Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

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Abstract:

This research contends that the singular purpose of the material production of four different types of artefact is to provide a religious function for a discrete society of people located in the Pilbara, Western Australia. Integral to this argument is that these Indigenous people, the *Yindjibarndi* (pronounced Injar-barndi), practise a religion. Although the High Court of Australia, in the case titled *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120*, defined the attributes required for a group of people to be regarded as 'religious', none of the 147 religious denominations officially recognised and listed by the Australian government at Schedule 1 of the Marriage (Recognised Denominations) Proclamation 2018, are based upon Indigenous pre-colonial systems of belief. This work argues that by selecting four specific examples of Yindjibarndi material culture which tend towards singular functionality: depictions of the *Marrga;* ochre on bodies; an assemblage of thirteen stone arrangements; and notches on a *Mirru* (spearthrower); the religious philosophy which propelled the creation of the artefact is more likely to be revealed. Such an investigation, which relies upon the notion of intelligent design, acknowledges a metaphysical bridge between object and subject, providing an insight into the nature of human existence communicated over time and country by an identified, educated faithful. The Yindjibarndi's religious experience is enriched by personal and communal connection to land and waters via ceremony, ritual, language and reciprocal relationships with their ancestors who, according to belief, eternally inhabit that space. Essentially, this research indicates that an environmentally incarnate perspective personified by an Yindjibarndi epistemology equates to the Australian High Court's definition of religion, and should be recognised as such.

Aboriginal and Torres Strait Islander warning

Please be aware that this publication may contain names, images and references to Aboriginal and/or Torres Strait Islander peoples who have passed away.

The use of Yindjibarndi terms within this document

Linguistic conventions[1] on the spelling of Yindjibarndi terms in English has changed over time. Where I have provided direct quotes from files, I have left the spelling of any words, including Yindjibarndi, as they were originally put. Where I have used specifically Yindjibarndi terms within this document they are listed in *italics* and spelt utilising current linguistic conventions.

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[1] The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) AUSTLANG database provides a description, references and brief history of the Yindjibarndi people and their language which is listed as W37.

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1. Chapter One:

Introduction

This study examines four types of artefacts utilised by the Yindjibarndi people to carry out their cultural and religious priorities. The role the artefacts play within ritual and ceremonial practise provide a focus from which an Yindjibarndi philosophy may be understood. The four artefacts are products of the belief system from which they have emerged and continue to be socially, environmentally and spiritually relevant for the Yindjibarndi faithful. Interviews and archival materials utilised emphasise the fierce desire of the Yindjibarndi participants to protect their ethnicity and cultural identity within Australian contemporary society. The evidence and testimonies suggest that substantial energy, effort, time, resources and knowledge directed to this cause is ongoing because it is vitally important to the people who inhabit this space. The aim of this work is to describe an Yindjibarndi belief system, the way it equates to a religion, and to signify the value and wisdom that intellect has to offer a global audience.

1.1. Four Yindjibarndi artefacts

By examining and explicating the religious signifiers implicit within four artefacts this work will highlight that the Yindjibarndi people carry an intellectual property which is unique to them. The four artefacts selected for research; petroglyphs of the *Marrga*, wearing of ochre on bodies; the *Jarnkurna Thalu* stone arrangements; and the notches on the *Mirru*; are material functions of the society from which they have originated and are intricately linked. The artefacts were chosen because they tend towards a singular function which optimises the potential to comprehend the motivation of the artefact's creator.

The interviews (Juluwarlu 2020b, 2020c, 2020d, 2020e, 2020f, 2020g, 2020h, 2020i, 2020j) used for this research reveal the deep interconnectedness of the four artefacts, and the significant role they play within a lifeworld that rejoices and sanctifies the object becoming animated that is reciprocal and responsive to the pleadings of their Yindjibarndi relatives, both alive and passed. For the Yindjibarndi the petroglyphs of the symbol they know as the *Marrga* are more than just an engraving, they personify an interactive, multi-dimensional passageway that may be dangerous, or can transport the human on a journey in an out-of-

body experience, containing spirits, music, travel and weightlessness (Juluwarlu 2020b, 2020f, 2020g). This is also the case with the other artefacts, like the ochre which, when worn, transmutes person and country into one indistinguishable entity (Juluwarlu 2020h). The Yindjibarndi convey (Juluwarlu 2020d, 2020i) that the *Jarnkurna* (Emu) *Thalu* stone arrangement requires both specific, sanctioned action and a temporal and verbal appeal to their omniscient being, *Mingkala*, to gain a desired result. The musician playing the *Mirru* is singing directly to the deity who values the person according to the way they adhere to Yindjibarndi *Birdarra* Law, and judges them accordingly (Juluwarlu 2020e, 2020j). Middleton Cheedy's (2020e) experience of the old people "singing in the day" every morning in the old reserve at Roebourne by "playing" the *Mirru*, creates an intimacy regarding the use of Yindjibarndi artefacts. By recalling the tribal men cradling their musical instrument in the dark, settling themselves in the Pilbara dirt on the banks of the Ngurin (Harding River), giving voice to their sacred songs, he draws an analogy with the *Gurrbaru's* (butcherbird) birdsong heard in *ganalili* (morning twilight prior to the rising of the sun) throughout the Pilbara. For the Yindjibarndi people, '*Marrala Gurrbaru* (the butcherbird *Marrga*), sang the first song in creation, calling the first light, lifting the sky' (Juluwarlu 2018:4).

1.2. Project Background

This project has been borne out of countless discussions I have been privileged to be involved in, and contributed to, with the Yindjibarndi. People have spoken at length about their human, environmental, political, social and environmental rights, and also, more generally, the rights of Indigenous people across the globe. The Yindjibarndi people's country is located in the Pilbara. The Pilbara is described by the Western Australian Government's Pilbara Development Commission as the 'powerhouse of economic growth for Western Australia and the nation'[2].

I have been employed since January 2005 on a permanent, full-time basis in administration and as an Anthropologist with Yindjibarndi focused organisations. During this period of industrialisation, many of our activities have been associated with seeking to create

[2] Pilbara Development Commission website https://www.pdc.wa.gov.au/ accessed 27/10/2019.

economic ‘value’ from Yindjibarndi knowledge while simultaneously protecting the cultural, social, political and environmental rights of the Yindjibarndi. We have managed to negotiate this precarious balance by documenting, sustaining and maintaining Yindjibarndi language, art and archive projects, while engaging with organisations who wish to work respectfully and positively with the Yindjibarndi. Our projects have included the production of cultural mapping books and filmed documentaries; digitally mapping and photographing significant Yindjibarndi sites and country; supporting annual Yindjibarndi *Birdarra* Law ceremonies; successfully implementing and protecting Yindjibarndi native title determinations; operating and managing Yindjibarndi wholly owned and joint venture enterprises with industry who wish to engage with the Yindjibarndi people, while retaining our independence. However, the Yindjibarndi’s fight for recognition and equality continues, as many members of the community remain disadvantaged. The September 2018 Regional Implementation Committee (RIC) report, completed by John Taylor (2018:2), on the current well-being of the Pilbara’s Indigenous population as compared to 2001, found that:

> What we see instead, is a very mixed set of outcomes whereby some individuals, families and communities have clearly benefited while for others little has changed, indeed, relatively-speaking, they are now invariably worse off. If pressed to allocate an approximate ratio to this observation, the general impression would be that a third of people are now economically better off and two-thirds are not. The difference between the two is determined largely by employment, especially in mining … Even in instances where improvement exists, sizeable gaps in outcomes between Aboriginal and other Pilbara residents often remain. More importantly, gaps have widened within the Aboriginal population, especially in regard to income and opportunity.

The Yindjibarndi have taken it upon themselves to create and build a solid foundation from which they, and future generations, can ‘sustain a cultural life in contemporary society’ (Juluwarlu 2020k). Working as a member of the team, I have been a part of this movement. As demonstrated by the October 2019 letters from the Chairperson’s of the Yindjibarndi

entities, Juluwarlu[3], Yindjibarndi[4] and Yindjibarndi Ngurra[5], Aboriginal Corporations, the people I have worked closely with since at least 2005 fully support the analysis conducted for this project.

The broader aspect to this research is that for some years now, since 2008, in public and private meetings, the Yindjibarndi have discussed the idea that the *Birdarra* Law which modifies and governs people's behaviour on a daily basis within the community, could be equated to the English word, religion. The dialogue around the term, religion, has been framed within the context of human rights, raising the query that if the Yindjibarndi were considered to practice a religion, rather than culture, would they be able to better protect their country and community from unauthorised industrial development?

In this thesis I will address the question of why these four artefacts have been created, replicated and repeated over time and space and whether an analysis of them reveals the beliefs of a discrete, identifiable community, which may equate within Australian Law, to a religion. To do this I examine religious belief in association with transcendence, sentience, self-evidence, belief validation, modification of behaviour and symbology. Such an acknowledgement may enable the congregation to pursue rights enshrined in law which were previously obfuscated.

1.3. Material used for this research

The Yindjibarndi have granted me unrestricted access to their extensive archive[6], which contains complete records of evidence given in two successful native title determinations[7]; audio recordings of Elders; the DVD and transcript of the classic movie, *Exile & The Kingdom*[8] and draft script of that film's sequel[9]; published books, GIS mapping,

[3] Supporting letter - from Juluwarlu Group Aboriginal Corporation 18-10-19. A copy is provided at Appendice: (3).
[4] Supporting letter - from Yindjibarndi Aboriginal Corporation 18-10-19. A copy is provided at Appendice: (4).
[5] Supporting letter - from Yindjibarndi Ngurra Aboriginal Corporation 18-10-19. A copy is provided at Appendice: (5).
[6] Juluwarlu Group Aboriginal Corporation's Indigenous digital and material archive collection at Roebourne has been assessed as 'unique' and 'highly significant' (Ford 2016).
[7] Daniel v State of Western Australia [2005] FCA 536 and Warrie (formerly TJ) (on behalf of the Yindjibarndi People) v State of Western Australia, [2017] FCA 803.
[8] Rijavec, F., Harrison, N., and Solomon, R. 1993 *Exile and the Kingdom*, [documentary film and accompanying script], Film Australia and Juluwarlu Group Aboriginal Corporation, Roebourne. The script for the film is held in the archives at Juluwarlu Group Aboriginal Corporation.
[9] *Heirs of Exile* – During 2017 and 2018 the team at Juluwarlu, and the film's Director Mr Frank Rijavec, worked with the Yindjibarndi community to develop the script.

dictionary's, manuscripts and reports completed by linguists, anthropologists, archaeologists and others in conjunction with the Yindjibarndi people. In my role, and in conjunction with the Yindjibarndi, I have assisted with the presentation of Yindjibarndi cultural awareness training on a regular basis since 2013, having shared various insights into an Yindjibarndi philosophy, creation narratives, and the public aspects of *Birdarra* Law ceremonies.

Each of the Yindjibarndi research collaborators who were interviewed for this study perform important social and cultural roles and carry responsibilities within their community. These participants made their own decisions on what they could appropriately comment upon according to their personal and communal cultural protocols. I have no doubt that the people who agreed to participate in the interviews conducted for this work did so with the hope that the advice provided will aid future generations and they have put their trust in me that their views will be effectively conveyed.

1.4. Thesis Structure

This works contains five separate chapters. Following the introduction, Chapter two explores the meaning of the English word, 'religion', documenting the way it is understood within a legislative context, and how its interpretation affects the lives of Australians. The chapter also outlines the Yindjibarndi's activism with regard to their human rights, and discusses the purpose and some of the limitations associated with native title law within Australia.

The key pillars of an Yindjibarndi philosophy are outlined in Chapter three. The description includes characterisations made by others of the Yindjibarndi nation as well as interviews and archive material produced by Yindjibarndi to explain the importance placed upon adhering to *Birdarra* Law, *Nyindyaart* (sharing), *Galharra*[10] (skin system), speaking the Yindjibarndi language and knowing their country.

[10] *Galharra* is an Yindjibarndi term for the 2 divisional moiety relationship system, which in Yindjibarndi's case is comprised of four sections: *Banaga*/ *Burungu* and *Balyirri*/*Garimarra*. Refer point 3.5 for further details.

Chapter four sets out some of the theory associated with symbology, the function of artefacts and the idea of singular functionality as compared to functional ambiguity. This is accompanied by a detailed analysis of each of the four Yindjibarndi artefacts. These case studies are significant because they particularise the cyphers embodied within the Yindjibarndi's artefacts, an aspect which accentuates the diagnostic characteristics and similarities between the Yindjibarndi's corporeal, tangible culture, and the rationale utilised by the Australian High Court to determine if a society's actions and beliefs can be described as religious.

The final chapter contains commentary on the remarks made by the judges who adjudicated on behalf of the High Court of Australia in the case titled *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120*, within which a definition of religion was included. The features required to meet the threshold for a 'religious congregation' are discussed and compared with an Yindjibarndi epistemology. A summation and conclusion on the consequence of an Yindjibarndi religion completes this work.

1.5. Definitions

The definitions throughout the work, contained in Table 1, and labelled from D1, are designed to encapsulate each key point. They are listed as follows;

Table 1: List of 8 Definitions contained within this work.

D #	Definition	Definition Label	Page #
D1	Definition One:	The Function of an Artefact.	48
D2	Definition Two:	Artefact.	62
D3	Definition Three:	Artefact Intentional Design.	62
D4	Definition Four:	The Philosophy of the Artefact.	93
D5	Definition Five:	Artefact Functional Ambiguity.	94
D6	Definition Six:	Artefact Singular Function versus Functional Ambiguity.	94
D7	Definition Seven:	Religious Modification of Behaviour.	102
D8	Definition Eight:	An Artefact's Religious Function.	102

2. Chapter Two:

Religion

The idea that Australia's Indigenous populations practice religion is not new. It just hasn't been widely accepted or legally recognised. This is partly due to the arrogance of an historically Euro-centric society which perceived itself to be superior, and has resulted in non-Indigenous religions being enshrined within Australian legislation, while Indigenous religions have not. There has been much written about the philosophical nature of religion, but few have explored the concept that the traits inherent within Indigenous belief systems are analogous with the Australian legislative definition of the English word, 'religion'. This chapter seeks to highlight this situation by analysing the beliefs, rituals and practices of the Yindjibarndi people and comparing them to the characterisation of a religion as set down by the High Court of Australia in the case titled *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120.* The five Justices who settled the case, Mason ACJ[11], Murphy, Wilson, Brennan and Deane JJ[12], identified the factors to be considered when an assessment is made on whether a distinct group is deemed to uphold a religion and included the definition of religion as, 'belief in a supernatural Being, Thing or Principle, and the acceptance of canons of conduct in order to give effect to that belief' (1983:130). The features outlined by the court, and paraphrased by me, to achieve the religion threshold are as follows:

(i) a following of an identifiable faithful;
(ii) who modify their behaviour according to their belief, and;
(iii) who enact recurring rituals and ceremonies;
(iv) in a unified, culturally appropriate, temporally transmissible form;
(v) that invokes the actively predictable, physically consequential, ethical judgement;
(vi) of an omnipotent spiritual being.

Each of these features is present in current and traditional Yindjibarndi law and culture, transpiring in the morals, ethics, sacraments, ceremonies and conventions associated with Yindjibarndi's distinctive *Birdarra* Law and language.

[11] ACJ: is an abbreviation for Acting Chief Justice (Australian Guide to Legal Citation 2018).
[12] JJ: is an abbreviation for Justices (Australian Guide to Legal Citation 2018).

The High Court's threshold of a following's religiosity incorporates similarities to the research required by an Indigenous language group to achieve a successful native title determination via the Australian Government's *Native Title Act 1993 (Cth)*, in so far as both require evidence of a continued, acknowledged and actioned transcendent tradition. They differ because a native title assessment evaluates the cohort's linguistic and spiritual connection to specific tracts of country, and if the outcome is positive, results in a form of legally recognised land title. The Australian Human Rights Commission describes native title as 'a property right which reflects a relationship to land which is the very foundation of Indigenous religion, culture and well-being. The non-discriminatory protection of native title is a recognised human right[13]'. This statement infers that any unauthorised interference with an Indigenous group's legally recognised native title territory is an infringement on their religious, cultural, social and human rights. Alternatively, distinguishable territory and language do not comprise the attributes necessary for a court to resolve that a congregation of people is religious, although the articulation of beliefs over time and space for a particular cohort is required.

2.1. The Yindjibarndi's fight for their rights

Francis Gregory's[14] expeditioners set foot onto what is now known as *Murujuga* in 1861, which facilitated a pathway for pastoral and industrial development. Since then the Yindjibarndi have advocated for their rights, lodging their first native title application in 1994[15]. Accompanying the evidence was an historic written statement made on behalf of the Yindjibarndi by late Yindjibarndi Elders and senior Law men, Kenny Jerrold and Woodley King[16], incorporating the following comments[17]:

[13] The Australian Human Rights Commission website: Native Title; https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/projects/native-title accessed 11/10/2020.

[14] In 1861 Francis Thomas Gregory, who was born in England in 1821, led an expedition to the north-west of Western Australia in the region now known as the Pilbara. The exploration party reported favourably to the Government of Western Australia recommending that the area be developed for pastoral and mining.

[15] The Ngarluma and Yindjibarndi people jointly lodged their native title application on 27/07/1994. Details of the filing were accessed via the internet on 07/03/2021 and can be located on the National Native Title Tribunal website at; http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/NTDA%20Extracts/WC1999_014/SNTAExtract_WC1999_014.pdf

[16] A photo of the late Yindjibarndi Elder, Kenny Jerrold, holding this statement is kept in the Juluwarlu archive and is provided within this work at Appendice: (1). The Juluwarlu archive also holds a photo of the late Woodley King holding the statement.

[17] The Juluwarlu team transcribed the statement verbatim, a copy of which is included within this work at Appendice: (1). The quote offered for this work has used portions of the verbatim transcript. I did not correct any of the transcript for spelling, suggested word use or sentence construction.

The station managers been using the land. Two hundred years went passing by, but Aboriginal people got nothing. They got no one cent in the dollar, nothing. When England landed in Dampier, King Bay, all the Aboriginal people there in that country got shot by firing arms. They shed his blood and tears in King Bay. Aboriginal people inland and nearby areas were shot too. Some people got murdered in the country. Some young women's got raped by the whites. So we want every right there is in the country. Miner company got to pay compensation.

So we living under the grace of our God in heaven. He is the only one who give us right from the start. We looking at our country and want to live by our own will, To look after our land. Our land is important; how we live and look after our land.

Also for our young generation coming after us – looking after our land after our old people gone; and also culture they will be looking after – using the culture today. Putting young people through the culture. Also they learning too, from our old people. So we have to go through this court. We might win our land back. Not matter what the court decides we want our land back. You must a retention to us. Today we looking at our government who don't respect our land. He don't know what's in the land, as we know. And he talks about the land be he don't know nothing about the land. We want him to care and learn. He might go touching something in this land and get sick, so he must learn first.

We will never sell land. Especially Yindjibarndi. No iron ore, not to any white man will we sell it. We have no right to sell our land. Our God have us this land for us to use it. This is from the Yindjibarndi tribe … our evidence for the land is very high, and we got very strong law in the country … we are all one in one country, fighting for all our rights in the land …

Kenny Jerrold and Woodley King's statement reflects that Yindjibarndi people were forcibly dispossessed of their human right to freely live on their country, and that they never agreed to relinquish their tenure. In fact, what occurred for the Yindjibarndi people is that an external society seized control of their territory and displaced them. The Yindjibarndi have continued to endure as a coherent ethnic group following their own law while living under this regime as best they could, despite experiencing aggressive, eugenically determinative, discrimination. Over time Australian Governments have adopted more positive, less racially biased legislation based upon covenants developed by local and international advocates for Indigenous peoples and minority groups, while failing to address the notion that First Australians never ceded their sovereignty. As explained in a 2017 email[18] by Mr George Irving, Yindjibarndi Principal Legal Officer and In-House Counsel, 'the Federal Court has no power to either award or grant native title. What the Federal Court does in a native title determination is give legal recognition to pre-existing rights held under a foreign system of law'.

The right to access, control the access of others, and to independently administer, exercise and authorise their religious and customary freedoms within their country is encapsulated by Kenny Jerrold and Woodley King's Yindjibarndi statement. This outlook still remains within the community. In the Juluwarlu Group Aboriginal Corporation publication, *Ngurra Warndurala Buluyugayi Yawajunha (Exploring Yindjibarndi Country – Lockyer's Gorge)* (2011a:243), the Yindjibarndi reaffirm their aspiration and invite Australians to embrace the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP)[19], stating:

> The Yindjibarndi people stand committed to all 46 rights enshrined in the Declaration of the Rights of Indigenous Peoples, and we will hold Australia's Federal and State Governments responsible for ensuring the Rights of Indigenous Peoples are enshrined in Law and action … By all means possible, Yindjibarndi have exhorted and will continue to exhort all avenues to improve the wellbeing of our people, particularly in our struggles to overcome the discrimination that impedes processes of

[18] Email dated August 7, 2017 from Mr George Irving, Yindjibarndi Principal Legal Officer and In-House Counsel, to Mr Paul Cleary and CC'd to the author of this work, received at 8.25pm, with the subject line, RE: Monthly Magazine article.
[19] The United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) was accessed on 26/10/2020 online at https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html

> Indigenous peoples gaining Native Title to their country, a Native Title that enables Indigenous Australians to decide for themselves, if, how, and when others can build on, or take resources from our country. The legitimate needs of our people have been devalued, our culture and our abiding relationship with our country has been negated and denied, and we have lived in poverty for too long. Like all Australians, our rights and responsibilities demand that we are able to draw upon our abilities and resources, and plan, decide and manage our lives and our futures …

The Yindjibarndi declarations of ownership combine matters of sovereignty, equality, reparation, property, access, control, recognised authority and religion, all of which are acknowledged within the UNDRIP. Since April 2009 the Australian Government has 'accepted the [non-binding] UNDRIP as a framework for better recognising and protecting the rights of Aboriginal and Torres Strait Islander Australians[20]'. Despite this ambition, the Special Rapporteur on the rights of Indigenous Peoples expressed reservations. Reporting on Australia's implementation of the UNDRIP to the Human Rights Council of the General Assembly of the United Nations, following a 15-day visit to Australia in March and April 2017, she commented[21], 'while Australia has adopted numerous policies aiming to address the socioeconomic disadvantage of Aboriginal and Torres Strait Islander peoples, the failure to respect their rights to self-determination and to full and effective participation is alarming.' To summarise, Australia has been slow to integrate the tenets of the UNDRIP into legislation.

The *Native Title Act 1993 (Cth)* [22], which was created to provide a national system for deciding upon the land tenure rights of Aboriginal and Torres Strait Islander people, has

[20] 'Reconciliation Australia' overview of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) was accessed on 26/10/2020 online at https://www.reconciliation.org.au/wp-content/uploads/2017/11/Reconciliation-Australia-United-Nations-Declaration-on-the-Rights-of-Indigenous-Peoples-UNDRIP.pdf

[21] Report of the Special Rapporteur on the rights of indigenous peoples on her visit to Australia, to the thirty-sixth session of the Human Rights Council for the United Nations General Assembly. 11-29 September 2017, Agenda Item 3, paragraph 36. Accessed online at https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/234/24/PDF/G1723424.pdf on 27/10/2020.

[22] The most recent version of the *Native Title Act 1993 (Cth) (NTA)*: Act No. 110 of 1993 as amended, taking into account amendments up to Native Title Legislation Amendment Act 2021 and registered on 13 April 2021, was accessed online at https://www.legislation.gov.au/Details/C2019C00054/ on 16/05/2021.

been a step forward, particularly with regard to the legal recognition of an Aboriginal group's land ownership, and the associated documentation of that community's beliefs and cultural practices. The preamble of the Act sets out why this legislation was enacted, and it is worth quoting in full:

> The people whose descendants are now known as Aboriginal peoples and Torres Strait Islanders were the inhabitants of Australia before European settlement.
>
> They have been progressively dispossessed of their lands. This dispossession occurred largely without compensation, and successive governments have failed to reach a lasting and equitable agreement with Aboriginal peoples and Torres Strait Islanders concerning the use of their lands.
>
> As a consequence, Aboriginal peoples and Torres Strait Islanders have become, as a group, the most disadvantaged in Australian society.
>
> The people of Australia voted overwhelmingly to amend the Constitution so that the Parliament of Australia would be able to make special laws for peoples of the aboriginal race.
>
> The Australian Government has acted to protect the rights of all of its citizens, and in particular its indigenous peoples, by recognising international standards for the protection of universal human rights and fundamental freedoms through:
>
> (a) the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and other standard setting instruments such as the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights; and
>
> (b) the acceptance of the Universal Declaration of Human Rights; and

(c) the enactment of legislation such as the Racial Discrimination Act 1975 and the Australian Human Rights Commission Act 1986.

