' and functioning to initiate young men into manhood. This cult was in Thomson's view, Melanesian-influenced in its ritual and ceremonial paraphernalia, and its 'tribal totemism' represented an intermediate stage between Australian and Melanesian social systems. Such evolutionary perspectives on change are clearly dated, but his work does correctly emphasise the permeability of the classical Australia—Melanesia boundary.

Sandbeach People say that in the beginning, before there were Pama (*pama*<sup>10</sup> 'Aboriginal person, people'), in the beginning, the animals,

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*Thookopinha* in Uuk-Umpithamu.

9 Thomson (1932:197–198) called households 'families'.

10 *pama* is from the Umpila, Uuutaalnganu, Kuuku Ya'u, Kaanju and Ayapathu languages, and it is known throughout the Sandbeach Region. People recognise *bama*, pronounced with a voiced stop, as its Guugu

birds and fish were like human beings, like Aboriginal people. These spirit people are what Pama call Stories (elsewhere, Dreamings). The Stories made the landscape with all its features, they named the places on the land and they established Aboriginal Law on it during the Story-Time (elsewhere called the Dreamtime).<sup>11</sup> Contemporary Pama are descended from the Stories, who still live in and on the land in their own places. As well, the spirits of the ancestors, the Old People, still live on the land because when Pama die, their spirits return to their homelands. The Old People also include the recently dead, whom living people know and remember, and they continue to take an interest in the living and how they live their lives. The Old People may bring good fortune and luck to the living in their various endeavours (e.g. fishing, hunting, gathering, etc.), but when the living transgress Pama Law, the Old People may express their displeasure by bringing misfortune, illness and bad luck.

The Stories put the different indigenous languages in their proper countries on the land, and it is from their own languages that the tribes get their names—see footnote 3. The Lamalama tribe is unusual in that its predecessor clans owned and spoke five or so indigenous languages, only one of which gave its name to the whole group. Many younger

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Yimithirr equivalent. Other indigenous Sandbeach languages have undergone sound change and their speakers pronounce cognate forms as *mba* (Lamalama), *apma* (Morrabalama), *ama* (Uuk-Umpithamu) and the like. Lamalama people more often use the word Murri (*mari*), which ultimately originates in a central Queensland coastal language, when they speak Creole and Aboriginal English. Peter Sutton (*personal communication*) speculates that Biri might have been the source for Murri as they travelled early as Native Mounted Police, among other things.

11 In the southern part of the Sandbeach Region, prominent people often had traditional personal names that signified the names of significant places in their estates. Old Man Monkey Port Stewart's 'Murri name' was *Aakurr Yintyingga* 'Yinjingga Country', and Old Lady Emma Claremont was *Ngaachi Yalmarraka* 'Yalmarraka Country' or just *Yalmarraka*. Old people also recall that Emma used to shout out 'Yalmarraka!' when she was so moved.

Lamalama people are not familiar with this complex sociolinguistic history.

Children usually take their tribal membership and particular land interests from their fathers, they remain connected with their mother's tribe and they take land affiliations from their mother too. Where a child's father is non-Aboriginal, the child always takes its identity from its Pama mother.

Pama have a dual relationship to both the spiritual and material worlds. This can be expressed simply in the propositions that the Pama belong to the land and the land belongs to the Pama. In the first instance, the Pama belong to the land because they share a spiritual essence in common with it. Pama men and women beget and birth children as men and women do everywhere in the world, but Pama children are not simply made up from flesh and blood. All Pama have a spirit counterpart<sup>12</sup> or alter ego, which comes from the land and from the Old People. That is, a person's spirit does not come into existence from nothing, but it comes from spirit that has always existed in and on the land, and it enters the embryo at or sometime after conception. Moreover, a person's spirit does not just come from anywhere; it comes from a specific country or place. In this way, each Pama person incarnates a spirit that indissolubly connects them with a country of origin, even though there are no reports in this region of specific conception sites, as found elsewhere in Australia.

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12 We use *spirit*, rather than *soul*, in line with regional Creole and Aboriginal English usage. The words for 'spirit' differ in the several indigenous Sandbeach languages. In contemporary Umpila, Utaalnganu and Kuuku Ya'u, it is *mitpi*, but *puuya* 'life essence, heart (in the metaphorical sense)' and *nguunthal* 'fontanelle, wind or breath' are closely connected. In Uuk-Umpithamu, the word is *nanga* 'spirit, wind or breath, lungs,' while it is *anga* in Lamalama and Morrabalama with the same glossing. The term signifies much the same entity that Christians call the soul, but Pama believe that the spirit returns to its home country after death, lives there for the most part and visits and otherwise makes itself known to living people.



This is why we say that the Pama belong to the land. They are a part of the land just as a person's head is a part of their body. The late Professor Stanner (1969:4) spoke of this relationship as one *in animam* 'in spirit'. It is a spiritual relationship because spirit connects people to their land. Linguists would describe it as a relationship of inalienable possession, the relationship of a part to its whole.

Pama also have a material relationship to the land. It is a relationship *in rem* 'in a thing'. People's rights *in rem* to country derive from their spiritual relationship to it *in animam* and depend upon it. This provides the root of their traditional title to land. There were no written title deeds to record that so-and-so acquired such-and-such land by purchase or grant of the Crown. Instead, Pama know and tell how the Stories fashioned a specific landscape and in a number of locations<sup>13</sup> 'sat down' there to remain for all time metamorphosed into rock or other material features. Their title derives from the creative acts of the ancestral Stories in the Story-Time and from the unbroken links of spirit among the land, their Old People and themselves. Pama also say that it was not just during the Story-Time that the Stories lived and acted. They still live in and on the land, as do the spirits of the Old People, the long dead and the recently dead alike.

This is why we say that the land belongs to the Pama. They own the land: that is, they have rights *in rem* to the land and the sea. Phrased differently, we can say that specific groups of people have specific rights in specific tracts of land 'as against the the world'. These include rights to live on the land, to use and enjoy it in various ways, to speak of and present themselves as its owners and to exclude others in various ways from exercising the same rights. Linguists would describe this as a relationship of alienable possession, the culturally constituted and socially sanctioned relationship which we conventionally call 'ownership'

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13 In Umpila and its congeners, placenames for these special locations often are compound words built with -muta as their second element. It signifies 'pereneum', which metonymically is the 'sit-down place' of the body. For example, *Kampalmuta* is a place not far south from Port Stewart whose meaning might be translated as 'Where Sun Sat Down'.

in English. Since the Mabo No 2 decision of June 1992 and the federal *Native Title Act 1993*, the common law of Australia recognises Aboriginal rights and interests in land arising from indigenous law and custom where they have not been extinguished by Act of the Crown or adverse act. But so far as Pama are concerned, their traditional title cannot be extinguished by the acts of others.

The Stories not only fashioned the material world to be as it is, but they also instituted law and custom which stipulate how Pama should live their lives and which define the dimensions of the proper social world. In Standard English, we distinguish among law, custom and tradition (Rigsby 1996b; also Rigsby and Hafner 1994a). Laws compel people's behaviour because they have the backing of the state and its courts and police, while customs operate to guide people's behaviour informally. Traditions, for their part, seem simply to be old customs, but on closer examination, traditions also have a normative character which gives them greater force than mere customs. Their age and their connection with ancestors sanctify them and give them greater value.

In Aboriginal English and Creole, Pama speak of 'Pama Law' and 'Pama way' in ways that parallel some of the distinctions above, and in ways which are seen as imperative. When people say that some way of doing things is 'the Law' or 'Pama Law', we believe that they are in effect saying that it has the moral force backed by the weight of sanctions that we associate with tradition, i.e. it is traditional. When people say that a particular way of doing things is the 'proper Pama way', we take that as a statement that it is customary—a 'proper' way of behaving which respects local etiquette, but does not necessarily have a spiritual sanction.

For example, Pama say that it is Pama Law for people to 'warm' or 'smoke' a house with burning ironwood boughs to send away the spirit of the dead person and make it leave the world of the living behind. It breaks Pama Law for the head of a family not to have the warming ceremony performed, and the aftermath of such a breach may bring down illness or misfortune on the lawbreaker and other members of

the family. By way of contrast, among many Pama on eastern Cape York Peninsula, it is customary to use knives and forks when *parra* or whitefellows<sup>14</sup> are present, but more often, when alone or in a small family group, for example, people generally eat with their fingers and not with cutlery. To insist on eating with knife and fork when one's family and mates are eating with their fingers is to chance being called 'flash', like a whitefellow, not like a Pama. It is not the Pama way, but it does not break Pama Law.

Pama learn Pama Law and Pama ways mainly by observation and experience. People often tell us that it was not their way to ask their old people why they performed ceremonies or observed particular customs. Instead, they learned to wait until their old people told them to do whatever and not to question them or ask them why. Nonetheless, adults do instruct younger people in such matters as the proper use of kin terms, the behavioural prescriptions and proscriptions appropriate to specific places, and so on, for example, Lamalama people do not fish at the Running Creek waterfall nor at the Moon Story-Place at the Rocky Creek crossing for their Law proscribes it.

Many, if not most, Sandbeach People are Christians, and many consider that their indigenous religious traditions and Christian belief and practice are compatible (Thompson 1995). Chase (1988) described a fusion of Christian and traditional spiritual elements in the way that people regard and use 'holy water' and 'holy oil'<sup>15</sup> from the church sacristry, and Thompson (1985) reported the commonalities that people draw between the Christian and Sandbeach rituals and beliefs.

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14 Whitefellows are called *parra* in Umpila, Uutaalnganu and Kuuku Ya'u, and *waypala*, *ngarr* and *akngarr* in Uuk-Umpithamu, Lamalama and Morrabalama, respectively. The latter two words also signify the malevolent spirits that are called 'devils' and 'quinkans' in English; *awu* is their Umpila, Uutaalnganu and Kuuku Ya'u equivalent in this sense. In Creole and Aboriginal English, whitefellows are often called *migolo*, a word whose specific southern origins are unknown.

15 Also called 'blessing oil' in Creole.

Thomson (1933) described many features of classical Umpila, Uutaalnganu and Kuuku Ya'u religious belief and practice, but he focused on Kuuku Ya'u beliefs and practices of the hero cult complex centring on *Iwayi* 'Old Man Crocodile'. He also described similar ceremonies which he witnessed at Port Stewart in late 1928. More recently, Laade (1970) and Chase (1980) outlined related ceremonial complexes for the Uutaalnganu and Umpila. Throughout the east coast of the Peninsula, people call these ceremonies 'Bora' and say they have to do with 'inside business', i.e. restricted esoteric knowledge and practice. Thomson proposed that the cult provided the basis for tribal integration, but we believe it better to speak of regional integration here—see also Hiatt (1996:108–109). The complex is more widely distributed than just among the Sandbeach People, and it drew together men and women from different clans and language groups over the wider region.<sup>16</sup>