The High Court has:

(a) rejected the doctrine that Australia was terra nullius (land belonging to no one) at the time of European settlement; and

(b) held that the common law of Australia recognises a form of native title that reflects the entitlement of the indigenous inhabitants of Australia, in accordance with their laws and customs, to their traditional lands; and

(c) held that native title is extinguished by valid government acts that are inconsistent with the continued existence of native title rights and interests, such as the grant of freehold or leasehold estates.

The people of Australia intend:

(a) to rectify the consequences of past injustices by the special measures contained in this Act, announced at the time of introduction of this Act into the Parliament, or agreed on by the Parliament from time to time, for securing the adequate advancement and protection of Aboriginal peoples and Torres Strait Islanders; and

(b) to ensure that Aboriginal peoples and Torres Strait Islanders receive the full recognition and status within the Australian nation to which history, their prior rights and interests, and their rich and diverse culture, fully entitle them to aspire.

The needs of the broader Australian community require certainty and the enforceability of acts potentially made invalid because of the existence of native title. It is important to provide for the validation of those acts.

Justice requires that, if acts that extinguish native title are to be validated or to be allowed, compensation on just terms, and with a

> special right to negotiate its form, must be provided to the holders of the native title. However, where appropriate, the native title should not be extinguished but revive after a validated act ceases to have effect.

Despite the resolve to remedy injustice the Act has its limitations. Evident within the preamble is the source of those constraints. The legislation has been constructed to not only deal with native title, but also to validate other tenure within Australia, so as to provide certainty for the broader community. The consequence of this is that outcomes are a compromise of competing interests. The intention of Aboriginal communities to 'win back' their country, via the *Native Title Act 1993 (Cth)*, will always come with conditions, with the effect that native title holders will almost always have regions within their determination areas where their rights and interests may be limited or don't exist at all. For instance, nature reserves and national parks located within native title determination areas have been likely to have 'an extinguishing effect on native title equivalent at least to that of pastoral leases. Where nature reserves and national parks are vested in a conservation authority, extinguishment may be total' (Webb 2002:282). The recent 2021 amendments to the Act have acknowledged this circumstance and have made provision for the native title holder to seek written agreement with the State, Territory or Commonwealth that created the "park area" to allow for any such extinguishment to be disregarded. If the government party does not agree, then the extinguishment shall remain. In addition, the Act does not contemplate Aboriginal religion.

The *Native Title Act 1993 (Cth)* does not include the word religion, and only includes the word, religious, four times. The four 'religious' references do not relate to any proof required by Aboriginal applicants, they are mentioned in relation to making specific exclusions and allowances within native title determination areas for; Community Purpose Leases enumerated at Section 249A, and; leases for Special and Miscellaneous Purposes in the Northern Territory listed at Schedule 1, Part 7, Clauses 44 and 45. Words used in preference to 'religion' include; customary, customs, association, connection, physical, activities, hunting, fishing, camping, gathering, traditional, cultural and spiritual. Perhaps legislators didn't perceive First Australian's claims to land as being religious. Contrastingly, Anthropologist Kingsley Palmer, in *Aboriginal Religion and Native Title* (2018:130), which

proffers advice for heritage professionals, discusses the need to remain focused while gathering evidence of cultural and religious practices from Aboriginal communities for native title claims because the topic is vast, asserting that:

> native title writing seeks not to provide the definitive account of the claimants' beliefs and ritual practices, but rather to articulate how they encompass relationships to country and articulate the exercise of customary rights within it.

Kingsley Palmer's advice infers that language groups should tailor their efforts and resources to what's required by the legislation rather than encyclopaedic research. Aboriginal religion is not defined within the Act, nor is it a prerequisite to surpass the evidentiary threshold for a successful native title determination.

2.2. Understanding the English word, 'religion'

It may well be that by Australian Indigenous groups declaring themselves as 'religious', in conjunction with, or as opposed to, other English words which may include designations such as 'language', 'cultural', 'familial', 'band', 'clan' or 'tribe', an argument for the protection of Indigenous human rights could be strengthened. When Rowley (1972b:241) wrote, 'Religion is conspicuously the area of freedom in the secular state', he didn't use the word 'culture'. Gammage (2011:123) explicitly uses the term, 'religion', when discussing Aboriginal connection to country, declaring that:

> all religions attempt two things: to explain existence, and to regulate behaviour. Aboriginal religion integrated these by assuming the spiritual parity of all life, and by subjecting every aspect of it to overwhelming religious sanction.

About Aboriginal philosophy Stanner (1965:215) states:

> if the word religion means, as its probable etymology suggests, two dispositions in man – to ponder on the foundations of human life in history, and to unite or reconcile oneself with the design incorporated in those foundations – then the Aborigines were a very religious-minded people.

The High Court decision, *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120*, as outlined previously, which defines the meaning of 'religion', pre-supposes a direct inference to the Australian Constitution which disallows the Commonwealth from making any law that prohibits the free exercise of any religion[23] (French 2013; Henry et al. 2012). It seems that the historical use of the term, 'religion', within the context of Australian society and legislation, conjures meanings and connotations which imply a particular interpretation.

The evidence required by Australia's High Court of an identifiable group's religion lies within the testimony provided by the worshippers, their language, enunciation of the doctrine's tenets, actions and inactions, and the material signifiers utilised to sustain and maintain the paradigm over time, space and generations. In the Yindjibarndi's case, it also demonstrates a long-term, successful way of living.

2.3. Sustainability

Middleton Cheedy (Juluwarlu 2020d) differentiates between an Yindjibarndi 'way of knowing', and Australian society, when he states:

> I was just talking to the people down there about the sustainability. I showed them the *Burndud* and said you know what, you see that thing there, that's sustainability … what you see there is what is still practised today … at what is known as Woodbrook … and even that *Galharra*, that's sustainability, that's still happening today, that keeps us in order. Sustainability of the economy, that really is nothing … sustainability is what we [the Yindjibarndi] have … it's something that nothing can take the place of … everything else, you can build things [but] it's temporal, during the years it's going to start falling down … but with what we have, it just goes on and on …

[23] Section 116 of the Australian Constitution states, 'The Commonwealth of Australia shall not make any law establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth'.

The Yindjibarndi's particular, discernible cultural field of knowledge provides a template which incorporates the methodology for humans to realise and practise their embodied roles so they can sustain themselves and their environment indefinitely. This subjective rationale relies upon traditional spiritual insight linked with physical ceremony and ritual, to use, control and influence the natural elements, ensuring the biodiversity essential for the survival of future generations. To protect themselves and their families when on country, the people pray to *Mingkala* and the *Marrga*, by calling out to them and their ancestors in the Yindjibarndi language, because, as put by Yindjibarndi Elder Angus Mack, "there are spirits everywhere. There's no particular place that has no spirits" (Warrie 2017: 33, paragraph 66). The Yindjibarndi believe their every thought, deed and action is judged by these omnipotent beings, and that their predications are validated physically, whether it be via positive or negative evidence of natural abundance, a gust of wind, an unusual occurrence, sickness, mental well-being, cyclones, drought, flood or by animals, insects or birds gathering around to 'speak' or to 'listen' to them. The Yindjibarndi belief that their appeals made to a supreme power can shape personal and communal reality locates them within the environment as a cognisant, integral component of an intergenerational lifecycle reliant upon the actions and knowledge of the faithful to continue to undertake their responsibilities according to *Birdarra* Law. For the Yindjibarndi, this is how it has always been since *Ngurra Nyjunggamu* (when the world was soft).

2.4. Our Law Still Stands

The Yindjibarndi possess a unique perception of their lived experience, of which they are justifiably proud. The resources required by Yindjibarndi individuals, families and the community to maintain this distinct ethnicity is immense, especially within an Australian societal context whereby Indigenous rationalities have been aggressively undervalued since colonisation. The current generation of people with whom I work acknowledge the responsibility they have to record their language, experience, history and moral template, while also embodying what it is to be an Yindjibarndi person living in contemporary society. They do this because it holds significant meaning for them, and as an outcome of this personal and communal priority they apply their time, resources and modify their behaviour appropriately. The commitment, significance and centrality of this sacred system for the Yindjibarndi people is evident in the statement made by Stanley Warrie, when pressed on

the tension between Australian and Yindjibarndi Law, he said, "there's still respect between Aboriginal people … the white man doesn't respect Aboriginal people's laws … but our laws still stand the same … (Warrie 2017:44, paragraph 106). The Yindjibarndi have no doubt as to why it is important to continue to live their ethnicity, and what they have to offer.

2.5. They call it the Dreaming, but we call it *Ngurra Nyjunggamu*

Similar to other Australian Indigenous belief systems, the Yindjibarndi people testify their country was shaped during an indeterminate historic epoch which has become commonly known within Australia as the 'dreaming' or 'dreamtime'. 'Dream times' was the English translation documented by Frances Gillen and published in Spencer (1896) which was deemed to be the equivalent of the 'Arrernte word, Altyerrenge … derived from the word Altyerre … in Arrernte, the phrase *Altyerre areme* is used to describe the process of having a dream' (Morton 1984:196-197). The term became more widespread following W.E.H. Stanner's 1953 essay labelled, *The Dreaming*, within which he attempts to encapsulate the concept:

> We shall not understand The Dreaming fully except as a complex of meanings … [it] conjures up the notion of a sacred, heroic time of the indefinitely remote past, such a time is also, in a sense, still part of the present. One cannot fix The Dreaming in time: it was, and is, everywhen ... It was an Age of Heroes, when the ancestors did marvellous things that men can no longer do … it has for them an unchallengeably sacred authority. Clearly, The Dreaming is many things in one. Among them a kind of narrative of things that once happened; a kind of charter of things that still happen; and a kind of logos or principle of order transcending everything significant for Aboriginal man. (Stanner 1979: 23-24).

For the Yindjibarndi there is no need for conjecture on the meaning of 'The Dreaming'. The late Roger Solomon, the narrator for the classic documentary, *Exile & The Kingdom* (Juluwarlu 1993), created and filmed by the Ngarluma and Yindjibarndi Elders in the 1980's, clarifies that the Yindjibarndi have always possessed within their own language, the words and understanding to explain the concept of what others label 'The Dreaming':

> In Yindjibarndi law it is said that before the creation, the sky was very low. When the creation spirits got up from the earth, they lifted the sky and the world out of the sea. The creation spirits are called *Marga* [*Marrga*]. They still live in this country. In the early morning the mist that drifts over the water is smoke from their breakfast fires. It is the *Marga* [*Marrga*] who shaped and named the country, then all the birds and animals and finally the *Ngarda Ngali* [*Ngaardangarli*], Aboriginal people, came from the *Marga* [*Marrga*] themselves … in other places they call this the dreaming, but here we call it *Ngurra~nujung~gamu* [*Ngurra Nyjunggamu*] – when the world was soft … the learning times …

Even though the Yindjibarndi have been practising their specific version of lived reality since *Ngurra Nyjunggamu*, and that Australian Indigenous phrases and words including dreamtime, corroboree, cooee, yowie, canberra, deadly and the like, have made their way into the vernacular, there has been an absence of legislative recognition for Australia's Indigenous religions.

2.6. The absence of Australian Indigenous religious recognition

What is it that prompts Michael Woodley (Juluwarlu 2020h) to remark that, "another challenge for First Nations people … is the ongoing devaluing of Indigenous people's world and their knowledge"? Michael's observation is similar to Stanner's comments on 20th century Australian attitudes which, in Stanner's opinion, led to the 'pervasive doctrine of Aboriginal worthlessness …' (1965:213) and his declaration that 'almost every element in the Aboriginal tradition was undermined in this way – ecology, livelihood, language, patterns of residence, law, religion and the like … (2010:258). In a few pages Stanner's essay, *Religion, Totemism and Symbolism* (1965), sums up the sometimes violent, sometimes subversive, but always pervasive, widespread colonial dismantling and denigration of Australian Indigenous society. In his 1972 essay, *Aborigines and Australian Society*, Stanner characterised the 'European outlook' towards aborigines not just as an undervaluing, but as a more deliberate and aggressive 'disvaluing' (2010:246).

Why was it that Aboriginal people were classified as 'heathens' (Rowley 1972a:128), along with other non-Christians, and buried outside consecrated ground well into the twentieth century (Byrne 1998; Goodall 2001; Heritage Council of WA[24])? What caused Roth to observe in 1905 that even after Aboriginal Evidence Acts were introduced into colonial courts to allow for the unsworn testimony of Aborigines to be accepted as evidence, when Aboriginal people were tried 'no witnesses are ever brought in for the defence…' (Roth 1905:16). Hasluck (1970:160) reflected upon the Western Australian legislation, *The Aborigines Act 1905 (Act no. 1905/014 (5 Edw. VII No.14)*, which was an outcome of Roth's 1905 Royal Commission, and *The Aborigines Act Amendment Act 1936 (WA)*, observing that the laws confined 'the native within a legal status that was more in common with that of a born idiot …' How was it that prior to 1841[25] Aboriginal people who were supposed to be accorded the full protection of European law were not permitted to provide any form of evidence because, as some argued in the court and legislature, Aboriginal people were not capable of perceiving an afterlife, incompetent to take an oath, and had no religion at all (Biskup 1973; Castles 1982:522-523; Charlesworth 1984; Public Record Office Victoria 2020; Read and Coppin 1999:39; Smandych 2004; Stanner 1965)?

2.7. Australian Religious Institutions based upon pre-colonial belief

At present, none of the 147 religious denominations, which are officially recognised and listed by the Australian Government at Schedule 1 of the Marriage (Recognised Denominations) Proclamation 2018[26], are founded upon a system of belief established by an Australian Indigenous community prior to colonisation. The Yindjibarndi could make application to the Australian Governor-General in Council via the Attorney-General's department to be proclaimed a 'religious body or religious organisation' for the purposes of section 26 of the *Marriage Act 1961*. However, it is unlikely the Yindjibarndi would be endorsed as an Australian recognised denomination via the current legislation because,

[24] Heritage Council of Western Australia. Places Database. Place Number 04598. Carnarvon Cemetery. 'Burial records from 1919 indicate the Cemetery was divided into denominational areas as well as areas for the burial of Chinese and Aboriginal people who were buried in unconsecrated ground and in un-marked plots.' Sourced on 14/08/20 at http://inherit.stateheritage.wa.gov.au/Public/Inventory/PrintSingleRecord/bd6df73b-618a-4525-82f0-fb2d3dfc7320

[25] In 1841 the Western Australian Government was the first colonial government in Australia to introduce legislation being the, 4th and 5th Vict., No. XXII, 26th November, 1841, which was: "An Act to allow the Aboriginal Natives of Western Australia to give information and evidence without the sanction of an Oath" (Elkin 1947:190).

[26] Australian Government Federal Register of Legislation https://www.legislation.gov.au/Details/F2018L01607 accessed on 25/10/2020.

amongst other criteria, the declaration requires the applicant organisation to; nominate one person as the Nominating Authority who is responsible for Ministers within the organisation, and also to; provide a copy of the form of wedding ceremony. The Yindjibarndi don't have a formal wedding ceremony equivalent to the other registered religious institutions, and neither do they have 'Ministers'. It would be open for the Yindjibarndi to challenge the legislation reasoning that the conjugal system associated with the *Galharra* (skin) relationship structure, which is central to *Birdarra* law, ceremonially prescribes who can marry within an Yindjibarndi society.

If so inclined, it is more likely that the Yindjibarndi could apply to create a new corporation, or to vary their current native title entities' status with the Australian Charities and Not-For-Profit Commission (ACNC), to include 'advancing religion' as an organisational charitable purpose. The ACNC assess an association's charitability by examining the:

> governing documents … purpose or objects … activities, annual reports … financial statements and corporate documents … and are guided by legal meaning, developed over the years by the courts and parliament[27].

A successful application may result in the Australian Tax Office (ATO) classifying the entities as 'religious institutions'. At the time of writing, of the 20,739 organisations listed with the ACNC with at least one of their purposes being for 'advancing religion', only one is, arguably, an institution founded upon the platform of a pre-colonial Australian Indigenous religion. Amongst other objects, the Consolidated Rule Book of the Wirrawandi Aboriginal Corporation Registered Native Title Body Corporate (RNTBC)[28] includes the aim to 'maintain, protect, promote and support the culture, native title traditions and customs … of Aboriginal people, especially the Common Law Holders' (Wirrawandi 2019:4). It is not clear from the public record if Wirrawandi has been registered by the ATO as a 'religious institution'.

[27] Australian Charities and Not-For-Profit Commission (ACNC) https://www.acnc.gov.au/ accessed on 28/09/2020.

[28] The Wirrawandi Aboriginal Corporation Indigenous Registered Native Title Body Corporate (RNTBC) Consolidated Rule Book was accessed online from the Office of the Registrar of Indigenous Corporations https://www.oric.gov.au/ on 29/09/20.

2.8. Does the word 'religion' matter?

Words do matter, particularly within a legislative context. Legislation facilitates laws and policies upon which public officials can act. Just ask a person convicted of murder, or one found not guilty, both outcomes have serious consequences. A person living in Western Australia after the implementation of the *Aborigines Protection Act 1886 (Act no. 1886 (50 Vict. No.25)* and prior to the repeal in 1972 of *The Native Welfare Act 1963 (WA)*, who was categorised as an 'Aborigine' can tell you that words matter, because that classification meant they could be legally removed from their family. As put by Haebich (2000:218-219):

> the Aborigines Department was unique amongst government agencies in having a clientele defined by race, association and cultural way of life … by being included under the definition, they were excluded from benefits, rights and responsibilities accorded to other Australians.

Carmel Bird writes in the Introduction to the book, *the stolen children: their stories* (1998:1), that taking children:

> was part of a long-term government plan to assimilate Indigenous people into the dominant white community by removing the children at as young an age as possible, preferably at birth, cutting them off from their own place, language and customs, and thereby somehow bleaching aboriginality from Australian society.

Until it was amended by the result of the 1967 referendum, Section 51 (xxvi) of the Australian Constitution allowed the Federal Government to make special laws reckoned necessary for people of any race, *other than the aboriginal race*, in any state. Aboriginal people have been targeted via words since colonisation, which has had major implications.

The Church of Scientology can claim that if they hadn't been assessed by the High Court as conducting a 'religion' in the case featured within this research[29] then they would not be exempt from paying payroll tax. If the Yindjibarndi are deemed to practice a religion they may seek protection via Section 116 of the Australian Constitution which states, '*the*

[29] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120*

Commonwealth of Australia shall not make any law establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion…'

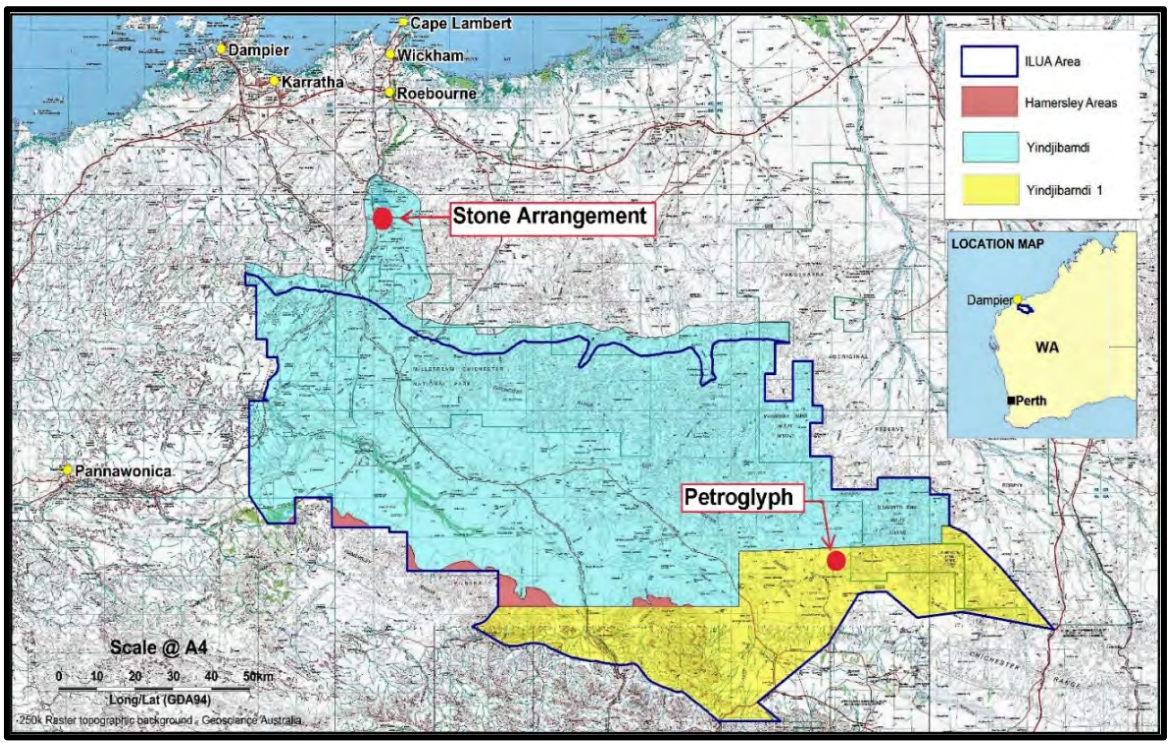
For the Yindjibarndi to be successfully assessed and included as a Recognised Religious Denomination within an Australian legislative context, or to pursue the better protection of their human rights by declaring their native title determination areas as a religious precinct, they would need to present evidence of their religious beliefs, activities and behaviours. The next chapter explores the tenets and attributes of the Yindjibarndi's system of belief, in relation to their traditional land and waters.

3. Chapter Three:

The Yindjibarndi People: their country, practices and beliefs.

Yindjibarndi country extends over at least 13,214[30] square kilometres of the Pilbara region of Western Australia, which has been recognised by the Australian Federal Government native title tribunal determinations WCD2005/001 and WCD2017/010, as indicated by the map below. According to the Yindjibarndi this space is inhabited by their ancestors with whom they connect via their thoughts, actions and language. They converse with their dead relatives in a conversational, but respectful way, in accordance with their *Galharra* relationship. The unpublished *Heirs of Exile* script (Juluwarlu 2018:4), describes the four sub-headings in this chapter, *Birdarra* Law, *Ngurra*, Language and *Nyindyaart*, as Yindjibarndi's 'four roots', which provide strength, resilience, wisdom and the capacity to endure …

***Figure 1:** An Indication of Yindjibarndi country with the location of the stone arrangement and petroglyph sites, as mentioned in this chapter[31]. Map: Courtesy of Yindjibarndi Aboriginal Corporation.*



[30] The Australian National Native Title Tribunal records the details for Tribunal File no's WCD2005/001 and WCD2017/010 of which the Yindjibarndi portions of the determination areas total 13,214 square kilometres.

[31] In 2015 Gavin Jackson Cultural Resource Management (GJCRM) representatives conducted an archaeological heritage survey at the stone arrangement and petroglyph site to professionally record the sites and artefacts, the location of both places are marked on the map provided at Figure 1.

3.1. Identifying the Yindjibarndi People

Justice Rares identified the Yindjibarndi people, laws and customs in the 'second'[32] Federal Court native title determination, *Warrie (formerly TJ) (on behalf of the Yindjibarndi People) v State of Western Australia, [2017] FCA 803*, at paragraphs [37, 38 and 39], and for the purposes of this work his description of the Yindjibarndi is central:

> *37* In the present case, there is no doubt that the Yindjibarndi comprise a society that continuously have acknowledged laws and observed customs that have united them since before European settlement or British sovereignty. (I will use the expression "sovereignty" to refer to the time at which any native title rights and interests that the common law then recognised (and are now capable of recognition) had to exist or be possessed under the Yindjibarndi's traditional laws and traditional customs.) That is the necessary conclusion from the findings of Nicholson J that underpinned the Court's power to make the 2005 and 2007 determinations in favour of the Yindjibarndi. All active parties in this proceeding accept that the Yindjibarndi's rights and interests that also apply in the claimed area are no less extensive than those comprised in the 2007 determination.
>
> *38* The evidence adduced at the trial satisfied me, as I will explain below, that the Yindjibarndi acknowledge laws and observe customs that have united, and continue to unite, them as a society continuously since before sovereignty.
>
> *39* An important instance of that acknowledgment and observance is that the Yindjibarndi observe the defining ritual of making uninitiated (mostly young) males pass formally into manhood by "going through the [*Birdarra*] law" in an annual ceremony. The secret men's evidence given at *Bangkangarra* during the hearing comprised a portion of that ceremony. That included a performance of dancing and singing portions of the Bundut (or *Burndud*) in a language that is no longer spoken in the Pilbara. The Bundut is not a secret men's song, unlike other evidence given on that occasion. The participants understood and explained in the confidential hearing the spiritual and other significance of the dances and songs that they performed. The use of now no longer spoken language in such a ceremony can be compared to the use in many nations, including Australia, in the Roman Catholic church of Latin rituals

[32] A copy of the reasons for the 'second' Yindjibarndi native title determination decision for *Warrie (formerly TJ) (on behalf of the Yindjibarndi People) v State of Western Australia, [2017] FCA 803,* can be located at the National Native Title Tribunal website, or more specifically at:
http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/details.aspx?NTDA_Fileno=WC2003/003

> until the mid-20th century when services were permitted in the domestic language.