## Indigenous languages

The geographical and sociological distributions of the indigenous languages of the Sandbeach People have changed much over the past century. A hundred years ago, the patriclans antecedent to the Lamalama tribe owned and spoke five or six indigenous languages (Rigsby 1980a, 1980b, 1992; Rigsby and Hafner 1994a). The estates of the Lamalama- and Rimanggudinhma-speaking clans just touched on the Sandbeach Region. The estates of two Morrabalama-speaking clans were located along the coast at its very southern extreme, and they extended discontinuously to the Cliff Islands. The coastal estate of the single Uuk-Umpithamu-speaking clan was just to the north. The coastal strip from Running Creek northward to Breakfast Creek and the upper Massey Creek belonged to the estates of four Ayapathu-speaking clans<sup>17</sup> One

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16 Roth (1898) observed similar Bora ceremonies on the North Kennedy River that were hosted by a Koko Warra local group.

17 One should not reify social categories defined by speaking the same language into social groups, such as tribes, without other warrant. The

(or two?) of them shared the Cliff Islands with the Morrabalama clan. On the lower Massey Creek and adjacent coast, the language variety of the Morrindhinma clan can be described or labelled in different ways. Umpila, Uutaalnganu and Kuuku Ya'u people regard it as distinctive and they call it Kuuku Yani (Rigsby 1992:358; West 1964). In contrast, the Lamalama people consider it simply to be Umpila and they do not recognise the Kuuku Yani name.

From south of Massey Creek northward to Friendly Point, Umpila is the indigenous language, and there are seven Umpila estates encompassing the coastal lowlands and the inner Reef waters. Uutaalnganu is the indigenous language from Cape Sidmouth to Cape Direction, and Kuuku Ya'u is situated from there north to the Wuthathi language area, which begins close to the Olive River, north of Temple Bay.

Today, language shift is well underway, and the indigenous languages have few speakers. Most Sandbeach People are vernacular speakers of a local Creole variety (at Lockhart and Port Stewart).<sup>18</sup> Lamalama has less than ten speakers, Morrabalama has perhaps three, Rimanggudinhma has perhaps three and Uuk-Umpithamu has perhaps a half dozen. The coastal Ayapathu dialect has no speakers. Umpila, Uutaalnganu and Kuuku Ya'u have perhaps several dozen good speakers left. Wuthathi has no speakers left, but a few older people remember words and phrases.

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contemporary Ayapathu tribe, a language-named tribe based in Coen (Chase et al. 1995), does not include the extinct coastal Ayapathu-speaking clans, and their estates have passed to the Lamalama tribe by traditional succession. Thomson (1934:237, 239–240, 251) described the social distance of the Yintjingga local group, whose focal members were men of a coastal Ayapathu-speaking clan, from the inland Ayapathu-speaking people. The latter and their Kaanju neighbours were *kanichi* 'inlanders,' respected for their magical charms and feared for their potential for sorcery.

18 It is an interesting question whether the vernacular at Port Stewart is a creole variety or an Aboriginal English variety, and the answer hinges not so much on the empirical facts as on how the terms are defined formally and functionally.

## Land and sea as environment and habitat

The homelands of the Sandbeach People are bounded by the Great Dividing Range in the west and the outer Great Barrier Reef in the east. They include complex mosaics of terrestrial and marine country. In the south, the Lamalama tribal estate extends westward from the Normanby River around the mangrove-lined Princess Charlotte Bay to north of the Stewart River. The mangroves fringing the lower Bay give way to open expanses of sandbeach a few kilometres south of Goose Creek, a few kilometres south of Running Creek. The Sandbeach Region with its open beaches, headlands and bays begins here and extends northward to Captain Billy Landing, where Wuthathi country ends. Its coast is punctuated by a number of short and swiftly flowing rivers and creeks, of which the Stewart, Lockhart, Pascoe and Olive Rivers are the largest. In the south, there is a wider coastal plain between the sandbeach and the Great Dividing Range, but north of Massey Creek, the Range (including smaller ranges) approaches the coast and the coastal land strip narrows to a few kilometres in depth.

The prevailing southeast trade winds and the terrain interact to produce a mosaic of lowland plant communities of great diversity and complexity. Vine forest, rainforest, dry sclerophyll, heathland, grassland, open and closed wetlands, mangrove forest and littoral dune thicket occur in many combinations, none of them dominant. The indented coastline, headlands, small hills and spur ranges also contribute to topographic and floristic variability (see Chase 1984:104–106; Chase and Sutton 1987:73–74). There are extensive saltpan systems and large wetland complexes (e.g. the Rocky River and Balclutha Creek swamplands) in the more lowlying, southern half of the Sandbeach Region. In former times, groups of men fished the saltpans with frame nets during the kingtides at the end of the year. Thomson photographed such a saltpan fishing sequence at Port Stewart in 1928. There were no stone fishtraps in the region. We have not recorded weirs in the Sandbeach Region, but

Logan Jack (1922:488) recorded what must be a weir<sup>19</sup> across a small tributary of the Normanby River, not far south around the Bay.