Implicit within Justice Rares' description of the Yindjibarndi is that they are an identifiable, coherent group who have taken personal and communal responsibility to carry a shared set of principled values, actions, beliefs and conventions via a mutual language applied to a distinct common territory which borders other Indigenous groups, and have done so potentially for up to 51,000[33] years. In itself this is an astounding achievement ... In addition, the comparison is drawn between the secret religious observances conducted for Justice Rares by this sovereign people, and sacred rituals recited by the Catholic Church and others. Yindjibarndi Elder, Middleton Cheedy (Juluwarlu 2020a), over many years in personal and group discussions, including when presenting cultural awareness training[34] with others, encapsulates an Yindjibarndi identity thus, "I am like the *Wirlu*, the tree you find growing in Yindjibarndi country, I am unique … I am heir to this land … you will not find me anywhere else …."

3.2. Birdarra Law

***Figure 2:** Birdarra Law ceremony looking out from the Yatha: Photo taken 22/11/2011: Image: Courtesy of Juluwarlu Group Aboriginal Corporation.*

[33] Byrne et al (2017): Research undertaken at Boodie Cave on Barrow Island demonstrate that first occupation occurred between 51.1 and 46.2 ka, and that is was used by humans continuously up until 6.8 ka when the land became isolated from the mainland because of the rise in the sea level.

[34] Middleton Cheedy has been presenting Yindjibarndi Cultural Awareness Training (YCAT) with Juluwarlu Group Aboriginal Corporation since at least 2013.

Birdirra is the Yindjibarndi name for the Little Corella (Juluwarlu 2005) and the Yindjibarndi's Law ceremonies which are practised annually. The green leaves of the *Wirranggaa* (Red River Gum) are spread on the ground and the *Nguyu* (initiated men) 'walk through the bed of leaves [*Birdarra*], while on either side his mothers and fathers sit crying his welcome to the bough shed [*yatha*] where he'll stay until his time of seclusion is over …' (Juluwarlu 2003:51). Middleton Cheedy (Juluwarlu 2019b) has explained that when the Little Corella is perched and feeding in the *Wirranggaa* trees on country they leave a debitage of leaf and branch litter underneath, and this is represented by the leaves in the Law ceremony, as well as new life for the boy, who has become a man. Middleton has also likened this ceremony to the people throwing down their cloaks and laying tree branches on the ground as Jesus, while riding a donkey, entered Jerusalem[35] (personal comment).

When gathering evidence for the second native title claim (Chambers and Robinson 2008:15-16) Yindjibarndi people Alum Cheedy, Rosie Cheedy and Bridget Warrie gave the following evidence regarding *Birdarra* Law:

> We all identify all as one. Because what identifies Yindjibarndi as different to even the neighbouring tribes around us is that we have got the *Burndud* and the *Birdarra* which is unique in its own. So all the Yindjibarndi mob identify with them and participate in that. The neighbouring tribes have something different. Anybody who hears the *Burndud* or talks about the *Burndud* or dance they know that it belongs to the Yindjibarndi [Alum Cheedy (10.11.07).
>
> We all have the same language. We all share the same customs and culture and law. Yes, we share the same law *Birdarra*. We are different from others. We have got like a brand … a *Burndud* circle there that shows us way back, you know, how our ancestors have been. Those sorts of things they used to tell me [about] when I was with the old people. It is the same language, same people, same tribe – no difference [Rosie Cheedy (15.11.07)].

[35] The gospel of Mark at Chapter eleven, verses 7 and 8 reads, 'they brought the donkey to Jesus, threw their cloaks over it, and Jesus got on. Many people spread their cloaks on the road, while others cut branches on the farmland nearby and spread them on the road.' The Good News Bible (Second Edition) 1992. The Bible Society in Australia INC.

> They [the Yindjibarndi] are all in one. One law, the *Birdarra* law for all the Yindjibarndi mob right down to the [Harding River] dam [Bridget Warrie (12.11.07)].

The 'beat of the song goes into the ground' (Juluwarlu 2018:1) as participants join together as one to sing the song cycles of creation for the *Birdarra* Law which is filled with symbols, rituals and incantations implemented and performed every year by the language groups who come together from all over the Pilbara and southern Kimberley[36]. As stated by Roger Solomon, the narrator for *Exile & The Kingdom* (Rijavec 1993:9), "Law ties us to a history that reaches back to the creation of this country. It makes us what we are. Without our law we would be like white people …" The sacred, sanctioned actions, authorised by the senior Law carriers, and followed by the participants, 'renew life from season to season, generation to generation' (Juluwarlu 2018:16).

3.3. Ngurra

Yindjibarndi believe that long-term culturally appropriate management of land, known as *Ngurra* in the Yindjibarndi language, is central to sustaining all life, and note that everything within the Yindjibarndi dominion is intricately balanced. Their complex administrative tool kit includes speaking to their ancestors and the creation spirits who inhabit that space, while using their ritual knowledge to ensure environmental health, biodiversity and protection. Justice Rares (Warrie 2017:22, paragraph 40, dot point 7) describes this connection as, 'the Yindjibarndi consider that Yindjibarndi country … is redolent with spirituality, commemorated by senior male members through mytho-ritual traditions, and, in particular, their unique *Birdarra* law'. As Middleton Cheedy has said about his country, "there is no improvement on perfection" (Juluwarlu 2020d). In 2012 Middleton made the following statement about his Ngurra:

> Yindjibarndi sites are connected in a way that is inseparable from the whole of Yindjibarndi country, similar to the human body. All parts of the body are linked and interdependent, for instance it is impossible to

[36] "You've got to be pretty strong to bring a mob to put the boys through the law. If you're not strong enough they won't come" (The late Johnny Walker, speaking in Rijavec, 1993:8). Participation by other communities and language groups is essential to conduct *Birdarra* Law ceremonies.

> travel from one place to another, or to survive, without each feature playing its part in the environment. Every element fulfils a vital role. As we say, our land is alive. If one part of the body is cut, hurt or disturbed in some way, then the whole body feels that pain. That is the way Yindjibarndi country is; if one site is altered, then that affects the overall history, sustainability, biodiversity and knowledge inherent within all Yindjibarndi country; they are inextricably linked, just as we are physically and spiritually connected to our country. We don't see one site or area as more important than another, because one cannot survive without the other, and we will not be forced to think that way (Yindjibarndi Elder, Middleton Cheedy - September 2012). (Davies 2013, 2014).

Late Yindjibarndi Elder, Woodley King explains further, “When we come to put young fellows in the Law, we’ve got the ground here, we’ve got a bible to put them through the Law. Given from the Gods. God gave this a real long time ago. Good place this one …” (Rijavec1993:5).

Brandenstein (1970, 1972), Juluwarlu (2007b, 2008, 2011a, 2018), Palmer (1975, 1977a, 1977b, 1981), Rijavec (1993, 2004), and Wordick (1982) have all documented Yindjibarndi creation narratives and songs which demonstrate the way the country came into existence. This is something Lorraine Coppin (2020j) describes as, “what I believe … is that country in *Ngurra Nyjunggamu*, when everything was so soft like clay or cement … it was the *Marrga*’s canvas and he put his stories down there so once it gets hard we’ve got a reminder of who he is, and what’s in our country …” The image conjured by Lorraine, may be similar to what Stanner (2010:200, 233) had in mind when he wrote of Aboriginal perception of land and their rights, ‘as far as they were concerned, it had been given to them by their spirit ancestors …’ and also about Aboriginal thought and culture, ‘what may be called the syntax of codes that lie within Aboriginal symbolic systems’.

Mountford (1976:54-55), when commenting on an Indigenous person’s love for country gives examples from Berndt, Strehlow and his own previous writings, stating that, ‘anyone

who has travelled with a group … soon becomes aware of the deep personal affection the Aborigines feel towards their country. Everything they see about them is reminiscent of the creation stories of their origins and is a proof of their authenticity'. Michael Woodley emphasises Mountford's observation in the 2017 Juluwarlu filmed documentary, *Ask The Baby:*

> our old people never missed a beat in terms of what was their responsibility, it's giving over their knowledge in the country back to the Yindjibarndi generations … people always go country, they want to visit country, they want to go and see *Ngurra* … it's a generational thing, until we know there's no more Yindjibarndi coming, you've got no right to give this country away …

3.4. Language

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) lists[37] the number of people who speak Yindjibarndi as follows:

Table 2: AIATSIS: Yindjibarndi Language Code W37; Estimated numbers of Yindjibarndi speakers.

Year	Source	Speaker Numbers*
1975	Oates	-
1984	Senate	600
1990	Schmidt	500 - 600
1996	Census	324
2001	Census	233
2004	NILS	600-700
2005	Estimate	200
2006	Census	318
2011	Census	296
2016	Census	377

**Speaker numbers were measured differently across the censuses and various other sources listed in AUSTLANG. You are encouraged to refer to the sources.*
(Author's note: this * message is directly transcribed from the AIATSIS website).

Language is the tool which connects the people to the land because they are speaking directly with their ancestors who still reside there. Having returned to her country for an interview, late Yindjibarndi Elder Patricia Pat (Juluwarlu 2014b) explains it this way:

[37] Yindjibarndi Speaker numbers sourced from the AIATSIS website on the 09th of August 2020 at; https://collection.aiatsis.gov.au/austlang/language/W37

> when you come back here you can picture the old people in your mind … you come back to the country you can hear them talking to you now, oh you come back home, we're here too … they always [here] …yeah we sit down talking now like you and me, they'll be sitting down maybe next to you or next to me and having a yarn listening to talks you know … because in the country its spiritual for us … and you can't get away from that … when you're in town you got nothing there … nobody speaking to you, nobody ever telling you what … when you're out in country you can sit down on your own, it's like meditating you know … you know they is there … it is a happy [feeling] … this is our home … it opens your feelings and your mind right up, it clears you up … it just make you cry …

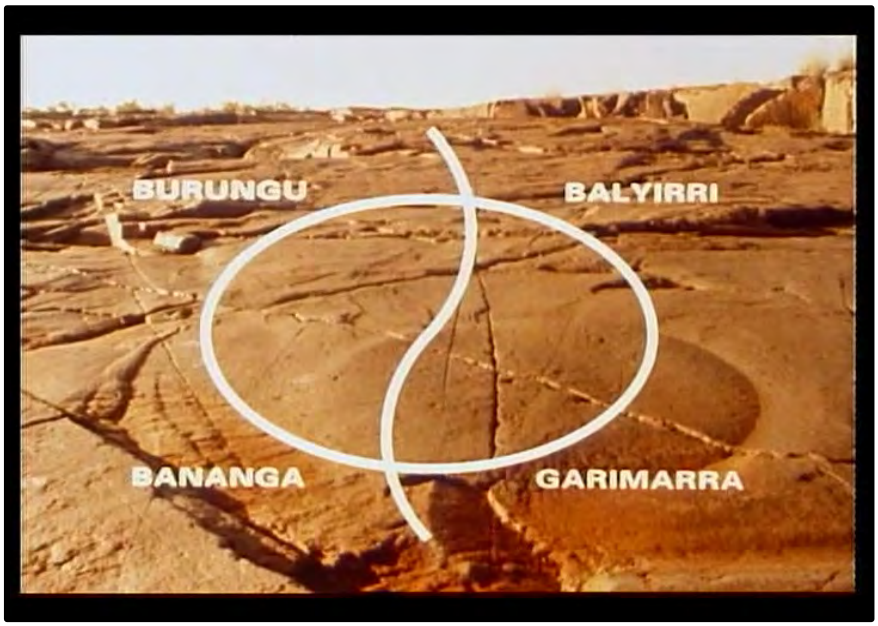
As well as calling out to greet their ancestors when going back to country the Yindjibarndi also perform a ritual termed *wuthurrungga-gu* (Juluwarlu 2007a:63), which is enacted when the person scoops water into their mouth and sprays it out calling words similar to, or to the effect of:

Ngurra ganankarrinha nyinu buluyumagayi
mirrda ngayintharri nhanimagayi
Country, we've come to visit, don't harm us
(Juluwarlu 2011a: 13)

Middleton Cheedy calls this the "knock on the door" (Juluwarlu 2017), while the translation given in *Exile & The Kingdom* (Rijavec 1993:4) by the late Alan Jacobs, who was performing the ceremony at the Yindjibarndi significant site, *Yananha*, (Juluwarlu 2008:162-165) is "I belong here! We've come to see the country, the place where the god's left their footsteps. We've all come to see the country and we're bringing the children to see … don't harm us". In a filmed interview with Middleton and his sister, Pansy Sambo (Juluwarlu 2014a), they explain that the country is alive and wants to hear the voices of its kin to maintain its life-force, and the country and the animals converse with them saying, "where have you been all this time, we haven't heard your voices for a long time, we haven't seen you, we haven't heard you, you have left this place silent …"

3.5. Galharra

Figure 3: Yindjibarndi Galharra (skin group) relationship representation (Rijavec, 1993).



"Our Galtharra~na [Galharra] is the most important part of the Law passed onto us by the Marga [Marrga] during the learning times"
(Roger Solomon, Narrator; Exile & The Kingdom: Rijavec 1993:6).

The image (Figure 3) above taken from *Exile & The Kingdom* (Rijavec 1993) depicts the bedrock of *Yarndanyirra* (the Fortescue River) at one of Yindjibarndi's most sacred places, the *Birlinbirlin* (Juluwarlu 2008:99-121), overlaid with the diagram of the *Galharra*, which is a visual representation of Yindjibarndi's relationship system. *Galharra* is an Yindjibarndi term for the 2 divisional moiety relationship system, which in Yindjibarndi's case is comprised of four sections; *Banaga*/*Burungu* and *Balyirri*/*Garimarra*. This location is one of a suite of sites which figure in the trials and tribulations that challenged the *Marrga* along the portion of the river known to the Yindjibarndi as *Ganiyahna* (Juluwarlu 2018:7). Roger Solomon (Rijavec 1993:5) sets out how the flattened, circular, upraised, bedrock came to be:

> the Marga [*Marrga*] men sang the Law songs, given to them by Mingala [*Mingkala*], the sky-god, and their women danced the circle into the soft world. And then the world became hard and this Law-ground set into the bedrock of the river. We call our Law Bidara [*Birdarra*] and this ring the Bundet [*Burndud*] ring, the first Law-ground.

Juluwarlu's 2008 publication, *Ngurra Warndurala Buluyugayi Wuyumarri* (Exploring Yindjibarndi Country – Gregory Gorge), records that 'the *Burndud* ring [image: Figure 3 above] at *Birlinbirlin* [was] the first ever dancing circle laid down when the world was soft. The skin groups came out of the ground here. *Garimarra* and *Balyirri* came out on the southwest side, while *Banaga* and *Burungu* came out on the northeast' (pp.105). Referring to this place, Alan Jacob states, "This Law not belong to me, I'm not just making this Law. Law here written, this one here see? Are you listening? Law written here. We were told *Garimarra*, *Burungu*, *Banaga*, *Balyirri*. Those four tribes along this one path, following each other" (Rijavec 1993:7). Middleton Cheedy (2020d) confirms this point by emphasising that the *Burndud* ring embedded within the bedrock and the underlying *Galharra* and *Birdarra* Law it represents, if enforced and followed correctly, guarantees Yindjibarndi's "sustainability … that keeps us in order".

For the Yindjibarndi, *Galharra* is central to *Birdarra* Law (Rijavec 1993; Juluwarlu 2003, 2005, 2007b, 2008, 2011a, 2011b, 2018) and has dictated the way they behave, not only to each other and their ancestors, but also to every entity within their country and divine realm. Every animal, plant and portion of landscape possesses a *Galharra*. If an Yindjibarndi person realises their roles and responsibilities they will immediately know how to act accordingly as a brother, Law-brother, mother, grandmother, sister-in-Law etc. The Yindjibarndi have recorded their creation parables (Brougham 2019; Juluwarlu 2003, 2005, 2007b, 2008, 2011a, 2018; Brandenstein 1970, 1974; Wordick 1982), which set moral guidelines for the faithful. The legend of the *Jarburrungu* (Eagle), *Wangangga* (Crow) and *Garranyga* (Black Kite), conveys the meaning of *Galharra* relationships in a classic tale of desire, jealousy, intrigue, forbidden love, family disagreement, betrayal, magic and the public ever-lasting penalty associated with participants violating *Birdarra* Law (Juluwarlu 2018:39-40).

An example of the consequence of a relationship forbidden by Aboriginal law is outlined in a work by Peasley (2006). The story recounts how Mandildjara people, Warri and Yatungka, lived in isolation in the Western Gibson Desert Region from around the 1930's to the time they were located and brought in from the desert in 1977. One of the reasons given for them having stayed apart from their immediate families and living a solitary life in the desert well

after their kin had moved to the fringes of Eastern Pilbara settlements was because they had chosen to marry in defiance of their own particular group's relationship rules. Basedow (2004:88-94) also records a tale of retribution whereby a group of men tracked a couple who had allegedly transgressed an agreed conjugal arrangement and meted out their punishment.

3.6. Nyindyaart

> *Nyindyaart* is duty and obligation to meet the need of another … it goes beyond the giving of things, it is about having care for someone … even when you have nothing to give … offering your spirit … togetherness … passing on to the next generation knowledge, understanding, know-how in the celebration of the Creation – is *Nyindyaart* … (Juluwarlu 2018:31-32).

These sentiments of humility and service to others are supported by Stanner (2010:66), not specifically about Yindjibarndi, but more generally about Australia's Indigenous people:

> their creative drive to make sense and order out of things has concentrated on the social rather than on the metaphysical or the material side …consequently there has been an unusually rich development of … the network of enduring relations between people … It is truly positive knowledge.

Yindjibarndi's social ideal of fairness, egalitarianism, respect and trust lies at the foundation of a society that continues to exist through difficult circumstances. The consistent, circular, embodied *Galharra* social system repeats itself generationally, and every person cognisant of their place within the continuum understands that, for example, their *Mali* (father's, father) is their grandfather, and their *Mali* is also their grandson (son's, son). This continuation of the rotation of respect, in its observance of the *Birdarra* Law and restraint, has created a social web which has bound the community together. Stanner's (1979:39-40) observation on this method of Indigenous social governance was, 'the system is self-protective and self-renewing … the checks and balances seem nearly perfect … [everything is] influenced by egalitarian notions … reciprocity … equivalent return; and … fair dealing.' Perhaps Roger Solomon puts it best, "we were all one people, you know, we were all caring

for one another, just working together as a community the best way we could. That's what helped us survive through the worst years of reserve life" (Rijavec 1993:28).

An Yindjibarndi narrative about *Nyingkaranha*, the stone man, offers an illustration of what happens to a hateful, greedy community member with no heart (Brougham 2019:24-26; Juluwarlu 2018:41-42; Brandenstein 1970:266-269; Palmer 1981:273). *Nyingkaranha* was a lazy, materialistic man made of stone who only wanted the *Ngaardangarli* (Aboriginal people) to work for him, bring him women, food, firewood and water. If they didn't he would take any woman, no matter what *Galharra*, or kill anyone with his eye that burned their *Manggarn* (spirit). The community got sick of this angry giant, never giving them any peace, and sending them to the grave, so they hatched a plot. They tricked him into falling into a pit of coals where his body exploded sending a rain of red rocks all over the country. The lesson communicated by this narrative is that individuals shouldn't be greedy, must abide by the *Birdarra* Law and work together by always putting others and future generations first, otherwise trouble will ensue which will cause the society to fall apart.

3.7. Yindjibarndi testimonies and oral traditions

This thesis is drawn from many interviews conducted with Yindjibarndi over years, which are a testament to the resolve of the Yindjibarndi to record their experience of what it means to 'be' Yindjibarndi. The Pilbara's Indigenous people have demonstrated a willingness to work with others to document their language, history, country and culture. While waiting at Gregory's camp for the exploring party to return, Pemberton Walcott (1863) compiled a vocabulary of Aboriginal words with their English translation, and since then as the threads of the lives, and the void between the colonisers and original inhabitants converged, acts of advocacy, agency and urgency, emerged.

The Yindjibarndi people's determination to bequeath their legacy is evident in Juluwarlu Group Aboriginal Corporation's Indigenous digital and material archive collection at Roebourne which has been assessed as 'unique' and 'highly significant' (Ford 2016). It is also a reaction to the distress of what might be lost. Kenny (2013:128) frames this perspective when discussing how the Aranda people worked diligently, patiently and intricately with the Strehlow's over generations to store and transcribe their sacred histories,

songs and artefacts because they were ‘aware of the power of codification’. Middleton Cheedy (Juluwarlu 2019b) offers an analogy of this post-colonial action, likening the hegemony imposed by the immigrant settlers to “throwing a blanket” over what was there, and now he, his peers, community and the old people that came before, are pulling that blanket back, shedding light on what was concealed and assailed …

Alan Jacob is direct, impassioned and emphatic when he implores everyone listening to keep Yindjibarndi Law via the filmed documentary *Exile & The Kingdom* (Rijavec 1993:44). He looks straight at the camera and says:

> We got a Law in our hand, we didn’t lost it, we still got it. Indjibandi [Yindjibarndi] people still got it, like that, we grip that thing. We hear that a lot of lands have been broken for the Aboriginal people, but we Indjibandi people still standing as one. We are all one, we are helping one another. Don’t matter where we come from, we are all one. We want our Law to stand. We want to teach our kids, and that’s all.

What the Yindjibarndi people have done, are continuing to do, and are pleading future generations to do, is to retain their Yindjibarndi identity by remembering who they are and always have been, since *Ngurra Nyjunggamu* (when the world was soft). For what the Yindjibarndi are saying is that without memory, they will have no identity, and without an identity, they won’t know who they are … *Heirs of Exile* (Juluwarlu 2018:1) puts it this way about the Elders message featured in *Exile & The Kingdom*, ‘they feared they would become a people without *Manggarn* (spirit), a people without *Ngurra*, hollow people lost to the creation that made us … a people wandering through the *Wajbala* (Whitefella) culture that eats the world’. Analogous with this Yindjibarndi view of a soulless, non-Indigenous outlook which does not respect or understand the multi-dimensional nuances or spiritual life-force of the nature of an Indigenous reality or ‘The Dreaming’ is a verse-like statement given to Stanner in 1953:

> A concept so impalpable and subtle naturally suffers badly by translation into our dry and abstract language. The blacks sense this difficulty. I can recall one intelligent old man who said to me, with a cadence almost as though he had been speaking verse:

White man got no dreaming,

Him go 'nother way.

White man, him go different.

Him got road belong himself.

(Stanner 1979:23-24)

The philosopher John Locke argued that a criterion for understanding personal identity is memory (Garvey and Stangroom 2012:220), and using the Yindjibarndi context as an example, I would add that memory is also essential for a collective. It seems to me that identity is the cord that threads every generation together in an eternal, coded continuum. Middleton Cheedy (Juluwarlu 2019b) encapsulates this idea by saying, "these signs are like our fingerprints, our DNA …, they are all over our country …"

Yindjibarndi country, language, identity and each of the moral obligations bound up within *Birdarra* Law have combined to produce a society which has endured over millennia. The Yindjibarndi believe they were created by *Mingkala* and the *Marrga* in *Ngurra Nyjunggamu* (when the world was soft), not in some foreign land, but their own (Juluwarlu 2018:9). They were moulded like figurines from the soft clay by the *Marrga* who breathed life into them (Juluwarlu 2020j). Every corner of Yindjibarndi country is filled with the memory of those who have come before, the landscape littered with their design and debris, while still being simultaneously present, judgmental and kind. Within this extraordinary space lies the very heart of an Yindjibarndi existence.

A community's collective memory exists within every artefact ever created. The physical structures produced evoke sentiments including passion, dread, laughter, grief or incredulity. One only has to read a magazine from times past; drive a car from the 1970's; take a tour of Rome's Colosseum; try to comprehend what happened at Auschwitz; or revive an early computer; to know that the essence of the society's social constructs still exist within those built forms. This truth is highlighted in the next chapter within which four artefacts are examined to perceive how they reveal the religious core of an Yindjibarndi humanity.

4. Chapter Four:

Four Yindjibarndi Artefacts

This chapter explores the codex of four interconnected Yindjibarndi artefacts, all of which tend towards a singular function; petroglyphs of the *Marrga*; ochre on bodies; the *Jarnkurna Thalu* (group of 13 stone arrangements); and the notches on the *Mirru* (spearthrower). Material culture is a physical expression of a society's values, actions and activities. Utilising the notion of intelligent design, the artefacts are considered for the way they embed metaphysical symbols of a distinct Yindjibarndi attitude, priori, belief and perspective. The four examples are significant because their type and form recur repeatedly over time and place which implies they have been created to influence a multi-generational targeted audience for a particular purpose. Via the interviews conducted (Juluwarlu 2020b, 2020c, 2020d, 2020e, 2020f, 2020g, 2020h, 2020i, 2020j), this project's Yindjibarndi research collaborators corroborate that the four artefact types each signal and perform different, specific, singular functions within Yindjibarndi society. The *Marrga* petroglyphs were made to remind the Yindjibarndi of their creator and the Law; Ochre on bodies is enacted to be at one with country; The *Jarnkurna Thalu* provides an example of the Yindjibarndi's responsibility to maintain biodiversity and manage their *Ngurra*; and the notches on the *Mirru* are traditional identifiers which performers use to appeal to *Mingkala*.

The artefacts were chosen because they tend toward a singular function, a method enunciated because an artefact which aligns more closely to single use and function, rather than multi-use and/or multi-function, enables a clearer perception of the reason they were created. Even without the context and testimony provided by the Yindjibarndi, these examples of material culture intimate that the reason for their replicated typology, production and design, conducted over time and space, is religious, ritual and ceremonial.

Included in this chapter are six definitions associated with the use and function of artefacts including function of an artefact; artefact; artefact intentional design; philosophy of the artefact; artefact functional ambiguity, and; single function versus functional ambiguity. The definitions are included in this work to clarify the way material culture can physically express a discrete society's religious and social priorities.

4.1. Symbolic Codes

The power of symbols can influence and change human behaviour, whether it be a traffic light, a diamond ring or a cross. Symbolic codes are encased within artefacts which are a function of the collective thought process of the society from which they have arisen. This idea is implicit when Bouissac (2003:5) makes the point that:

> tools and symbols could have co-emerged and co-evolved by drawing from the same cognitive resources. However, the issue of determining whether a prehistoric artifact is a tool or a symbolic object (or a tool with associated symbolic value) remains a daunting challenge in the absence of direct information concerning its actual use and context.

Bouissac's observation supports the concept that artefacts hold the capacity to provide meaningful insights into the priorities of the social group which created them, but the contest is to decipher their encrypted codes.

In the paper titled, *The Social Functions of Symbols,* Sir Frederic Bartlett's reflection on how societies are influenced is helpful for the discussion outlined within this chapter. Bartlett (1925:10-11) sets out four features for how symbols affect social groups:

> … the symbol is tied on the one hand to the concrete and particular image, and on the other to the more general sentiment and ideal ... the symbol:
>
> (a) acts as a medium for the transmission of culture;
>
> (b) secures the preservation of the group;
>
> (c) promotes social harmony, and social discord;
>
> (d) prevents those social sentiments and ideals which are at the basis of organised group life from becoming vague and lifeless abstractions.
>
> It is no wonder that there is hardly any social structure, hardly any department of social activity which does not contain abundant traces of the symbolic element.

Bartlett's definitive discourse outlined in the four points above; transmission, preservation, cohesiveness and meaning; could be speaking directly to the Yindjibarndi about how symbols conjure images within the mind of the adherent associated with the memory, moral values and action connected with *Birdarra* Law, represented by country, ceremony, respect, behaviour, artefacts, language and family. This mindfulness generates feelings which have, in the Yindjibarndi's case, reinforced a relentless tenacity to hold onto Law and culture, because of the profound value they attach to their own particular type of ethnicity.

4.2. Understanding the Artefact

When assessing the material culture of the Yindjibarndi people, in particular the four artefacts discussed in this chapter, the following quote from the treatise, *Despite Loss, We Are Strong* (Juluwarlu 2011a:232) contributed by Michael Woodley and Lorraine Coppin, adds value to the context of interpretation:

> On our country, where once proud Yindjibarndi men women and children lived in absolute freedom in the kingdom of our ancestors homelands, there are now great empty spaces. Where once the presence of Yindjibarndi fires lit the night burning on our camping grounds; where once laughter, talk and song rang out, and ceremonies were conducted according to our Laws, all that remains are the scattered symbols of our 50,000 year history. Everywhere there are ancient engravings on rocks, and scatters of our stone tools, and the stone flicks used as cutting knives and axes … others may not see how much we remember when we visit these places, or understand how intimately and deeply we remain connected with our ancestral lands and culture that gives us strength. Even though many of us were forcibly removed from our country over the past hundred years and are now unable to live there – our deep connections, Law, knowledge and the teachings of our Yindjibarndi culture continue to flow from generation to generation.

For Michael and Lorraine, their country is littered with the cyphers of their ancestors; material, spiritual and recollected, causing them to simultaneously grieve for what they have lost, while happy in the knowledge of what they have, which keeps them strong. But the

dialectic is reciprocal, because the country and everything within it feels the same way, which is supported by Roger Solomon's statement in the penultimate frame of *Exile & The Kingdom* (Rijavec 1993:44), "now our lonely country is waiting for us, to return …"

For the Yindjibarndi every entity in the country has a role, purpose and position, being deliberately placed for a reason, and everything is capable of being dynamic and alive … That is why each artefact provides not only physical evidence of ancestors who have lived their lives in the same extraordinary space, but they also store the *Manggarn* (spirit) and the thoughts, dreams and actions of revered Elders who have gone before. According to the Yindjibarndi, the artefacts themselves are lifeforms capable of, and containing the essence of, empathy and reciprocity, having formed a bond with the old people who handled and cared for them, creating that tangible link to the present. For the Yindjibarndi, the old people are present and alive, connected by language, country, spirit, material and temporal culture.

4.3. The function of an artefact

The function of an artefact can be different, similar, or the same, as the artefact creator's intent or purpose for the item, and its use. As put by Loughmiller-Cardinal and Cardinal (2020:588), 'interpreting artifacts and assemblages is a multifaceted question of purposes, uses, and functions beyond formal descriptions and typologies'. Artefact, purpose, use and function are not the same thing. The simplest way to understand the purpose for why an artefact was created is to communicate directly with the artefact's manufacturer to ascertain the setting of its use and function, however this is not always possible. This issue was highlighted by Huneman (2007:11), 'to state an intention concerning an artefact is a hypothetical operation. We have to possess some inference rules, and to know the daily context of use of the artefact'.

Usually, the form of the object will be designed in such a way that it performs a particular function, whether it be physical, mechanical, societal, mental or symbolic. The shape of the artefact sometimes dictates the function it performs but not always, and as observed by Crilly (2010:2) artefacts can possess many uses, as well as 'technical and social functions'. The difference between an artefact's design and its societal effect might be characterised as

‘an artefact embodies the function of all of the uses ascribed to it by the individuals and societies which created and used it and the environment within which it has existed[38]’.

Understanding the artefact is crucial to perceiving its function within a social context. As described by Michael Woodley and Lorraine Coppin at point 4.2 above, artefacts are perceived as incarnate because they contain their creator’s and ancestor’s *Manggarn* (spirit). This interpretation reveals that for the Yindjibarndi, their material culture represents more than just a secular notion of form and design, it also incorporates esoteric concepts of place, supernatural power, transcendence, family, belonging, perpetuity and duty to a greater cause. Artefact scatters within Yindjibarndi country provide an example of how the function of an artefact may be different to, but influenced by, its shape and form.

In conjunction with archaeologists and anthropologists the Yindjibarndi group has documented many artefact sites situated within stands of *Marruwa* (snakewood – *Acacia xiphophylla*) in Yindjibarndi country. For the Yindjibarndi people these heritage places are much more than a cluster of stone artefacts because embedded within the objects is the intellectual and spiritual life code (the DNA[39]) left by the old people. Previous generations of Yindjibarndi people camped at these locations because they were resource rich, and according to belief, the old people still reside there, watching and networking with the new cohorts on country, happy in the knowledge that their kin continue to visit them. *Birdarra* Law commands that if the living act appropriately to the dead who inhabit that space, then because *Galharra* governs the dead (and alive) eternally, the dead must care and provide for the living. Consequently, the old camp sites are communal hubs intertwined with recurrent past and current generations enveloped by all the emotion that engagement evokes. Therefore, the technical design and form embodied by the artefacts incorporated into the campsite is different to, and just a small component of, the social function these areas represent. Ultimately the artefact functions according to the uses prescribed to it by the user, whether that was the intended purpose for the artefact or not.

[38] Definition One: The Function of An Artefact; ‘an artefact embodies the function of all of the uses ascribed to it by the individuals and societies which created and used it and the environment within which it has existed’.
[39] As per Middleton Cheedy’s quote (Juluwarlu 2019b), previously mentioned in this work at point 3.7; “these signs are like our fingerprints, our DNA …, they are all over our country …”

4.4. Towards a singular function

The use and purpose of an artefact is more likely to be revealed if it contains features which tend towards a singular function, which is particularly beneficial for interpretation in the absence of societal context. Put another way, if an artefact has only one function then the purpose for its manufacture is more likely to be known. In effect, an unhindered temporal pathway to an artefact creator's intent allows the opportunity for the voice of the community from which it arose to be heard. Alternatively, if the artefact performs many functions, the intended purpose for it when created is less likely to be known. It follows that symbolic manifestations revealed by the Yindjibarndi's artefacts have the potential to materially disclose religious thoughts, beliefs and practices if the artefact tends towards singular functionality. The aforementioned four Yindjibarndi artefacts have been selected because they all tend towards a singular function, enabling a conduit to theoretically 'peer into the mind' of the artefact's creator/s.

The notion of artefact singular functionality not only assists research, it also reinforces and supports the belief systems for the societies from which it has emerged. The interviews conducted for this project (Juluwarlu 2020b, 2020c, 2020d, 2020e, 2020f, 2020g, 2020h, 2020i, 2020j) confirm that the social and religious function for each of the four artefacts is singular. The knowledge given by the Yindjibarndi collaborators verifies the purpose for each artefact, provides the context within which they are used, and elaborates upon the artefact's meaning and significance. The interviews, and associated literature collected for this study, reveal that the Yindjibarndi people have no doubt about the veracity and authenticity of the artefacts; and the reason why they have been, and may continue to be, created. In my opinion, artefacts which tend toward a singular function not only provide a solid platform for understanding their purpose, but as is the case with the Yindjibarndi, they have the capacity to repeatedly and definitively sanctify and underpin an individual's, and/or community's, spiritual beliefs. For the Yindjibarndi, the four artefacts featured in this chapter deliver unequivocal material proof of their ethnic origin, inimitability and unique connection to their country.

4.5. Petroglyphs of the Marrga

***Figure 4:** Petroglyph: located at Jimarndan (Strangers Spring) in the area known to the Yindjibarndi as Winyjuwarranha (Hooley Station). Photo taken 19/05/2015: Image: Courtesy of Gavin Jackson Cultural Resource Management (GJCRM).*

In the film, Exile & The Kingdom (Rijavec 1993), late Yindjibarndi Elder, Ned Cheedy points with his stick at the petroglyph depicted in Figure 4 above and says, "Well this one Marrga ... That's the one been making all these markings …Marrga – this one here".

***Figure 5:** Petroglyph: located at Jimarndan (Strangers Spring) in the area known to the Yindjibarndi as Winyjuwarranha (Hooley Station). Photo taken 19/05/2015: Image: Courtesy of Juluwarlu Group Aboriginal Corporation.*

The scene near the commencement of *Exile & The Kingdom* when Ned Cheedy points with a stick at the petroglyph depicted in Figure four above and says, "Well this one *Marrga* ... That's the one been making all these markings … *Marrga* – this one here" (Rijavec 1993:4), voices the wisdom of his peers, and the Elders who have come before him, that this strange, alien-looking being, depicted in stone, which was undoubtedly crafted prior to colonisation, is known to the Yindjibarndi people as the species which worked with *Mingkala* (God) who 'shaped this country together' (Juluwarlu 2008:vii). Michael Woodley gave the following evidence at the Yindjibarndi's successful native title determination (Warrie 2017:30,

paragraph 53), 'the Yindjibarndi people were commanded by the *Marrga* to look after Yindjibarndi country, in accordance with the *Birdarra* Law, and we are held accountable for everything anyone does in Yindjibarndi country'. Juluwarlu Group Aboriginal Corporation's *Ngurra Warndurala Buluyugayi Yawajunha (Exploring Yindjibarndi Country – Lockyer's Gorge* (2011a:13) expands on this chronicle:

> The *Marrga* rose from the soft world and lifted the sky and earth out of the sea, and then with *Mingkala*, moved about the country creating everything we see in the natural environment today. In *Ngurra Nyjunggamu* they formed and shaped and named the country and created the birds and animals and finally the *Ngaardan-garli* – Aboriginal people.
>
> Two *Marrga* men made the Law by which Yindjibarndi people live by. These *Marrga* were brothers, called *Yarranymarra* and *Bilyjirrmara*[40]. They had a short-tailed dog named *Thuthurri*. They lived in the country right up to the Hamersley Range. They went to *Gumunha Marnda* and put the *Jirrda*, the Law there.
>
> These *Marrga* created the *Burndud*, a series of songs sung during Law time. They also made all the engravings on rocks you can see along the river and all around the country where they travelled, to show people how far Yindjibarndi country went.
>
> *Marrga* are tall with long arms and legs and an elongated head. We call the praying mantis, the stick insect and the mantid *Marrga* …

The Yindjibarndi people's name for the Praying Mantis (Class: *Insecta*; Order: *Mantodea;* Family: *Mantidae*) is *Marrga* and according to the legend, when the world became hard, one of the two *Marrga* brothers, *Bilyjirrmara*, split into two forms, 'he gave himself to our world as praying mantis – the insect we call *Marrga*. And same time, *Marrga* lives as

[40] Wordick (1982:14) also provides names for three *Marrga* being *Yartanymarra* (*Yarranymarra), Purlinytyirrmarra (Bilyjirrmara)* and *Nyaarrimarra*, describing them as 'emu-men'.

Manggarn – spiritual force – inside the world we see' (Juluwarlu 2018:15). According to the Yindjibarndi, the *Marrga's* divine, latent, infinite, subjective energy, is capable of being released upon transgressor's and guardians alike. In addition to the men, there were also female *Marrga* who brought women's Law to the Yindjibarndi *Ngurra* (Juluwarlu 2011a:83-93). The *Heirs of Exile* (Juluwarlu 2018:15) unpublished draft script identifies the inscribed representations:

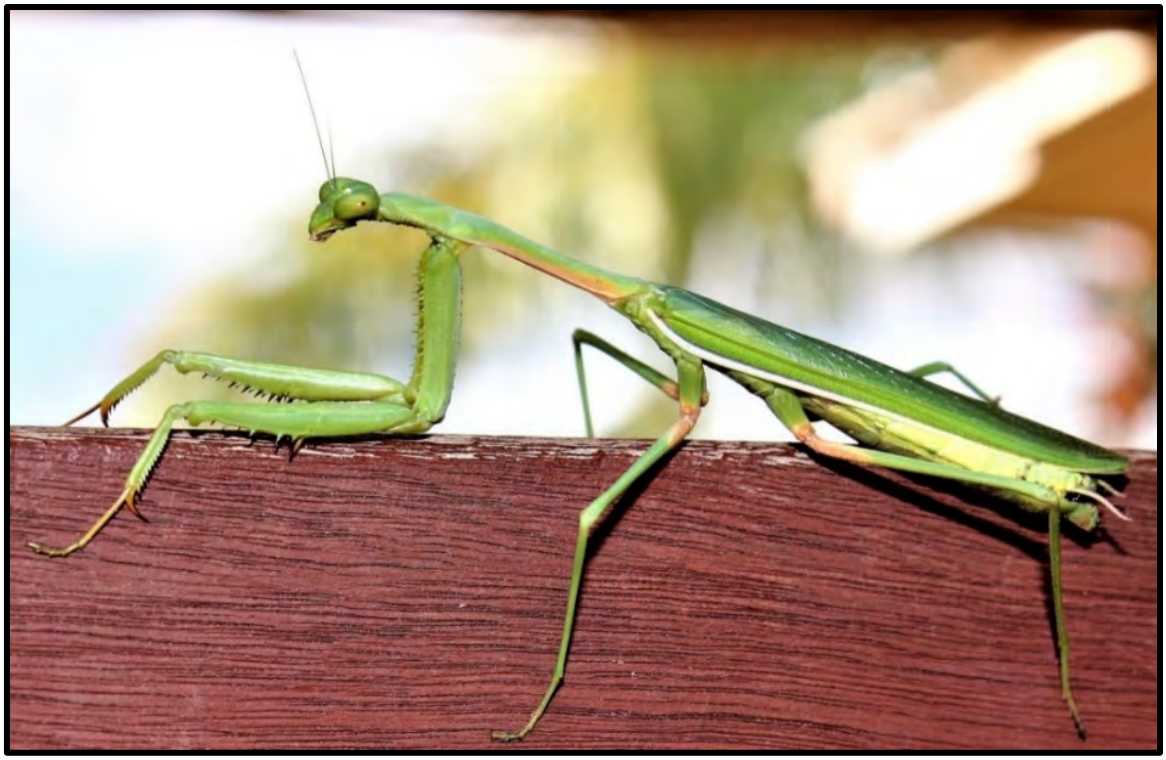
> *Marrga* left themselves in the rock too – two arms, two legs like a Ngaarda, but tall – long body – arms crooked like a praying mantis ready to strike – clawed feet and hands – small head with long spike curling back from the crown like a *Jurlawurdu* – spinifex pigeon – or *Wiru* – cockatiel … Just as *Bulinyjinmarra Maarga* left himself in the *Ngurra* as preying mantis, all other great beings of the creation gave themselves to us as the animals we see today – *Bayuwanarra*, *Gurrumanthu*, *Mujira*, *Bargunyji*, *Waramurrungga*, *Jirriwi*, *Marndanyungu* …

The *Marrga* were described to Palmer (1977a:226-229) as 'ancestors of the dreaming who were very tall and thin, but human in other respects … have come out of the ground … stick-like human figures … who lay down the law in the river'. He emphasised the link between engravings and creation narratives by stating they are 'regarded as symbols of the deeper meaning and reality of their mythology' (Palmer 1977c:45). Vinnicombe (2002) and Palmer (1975, 1977a, 1977b, 1977c) documented that the *Marrga* left depictions of themselves as petroglyphs prior to leaving the Earth, while Maynard (1999) considered these portrayals may 'represent a visual expression of the story-line travelling over country that is a basic feature of Aboriginal religion'. Wright (1968, 1983) leaves illustrative accounts for identifying the emblem within the rock art, including the notion of shape-shifting, and provides comments from local Indigenous people:

> … they are almost invariably male in gender and may have … profile heads with protruding, prognathous muzzles; one or more projections emanating from their heads; elongated bodies; hands, and in some cases also feet, with only two digits giving a forked appearance; [and] exaggerated genitals (Wright 1983:118-119).

It is important to realize that in Aboriginal myths men may be portrayed as animals and vice versa. Numerous stories were collected in the Roebourne area concerning a bird or animal 'when he was a man' … informants have said that the rock pictures are not the work of the Aborigines, but were made by the Marga [*Marrga*] people … [and that] … those carvings are our map – when we sing the law, we sing about them … they may have hammered a rock picture with a stone as they chanted the appropriate song (Wright 1968:11, 52).

***Figure 6:** The Praying Mantis below has been identified as (Class: Insecta; Order: Mantodea; Family: Mantidae; Species: Austromantis albomarginata)[41]. Characteristics include: antennae used for smell; triangular head; two bulging compound (stereo) binocular vision eyes which possess a large number of visual receptors distinguishing brightness, colour and quick movement facilitating acute vision, ideal for the carnivorous hunter; head can turn 180 degrees; 3 additional simple eyes positioned between the two outer eyes; extended proboscis and mandible (jaw); six legs; elongated thorax attached to two prominent front legs with enlarged femurs equipped with razor spikes; proportionately long slender body with wings protecting abdomen; flexible limbs; one ear in middle of abdomen. Photo taken 01/10/2011: Image: Philip Davies.*



[41] In an email to the author dated the 16th of November 2020, the Australian Museum identified the mantid pictured in Figure six above as a female *Austromantis albomarginata,* stating 'this species is known from Norther parts of Western Australia, the Northern Territory and Queensland. There is very little known about this species'.

After examining and considering the petroglyph of the *Marrga* labelled above as Figure five during the interview conducted for this study, Middleton Cheedy's (2020b) response was, "this is in *Jimarndanha*, in my father's place …" For Middleton, the effigy was personal, disclosing sentiments including home, connection and family. McDonald and Veth (2013:66) make the point that rock art, 'reflects information systems, emergent territoriality, group identity … negotiated social identity … formation of social networks … and the episodic use of art as signalling behaviour …'

The site report of the professional archaeological heritage survey conducted by representatives from Gavin Jackson Cultural Resource Management (GJCRM) where the two depictions (Figures four and five) are situated, includes the following taphonomic description[42] (2015:8):

> the *Jimarndan* site comprises a series of 35 panels of engravings, 19 grinding patches and a single grinding base … clustered around pools of water within the gorge … are a mix of outline and infilled pecked works … motifs include a number of human figures who are often holding spears, spear throwers, shields and boomerangs …

Wright (1968) confirms these distinctive petroglyphs are widely distributed throughout the Pilbara having documented 19 separate sites in an area that stretched south-east from the coast along the course of the Fortescue River approximately 350 kilometres in length and 170 kilometres in width. The study contains detailed analysis, photographs and illustrations of 4845 motifs, of which he classified 1856 to be human or anthromorph, and of these he supposed 1151 to be male, 448 female and 257 indeterminate. Although a meticulous analysis of the type, quantity, method, style and purpose is included, without the aid of additional contextual information, he struggled with the issue of decryption stating:

> it is at this level of meaning that interpretation is most difficult … we do not know if the figures are really human, or spirit-beings, or particular named persons, or just men and women generally …

[42] A complete copy of the Gavin Jackson Cultural Resource Management (GJCRM) report is included within this work at Appendice (6).

> Aboriginal informants are the only ones who can supply precise information of this kind[43].

The depth and breadth of the profligacy of all types of rock art within the Pilbara is indicated by the many heritage reports associated with the internationally recognised corpus of rock art on Murujuga, which is located nor'-nor' west of Yindjibarndi country, where 'there is at least 500,000 probably greater than one million petroglyphs present throughout the archipelago … [of] at least five distinct artistic phases spanning some 20,000, possibly as much as 30,000 years' (Mulvaney 2013:31-33). The Australian Heritage Database[44] notes that the human forms featured in Murujuga's rock engravings include 'stick figures, solid figures, a variety of profile figures and figures with decorated bodies, marked sexual characteristics, complex headdresses and other items of material culture'. Rather than just regional, the anthromorphs (Figures four and five) can also be better interpreted and understood within a global context.

The Mantis plays a central role in the San people's society of Southern Africa. Known as *Kaggen*, he was the first Shaman who created the world and is capable of transforming himself into any creature or form, 'changing his face …diving into waterholes and flying through the air … foretells the future by dreaming … and is featured in highly detailed, though enigmatic, pictures (rock paintings and engravings) of the people's beliefs and religious experiences' (Challis and Lewis-Williams 2011:9). Vinnicombe (2009:viii) was not only interested in faithfully reproducing the San's high quality dynamic and dramatic rock art, including differing types of therianthropic figures, but remarked her aim was to reverently represent the 'deeper philosophies which govern relationships between man and the world he lives in, between man and man, and between man and the Creator Spirit'.

[43] This issue raised by Wright (1968) regarding the difficulty associated with the interpretation of symbols in the absence of an insight into the cultural context from which the emblems have emerged is analogous to Bouissac's (2003:5) observations mentioned in this work at 4.1.

[44] The Department of Agriculture, Water & The Environment: Australian Heritage Database, Place Details: National Heritage List; Burrup Peninsula, Islands of the Dampier Archipelago and Dampier Coast; sourced online on Wednesday 12/08/2020.

A description of a Praying Mantis petroglyph from Iran assists with the analysis of the function of the two *Marrga* depicted above, because it provides a comparison for identification. Kolnegari et al. (2019:42) documented the icon:

> The inspected petroglyph represents a six-legged creature with grasping forelegs, and so was identified as a praying mantis (Mantodea). Characteristics of the petroglyph are a large triangular head equipped with a vertical extension, large eyes, opened forelegs, intermediately looped mid-legs, and curved hind-legs … the motif is comparable with particular anthromorphs that show a man-like figure having two dots on either side of the midsection … [it] seems to be a combination of "praying mantis" and "squatting (squatter) man …

Unlike the praying mantis in Iran, the two petroglyphs located at *Winyjuwarranha* (Hooley Station) in Yindjibarndi country do not have 6 legs, they possess two sets of flexible arms and legs, including two distinct upright forearms which are extended as if in prayer. The standing figures infer they are a human form of praying mantis which walk bipedally. They combine other suggested anthromorphic peculiarities into the one entity including mantid-like bulging compound eyes; a disproportionately long body and incorporated neck; potential wings; extended proboscis and mandible; forked digits on hands and feet. In addition both artefacts, pictured in situ with a dog-like creature, portray a single conical headdress (labelled the *Mirnu* by the Yindjibarndi) which displays as a tapering extension from the top of the head, and have been carved into rock so their image will last for generations.