Above the estuaries, many of the short streams flow only during the wet season (roughly, January through April), but there are permanent pools in the watercourses, as well as fringing lagoons. The eastern-facing slopes of the uplands are clad in dense rainforest, and this habitat extends coastwards to form narrow galleries along the watercourses. It includes many desirable fruit trees and plant species, and provides habitats for bird and animal species, including cassowary and cuscus in the north. Sandbeach People fish today with handlines and the four-pronged wire spear. The Lamalama people use no saltwater gear or bait when they fish in fresh water, nor do they use freshwater gear or bait in the salt water.<sup>20</sup> As well as fish, people also take many freshwater turtles and crayfish. They dig and gather several yam species (including long yam *Dioscorea sativa* and hairy yam *Dioscorea rotunda*), which grow in the sandy soils along the streams and in the scrubs behind the beach dunes. They use rifles to hunt wallabies, kangaroos and emus in more open country, and feral pigs near swamps and waterholes, using dogs<sup>21</sup>

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19 Logan Jack's party made their Camp 26 at a lagoon on the east side of the Normanby, and he (Logan Jack 1922:488) wrote: 'Half-a-mile above our camp there had been a NATIVE FISHING STATION last wet season. The mouth of the gully (still retaining a few water-holes) had been stopped by a fence of stakes and twisted branches. The blacks must have got a good many large barramundi, judging by the heaps of large scales lying about.'

20 The salt water/fresh water opposition extends to other behaviour as well. Under Lamalama Law, people should cook and eat mussels, whelks, oysters and other shellfish at the coast, and not take them inland to Coen, as they sometimes do.

21 People keep and use only dogs of European origin today, but in the past, they got dingo pups and tamed them as hunters and companions. Dogs had and have personal names, just as humans do. Some of the Lamalama dogs at Port Stewart have indigenous language names, e.g. Keith Liddy's dog is *Waymuwa*, the name of Goose Swamp, one of his clan countries.

to bail up their quarry. They also hunt ducks, geese and other birds in the large freshwater swamps and wetlands that are home to many species, some migratory and others not. They also gather scrub turkey, scrub fowl and goose and other eggs when available. From Umpila territory northward, people raid the close inshore islands in the dry season for Torres Strait pigeons, especially when the squabs are well-grown. People also forage the land to gather useful resources, for example, firewood, timber, several kinds of bark and gum, various bush medicines and palm fibre for string to make twine and netting (Rigsby and Williams 1991:13; Chase 1980:153–155).

The estuaries (including mangroves and channels) and sandbeach present other sets of habitats. People fish with handlines and spears for a range of species, favouring barramundi and salmon, but taking a dozen or more other fishes. We do not know whether people used shell fish hooks in former times, but they adopted metal fish hooks early in the contact period. Men previously made and used frame nets, but they no longer do so. Men and women hunt and forage along the water's edge and shallow waters, taking a variety of rays, crabs, fishes and shells. Of particular value are the large 'mudshell' bivalves (*mupa*) and the spiral whelks (*ayka*),<sup>22</sup> which can be easily gathered in the mangrove zone.

The reefs, cays and sandbanks of the outer Great Barrier Reef lie thirty and more kilometres offshore, and oral histories and archaeological evidence tell us that Sandbeach men made canoe voyages out there in the past. As well, many people worked in the marine industries along the coast from the middle 1860s, and the experience probably gave them (mainly men) the opportunity to visit and use their own and other people's sea countries out to the outer Reef more intensively and more often than previously. Today, Umpila men still go out occasionally for turtle to the outer Reef. The inner reef waters are studded with terrestrial islands, sandcays, smaller reef complexes and sea grass beds, which present another range of habitats and resources. The Umpila and the Kuuku Yau constantly hunt dugong and turtle in these waters

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22 These species names are in Umpila.



around Lloyd Bay today, using modern aluminium boats with outboard motors.

## **Land, sea and resources as property**

As noted earlier, it can be various combinations of contemporary language-named tribes, family-based estate groups, or regional groupings who assert primary control over the countryside and seascape, depending on the situation. People generally gain these rights from their father. Among the contemporary Lamalama tribe, other things being equal, any adult Lamalama person has the right to live on, camp on, visit and use the resources found on any part of their tribal estate. But some people have special rights and interests in subparts of the tribal estate that in the past belonged to their ancestors' clans; for example, the Liddys are recognised as having special rights and interests in the Port Stewart area that come to them from Grandfather Harry Liddy, who got them from his mother and her younger brother. Other people defer to them on matters relating to the area, but nonetheless, other Lamalama people live there as they wish and use its land and resources without having to ask permission. North of the Lamalama, among the Lockhart-based people, there is still strong adherence to a more differentiated estate model of control.

In past times, the sense of property was also well developed, and owners regularly monitored their land and sea country to see who was on it or had been on it. Outsiders were expected to present themselves to the resident owners and to make themselves and their intentions known. If they did not, the residents assumed that they were up to no good, that they were there to use resources without permission or to bring harm to someone. If owners discovered the tracks or signs of outsiders where they did not belong, they might then send a messagestick to the offenders and invite them to come give an account of themselves. Such a meeting could result in a spearfight. Failure to account for their actions could lead to a well-aimed spear without warning. If

owners caught outsiders in the act of trespass and unsanctioned use of resources, they would throw spears at them both to drive them away and to punish them.

People also speak of fish and game as property even when it is free ranging and not under anyone's control or possession. Owners expect to be given a share of fish and game taken from their land or sea country, and the same pattern obtained in the classic situation. Some people were known to be quick to speak and use a spear to press their rights to a share of the product others got from their estates and to insist on what they considered to be a proper amount.