The anthromorph petroglyphs are not depictions of a living creature seen within the landscape, nor have their physical remains ever been discovered, and yet, according to the literature outlined above, their form is easily recognisable, prolific, and has been repeatedly recreated for thousands of years across the region. With this paradox in mind, it seems they were intentionally manufactured to have a precise effect on a target audience communicated over time and space. In fact, my opinion is they were designed for a singular function, which is to relay the message that this alien being is a significant religious symbol for the Yindjibarndi people, an attribute confirmed by Lorraine Coppin in her interview (2020h).

To emphasise some of the explicit messaging incorporated into the highly skilled, specialised and intricate artistic masterpiece exemplified by the petroglyphs, I have copied Figures four and five, located them below, and positioned numbers beside specific attributes of the anthromorphs. The numbers are aligned, labelled and commented on in Table Three, which is found directly after the copied, annotated Figures.

Figure 7: ***Figures 4 and 5 depicting the Marrga Petroglyphs reproduced with numbers indicating key features.***

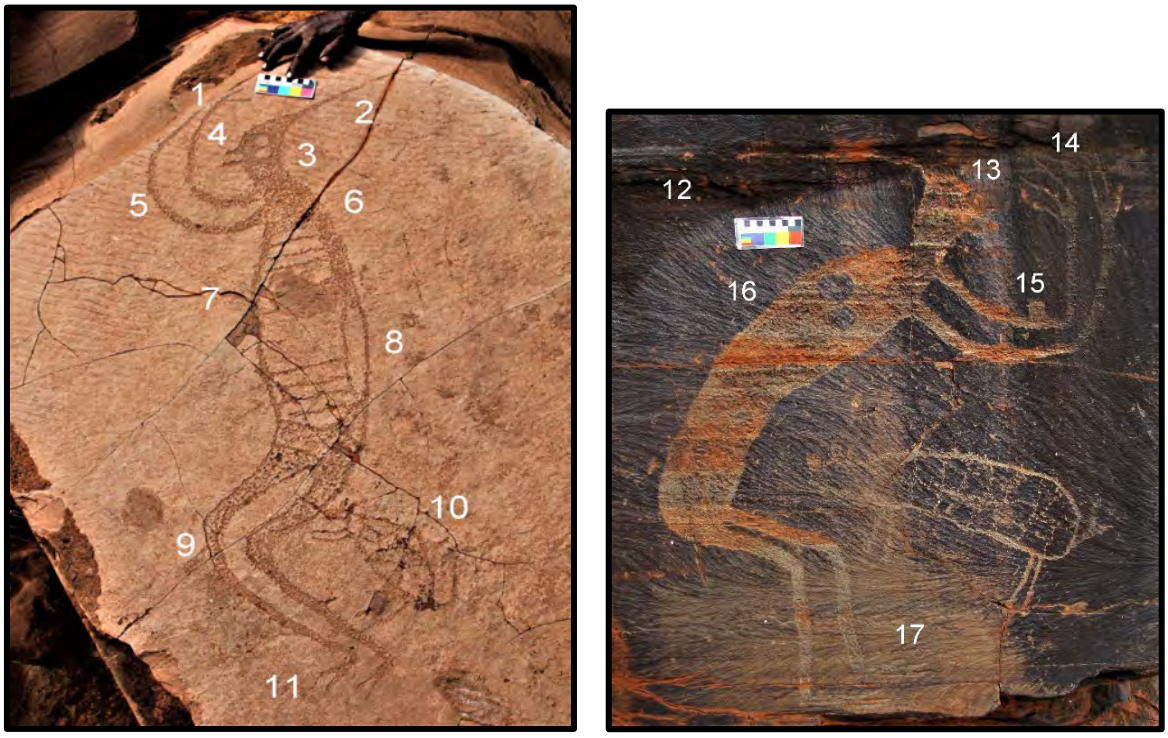


Table 3: ***Summary of numbered Petroglyph Figures 4 and 5***

#	***Petroglyph Attributes:***	***Comments comparing the 2 Petroglyphs with the Praying Mantis depicted at Figure 2:***
1.	Forked hands – two digits.	Similar to Praying Mantis.
2.	Single conical headdress, labelled the Mirnu by the Yindjibarndi, which displays as a tapering extension from the top of the head.	Dissimilar to Praying Mantis but associated with Indigenous ceremonies across Australia (Batty et.al. 2005:46-50; Jones 2011:21; Juluwarlu 2011a:91).

#	***Petroglyph Attributes:***	***Comments comparing the 2 Petroglyphs with the Praying Mantis depicted at Figure 2:***
3.	Eyes on the side of the head.	Similar to Praying Mantis. Could be interpreted as Praying Mantis compound eyes.
4.	Extended proboscis and mandible.	Similar to Praying Mantis.
5.	Flexible forearms which are extended upwards as if in prayer.	Similar to Praying Mantis.
6.	Arms protruding from an extended neck with is incorporated into the body.	Similar to Praying Mantis.
7.	Elongated trunk with horizontal dividing lines.	Similar to Praying Mantis. Analogous to segments of an insect abdomen including the Praying Mantis.
8.	Potential two-dimensional depiction of wings.	Similar to Praying Mantis.
9.	Long flexible legs.	Similar to Praying Mantis.
10.	Dog figure with tail up.	Dog figure with tail up is associated with both petroglyphs. The Dog figure in Figure 4 has a short tail – this could relate to the *short-tailed dog named Thuthurri which accompanied the Marrga in Ngurra Nyjunggamu* (Juluwarlu 2011a:13). Wordick (1982:327,352) describes the *Marrga, 'Nyaarrimarra,* as the emu-man who owned the dog, *Thuthurti* (*Thuthurri)*'. Juluwarlu (2007a:45) states, 'emu man who owned a dog, *Thuthurdi'*.
11.	Forked feet – two digits.	Similar to Praying Mantis. Praying Mantis has small protrusions at the base of its flexible 4 back feet.
12.	Anthromorph has two arms and two legs and is in an upright stance.	Dissimilar to Praying Mantis which has 6 legs – when upright it supports itself on 4 back legs.

#	***Petroglyph Attributes:***	***Comments comparing the 2 Petroglyphs with the Praying Mantis depicted at Figure 2:***
13.	Bulging Compound Eye.	Similar to Praying Mantis.
14.	Forked hands – three long digits.	Dissimilar to Praying Mantis.
15.	Bulge in the upper arm prior to elbow.	Dissimilar to Praying Mantis. Likely to indicate ceremonial decoration such as the *Jirlimirndi* (armstring) featured in Yindjibarndi Birdarra Law.
16.	Elongated trunk with horizontal dividing lines, with 2 roundish markings. These may be eye-like features on wings, or they could be indications of internal organs. Figure 5 also features an infill in the same region of the Marrga depiction which could indicate internal organs.	Similar to Praying Mantis. Praying Mantis has an elongated trunk with wings. Some species have eye-like markings on their wings.
17.	Forked feet – three digits.	Dissimilar to Praying Mantis.

One of the advantages of this project is that there is no need for speculation on the meaning of the petroglyphs depicted at Figures four and five. The Yindjibarndi people hold the knowledge, and in the interviews conducted for this work, have provided the significance and social function of the depictions of the *Marrga*. Within this work at Appendice Eight, I have included a paraphrased summary of the interviews conducted with my Yindjibarndi research collaborators regarding the context and meaning of the petroglyphs featured in Figures four and five, while a full transcript of the interviews is provided at Appendice Nine.

4.5.1. The singular function of the petroglyphs

According to Yindjibarndi canons, as is evidenced via the interviews (Juluwarlu 2020b, 2020f, 2020g), research and literature, symbols of the *Marrga*, some of which were manufactured by the *Marrga* themselves, are a sentient force, capable of becoming incarnate and present in the personal lives and dreams of the adherents. They can protect, confront, harm, terrify or take people on a

transcendental journey into space, teaching about songs, language, country and law. Petroglyphs of the *Marrga*, and the *Marrga* themselves, which "still live in this country … in the early morning the mist that drifts over the water is smoke from their breakfast fires …" (Roger Solomon narrating in Rijavec 1993:3), are intelligent, powerful, judgmental, omnipotent creation spirits who continue to enforce *Birdarra* Law spiritually, symbolically and physically. For the Yindjibarndi faithful, the singular function of this enduring artefact type validates their belief that they are an identifiable, discrete ethnic group, who believe their monotheistic God (*Mingkala*), sent to earth the exceptional, unique, alien looking being, *Marrga*, many generations ago, to sculpt the country and design the *Ngaardangarli* in an epoch known to them as *Ngurra Nyjunggamu.* This creation narrative, which is amplified and illustrated in stone, has resulted in an undeniable communal belief which constantly and fundamentally influences the follower's language, thoughts, deeds and moral perspective.

The *Marrga* depictions are detailed and highly specific, and are designed to serve a singular function for the Yindjibarndi people, which is to reinforce and remind an educated articulate religious congregation of the roles and responsibilities they must uphold if they are to continue to maintain, care for, and carry their *Birdarra* Law. These potent, unambiguous symbols, which recur repeatedly in various styles and forms, have been produced to influence and inform a particular social cohort generationally over space and time.

Finally, Yindjibarndi Elder Kenny Jerrold, when discussing the artefact creator's intelligent purpose for 'rock engravings' with linguist Frank Wordick (1982:233-234) detailed:

> I saw those things left by God for the Aboriginal people. We Aborigines did not put the engravings on the rocks. God above left them. These engravings were put there. God left the engravings as part of our law. He left us to stay on the straight and narrow and get along together. God alone has left the

> engravings to lie on the land for our benefit … (transcribed into English by Wordick).

To acknowledge the Yindjibarndi's confirmation that the *Marrga* fashioned the petroglyphs I propose an inclusive definition for artefact as 'an artefact is an object or product that has been made, constructed, or is the result of an activity or process, conducted by humans or any other intelligent being[45]'.

To assist with the idea of the intellectual design of artefacts whereby the creator of the material item was intending to influence or educate a dynamic audience over significant periods of time, which is a feature confirmed by the Yindjibarndi, I propose the following definition; 'the creator of an artefact may have intended it for a specific purpose and a particular audience. The function of the artefact may correspond with the maker's intention, with the purpose being realised by cognisant consumer/s. If this were the case, then the embodied intention which was to be encapsulated by the artefact's material design matches with its subjective consumption, creating a philosophical joinder between subject and object[46]'.

[45] Definition Two: Artefact; 'an artefact is an object or product that has been made, constructed, or is the result of an activity or process, conducted by humans or any other intelligent being'.

[46] Definition Three: Artefact Intentional Design; 'the creator of an artefact may have intended it for a specific purpose and a particular audience. The function of the artefact may correspond with the maker's intention, with the purpose being realised by cognisant consumer/s. If this were the case, then the embodied intention which was to be encapsulated by the artefact's material design matches with its subjective consumption, creating a philosophical joinder between subject and object'.

4.6. Ochre on bodies

Figure 8: ***Picture of Birdarra Law ochre marking painted on the bodies of the ceremonial class of participants known as the Garnku. Red (mardarra) ochre covers the torso, face and can be incorporated into the person's hair, while the Black (gurnan) and Yellow (biiwurlu) identifier embodies Yarndanyirra (Fortescue River) flowing through Yindjibarndi country. The 8 circles are representative of the Galharra (a fuller explanation is given below). Photo taken 22/10/2004. Image: Courtesy of Michael Woodley and Juluwarlu Group Aboriginal Corporation.***

For Middleton Cheedy (Juluwarlu 2020c) the four colours of ochre, *biiwurlu* (yellow), *gurnan* (black), *mardarra* (red) and *nyarna*[47] (white), and Yindjibarndi's four *Galharra* groups, *Banaga*, *Burungu*, *Balyirri* and *Garimarra* are intricately connected because they play a significant role in Yindjibarndi ceremonies. The ochre is collected by group members with the culturally appropriate *Galharra* from what Middleton calls the Yindjibarndi capital, *Jirndawurrunha* (Millstream). Red ochre is nominated by Middleton as a fundamental inclusion because it is worn on the bodies of all the participants in annual Law ceremonies

[47] Wordick (1982:154,211,327) labels white ochre *nyarna*, while it is identified as *nyahna* by Juluwarlu (2007b:58). Middleton Cheedy describes the white ochre as *Jirrba*. Brandenstein (1970:425) classifies white clay as *tirrua* which is pronounced similarly to Middleton's *Jirrba*.

covering the torso, face and can be incorporated into the hair, while the other colours are daubed onto the bodies of the people according to the *Marni* (ochre design) associated with their classificatory roles, either the ceremonial *Garnku* (bosses) or the *Jinyjanungu* (workers).

The *Marni,* captured on the back of Michael Woodley in Figure Eight expresses the winding course of *Yarndanyirra* (Fortescue River) flowing through Yindjibarndi country, is unique to *Birdarra* Law, and signals the complex social and environmental relationships which exist within the community. In this case, the design on Michael's back is that of the *Garnku*, as that was his status within this particular ceremony. The eight black and yellow dots featured signify the *Garimarra*/*Balyirri* or the *Banaga*/*Burungu* moieties divided into two groups called *Ngarrali* (4 dots on top) and *Walhany* (4 dots underneath). If the *Garimarra/Balyirri* moiety are the *Garnku*, as they are in this example, then the *Ngarrali* are represented by the *Garimarra* father and his brothers (first dot); *Balyirri* mother and her sisters (second dot); *Balyirri* mother's brothers (third dot); and *Garimarra* father's sisters (fourth dot). In this situation, the *Walhany* is the *Jinyjanungu* (*Banaga/Burungu*) side of the *Galharra* depicted by the four dots underneath are listed as follows; all the *Garimarra* father's fathers (first dot); all the *Garimarra* father's mothers (second dot); all the *Balyirri* mother's mothers (third dot); and all the *Balyirri* mother's fathers (fourth dot).

Additionally, the top shapes of the *marni* which extend over each shoulder, called *Yurala*, signal to the *Ngarrali* which side of the river they can safely carry out their traditional practices, and the *Walhany* can do the same on the opposite side. The two extensions also remind all of the Yindjibarndi people that they are responsible for maintaining the environmental health and biodiversity of their section of the *Wurndu* (watercourse) including the *Yinda's* (permanent pools) and *Bawa* (water supply).

***Figure 9:** Picture of the Birdarra Law ochre markings painted on the bodies of the ceremonial class of participants known as the Garnku and Jinyjanungu (Rijavec 2004: 3). Image: Courtesy of Juluwarlu Group Aboriginal Corporation.*

Indigenous Australians have been known to return to ochre sources over generations while the application of ochre on bodies in rituals has been, and still is, widespread throughout Australia (Batty et.al. 2005; Davidson 2011:100; Horn 2018; Jones 2005; Juluwarlu 2007:15-19; Juluwarlu 2011a:62-63; Mountford 1976; Rijavec 2004). Pigment is described by Siddall (2018: 1) as 'the component of a paint that contributes colour … [which] is usually a dry, solid material that can retain its colour when ground to a fine powder'. In their analysis of the use of ochre in a rock shelter in the Central Pilbara Wallis et.al. (2016:136) reveals evidence of paint preparation in grinding hollows and defines ochres as 'pigmentaceous minerals that have been anthropogenically collected and/or modified'. But for the Yindjibarndi, ochre is emotional, responsive, perceptive, sentient, a pathway to a supernatural experience …

There is a *thalu* within the corpus of sites at *Ganiyahna* explained by Palmer (1977a:5) as being the place where two *Marrga* were decorated with red ochre prior to their initiation. It was reported to Palmer that red ochre was collected from the 'mural (blood) dalu' and was ground and mixed with kangaroo fat or dripping, and rubbed onto bodies for the initiation ceremonies. Red ochre is mentioned specifically in two narratives transcribed by Wordick (1982:238,261) contributed by Kenny Jerrold (Yindjibarndi) and Gilbert Bobby (Kurrama/Yindjibarndi) respectively in connection with putting sons through the law. Clement (1903:10) comments on Pilbara initiates being 'painted all over with wilgie or red-

ochre', while Palmer's unpublished thesis (1981:Appendix C, C10; paragraph 14, labelled 'Men's Dance') states the following, 'behind the mirage, far off between the earth an sky, I see the men dance, covered in red ochre, snatching the fighting stick …'

Juluwarlu's publication *Ngurra Warndurala Buluyugayi: Exploring Yindjibarndi Country* (2007:14-19) documents a yellow and black ochre site located at *Bargumarringunha Yinda* disclosing that the yellow mineral 'belongs to the Rainbow Serpent … [who] will become angry if someone goes in the water wearing his yellow ochre … you have to be careful to wash it off your hands otherwise the serpent will be able to smell it on you'. The Yindjibarndi people believe the *Barrimirndi* (Rainbow Serpent) is an immense *warlu* (snake) who created the Fortescue River when it came from the ocean after it smelled meat 'cooking on the coals … he came up the river in anger looking for the two Law-breakers, after they had eaten his sacred bird the *Guran Guran* [Mulga Parrot]' (Rijavec 1993:39). Petroglyphs located at *Biiguna* (Drillers Hole), which is one of the places where the *Barrimirndi* surfaced to sniff the air and track the boys, record this narrative (Juluwarlu 2008:74-81). Many versions of this saga have been documented by the Yindjibarndi people (Brandenstein 1970:290-297; Brougham 2019:38-39; Juluwarlu 2007b:vi-vii, 2008:vii-viii, 2011a:6, 2018:6; 2019a; Rijavec 1993; Wordick 1982:261-267). The versions given by Wimia King (Brandenstein 1970) and Gilbert Bobby (Wordick 1982) corroborate that the *Barrimirndi* covered himself in red ochre at a deposit near *Jirndawurrunha* (Juluwarlu 2007b:42-43) and Wordick (1982:267) records that the Yindjibarndi word for the permanent pool, *Nhankangunha* (Juluwarlu 2007b:94-95), which was created by the serpent when he swallowed the two initiates through his anus, 'clearly incorporates the past tense of the verb stem meaning swallow'. Michael Woodley's affidavit (2013: 22, Paragraph 94) tendered in the Native Title Tribunal, states, '*Barrimirndi* is the *Marrga* who, in the form of a great *Warlu* (serpent), created all the *Wurndu* (watercourses) in Yindjibarndi country'. These testimonies suggest that foundation allegories are fundamental influences on the beliefs and behaviours of the Yindjibarndi people.

For the Yindjibarndi the *Barrimirndi* is a dangerous paranormal presence with the potential to unleash hysterical, frenzied, violent physical assaults at its whim, on people who infuriate it. Yet, for the society's most daring and esteemed knowledge holders, ochre can be used to

call upon the *Barrimirndi* to perform deeds which are unattainable to other, lesser mortals, to enhance their social status within the group and beyond. As explained by Roger Solomon (Rijavec 1993:40) '*Barrimirndi* is the protector of permanent water places, all along the Fortescue River, right up to Nunganunna (*Nhankangunha)*. He is feared and respected but we don't think he is evil. He gives life and is only stirred if the laws for water places are broken'. The connection between *Barrimirndi*, water, power, sentience and consequence is epitomised by smearing a motif of the warlu in *gunarn* (black ochre) on a gum tree at the *Warndangula Yundu Thalu* (Juluwarlu 2007b:40-41, 2011b) during a ceremony intended to bring rain, because:

> '*Guna* is shit … *Gurnan* is the seam of black ochre in the banks of the river at Millstream – sacred ochre – which is the shit of water snake – *Barrimirndi*. *Gurnan* is a powerful rainmaker used by Lawmen to raise up *Barrimirndi* with rain, and is rubbed over the body of the *Nuju* during ceremony too. If *Nuju* washes, and water touches *Gurnan*, *Barrimirndi* knows straight away. That is forbidden, because *Nuju* must never wash in the river. The Law of *Gurnan* protects the *Nuju* from infection … (Juluwarlu 2018:20).

The knowledge that ochre is the excrement of the transcendent water snake is reiterated by the late Peter Coppin (Read and Coppin 1999:6-8, 29). Coppin was a *Nyamal* Law man and the name for the station where he grew up is Yarrie which is located near white ochre deposits found along the riverbank at *Walarinynya* and *Marntarinya* Hill. *Yari* is the *Nyamal* name for the white ochre but it is also used as one and the same term for snake faeces or *Kuna* (*Guna*). Coppin describes how the white paint is sacred because of its connection to the spiritual snake and used on bodies in ceremonies, but he also makes a joke of the fact that the 'Whitefellas' didn't know they had painted their Yarrie homestead all over with snake *Kuna*!

The use of black ochre is noted in the narratives included in Palmer (1981:M.69, Appendix B, B40), 'this is a very dangerous place …there is a rock, standing up on a hill, like a man; that is the *Munguliguru*. There is also a place there where you can obtain black powder that will kill a man'. Ngarluma Elder, Robert Churnside, in Brandenstein (1970:272), told how

the metamorphic power of black ochre was used by the rainmaker, in conjunction with the magic torch sometimes described as crystal quartz (Sales 1992:28), to appeal to the water serpent:

> A rainmaker once said that he would start the winter rain. He rubbed black marks [described as paint made from the mud of Millstream in the notes] on his chest and purified himself. He changed his personality by putting his headgear on and went. The magic torch he whirled around and rubbed bird's down on himself. He stamped the ground, quivering so that the down would be blown off him by the dance movements. Gone off in his trance, he was carried away and put down where he should stay. He was made to lie down, "Lie down here!" he was told: "You lie down here!" On a layer of bark, not in a house, but outside, not in a hut! He was lying, being put on his side facing south, lying under cover, when a wind came from the north and began to blow, more and more, with solid rain clouds forming. At last it came, the winter rain, it came. Slowly it began to rain, slowly it began to rain; the longer he was lying there the longer it rained, and still the rainmaker will remain in his lying position. Without eating anything he will lie, only to make the rain he was there, for two days, under the bark, and did not eat. He made that rain, lying down …

Yindjibarndi Elder, Woodley King, would collect the black ochre from *Bargumarringunha Yinda* (Juluwarlu 2007:15, 19), crush and mix it with water, and smear himself all over to perform the rain ceremony during which he would appeal to the spirits to send rain where it was needed in Yindjibarndi country. From the time Woodley King was a young boy hiding from his Law bosses around this place, to when he was a revered Elder, he kept returning to repeat and impart the rituals he was taught, because belief and experience told him that his every action and appeal would be legitimised by the spirits who were watching, listening and reacting to him.

The nuance embedded within these accounts is that ochre is more than just a mineral, it is a transformational, reciprocal entity, designed specifically to act as a portal between its

constituents and a divine, conscious, authoritarian omnipresence, which possesses all the senses. The wants and needs of its human brethren are communicated via language and action, ordained within the borders of an Yindjibarndi precinct, in accordance with *Birdarra* Law.

Woodley King's grandson, Michael Woodley (2020h) endorses that wearing the colours of the earth ensure the *Marrga* will perceive the country and human as one inseparable entity, comparing it to putting on a shirt, saying:

> It's a bit like the working man putting on a hi-vis uniform going to work … you are putting on the country … you're going in the safety of your country that is always with you and protecting you … you are a child of the *Ngurra*.

Both Middleton (2020c) and Michael's interviews corroborate that Yindjibarndi people have the right to gather ochre from their country but must get permission from others to collect it outside their traditional boundaries. Their statements indicate that ochre is a ritual signifier symptomatic of an Yindjibarndi religious life. Middleton goes on to say that ochre is painted on performers for *ngunda* (corrobborees) organised by the community for entertainment and are sometimes directed by an Elder who guides the performers according to a vision received in a dream, or series of dreams. Juluwarlu's Yindjibarndi dictionary provides the label for the guiding Elder as the *Nyirnirri*, who is known as the 'conductor, master of ceremony [or] song man' (2007a:47).

Juluwarlu (2011a:62-63) references that many *ngundamurri* (corroborees) were held at an old law ground near Cooya Pooya, called *Nyandhuna Ngundamurri Ngurra*, where people gathered to practice 'their songs and dances and painting themselves up with body designs … when night fell they would dance and sing through the night'. When recording significant sites prior to the Harding Dam being constructed, late Yindjibarndi Elder Long Mack documented that both Law ceremonies and corroborees had been held there in the early twentieth century (Green and Turner 1982:4). The white ochre site, *Nyahna Thalu*, is portrayed in Juluwarlu's 2007 cultural mapping book publication (Juluwarlu 2007b:58-59).

Via Kenny Jerrold (Yindjibarndi), Wordick (1982:242) chronicled a corroboree narrative as follows:

> Some people were sitting in the shade, talking about preparing for a corroboree. One old fellow was the songman. He said he would make bark-curl wands [*Janyjin*[48]]. He went to the river to scrape twigs and to make a wheel-shaped mask for the face. The rest of the old people are making different sorts of masks. They will stop by the river for a little while and dance, leaving the rest for the night. In the night-time they will go to the flat to dance. They will construct a small dressing partition, where they will paint themselves. Two people will jump out from behind the screen, dancing.

Figures ten and eleven below depict *Ngundamurri's* similar to Kenny Jerrold's description.

Figure 10: ***Ngundamurri: Performer at front is Yindjibarndi man, Fabian Cheedy. Photo taken 06/09/2011. Image: Courtesy of Juluwarlu Group Aboriginal Corporation.***

[48] The Yindjibarndi name for the 'bark-curl wands' dancing sticks is *Janyjin* (Juluwarlu 2003:36). Wordick (1982:242) spells the same word to describe 'bark-curl wands' as *tyanytyirnku*. Juluwarlu (2007a:23) spells the same word as *janjirn*.

***Figure 11:** Ngundamurri Image: Three performers (all have passed away) pictured at front from left to right are local Ngarluma man, David Daniel; Ngarluma/Yindjibarndi man, Roger Solomon; and Yindjibarndi man, Allan Jacob. Image: Courtesy of Juluwarlu Group Aboriginal Corporation.*

I have summarised the comments made in the interviews regarding ochre on bodies conducted for this project by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020c, 2020h) with regard to the four images above labelled Figures eight, nine, ten and eleven, which can be found at Appendice Eleven. Transcripts of these interviews are found within this work at Appendice twelve:

4.6.1. The singular function of wearing ochre on bodies

For the Yindjibarndi the wearing of ochre symbolises and enables their connection to themselves as *Ngaarda* (Aboriginal people), and a deeper mystic reciprocal spirit world which is always present and eternally judgemental, but only accessible to an individual who understands the actions, subtleties and protocols associated with entry. However, admission to this extra psychic dimension can be fatal to the proponent who does not hold the knowledge to combat and control such supreme energies because of the power that can be unleashed.

Yindjibarndi people ‘paint themselves’ up with ochre for a singular purpose, and that is to simultaneously signify they are at one with their country, to

undertake religious rituals and ceremony, and to transcend into an expanded multi-dimensional reality which incorporates paranormal configurations, elements of control and influence over the physical world, and immeasurable psychosomatic possibilities. The Yindjibarndi ‘feel’ the country when wearing ochre on their body, and believe they will be protected if they act according to the religious morals and obligations stipulated by *Birdarra* Law.

4.7. Stone Arrangements: The Jarnkurna Thalu

The site with thirteen associated stone arrangements which are the subject of this work are known to the Yindjibarndi as the *Jarnkurna Thalu* (Emu Increase) and are located on the plain near the hill labelled *Mirdawadnha* (Table Hill). Juluwarlu's (2011a:155-156) description of *Mirdawadnha* gives some context for the site:

> images of *Marrga* (creation spirits), humans, animals and tracks have been engraved on rocks on top of this hill … its importance is also illustrated by the presence of some twenty hunting hides near the foot of the hill on a rocky slope of large boulders, four of which are well constructed and very large.

The heritage report (Gavin Jackson Cultural Resource Management 2015:36) outlines that:

> the *Jarnkurna Thalu* site comprises 13 discrete piles of rounded dolerite cobbles in two clusters with a generally southwest to northeast orientation. There are two straight lines of stones running between three of the piles of stones in the eastern most cluster of arrangements. The cobbles vary in maximum dimension from 8 cm by 9 cm to 100 cm by 32 cm, with most around 45 cm by 25 cm.

Figure 12: ***Group of 13 stone arrangements located on the plain near the hill known to the Yindjibarndi as Mirdawadnha (Table Hill). The two archaeologists representing Gavin Jackson Cultural Resource Management, Ben Pentz and Simon Colebrook, are pictured documenting the site. Photo taken 20/05/2015: Image: Courtesy of Juluwarlu Group Aboriginal Corporation.***

Figure 13: ***Photo of Stone Arrangement 2 of 13 comprising the Jarnkurna Thalu. Photo taken 20/05/2015: Image: Courtesy of Gavin Jackson Cultural Resource Management.***

Figure 14: ***Photo of Stone Arrangement 4 of 13 comprising the Jarnkurna Thalu. Photo taken 20/05/2015: Image: Courtesy of Gavin Jackson Cultural Resource Management.***

In addition, the report notes that the *Jarnkurna Thalu* is:

> located approximately 300 metres north of a low hill with seven small engraving panels, three grinding patches and two stone arrangements of piled stone … [and] nearly all of the dolerite cobbles in the stone

arrangement are rounded rather than angular (Gavin Jackson Cultural Resource Management 2015:36)

***Figure 15:** Photo of Stone Arrangements 12 and 13 facing north of 13 stone arrangements comprising the Jarnkurna Thalu. Photo taken 20/05/2015: Image: Courtesy of Gavin Jackson Cultural Resource Management.*

***Figure 16:** Site Jarnkurna Thalu, site plan (Gavin Jackson CRM 2015:43).*

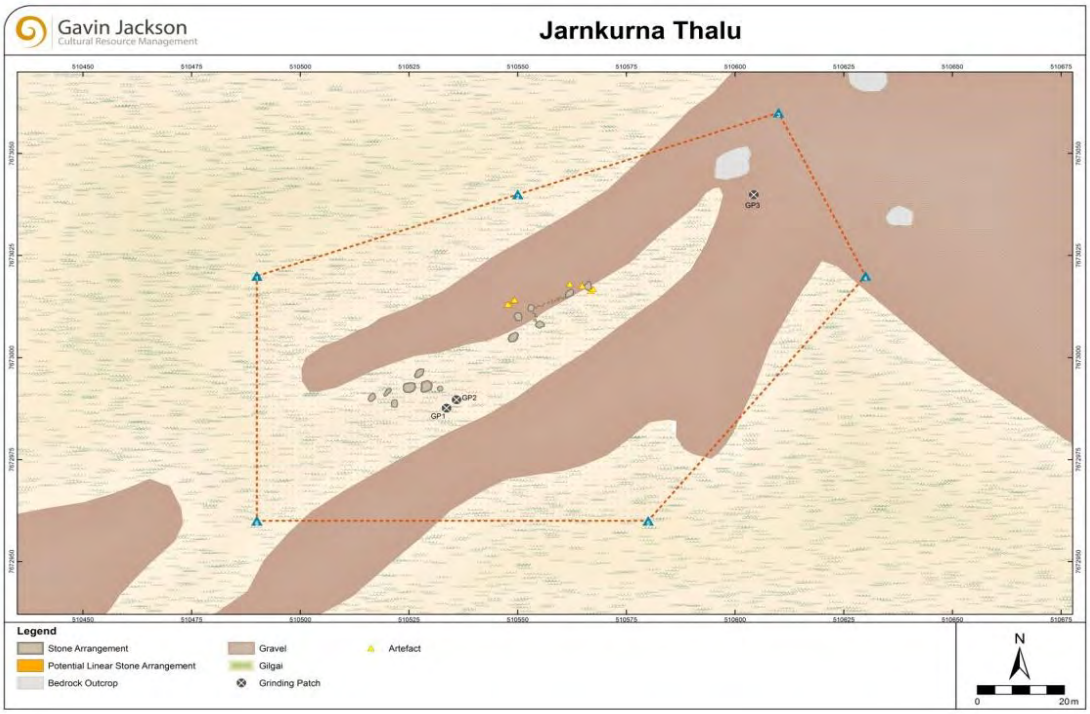
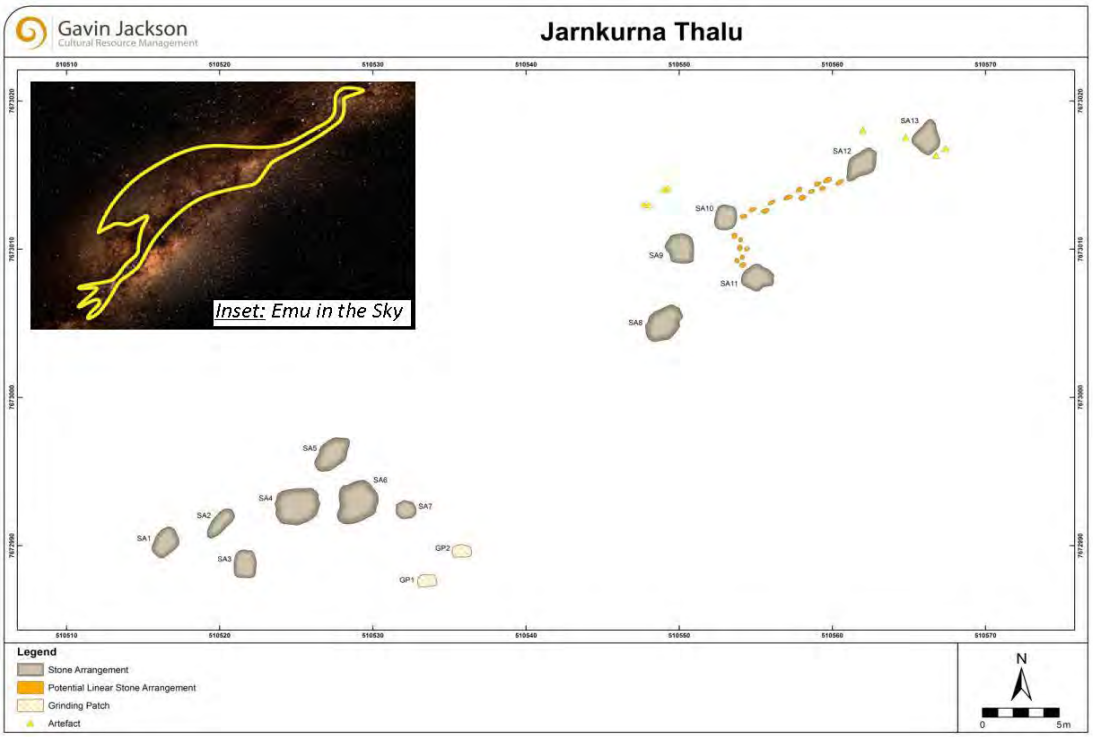


***Figure 17:** Site Jarnkurna Thalu, detail of stone arrangement (Gavin Jackson CRM 2015:43).*
***Added feature:** The author has added an inset of the 'Emu in the Sky' as seen in the night sky*[49].



For the Yindjibarndi these piles of stones are not a random assortment put there by chance. In fact, the depictions illustrated in Figures sixteen and seventeen above indicate the layout of the *Jarnkurna Thalu* mirrors the 'emu in the sky'[50] whereby:

> The Emu's representation in the sky, the 'Emu in the sky,' is perhaps the best known Aboriginal constellation, and is known by many different Aboriginal cultures across Australia. It consists not of stars but of the dark clouds within the Milky Way … in which the dark cloud known as the Coalsack forms the head, and the body extends along the body of the Milky Way, through the constellations of Scorpius and Sagittarius. As viewed from the Earth, the Emu subtends an angle of ~ 90° … (Norris 2016).

[49] The depiction of the 'Emu in the Sky' inset in Figure 4, and overview of the astrological phenomenon can be found online at the Australian Broadcasting Commission Science (ABC) website. The author accessed the site on 20/05/2021 at; https://www.abc.net.au/science/articles/2009/07/27/2632463.htm

[50] The Yindjibarndi people may undertake an additional, more extensive, survey of the site if they deem it culturally appropriate and warranted.

In addition to the word, 'emu', Wordick (1982:354) lists that 'Coalsack (a certain dark spot in the Milky Way)' is also known to the Yindjibarndi as *Tyarnkurna* (*Jarnkurna*). As cited in the quote from Norris (2016) above the 'Coalsack' forms an integral component of the 'emu in the sky' constellation, affirming that Yindjibarndi philosophy conjoins the sky with the earth. This link between the architecture of the site, astrology, language and *Marrga* (some of whom were 'emu-men')[51], not only substantiates the Yindjibarndi people's multi-dimensional environmental wisdom, but the profound nature of their religion.

The *Jarnkurna Thalu* is an increase site where the Yindjibarndi, their extended family and ancestors have gone, and continue to go, to practise rituals and ceremonies associated with their responsibilities to maintain the biodiversity of their *Ngurra*. These rounded transported manuports, representative of emu eggs, have been deliberately placed within the landscape by previous generations of Yindjibarndi people prior to colonisation to encompass one corporeal element of a suite of signifiers, and are utilised for a singular purpose. They confer a focus for Yindjibarndi people to appeal to *Mingkala* (God) to deliver *Jarnkurna* in any of the "thirteen rooms within the Yindjibarndi nation" (Middleton Cheedy, Juluwarlu 2020d).

The Yindjibarndi people have mapped and labelled thirteen distinct *ngurras*[52], divided by *Wurndu* (watercourse/s), *Marnda* (hills) and other territorial markers, which combine to form the established boundary of their country. Each of the estates, are managed by the *Ngurrara* (family groups responsible for that particular region) who are allied to that country by the *Nyirgan* (birthplaces) of themselves or their ancestors (Warrie 2017:30-31, paragraphs 57 and 58). Governance for the territory mirrors the Yindjibarndi customary over-arching decision making processes whereby all *Mirduwarra* (most knowledgeable), Elders and kin are included and respected, according to their seniority and expertise, with the most informed regarded as the *Thangungarli* (Juluwarlu 2015). For them it is no coincidence that the *Jarnkurna Thalu* incorporates thirteen stone arrangements which directly correlate to their thirteen homelands, in fact it validates their religious conviction. As Middleton Cheedy (Juluwarlu 2020d) explains:

[51] Wordick (1982:14, 46, 234, 255, 301, 327, 342, 374) references the *Marrga,* known as *Yartanymarra, Purlinytyirrmarra* and *Nyaarrimarra*, as 'emu-men'.

[52] The Yindjibarndi have mapped and labelled the 13 homelands which comprise the Yindjibarndi nation (Juluwarlu 2009).

> if people found there were no emu in their area, in their room, they'd have a certain pile in this … [*Jarnkurna Thalu*]… it was always in order, they'd go to their pile and they'd do the ceremony there to increase the emu in their area … not just anybody… a person from a certain family group had to come and do the ritual.

The Heirs of Exile script (Juluwarlu 2018:54) clarifies a *Thalu's* use:

> [to] drive a *Thalu* is to *Thalumagu* … and that the *Thalumarra* [drivers] must be in proper *Galharra* relationship to the *Thalu* – brother to the one they want to breed – or the *Thalu* will not open their *Manggarn* [spirit]'.

While warning that these sites can be dangerous, local Ngarluma man, David Daniel (1990) listed fifteen separate *Thalu* situated in the West Pilbara, some of which are stone arrangements, while others are unaltered natural landscape features. The work includes illustrations, location, photographs, language and culturally appropriate instructions detailing the sacraments, ochre, charcoal, feathers, songs, dress and ornaments required by the *Thalumarra* for each *Thalu* to invoke a successful, physical response. Daniel (1990:5) defines *Thalu* as 'places set aside as a focus for ceremonies that will ensure the continuation and proliferation of particular species of animals, plants and natural phenomena'. Withnell (1901:3) observes how 'Tarlows' (*Thalu*) were 'hallowed spots dedicated to the ceremony of willing that certain things such as children, birds, animals, insects, reptiles, fishes, and grass seeds … be made to multiply and increase'. Withnell (1901:3-4) and Clement (1903:6-7) leave detailed accounts of how the Pilbara's Indigenous men and women, each playing specific gendered roles, 'worked' these key religious shrines and stressed that to achieve success, the masters of ceremony had to be members of an applicable moiety. Palmer (1981:405) includes an additional aspect of the *Thalu* whereby 'in the Pilbara region renewal sites, or dalu, usually consist of a stone, pile of stones, unusual rock formation or a small pool, which are believed to contain the spirituality of a natural species … and can be either positive or negative'. He goes on to list the names, uses and locations of 47 positive and 14

negative Pilbara *Thalu*[53]. Brandenstein (1970:116-131), Daniel (1990:5) and Palmer (1981:406-408) highlight the notion that *Thalu Nyambali* (bosses) can send dangerous species and afflictions including smallpox, snakes, sexually transmitted disease, excessive sexuality, head lice, vomit, cold-sick, willy-willy, March Fly, poison, death or other general pestilences, to an enemy or opposition group. Brandenstein attributes the nature of Talu (*Thalu*) as being 'obviously canonic' (1970:xi), and includes detailed instructions given by Ngarluma men Robert Churnside and Coppin Dale (1970:116-131) on how to drive *Thalu* for smallpox, snake, louse (head lice) and paperbark blossom.

Palmer (1977c:37) remarks that 'stone arrangements should be recognised as a vital and relevant part of Aboriginal religious belief … and that the mythology is a rich, pulsating body of belief …' Michael Woodley's evidence (Warrie 2017:31-32, paragraphs 59, 60 and 61) notes there are many different types of increase sites located in each of the Yindjibarndi's thirteen *Ngurra* and it is vital for senior lawmen to visit different parts of the Yindjibarndi nation to conduct the various and varied ceremonies associated with the divine altars so the 'country knows we are still here, that we haven't forgotten our country and that it should not forget us'.

These religious platforms are all over Yindjibarndi and surrounding areas. In the *Guruma Story* (Brehaut et.al. 2001:69-74) many *Thalu* sites placed in areas adjacent to Yindjibarndi country are given as examples. Similarly, the Western Australian Museum (WAM) recorded various *Thalu* sites during its dam location investigations. Kingsley Palmer (WAM:20) recorded an emu stone arrangement about two kilometres north-east of the eastern end of Kangan Pool because of its, 'resemblance of part of the arrangement to the shape of an emu'. Local Aboriginal men confirmed its significance at the time and also compared it to another stone arrangement at Miller Well, located south of the site. Juluwarlu Group Aboriginal Corporation (2007; 2008; 2011a) has recorded no less than 30 *Thalu* sites in its three *Ngurra* cultural mapping publications, and has many more documented within its archive. *Thalu* sites are an example of a widespread phenomenon, recurring throughout the landscape which is symptomatic of religious knowledge communicated over country and generations.

[53] Palmer (1982:407) notes 'that Radcliffe-Brown collected details of dalu sites in the territory of the Kariera and Ngarluma in 1911 and was given the names of 196 such sites' leading him to surmise that information on a great many dalu sites 'has been lost …'

What is being described above is a mental and actionary ritualised relationship with physical objects performed for paranormal beings to induce particular, specific material outcomes. This prayerful rapport is the core of religious behaviour. Belief in an all-powerful, all knowing force lies at the heart of these actions, and the culturally appropriate people who are required to conduct the ceremonies are necessary for a successful outcome. In addition, the public assessment of the performer's social status is dependent upon the result. If the upshot of the *Thalu* interaction is positive, then the actor's prestige is enhanced, or alternatively if in the negative, they could be questioned by their peers. There is no doubt that the occasion would be discussed within the community whereby all manner of views would be exchanged.

The overarching observation of the *Thalu* religious process is the rational method by which it is planned, communicated, conducted, evaluated and normalised, just like any other system of belief. The Yindjibarndi understand that if they approach the *Jarnkurna Thalu's* 13 piles of stones, placed there deliberately by their Elders and ancestors, in an appropriate respectful manner, with the right personnel attending according to *Galharra*, and pray for *Jarnkurna* (Emus) in the correct way, they will be heard and judged by *Mingkala* and the *Marrga*. If their entreaties are successful, that will confirm the matter. If they are unsuccessful, as testified (Juluwarlu 2020d, 2020i), their doubts and concerns will be with the way the ritual was organised, operated and managed by them; not with their omnipotent God. They will simply discuss what they may have done wrong and run the process again, and again, until they get it right …

I have summarised the comments made in the interviews regarding the corpus of thirteen stone arrangements located at *Mirdawadnha* conducted for this project by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020d, 2020i) with regard to the four images above labelled Figures twelve, thirteen, fourteen and fifteen. The summary can be located at Appendice fourteen, while the transcripts of these interviews are placed at Appendice fifteen.

4.7.1. The singular function of the Jarnkurna Thalu

There is no other plausible purpose for the collection of the thirteen stone arrangements to be situated as they are other than to be a collective dais to perform a societal religious function. Even without the benefit of the Yindjibarndi's explanation regarding the *Thalu* relating specifically to the *Jarnkurna*, the fact that many other stone arrangements recur within the immediate vicinity strongly suggests that religious ceremonies were common occurrences for pre-colonial Australian Indigenous communities prior to 1788.

As described in the interviews conducted with the Yindjibarndi research collaborators for this project, the *Jarnkurna Thalu* enacts a specific, immaculate function within an Yindjibarndi way of life which is relevant and influential. For the contemporary populations of Yindjibarndi, the singular purpose of the artefact not only signals the intentions of past Elders, but it sanctions their thoughts and associated actions. Via the quote below, the Yindjibarndi are best at describing their mindful, particular dialogue with an indeterminate sacred force which perceives their wants and needs via the words, responsibilities undertaken and adherence to a moral continuum regarding *Thalu*, and responds applicably:

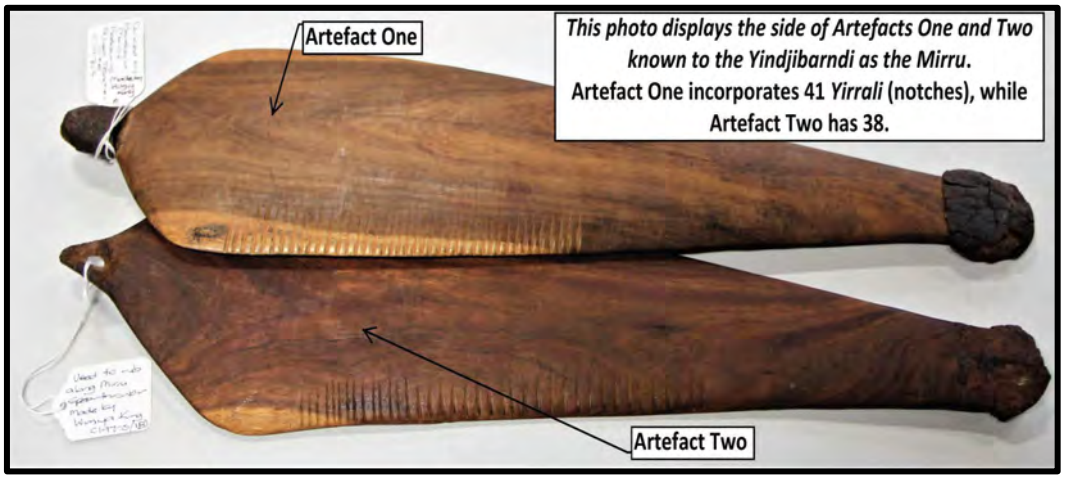
> To keep their promise to *Mingkala*, Yindjibarndi men and women must work for law; make ceremony for animal, bird, plant, insect – for summer rain – winter rain – heat from the sun – light from the moon – babies. Ceremony to make each one many, or stronger – to 'breed' each one in Ngurra where we need that rain, that meat – that life … If the *Ngaarda* that drive that *Thalu* are strong … if their Yindjibarndi *wangka* [talk] is true … the rain falls, the women grow with child, plants in the new season are heavy with seed, *Burndud* is strong and fertile … (Juluwarlu 2018:54).

4.8. Mirru: notches on the spearthrower

For the Yindjibarndi, the multi-purpose, bifacial artefact known colloquially as the spearthrower or the woomera[54], has a separate name and function for each of its two surfaces. The front, which discloses the Yindjibarndi *marni* (incised zig-zag symbol), is identified as the *Walbarra*, and is used as a spearthrower. The back of the artefact, which incorporates the *Yirrali*[55] (notches), is acknowledged as the *Mirru*, and functions as a musical instrument. Effectively the one bilateral artefact has dual Yindjibarndi titles and many uses. In the interview with Yindjibarndi people, Michael Woodley and Lorraine Coppin (Juluwarlu 2020j), Michael is holding Artefact 1 depicted in Figures eighteen, nineteen, twenty-one and twenty-two, and explains that the artefact has "two names; the *Mirru"*, whereby he points to the upward facing surface of the artefact which integrates the *Yirrali* (notches) and runs his hand over the whole of that side of the artefact which incorporates the notches (Figure eighteen) and says, "the *Mirru* represents this part here, the back part". He then turns the artefact over in his hands so the opposite side of the object (which displays the Yindjibarndi *marni)* becomes visible to the interviewer, and says, "and this is the *Walbarra"*. In the interview Michael also discloses that the notches on the *Mirru* are called *Yirrali* which is the Yindjibarndi word for teeth.

Figure 18: **Two Spearthrowers: the surface of the spearthrowers signified is known as the *Mirru*:**

Artefacts One and Two are pictured below. They are spearthrowers made by late Yindjibarndi Elder, Wimiya King which were gifted to the Juluwarlu archive by the person who purchased them from Wimiya in the early 1970's. The image exposes the surface of the spearthrower known to the Yindjibarndi as the *Mirru*, which integrates the notches. The nearest edge of Artefact One portrays 41 notches, while Artefact Two retains 38 notches. Photo taken 05/05/2015: Image: Philip Davies.