Local groups often include non-owners, but non-owner spouses and recognised partners have the right to reside on their partners' land and to use their resources. The same was true in the classic situation. Where a person's mother was from a different area, then that person can expect to visit their mother's people's estate and use its resources in the usual case, but they should seek permission and advise their intentions. And in fact, some people grow up with their mother's people and take their identity as primary. For example, the children of a senior Lamalama woman grew up among her people after their Olkola father's death, and they are regarded as Lamalama generally. However, they have not given up their Olkola rights and interests, and when Rigsby did Olkola family history work in 1995, they and their Olkola relatives made sure they were included on the list of Olkola people. There are two large Umpila families at Lockhart of siblings whose mothers were Lamalama, and when they and their descendants visit Port Stewart, they activate their rights and interests to camp and to use the resources of the Lamalama estate. Two of the main turtle and dugong hunters at Port Stewart in 1997 were young Umpila men; one was partnered with a Lamalama woman and the other was the son of a Lamalama woman.

There is also a distinction to be drawn between domestic space and public space that parallels the situation in the wider Australian society where a lessee may have rights of exclusive possession over a dwelling or a block that originate by contract with the lessor, who themselves may

be an owner or a lessee. The hearth and immediate living area or camp of a household is such domestic space and is not generally accessible to non-members unless they are invited in or they are acknowledged after they approach and signal their desire to enter by asking or otherwise. Thomson (1932:162–163) observed that hearth areas were private ‘family’ space, and he wrote:

No man, married or single, ever approaches close to the fireside of another family when the women folk are present. Even the long discussions that take place at night are carried on by shouting from fireside to fireside, or at fires at which the men only forgather.

Within a camp, households have their own hearths and areas, and when guests come from elsewhere, the host owners direct them to a particular area with its own shade, which then enters the possession of the guests for the duration. They can also expect to use the same area when they visit again, and they may leave personal property, such as eel logs or box-wood bark baskets, there for later use. And when in occupation, guests or non-owners can be confident of their rights to control the space and exclude others. Peter Sutton (pers. comm.) tells of an exchange he witnessed during his work with Wik-speaking people where an angry guest spoke to his intruding host words to the effect, ‘We may be on your land, but you’re in my camp. Now get out!’ The same sentiments and action would not be out of place among Lamalama people.

The rules, or patterns, of how people acquire rights and interests in land and sea country involve complexities and contingencies that we cannot examine further here, but suffice it to say that wherever we observe an Aboriginal person on and using land or sea country where they do not have primary rights, we can always identify a kin or affinal connection and/or an agreement or license permitting them to be there. At Lockhart River, the exception to this generalization is the ‘public’ area around the community, and the old mission site, as people regard both of these areas as communal areas as a result of longterm mixed occupancy. But even in these cases, the ‘public’ is the local Aboriginal one, and there are complaints when outsiders enter these areas. There

is, for example, very strong objection to Torres Strait Islanders coming into local waters to exploit crayfish and trepang commercially, and there is also general objection to the considerable prawn trawling done in the region. The land and sea and their resources are property, not free goods for any and all to exploit and use at their will. The other side of the situation is that people attribute and recognise the same rights and interests in property to other tribes and groups beyond the Sandbeach Region, and they conduct themselves in the same manner that they expect others to act with respect to them. Property is not limited to things that are under human control and possession, but it extends to all things in which people are considered to have rights and interests as against others. And only owners, in whatever particular form this is defined, can properly present themselves as such and say ‘Such-and-such place is my land’ or ‘Such-and-such island is mine’.

## Marine hunting, fishing and foraging

In past times, Sandbeach men constructed dugout canoes, which they used to hunt dugong and turtle (preferably, green sea turtle, but also hawksbill and other species) and to transport people and gear to the islands, reefs and sandcays, as well as along the coastline.<sup>23</sup> In the north,

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23 The large Princess Charlotte Bay is in the southern part of the region, and one can see the Flinders Islands, Bathurst Head and Jane Table Hill from Port Stewart at low tide on a clear day. However, people did not generally cross the Bay in their dugouts, but travelled around it close to the shore. Frank Salt, born about 1910, told Rigsby of a canoe trip his family made from the southwestern Bay to visit their relatives at Bathurst Head when he was a boy. On the other hand, Florrie Bassani told Rigsby of people sailing by dugout and dinghy from Flinders Island to Port Stewart in a later period.

People also used floating logs, got on the spot, to cross rivers and other stretches of water. They call these *floating wud* in Creole. One old Lamalama man was known for swimming across rivers in preference to using a canoe or floating log.

they fitted their dugouts with double outriggers, while in the south, they used a single outrigger.<sup>24</sup> Thomson observed both canoe types at Port Stewart in 1928 and 1929, and he (Thomson 1952:2) said that Claremont Point,<sup>25</sup> a few kilometres north, ‘marks the division between the two forms of outrigger’. Hale and Tindale (1933:118, 120–121) also observed both kinds of dugout at Port Stewart in 1927. They said that people south of Running Creek did not make the double outrigger type, but Port Stewart was the northernmost occurrence of the single outrigger type. Thomson (1934:242–243) earlier reported that the Koko Ompindamo tribe (our Mumpithamu clan) around Running Creek and their southern neighbours made only single outrigger canoes, whereas their northern congeners made double outrigger ones.<sup>26</sup> Men powered both types of canoe with spatulate paddles and poles in the main, but they also used sails made from cloth or the large fan-shaped leaves of cabbage trees, *Corypha elata*. It is unclear whether they used sails before contact with Europeans, but it seems that Torres Strait Islanders did, and the latter sometimes raided and traded down along the east coast into the sea country of the Sandbeach People. Hale and Tindale (1933:121) speculated that both types originated from outside the region and that the single outrigger type came later. The double outrigger type is said to be more manoeuvrable and seaworthy in rougher seas. These features no doubt accounted for its popularity among most of the Sandbeach People.