[54] Brandenstein and Thomas (1974:Introduction) describes the instrument as a *Walbarra,* while Wordick (1982:365) lists the Yindjibarndi word for the artefact as *Warparra* and labels it interchangeably as a spear thrower or woomera.
[55] Michael Woodley identified the Yindjibarndi name of the notches in the interview conducted (Juluwarlu 2020j).

***Figure 19:** Close up of the Yirrali (notches) on Artefact One. Illustration: Ms Anna Fredriksson (2015)*

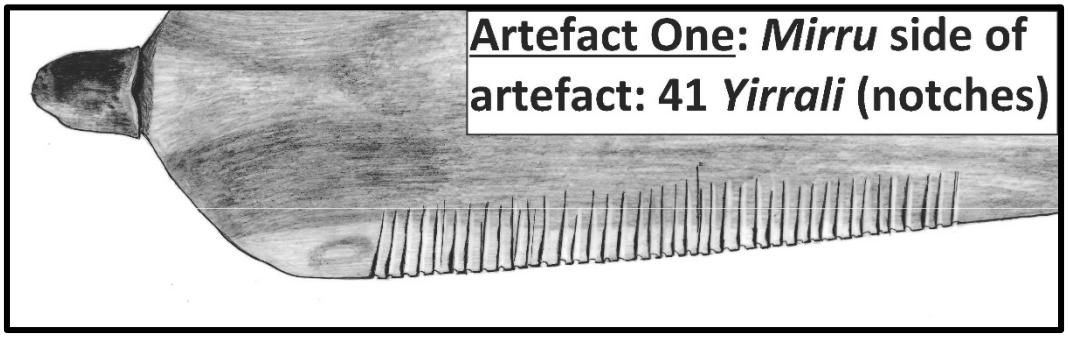


***Figure 20:** Close up of the Yirrali (notches) on Artefact Two. Illustration: Ms Anna Fredriksson (2015)*

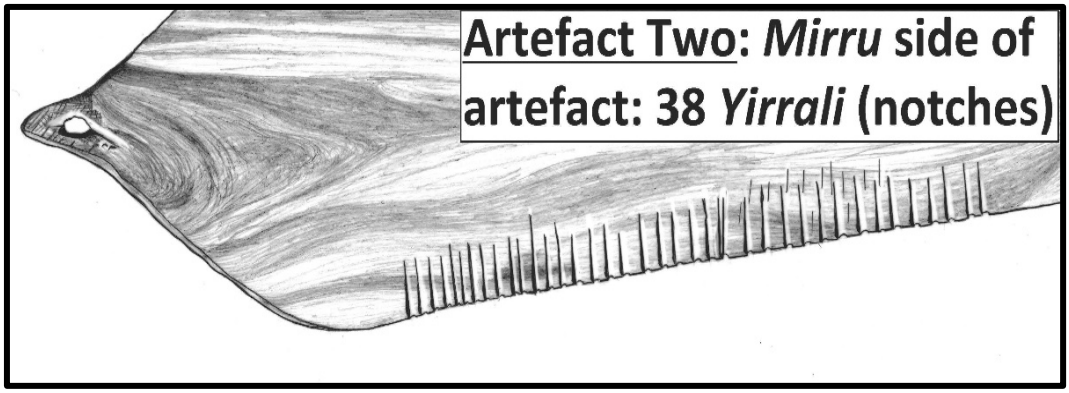


***Figure 21: Two Spearthrowers: the surface of the spearthrowers depicted is known as the Walbarra:** Artefacts One and Two are pictured below. This image presents the opposite side of the 2 spearthrowers depicted in Figure 18 above. The figure displays the surface of the spearthrower known to the Yindjibarndi as the Walbarra. This is the side of the artefacts into which the Yindjibarndi 'marni' (identity brand) is incised. It is also the side of the artefact which bears a hole or indentation at the top end of the Walbarra, into which the 'thurla' is positioned. The 'thurla' is a small piece of a particular type of wood onto which the spear is placed for launch. Photo taken 05/05/2015: Image: Philip Davies.*

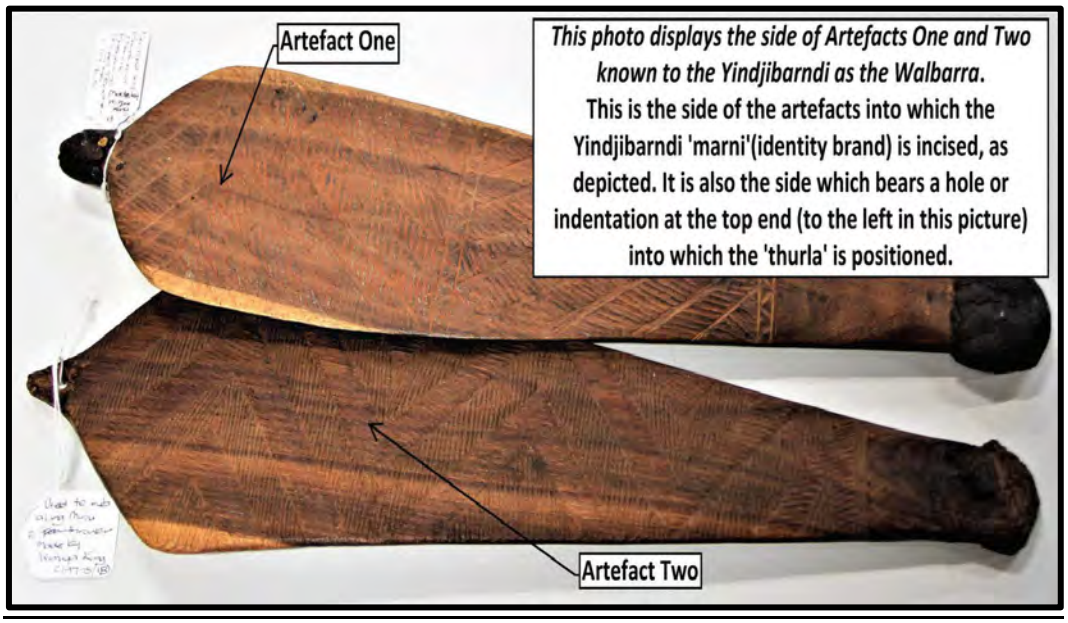


Figure 22: *Artefacts One and Two are featured in the drawing completed by professional illustrator and archaeologist, Ms Anna Fredriksson. The images clearly detail the Yindjibarndi 'marni' etched into the Walbarra, and the Yirrali (notches) on the Mirru. Illustration: Ms Anna Fredriksson (2015).*

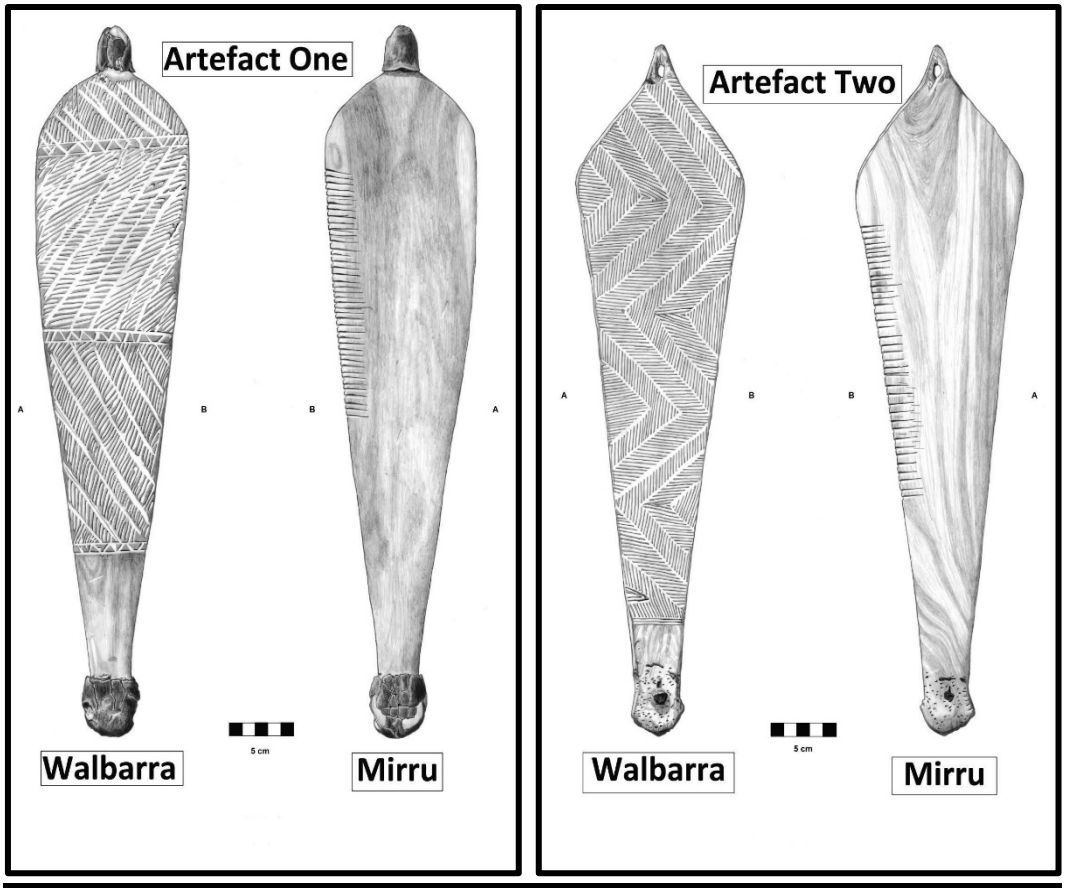
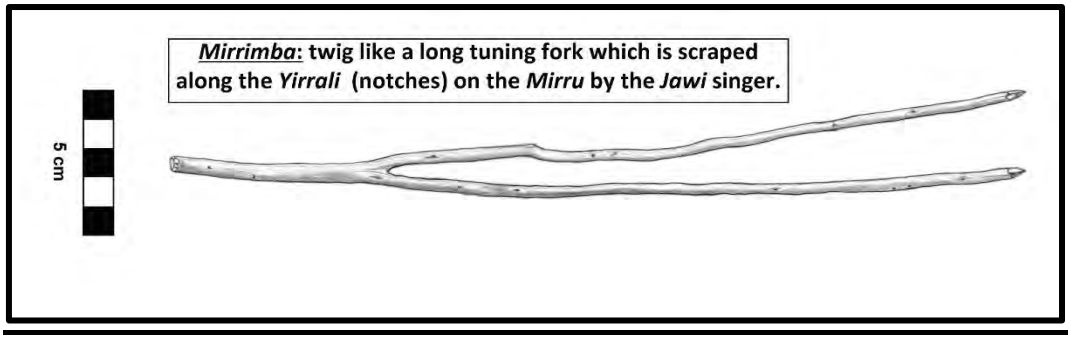


Figure 23: *The drawing below completed by professional illustrator and archaeologist, Ms Anna Fredriksson, details the traditional style of implement used by the Yindjibarndi to 'play' the Mirru. Brandenstein and Thomas (1974: Introduction) describes the tool type as 'a twig like a long tuning fork (mirrimba)'. However, practically, any tool at hand can be used to scrape the Mirru. Illustration: Ms Anna Fredriksson (2015).*



The multiple number of functions applied to the *Walbarra*/*Mirru* is commented upon by Michael Woodley (Juluwarlu 2020j) calling it "important, ingenious and a masterpiece of

innovation". Stanner (2010:89) also discusses Australian indigenous creativity with regard to physical culture:

> Their material equipment might better be described as brilliantly simplified than 'simple' or 'primitive'… A single implement – the spear thrower – was developed, with great ingenuity, to serve multiple purposes. It could be used also as a container for liquids, as part of a fire-saw, as a scraper or adze or chisel, as a shield and even a musical instrument.

Middleton Cheedy (2019b, 2020a) likens the use of the unique Yindjibarndi zig-zag design on the *Walbarra* to the flag-bearer who enters the Olympic stadium at the head of their nation, and the Yindjibarndi men who come dancing in to the law ground at the commencement of proceedings carrying their *Yarra* (shields) and *Walbarra's*, announcing their presence.

Wordick's (1982:225,310,312,370) lexicon of the Yindjibarndi language reveals the way language can divulge the structure, use and the astute cultural philosophy associated with objects thought relevant and necessary by discrete societies. For instance, words connected with the functional use of the *Mirru* are evident in Wordick's language inventory. Extensions include; to *mirrungkama* is to load the woomera; a *mirrurtu* is the Yindjibarndi word for a baby cradle[56] for which the *Mirru* may be used; *mirrurtula* is a word for an infant; to *mirruwari* is to play the *Mirru*; the *mirrimba* is the fork-like implement that is run up and down the *Mirru* to make the sound; if you are *mirrimpawarli*[57] it means that as well as playing, you are singing; and a *mulu* is a 'blade attached to a woomera handle [or] so-called adze …' It is worth noting that the sound of the instrument is also reflected in the language.

The Yindjibarndi word for tooth is *Yirra* (Juluwarlu 2007a:66) while the extension of that word for teeth, and the word for the notches on the *Mirru*, are interchangeable, being *Yirrali*. The Yindjibarndi vocabulary augments this association further by incorporating a sense of the sound so that you may be able to 'hear' it in your mind because it is described as being

[56] Brandenstein also lists 'cradle' as a translation for *Mirru* (1970:362).
[57] For this reference go to the explanation for the word wirnkartirti (Wordick 1982:370).

similar to something you are familiar with. The sound emanating from strumming the *mirrimba* when it is run up and down the *Yirrali* (notches or teeth) on the *Mirru*, is similar to the sound made by the cicada, for which the Yindjibarndi word is almost identical, Yirrila[58]. To *Yirraama*[59] is to sing; if someone is *Yirraamakayi*, they are singing a song, or if they are *Yirraamarnu* they are singing it with empathy (Wordick (1982:204,224,376). It also seems that the words *Mirru* and *Yirra* have blended to produce supplementary verbal associations, signaled by the Yindjibarndi words *Mirrinmirrin* (the insect known as the cricket), *mirri* (clear sound) and *mirrili* (loud clear noise) (Juluwarlu 2007a:35-36). Michael Woodley also likened the sound of the *Mirrimba* scraping the *Yirrila* as similar to some of his old people who would grind their teeth (personal comment).

The metaphysical joinder between Yindjibarndi language, identity, communal values and material culture manifests itself via the presence of the *Yirrali* sited on the *Mirru*. The notches provide the evidence for a recurring, articulated, singular type of tradition which requires resources, time, education, reverence, public acknowledgement and cultural knowledge, and is specifically held by the members of the community because it is significant for them. The custom is continued because proponents are proud of their embodied ethnicity and history. The *Yirrali* enables the liaison between personal ethereal consciousness, mind, body and soul, something the *Heirs of Exile* unpublished script (Juluwarlu 2018:71) frames as, 'from the spirit world into the world we see …'

The 1974 publication, *Taruru*: *Aboriginal Song Poetry from the Pilbara* (Brandenstein and Thomas (1974: Introduction) provides transcriptions and explanations of 80 *tabis*, which were collected and recorded in the Pilbara from 1964 to 1968, and 'are only a few of the thousands which exist'.[60] The book describes the way that *Mirrga*, one of the Indigenous songster's who contributed his expertise and talent to the research, plays the instrument known to the Yindjibarndi as the *Mirru*:

[58] *Yirrila* is listed as a cicada (Juluwarlu 2007a:67, Wordick 1982:377)

[59] *Yirraama* is defined as to 'sing' by Wordick (1982:376), whereas Juluwarlu (2007a:66) lists to 'sing' as *Yirraamagu*.

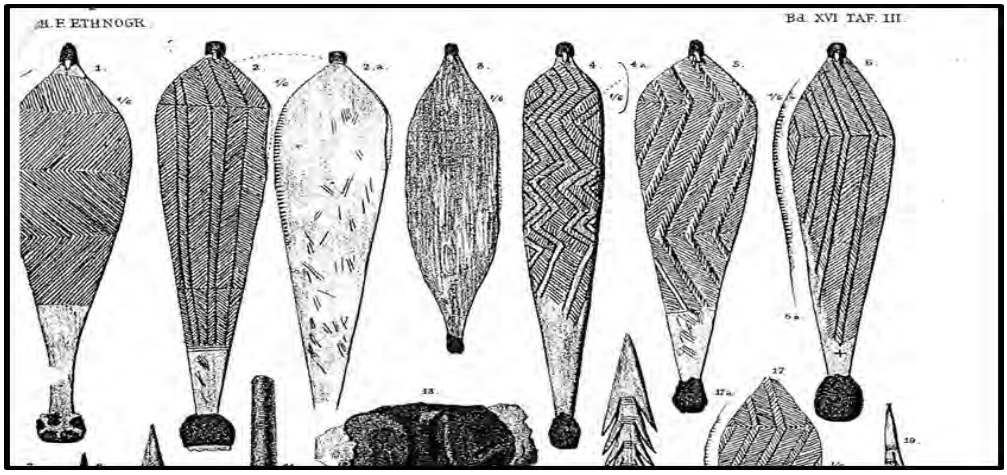
[60] *Tabis are defined by Brandenstein and Thomas as 'individual songs used to describe physical or spiritual feelings or experiences' voiced by singers using the 'violin type instrument' (1974: inside flap of book front cover, Introduction). Brandenstein (1970:12) also mentions that 'Taabis are sung solo without any accompaniment'.*

> Mirrga, from his seat on the ground, reaches for the spear-thrower and tucks it under his jowl, violin-fashion. He sits hunched, round-shouldered, and clears his throat with a few noisy grunts … The song starts with some upward strokes of the fork against the notched edge on the curved back of the spear-thrower. The sound is like finger-nails scratching a washing-board, a penetrating chirrin-chirrin, chirrin-chirrin, and Mirrga sings high and reedily, words tumbling over each other in the back of his throat, the melody falling steadily with little quavering runs, until he is singing hoarsely in the depth of his chest. He takes a deep breath, and the tune leaps up to ease down again, sometimes lingering on a note, breaking and returning. The rattle pulses behind the melody; the two make a delicate combination … the song becomes a little more intense, and finishes abruptly, like a light being switched off (Brandenstein and Thomas 1974: Introduction).

This convention described as song poetry (Brandenstein and Thomas 1974) within the Pilbara has been widespread, as suggested by the different names for the practice held by the Yindjibarndi's neighbouring language groups. For the Yindjibarndi, the compositions are known as *Jawi's*[61], while Ngarluma call them *Thabi*[62]*;* the Ngarla people distinguish them as *Yirraru;* they are labelled *Dyabi* or *Jabi* for the Nyamal and Kariyarra[63]*;* and to the Nyiyaparli they are *Nyirrbu* (Treloyn and Dowding 2017:58). Even though the 80 individual songs published were 'drawn from eleven Aboriginal languages', many were either sung by people who identified as Yindjibarndi or were originally composed in the Yindjibarndi language by an Yindjibarndi person (Brandenstein and Thomas 1974: Introduction,1-2,4-5,8-9,11,19-25,31,39-41,47,50-52).

[61] Wordick (1982:355) uses the spelling *tyawi.* Brandenstein (1970:12) spells the word as *taaui*.
[62] In a prior publication, Brandenstein describes and spells the Ngarluma word for the practice as *taabi* (1970:12).
[63] Brandenstein describes the term for the Kariyarra custom as *jirraru* (1970:12).

Figure 24: ***Depiction of Walbarra/Mirru extracted from Clement (1903:31). As well as compiling ethnographic accounts of local Indigenous people, Clement collected artefacts from the Roebourne district and sold them to institutions around the world to assist with travel costs. He provided a catalogue of material culture for sale to potential buyers with relatively detailed descriptions of the items. The relics below are labelled by him as Mihra, woomerah and/or spear thrower.***



Inherent within the *Jawi* ritual is the deep personal and public respect held by the singer for the composer, stimulating emotions of love, loss, grief, longing, sadness and empathy. The singer may often finish the performance in a highly agitated state, because of the memories and experiences evoked, and may exclaim "oh *maanu*[64]" (poor fellow, unfortunate, sorry[65]). When handling a *Mirru* while delivering Yindjibarndi Cultural Awareness Training (YCAT), Middleton Cheedy will often examine and speak to the artefact as if it were alive because he intimately knew the person who created it and where it comes from (Juluwarlu 2019b, 2020a). Alternatively, Angus Mack (personal comment) has stated that he is uncomfortable handling artefacts associated with women because they may belong to people in the community with whom he holds a *Galharra* avoidance relationship. The Yindjibarndi believe that a portion of their *Manggarn* (spirit) is left in everything that they touch, manufacture, use or hold.

Jawi's are passed down from generation to generation, held by close relatives or moiety relations. Some composers are venerated because of their outstanding skill. Michael Woodley's Grandmother's Grandfather, Toby Wiliguru Bambardu, who passed away in 1934, was one of those people, and his *Jawi's* are held by Michael and his relatives in the

[64] Michael Woodley did this immediately after he had sung a *Jawi* in his interview for this project (Juluwarlu 2020j).
[65] Juluwarlu (2007a:28) lists *maanu* as 'poor fellow'. Wordick (1982:53,260,265,267,301) lists *maanu* as unfortunate, poor fellow.

community (Juluwarlu 2020j). Brandenstein and Thomas (1974:70) note this about 'Pambardu' (*Bambardu*):

> he was the greatest master of tabi-making in the Pilbara in this century. Blind since boyhood, he strove to overcome his handicap, and developed his talents to such a degree that he reached the highest possible standard, and a rare perfection in song-making.

Bambardu was given his songs when he was in a dream-like state by the spirits of the country … 'he used to sit alone listening intently to some imaginary person behind his shoulder, at the same time striking an imaginary *mirrimba* on his forearm (Brandenstein and Thomas 1974:70).

The late Algy Patterson clarifies how spirits, in this case the *Wanda Thalu*, give songs to the people:

> That's where all the Fortescue River songs come from whether he's a Jawi song or whatever. They come from the *Wanda* people. *Wanda* people pass it over to the man that's dreaming. He get up the next morning he got it all in his brains. They sing it for him to pick up, whatever they see going on. About the Snake or whatever. The *Wanda* are the spirits that give him that song, sing it for him, so he can pick it up in the dream. Next morning, don't matter how many songs they give him, he get up with the whole lot of songs. Wake up with a whole lot of songs … (Rijavec 1993:38).

Dench provides this observation about *Thawi* (*Jawi*), 'all of which evoke complex feelings and understandings. The forms are highly poetic and rely for their immediate interpretation on a deep cultural knowledge of, most especially, the spirit worlds viewed in a dream state'. The Yindjibarndi's *Heirs of Exile* (2018:78) draft script styles this exchange between the spirits and the living as 'the trade of the sacred between *Ngaarda* and *Ngurra*'. Some of the *Jawi's* retained by current members of the Indigenous community were composed by the *Marrga* themselves.

Brandenstein and Thomas (1974: Introduction,47,49,50) list four *tabis* (*Jawi's*) composed by the *Maralga's*[66] (*Marrga*). The first song listed was composed by the *Marrga* named *Kanjun*, and was held and performed for the publication by Yindjibarndi man Wimiya King. The second two *Jawi* were composed by two *Marrga*, *Tharaljba-Marra* and *Waningbu*. The fourth *Jawi* was also composed by the two *Marrga*, *Tharaljba-Marra* and *Waningbu*, but this transcript includes the title of the song as *Three Junggurri* (kangaroo hunting song), and the holder and performer was the late Ngarluma Elder, Robert Churnside. The publication goes on to provide a description of the *Maralga* (*Marrga*):

> *Maralgas* are a race of humanlike beings, older than any men now living … Their real home is the rocky tableland. They dwell in and on the mountains, and are dangerous to men if certain rules of pacifying them are not observed. They also carry names and are often mistaken for humans … *Maralgas* as '*njinirris'* (song men) are a unique feature of traditional song-making …

I have summarised the comments made in the interviews regarding the *Mirru* by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020e, 2020j) with regard to the *Mirru* physically provided to them in the interview which is displayed in Figures eighteen and twenty-one. This summary is located at Appendice seventeen, while the transcripts of the interviews are found within this work at Appendice eighteen.

4.8.1. The singular function of the *Yirrali* (notches) on the *Mirru*

An analysis of the Yindjibarndi language inventories, testimonies of the interviewees and the literature reviewed above, leaves no doubt that the *Yirrali* (notches) on the *Mirru* serve a singular function, which is to assist the songmaker to compose and/or reproduce, and perform, a *Jawi*. However, the religiosity of the *Jawi* songs shaped via the *Yirrali*, is more equivocal. Making a subjective judgement on how religious a *Jawi* might be, could be likened to aligning each one along a metaphorical 'religiosity' continuum[67] which locates

[66] Brandenstein and Thomas (1974:88) record that 'they are called *Maralga* in Ngarluma, and *Maarga (Marrga) in Jindjiparndi* (Yindjibarndi)'.

[67] The term and concept of 'sacred-profane' laid out as if on a continuum was originally discussed by Emile Durkheim (1858-1917) and became a fundamental idea in sociology and anthropology. Durkheim, É. 1915 *The Elementary Forms of the Religious Life, a Study in Religious Sociology*. London: New York: Allen & Unwin; Macmillan.