People also began to use wooden dinghies for hunting, fishing and transport by the 1930s, powering them by rowing and sailing, but men

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24 At Port Stewart, Jimmy Kulla Kulla taught his older daughter and younger son how to make dugouts. Women helped men in making canoes.

25 Claremont Point is not local usage. Aboriginal people call it ‘Man-o-War Point’ or ‘Four-Mile (Point)’.

26 Davidson (1935) used material from Roth (1910) and Hale and Tindale (by personal communication) on the distribution of the two outrigger-types and concluded that ‘a southward diffusion... [was] taking place during the past quarter century, if not for a longer period’.

continued to make and use outrigger dugouts at Port Stewart until the 1961 removal, and at Lockhart River until the 1950s.

Thomson (1934:242) described the plan of an Umpila or Kuuku Ya'u double outrigger canoe (*tangu*) and its usual three crew positions. The canoe owner (*tangukunchi*), when he takes his canoe hunting, was generally also the harpooner (*wataychi*), the most skilled of the crew. At sea, the harpooner directed the helmsman when they sighted their quarry, but generally the crew each knew their roles well and carried them out with little detectable leadership. The title of *wataychi* was and is a valued one, and Thomson (1934:250–253) said that harpooning skill was rare and he wrote that men supplemented their ability with magic and charms (best obtained from the inland Ayapathu and Kaanju peoples) and followed certain prescriptions and proscriptions intended to maximise their chances of success. The coastal graves of prominent *wataychi*<sup>27</sup> were marked with the bones of their prey, the dugong skulls being placed at the head of the grave, and the rib bones arranged below it (Thomson 1934:254, and see Plate XXXI, Fig. 2. This may have been the grave of Harry Liddy's father, who died shortly before Thomson's arrival). As late as the 1970s these graves could still be seen along the coast as far north as Temple Bay, although today the bones have mostly leached away.

There were two harpooners active at Port Stewart when Thomson was there. Willie Webb (*Warrathu*) was the older, and Thomson (1934:251, 255) described the younger man, Harry Liddy (*Nongorri*), as 'by far the most expert harpooner that I have seen'. Some men at Port Stewart and southward were able to 'sing' dugong so that they could be more easily speared and would tire quickly. Thomson (1934:252) also noted that the *Ukaynta* (Bora) ceremonies among the Kuuku Ya'u people included a special rite at its end that made the initiand 'good for turtle' hunting. The old men also told him that the ceremonial eating of human flesh, usually calf muscle, conferred special prowess in hunting dugong. Thomson (1934:252) also recorded one Sandbeach clan that had a Dugong Story (totem). He saw the Kuuku Ya'u-speaking clan

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27 The terms in this section are in Umpila.

perform an increase ceremony at its Dugong stone totemic centre at Mosquito Point. There is another major Dugong site, unrecorded by Thomson, in an Uuthalnganu estate near Lloyd Bay.

Men generally hunted dugong in daytime (Thomson 1934:245–246). They are found more often on their seagrass bed feeding grounds near reefs and in shallower waters. Sometimes men hunted on moonlit nights towards the end of the year when the southeast tradewinds had abated. The harpooner stood on the bow and directed the canoe silently to the dugong. When close enough, he struck forward and leapt overboard as he drove the harpoon home with the full weight of his body. He had to watch the rope carefully (so as not become entangled), he had to collect the long harpoon shaft (from which the head embedded in the animal had separated) and put it in the canoe and then get back aboard. He had to do all this before the fleeing animal ran out the length of the rope—Thomson purchased a locally made rope 199 feet in length—and got the craft under tow. When the animal tired and quietened, the crew passed a rope around its tail and held its head underwater until it drowned.<sup>28</sup> Then they towed it home. Kuuku Ya'u and Umpila men made a fine double outrigger canoe with the traditional ropes and harpoons in the 1970s for the University of Queensland Anthropology Museum.

Sometimes men hunted dugong at night from platforms built over shallow feeding grounds. Knowledgeable men could gain much information about the animal, its location and movement from the sounds and odour of its breathing spouts.

Men got turtle from a slightly wider range of places and further offshore. The introduction of metal harpoon heads (*kuyurru*)<sup>29</sup> doubtless

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28 Men also drowned exhausted dugong by stuffing their nostrils open with dried grass (?)

29 *kuyurru* is the regional term in both the indigenous languages and Creole. Its origin is not known.

The acquisition of metal for harpoon heads must have increased the chances of successfully taking an animal after striking it. Previously, they were made of bone or hardwood. One type of head is made up from three

made their capture easier, but sometimes a good swimmer could capture an animal by turning it on its back and taking it under control—we have both witnessed such captures, which are more easily done when the turtles are mating in close connection in October-November. The female with eggs inside is the favoured prey. Men brought and bring turtles alive back to shore, placing them on their backs until butchering.<sup>30</sup>

Hunting parties brought their catch back to specific places for butchering. These were on the coast or up mangrove channels, always away from the camp. Thomson (1934:247) said that the canoe owner, the harpooner or one of the old men did the initial butchering of dugong, cutting the animal into six or more named portions, which were apportioned to the crew, as well as the canoe owner, if he had remained ashore. Thomson (1934:249) wrote that he once intervened during butchering to say that he wanted a particular portion cut for himself. The owner balked, there was a heated discussion and the owner fell sullen. Thomson later realised that he had claimed most of a crew member's share and 'had practically forced the ... [canoe-owner] to give me that over which he had actually no control at all'. We interpret this as evidence that owner and crew had property rights in specific cuts of meat.<sup>31</sup>

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pieces of nail or wire bound together, but it is not as efficient as one made up from a piece of three-cornered file. One day in May, 1997, hunters from Port Stewart struck three turtles near Cliff Island using the former type of head, but it failed to hold any of them.

Thomson (1934:264, Plate XXIX, Figs. 4 -9) provides illustrations of harpoon heads and their mode of fitting and rigging.

30 Thomson did not describe the method of killing turtles in his time, but today Sandbeach men dispatch overturned turtles by striking them on the nose (Lockhart) or on the windpipe (Port Stewart) with the blunt edge of an axe. David Claudie drew Rigsby's attention to this difference in custom.

31 Mrs Florrie Bassani, Harry Liddy's eldest daughter, told Rigsby that canoes were the personal property of their maker-owners. A borrower had to ask and get permission to use a canoe and its gear, and the person who took another's canoe without asking could expect to have a spear thrown



After the initial butchering, the men cut their portions into long narrow strips and boiled them in bailershell cooking vessels. Such cooked meat keeps up to the third day. Men also butchered and shared out turtle in named portions, and they collected the oil rendered from cooking dugong and turtle and used it for other cooking and for mixing with hard gums and resins to make them workable. Once meat was cooked, men took it back to their households, and people then redistributed it widely throughout the community. Today, Sandbeach men continue to hunt dugong with harpoons (*waap*)<sup>32</sup> fitted with metal heads both day and night, though outboard powered dinghies have replaced dugout canoes. Indeed, taking one's first dugong is an important event for a young man, and proficiency at hunting dugong and turtle provides high status throughout the region. People redistribute and share raw meat, according to particular kin and affinal links (see Chase 1980: 259–265) and traditional patterns of butchering and using bush medicines (charms) still apply.

In former times, people say that only senior men (*chilpu* 'man with grey hair and beard') ate dugong,<sup>33</sup> and young men and women were not allowed to eat it at all. Thomson (1934:255) reported that people had

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at them with no warning. The borrower also had to give a substantial share to the owner. Pikers and stinters could also expect a spear. Other gear, such as spears, firesticks, axes and dillybags, were also personal property. Husbands and wives shared each other's gear, but otherwise, men and women made and used their own. Today, close relatives may borrow gear from one another, but some individuals are known to be particular and touchy about their gear, so no one asks them nor dares to use their gear without asking.

32 The origins of this Creole word lie outside the Sandbeach region in Torres Strait, where it is found in the Western and Central Torres Strait Island Language, Meryam Mir (the indigenous language of Murray, Stephen and Darnley Islands) and the indigenous languages around Daru at the mouth of the Fly River.

33 Thomson took a series of photographs in 1928 of the mature men at Port Stewart feasting on a dugong they had cooked in an earth oven. He called such occasions 'gorges.'

already changed these rules when he first visited Port Stewart in 1928, but that women were not permitted to eat dugong killed by a younger man. That worked some hardship because the younger resident harpooner was the more productive hunter. In the 1970s, older Lockhart people told us that people changed the rules at the old mission in the 1920s to allow women and children to eat dugong; this was done in response to food shortage (Chase 1980: 260). In former times, there were no similar taboos on eating green seaturtle, but pregnant women and male initiands could not eat hawksbill turtle.

The offshore islands vary in the opportunities they offer their traditional owners. Some islands are the home of Stories who require quiet respectful demeanour, for example, a powerful Wind Story inhabits the largest of the three islands of the Cliff Islands group. Apparently, only small groups of people visited these islands, and they camped only on the smallest one.

A few islands have a fuller suite of floral and faunal species, but they are often known for some particular resource, such as fish, turtle eggs, seabird eggs, flying fox camps and Torres Strait pigeon rookeries (where carpetsnakes usually live too). People also collected birds' eggs and turtle eggs on some sandcays.

Men hunt turtle on some reefs, and in the past, they collected bailer shells (*Melo sp.*), giant clams and other shell species on reefs. They used bailer shells as cooking vessels and water containers, and they fashioned and shaped clam shells into adze blades for canoe manufacture. In past times, some food, such as shredded stingray, mixed with the oil of its liver, was cooked only in bailer shells (Thomson 1934:250) and not in metal saucepans. Men also worked bailer shell into the ovoid pieces that form the counterweight on the local woomera type. As well, inner nacre from the striped nautilus shell provided small pieces for necklaces. Thomson (1933:540, Plate XXIX) published photographs of people wearing ornaments made of reef shells. The man in his Figure 1 wears a pendant made from the base of a large cone shell (*Conus mil-lepunctatus*)<sup>34</sup>, the man in Figures 2 and 3 wears a pendant made from

34 See also the entry for 'piti'widi' in Thomson (1933:527). *pitiwiti*

mother-of-pearl shell,<sup>35</sup> and so too does the woman in Figure 4. Large trumpet shells provided ridged strips which were used for nose ornaments. Sandbeach men traded bailershells and woomera weight blanks, as well as stingray-barbed spears, with their inland trading partners in the regional exchange system, which was part of the wider continental system of interregional trade.

Fishing with hook and line was and is a more routine activity than marine hunting, and it surely provides greater amounts of food and calories over the subsistence year. People go out to fish in the nearby interior and coastal waters frequently. At Lockhart, people more often go out to fish when they are free from work or other commitments, but at Port Stewart, people fish even more frequently. The arrival of the large migratory threadfin fishes just after the wet season spurs increased fishing activity. The ablebodied person who does not go out to fish when the weather is good and there is little fish in the camp freezer or household larders is likely to be remarked upon. Whenever people go to places they visit infrequently or have not been to for years (e.g. reefs and remote waterholes), they always take fishing gear and try their luck. Barramundi and salmon are preferred saltwater species, while fat jewfish from fresh water make a rich broth (called 'soup' in Creole). Generally people catch and eat most any species they can, especially when they are down on their luck. They also prize the longnecked turtles they catch by handline in fresh water.

## Final remarks

There is a general ethic today among Sandbeach People that people should take only as much of a resource as they and their fellows can use, and when people transgress this ethic, their fellows comment upon it critically. Sandbeach People contrast themselves positively with

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signifies both the species and the ornament in Umpila and its congeners.

<sup>35</sup> The species and the ornament are both called *piirra* in Umpila and its congeners.

whitefellows when they observe the latter leaving fish and other animals to rot and waste, especially species which do not appeal to the European taste, like rays and barracuda. As well, people also observe an ethic of sharing and general reciprocity which insures that meat and fish are widely distributed within local communities. Some items, such as the wild yams and plant foods, are shared more narrowly within households or closely related households. People produce a substantial amount of their own subsistence, and they value bush tucker (including marine produce) more than purchased food. They believe that the traditional foods are more nutritious and taste better, and many thoughtful adults say that it is important to exercise the knowledge and skills they acquired from their old people and to 'keep them going' by teaching them to children and young people. In the 1970s at Lockhart, there were renowned hunters who boasted that they would not waste money by purchasing meat, and that their spears 'fed' them. People also express considerable disdain for Torres Strait Islanders who, they say, sell dugong meat to their relatives to make money. However, women rarely prepare the old labour-intensive staples, such as mangrove pod or cheeky yam porridge and wild rice or lilyroot damper. They have replaced them with white flour, prepared as damper and fried bread, and with rice. But Sandbeach People's subsistence production, exchange, sharing and gifting rests squarely upon their property rights and interests in land and sea country. Sandbeach People produce much of their subsistence from resources they own using their own labour and tools that they own, and the items they exchange, share and gift among themselves are also items of property. If we wish to analyse, describe and understand Sandbeach culture and society in all its richness, we cannot ignore the institution of property any more than we can ignore kinship and religion.

It is clear from our discussion that traditional connection to land and sea and the use of their resources remains strong among the Sandbeach People, despite the vicissitudes of early contact and later European disruption and domination. It is now well-recognised that the continuity of tradition involves change, sometimes in dramatic form, as is evidenced here by language shift, reformulated views of group/territory

connection in some parts of the region, and in the multiplex ways that people recognise and use country. But in the Sandbeach Region, we can discern certain core cultural values which seem to hold constant, and around which changes are fashioned. One of these is the perceived regional unity which impressed Thomson (1934:238) so strongly when he wrote, 'They are a splendid seafaring people—great adventurers and great fighters'. The Sandbeach identity was, and is, based principally upon the possession of a shared and related set of mythic beliefs and the initiation ceremonies which came from them, a common pattern of territorial recognition which took in coastal land, sandbeach and the inner reef waters, a marine technology which centred around the seaborne hunting of dugong and turtle, patterns of intermarriage, and in recent history, a common pattern of European intrusion and engagement, particularly by the lugger industries.

These core beliefs and experiences override any forces of separation which have occurred, for example, the concentration of Umpila, Uutaalnganu and Kuuku Ya'u people on the old Lockhart River Mission and the later government settlement, and the enforced removals of the Lamalama and the Wuthathi to other places. It is not of major concern to the Lamalama and the Wuthathi that their particular ceremonial practices disappeared some time ago—it is enough for them to know they existed in the past. The spiritual relationships of people to land and sea still exist. Through these connections they also see strong links to other Sandbeach People. With the recent decisions by the High Court regarding native title, the Sandbeach People now have new fora within which to assert their common connectedness, and it is perhaps fitting in this case that their first major native title action is over their sea territories. Whatever the outcome from mediation or later court action, the very process of engagement over their joint sea territories will be important in re-affirming and strengthening their traditional ties of interconnectedness.

## Notes

We dedicate this paper to the memories of Isaac Hobson and Billy Brown.

Isaac Hobson, or Chalpi, died tragically at Port Stewart on 23 November 1996. He was a grandson of Tommy, Donald Thomson's good mate, and he was an Umpila man and a dugong man—a proper Sandbeach man. Kylie Tennant (1959) wrote of him:

‘Who is the most intelligent boy in the school?’ John [Warby] asked.

‘Isaac Hobo [Hobson],’ I replied promptly.

‘Isaac?’ John was disappointed. ‘He chases girls. I’ve never seen any signs of intelligence in Isaac.’

‘The others watch me in class, but Isaac’s eyes are glowing with joy, and he watches me more carefully because at night in the village he is going to do a splendid imitation of me teaching. I wish,’ I said wistfully, ‘I could see him do it.’

Billy Brown passed away in March, 1997 after massive renal failure. He was an Umpila man, one of a fast dwindling set of old people who were born on their own country and grew up in the bush. His country was on the Nesbit River, and for years he had struggled to re-establish his family back on their homeland. His knowledge of Umpila country was encyclopaedic, and he is sorely missed by younger generations anxious to learn about the traditions of their Umpila countries.

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