'most sacred' at one end of the linear scale and 'most profane' at the other, and picking a point along the measuring gauge as to where each one might fit.

At the profane end of the continuum, *Jawi's* may have been created to convey news, information, amusement[68] or a message about an event or issue that the composer has heard about or wishes to communicate which, some may argue, are not religious or sacred at all. Brandenstein and Thomas (1974: Introduction,10-11,14,19-26,29-30,34,) include some commentary on this and provide, in their opinion, secular song text examples such as those titled; *Aeroplane, Miracle in the Sky*; *Dance Hall; Cattle Loading; The First Truck at Tambrey; Windmill at Mandanthanunguna; Policeman; Air Raid on Broome; Aeroplane; and, Development*. Such compositions may be analogous with current, widely distributed popular songs which are disseminated across global media networks. Alternatively, at the other end of the spectrum, *Jawi's* may be of the most secret-sacred nature and composed by the *Maralga* (*Marrga)*, who are considered by the Yindjibarndi to be the creator's themselves (Brandenstein and Thomas 1974:47,49-50)

Another aspect for this discussion is that texts and songs may not have been divulged or spoken about by the men and women who participated in the *Taruru tabi* (*Jawi*) project because they were deemed to be of such a nature they were not sanctioned to be disclosed or published. Or perhaps some local Indigenous people didn't participate at all because they didn't think it culturally appropriate. Such a sentiment is intimated in the discussion notes for the song titled *Pundut* (*Burndud*) in *Jindjiparndi* (*Yindjibarndi*); 'unfortunately, these little songs, taken from their sequences, are difficult to understand; and the informants are not keen to explain … (Brandenstein and Thomas 1974:90).

To summarise, there is no doubt that the *Yirrali* (notches) tend strongly towards a singular function, but the religious nature of the *Jawi* (songs) which emerge as an outcome of those *Yirrali* is more ambiguous. By analysing the *Yirrali*

[68] Middleton Cheedy (Juluwarlu 2020e) mentions that *Jawi's* were sung 'also for amusement, it was like playing the guitar'.

without context, it would be difficult to gauge at what intersection along the sacred-profane continuum the song produced would rest. However, with the testimony as described by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020e, 2020j) in the interviews conducted for this work which are summarised and transcribed, it is likely that many *Jawi's* are highly religious. Michael leaves the viewer in no doubt of his opinion that *Jawi's* are sacred, sacrosanct, profound, deeply religious events:

> *Jawi's* are dreaming songs … that's the one where the *Marrga* will come and get that old fella who he has chosen to sing that *Jawi*, and he'll take him on the journey and show him the event about what that *Jawi* represents. The Elder who was taken on the journey, that's his *Jawi* then, but that *Jawi* can be passed on to everybody else. Then old people carry that *Jawi* from one generation to another (Juluwarlu 2020j).

4.9. The Philosophy of the Artefact

Artefacts are the epitome of a reflection on society. To take form, an artefact is driven by the social impellor of communication, need, want and desire, assisted by the moral fabric of the day. What emerges is a material item within which the manuscript for its production is embedded. This is similar to genetic code which retains elements of its origins. The artefact holds the clue to the community's cultural code which informed its conception because it contains their ideas. In years to come archaeologists and historians will be dealing with the flotsam and jetsam from our cohort's constructions. They will need to tap into the philosophy of the people who created the items to understand what they are, why they were generated and how they were used. This view is supported by Loughmiller-Cardinal and Cardinal (2020:595) when they comment, 'the function of an artifact relates not only to how the object was actually used, but also a combination of social contexts and intentions by both the maker and the user of the object'.

The four Yindjibarndi artefacts provided as case studies, the *Marrga* petroglyphs, ochre, *Jarnkurna Thalu* and *Yirrali* (notches) on the *Mirru*, reflect the ideology and cultural practices of the community where they were conceived. The Yindjibarndi's epistemology

is expressed and voiced by these artefacts. It is apparent from the data contained in this work that the faithful understand the subliminal messaging and symbols conveyed to them by past communities and act accordingly.

For instance, the religious cultural code implanted within the petroglyphs of the *Marrga* at *Jimarndan* (Point 4.5) for the Yindjibarndi people, who are educated in the doctrine, include notions of identity, divine eternal security and morality. The belief that these symbols may have been created by a member of the faith, perhaps even by the entity who shaped the landscape as we see it today, at some distant time prior to colonisation up to at least 51,000 years ago is astounding. The Yindjibarndi epitaph has existed within these effigies since they were codified. To encapsulate the notion that artefacts contain elements of the ideas that created them I propose the following definition; 'embedded within every artefact is the codex of the culture from which it emerged[69]'.

4.10. Artefact Functional Ambiguity

Opposite to singular artefact functionality is ambiguity. Many factors can create an imperfect space between the function of an artefact and the facility to perceive the artefact creator's intent. Huneman (2007:9) identifies this cognisant rupture as 'the matching between designer's intention and user's intention of use (and then behaviour) can fail'. Multiple potential uses, time between events, artefact attrition, environment, technological and societal change, species extinction, altered languages, lack of evidence, landscapes and conventions, can all effect the temporal intersection between intelligent design and the capacity to understand an artefact's function. The *Yirrali* (notches) on the *Walbarra* outlined at (point 4.8) provide an example whereby the societal context within which the artefact is used is critical to comprehending its function.

In short, the more potential functions applicable to an artefact combined with less background information regarding the community from which it emerged, the more equivocal the functional analysis becomes. This set of circumstances could be described as; 'artefacts can be subjective material symbols which hold meaning and the capacity for

[69] Definition Four: The Philosophy of the Artefact; 'embedded within every artefact is the codex of the culture from which it emerged'.

action, and may be interpreted in various ways influenced by the context of the engagement. If the artefact creator and the consumer/s are not one and the same entity, necessitating a distance over space, use and time, then the cognitive link between function and original intent may be obfuscated[70]'.

To clarify the opposing points of artefact singular function as compared to functional ambiguity I suggest the following; 'the maker's intention or purpose for creating the artefact is more likely to be identified by an artefact that tends towards singular functionality. In other words, if the artefact has only one function then the purpose for its creation is more likely to be known. Alternatively, if the artefact is capable of many uses, the creator's intended function is less likely to be known[71]'.

4.11. The *Nyirlarli* (voices) of the artefact

According to Loughmiller-Cardinal and Cardinal (2020:602-603) analysing, comprehending and defining the concepts of artefact use, purpose and function is critical to appropriately understand the metaphorical link between object and subject. They comment that:

> Our question … was really one of how we, as archaeologists in the present, can honestly and accurately describe the intentions of people in the past. Specifically, are we describing the artifacts that they used in a way that they would see as the recognizable and mundane objects of daily life? If not, then are we not really just imposing our own perceptions of the things of life? To do so would not allow much room for the voices of either ancient peoples or their descendants, and would instead only project our contemporary view of the world onto the past. Instead, our goal as archaeologists is to get out of the way of those past voices as much as possible, and we have argued here that the best way

[70] Definition Five: Artefact Functional Ambiguity; 'artefacts can be subjective material symbols which hold meaning and the capacity for action, and may be interpreted in various ways influenced by the context of the engagement. If the artefact creator and the consumer/s are not one and the same entity, necessitating a distance over space, use and time, then the cognitive link between function and original intent may be obfuscated'.

[71] Definition Six: Artefact Singular Function versus Functional Ambiguity; 'the maker's intention or purpose for creating the artefact is more likely to be identified by an artefact that tends towards singular functionality. In other words, if the artefact has only one function then the purpose for its creation is more likely to be known. Alternatively, if the artefact is capable of many uses, the creator's intended function is less likely to be known'.

> to do so is by grounding our interpretations as firmly as we can on the empirical. The model we have proposed, with respect to the materiality of behavior, prioritizes building chains of inference from the empirical attributes of artifacts towards the unobservable. Our intent is specifically to minimize the imposition of our own voices, and let what was already written into the artifact's stories come from the voices of their authors.

Parallel to the sentiments expressed by Loughmiller-Cardinal and Cardinal (2020), Middleton Cheedy (Juluwarlu 2014a) characterises the noisy sound of many people, especially children, as *nyirlarli*[72] to which the *Ngurra* (country) responds reciprocally, spiritually and physically. It could be argued the singular functional nature of the four artefacts highlighted in this study deliver and reinforce definitive voices, or *nyirlarli*, from an earlier epoch which the current Yindjibarndi congregation choose to perpetuate, set within a landscape saturated with recurrent religious metaphors.

[72] Wordick (1982:329) translates *nyirlarli* as 'overly noisy, lot of loud noise such as one would expect to find at a wild party'.

5. Chapter Five:

The Profundity of an Yindjibarndi Religion

Any group of people who have maintained their unique ethnicity within discrete, known borders, for at least 51,000 years have much to offer global humanity. Stanner (1979:40) provides comment on the stability of Indigenous nationhood on the Australian continent:

> the blacks do not fight over land. There are no wars or invasions to seize territory. They do not enslave each other. There is no master-servant relation. There is no class division. There is no property or income inequality. The result is a homeostasis, far-reaching and stable.

It is only 160 years since Gregory's first expeditioners set foot on Yindjibarndi soil, and yet in that time every aspect of an Yindjibarndi knowledge network has been condemned, attacked, examined and questioned. The treatment of Aboriginal people in this country has been appalling; it is not the Indigenous Australians who should be condemned or questioned. As stated by Justice Nicholson in the 'first'[73] Yindjibarndi Federal Court native title determination, *Daniel v State of Western Australia [2005] FCA 536,* at paragraph 421, 'these impacts have brought them towards the cusp of the moment when their connection to each of their lands through their traditional law and custom could be washed away by the tide of history'. It is only because of the Yindjibarndi people's resourcefulness and resolve and that they know themselves to be distinct, worthy and spiritually connected to their ancestors and creators via their country that an identifiable society still exists.

Two definitions are included in this fifth and final chapter to clarify how religious congregations modify their behaviour, and to distil the relationship between artefact and religiosity. The definitions are labelled; religious modification of behaviour; and, an artefact's religious function.

[73] A copy of the reasons for the 'first' Yindjibarndi native title determination decision for Daniel v State of Western Australia [2005] FCA 536 (Federal Court File No.: WAD6017/1996, NNTT File No.: WCD2005/001), can be located at the National Native Title Tribunal website, or more specifically at: http://www.nntt.gov.au/searchRegApps/NativeTitleClaims/Pages/details.aspx?NTDA_Fileno=WC1999/014

5.1. The Australian High Court 'Religion' Definition

On the 27th of October, 1983, the Australian High Court determined a matter in the case titled *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120* which required the presiding justices to define the prerequisites for a group of people to be considered 'religious'. The definition mattered because the Church of the New Faith, established by the Scientology Movement, sought clarification via special leave to appeal to the High Court, that it practised a religion, an argument which had previously been rejected by the Full Court of the Victorian Supreme Court[74]. The High Court allowed the appeal and held that the Church of the New Faith was a religious institution in Victoria and therefore exempt from payroll tax. About the litigation, Chief Justice Robert French (2013) wrote:

> Prior to the decision there had been little judicial consideration of the concept of religion under the Australian Constitution … The question was one of statutory interpretation. Nevertheless, the approach taken by the Court was at a level of generality which made it relevant to the constitutional question: What is a religion for the purposes of s 116? The Court held that the beliefs, practices and observances of the 'Church' were a religion in Victoria.

Sitting at the top of the hierarchy of courts within Australia, the High Court was established via section 71 of the Commonwealth Constitution to interpret the meaning of the principles and values set out in that document and to make and arbitrate on law with the authority vested in it by the government of the day, on behalf of the people of Australia. The word 'religion' only appears in the Constitution's text at section 116, and as implied by Justice French in the quote above, the court's adjudication in the 'Scientology' case directly affected the interpretation of, and provided a definition for, the meaning of the word 'religion'. None of the words which are used in association with the rights of Indigenous Australians contained in other Australian legislation including; customary; culture; cultural; connection; hunting; fishing; camping; and gathering, appear in the Commonwealth Constitution. Within an Australian Constitutional legislative context, it seems that for

[74] Church of the New Faith v. Commissioner for Pay-roll Tax, [1983] 1 V.R. 97.

Indigenous Australian's pre-colonial belief systems to be ranked alongside the Presbyterians, Catholics or Scientologists, they need to be recognised as 'religious'.

The five Justices who presided, Mason ACJ[75], Murphy, Wilson, Brennan and Deane JJ[76] gave lengthy, considered, written judgements on what they deemed necessary to constitute a religion. In reality what they were doing was making a 'considered judgement' based upon the 'weight' of evidence presented, on where a discernible group's actions and thoughts fell upon *a metaphorical 'religiosity' continuum which locates 'most sacred' at one end of the linear scale and 'most profane' at the other, and picked a point along the measuring gauge as to where* [this group of people] *fit,* just as was mentioned earlier in this work at *point 4.8.1* when discussing the religiosity of a *Jawi*. It is interesting to note some of their key reasons for making that subjective call and comparing them to an Yindjibarndi faith.

In their joint decision, when Mason ACJ and Brennan wrote, 'the chief function in the law of a definition of religion is to mark out an area within which a person subject to the law is free to believe and to act in accordance with his belief without legal restraint'[77], they were supporting the right that Australian citizens can believe what they like, and satisfy their commitment in any way they choose, as long as their actions don't contravene the law. The Justices make the observation that for some, 'an adequate solution can be found only in the supernatural order, in which man may believe as a matter of faith, but which he cannot know by his senses, and the reality of which he cannot demonstrate to others who do not share his faith'[78]. This is something that Yindjibarndi man, Michael Woodley (personal comment), has told me many times, "no-one can tell me what I believe". Yindjibarndi creation narratives dictate that 'towards the end days of creation *Mingkala* dreamed a new being, another worker – *Ngaarda* – Aboriginal men and women like us' (Juluwarlu 2018:9). In the interview undertaken for this work Lorraine Coppin (Juluwarlu 2020j) mentions she visualises the *Marrga* shaping the people from the soft clay in *Ngurra Nyjunggamu* (when the world was soft). It was at *Gumanha*, located on *Yarndanyirra* (the Fortescue River), where the *Marrga* handed down the law, territories and language to the *Ngaardangarli* who

[75] ACJ: is an abbreviation for Acting Chief Justice (Australian Guide to Legal Citation 2018).
[76] JJ: is an abbreviation for Justices (Australian Guide to Legal Citation 2018).
[77] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 130.*
[78] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 134.*

had gathered there (Juluwarlu 2008:57). These revelations disclose that Yindjibarndi knowledge systems recognise they were created by a supernatural being in their own country.

As a united group, prior to colonisation, the Yindjibarndi people have conducted their annual *Birdarra* ceremonies with other language groups from all over the Pilbara and southern Kimberley, and reciprocate every year by enacting their delegated roles in the different communities assisting with initiation rituals and customs. Even though senior law carriers perform 'up to 300' public and secret songs (Juluwarlu 2018:47) which were given to them and their ancestors by the *Marrga*, they are not legislatively required to prove the existence of these transcendent beings to 'authenticate' their religion. Mason ACJ and Brennan stated that it isn't necessary for the petitioners to prove the existence of an all-powerful God[79].

The Justice's determined they don't need to agree with the applicant's said beliefs, what they require is to be convinced that the group of people legitimately hold, articulate and follow those moralities[80]. This view intimates that devotees of a religion continually modify their personal and communal behaviour according to the dictum, something the Yindjibarndi people do on a daily basis complying with the rules of *Galharra*. For instance, even on an institutional scale, the policies implemented by the Indigenous Directors of Juluwarlu Group Aboriginal Corporation for its in-house Yindjibarndi archive restricts access to digital files along gendered and seniority lines, and all information is sanctioned by the Elders prior to it becoming publicly available.

Ultimately the religious definition settled upon by Mason ACJ and Brennan was:

> We would therefore hold that, for the purposes of the law, the criteria of religion are twofold: first, belief in a supernatural Being, Thing or Principle; and second, the acceptance of canons of conduct in order to give effect to that belief, though canons of conduct which offend against the ordinary laws are outside the area of any immunity, privilege or

[79] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 134.*
[80] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 135.*

> right conferred on the grounds of religion. Those criteria may vary in their comparative importance, and there may be a different intensity of belief or of acceptance of canons of conduct among religions or among the adherents to a religion. The tenets of a religion may give primacy to one particular belief or to one particular canon of conduct. Variations in emphasis may distinguish one religion from other religions, but they are irrelevant to the determination of an individual's or a group's freedom to profess and exercise the religion of his, or their, choice (Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 130).

The judgment written by Justice Murphy also highlighted that it was not the business of the judiciary to make assertions as to the nature of other citizen's philosophies, but acknowledged the right for them to hold those views freely and without discrimination. He made the following significant points: 'Religious discrimination by officials or by courts is unacceptable in a free society. The truth or falsity of religions is not the business of officials or the courts … [and] in the eyes of the law, religions are equal[81].

Finally, Wilson and Deane JJ's shared finding noted that the applicant had presented their constitution as evidence and its 'contents are appropriate to a religious organization. It refers to the applicant as "the Church" and provides that the applicant shall be comprised of persons admitted to membership'[82]. Such an example is afforded by the Yindjibarndi's *Jarnkurna Thalu* (point 4.7) which is a linguistic, material and temporal testament of the people living and enunciating their philosophy, with membership in the brethren being governed by *Galharra* and genealogy. The design of the thirteen stone arrangement reveals what is self-evident to the congregation, that the night sky and earth are reflective of each other, and that they form an eternal continuum of which the Yindjibarndi are a vital part. The High Court judgment found that the application was successful because it contained what Wilson and Deane JJ considered to be the necessary 'indicia' required of a 'religion', which include the following:

[81] *Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 150.*
[82] Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 167.

> they involve belief in the supernatural and are concerned with man's place in the universe and his relation to things supernatural … The adherents accept the tenets of Scientology as relevant to determining their beliefs, their moral standards and their way of life. They accept specific practices and participate in services and ceremonies which have extra-mundane significance. In Australia they are numbered in thousands, comprise an organized group and regard Scientology as a religion[83].

Therefore, as paraphrased earlier in this work, for the Yindjibarndi, or any other Australian Indigenous group motivated to achieve the High Court religion threshold as set out in the 'Scientology' case, they need to demonstrate:

(i) a following of an identifiable faithful;
(ii) who modify their behaviour according to their belief, and;
(iii) who enact recurring rituals and ceremonies;
(iv) in a unified, culturally appropriate, temporally transmissible form;
(v) that invokes the actively predictable, physically consequential, ethical judgement;
(vi) of an omnipotent spiritual being.

Evident within this analysis is that all of the 'indicia', as laid out by the five Justices in their discussion on what is essential for a judgement to be made on a group of people to surpass a subjective point of 'religiosity', on a metaphorical sacred–profane linear scale, are incorporated into the Yindjibarndi's system of religious law. In addition to the attributes deemed necessary, the Yindjibarndi can add that their congregation is united by an exclusive language which reflects their own particular customary disposition; a bounded territory saturated with the symbols, memory and artefacts of their personal and communal identity; and their distinctive *Birdarra* law which uniquely belongs to the Yindjibarndi; all of which transpires into the morals, ethics, sacraments, ceremonies and conventions of an identifiable, discrete Yindjibarndi nation.

[83] Church of the New Faith v Commissioner for Pay-Roll Tax (Vic) [1983] HCA 40, 154 CLR 120: page 176.

5.2. Religiosity of the Yindjibarndi artefacts

The table below sets out the artefacts considered within this work, taking into account the notion that artefacts which tend toward a singular function are more likely to reveal the creator's intent.

Table 4: Table of Religiosity for four Yindjibarndi artefacts.

Artefact	Intent	Use	Function	Religiosity
***Marrga* Petroglyphs**	Etch into rock a significant, unique religious symbol representing the creator to convey a message to a targeted audience over time.	To teach groups of people over time about the meaning of the symbol.	To convey to an audience of like-minded people over generations about the religious beliefs of the group.	As testified by the Yindjibarndi people this is a petroglyph of the *Marrga.* It is a sacred religious icon.
Ochre on Bodies	For an individual to wear the ochre of their country on their body in ceremony so they unite with their country, community and *Mingkala*.	Ochre on bodies is used in religious ceremonies.	To unite the group as one people while participating in religious ceremonies, and to receive *Mingkala's* blessing.	As testified by the Yindjibarndi people wearing ochre is highly religious because it unites the person and country as one.
Jarnkurna Thalu	To create a lasting religious altar where culturally appropriate members of the group perform recurrent rituals to maintain sufficient numbers of *Jarnkurna.*	Use the altar to conduct rituals to maintain sufficient numbers of *Jarnkurna*.	To provide a publicly acknowledged place of worship where members of the congregation can practice their religion.	As testified by the Yindjibarndi this is a significant religious dais for performing rituals to maintain sufficient numbers of *Jarnkurna*.
Yirrali* (notches) on the *Mirru	Notches used to facilitate rhythmic sound to enable the performance of *Jawi's*.	Used to perform *Jawi's*.	To facilitate the tradition of *Jawi* song poetry.	The religiosity status subjectively depends on the content of the song/s and perceptions of the performer, associated ethnic groups and members of the public.

The definition offered for the 'religious modification of behaviour' is designed to capture an essence of the effect that religious beliefs have on individual and communal action, inaction and behaviour, and reads as; 'just as material symbols have the capacity to demonstrate personal and communal belief, so to do personal and communal actions and inactions[84].

The final definition incorporated into this work is put to describe the way that artefacts can carry, hold and convey the religious intent of the maker and the community from which it emerged; 'if an artefact was designed to function as a religious icon, symbol or influence for a target audience, potentially to act over space and time, then it can only exist if the intended participants are conscious of, and can appropriately interpret, the theoretical framework within which it was shaped. If the religious purpose and use of the artefact are

[84] Definition Seven: Religious Modification of Behaviour; ''just as material symbols have the capacity to demonstrate personal and communal belief, so to do personal and communal actions and inactions'.

universally united then the intended religiosity of the artefact is revealed, understood and potentially acted upon. If the religious symbol is recurring and repeated throughout a specific environment or location/s then the intended function may become more apparent[85]'.

5.3. The consequence of an Yindjibarndi Religion

The Yindjibarndi people possess a distinct religious intellectual property dependent upon a familial, divinely reciprocated and linguistic relationship with their bounded, legislatively recognised territory, which is unique to them, and every action of the Yindjibarndi faithful is modified and affected by this multi-dimensional religious belief. Stanner (1979:27) expresses these values as 'man, society and nature, and past, present and future, are at one together within a unitary system …' It follows then that an Yindjibarndi philosophy is one body of an eternal transcendent continuum between contemporary populations of adherents, ancestors, country, *Marrga* and *Mingkala.* This sentiment, confirmed by Middleton Cheedy previously within this work at point 3.3, is that everything which occurs within an Yindjibarndi existence, including language and country, is considered inseparable and incarnate.

The evidence presented indicates that the Yindjibarndi belief systems as described are likely to meet the requirements analogous with the High Court's threshold for a discrete community to be regarded as 'religious', and may be entitled to be acknowledged as an officially Recognised Religious Denomination within an Australian legislative context. This thesis confirms that the Yindjibarndi carry their unique past into the present, yielding to the religious governance imposed by their ancestors, *Marrga* and *Mingkala*. The petroglyphs at *Jimarndan*, wearing of ochre, *Jarnkurna Thalu*, and the *Yirrali* (notches) on the *Mirru*, are potent symbols of their transcendent, reciprocal bond with country. For the Yindjibarndi, the pillars of *Birdarra* Law, *Ngurra*, language, *Galharra* and *Nyindyaart* are the foundations upon which an Yindjibarndi ethos is built, features that have sustained them as a united community since *Ngurra Nyjunggamu*.

[85] Definition Eight: An Artefact's Religious Function; 'if an artefact was designed to function as a religious icon, symbol or influence for a target audience, potentially to act over space and time, then it can only exist if the intended participants are conscious of, and can appropriately interpret, the theoretical framework within which it was shaped. If the religious purpose and use of the artefact are universally united then the intended religiosity of the artefact is revealed, understood and potentially acted upon. If the religious symbol is recurring and repeated throughout a specific environment or location/s then the intended function may become more apparent'.

The Yindjibarndi people may wish to protect their religious precinct from unauthorised disturbance by pressing their intellectual property and/or human rights. At a recent Yindjibarndi community meeting held in Roebourne, a statement headed *Truth and Reconciliation* (Yindjibarndi 2021) was read to the attendees, one segment of which declared:

> the Yindjibarndi Nation has never been afraid of any challenge. We have proven our resilience and we have shown everyone in this room today the strength to find common ground to work in the best interests for all Yindjibarndi.

The Yindjibarndi continue to demonstrate their willingness to maintain their community as a distinct, unified, religious group, because they are proud of who they are, and what they have achieved.

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Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

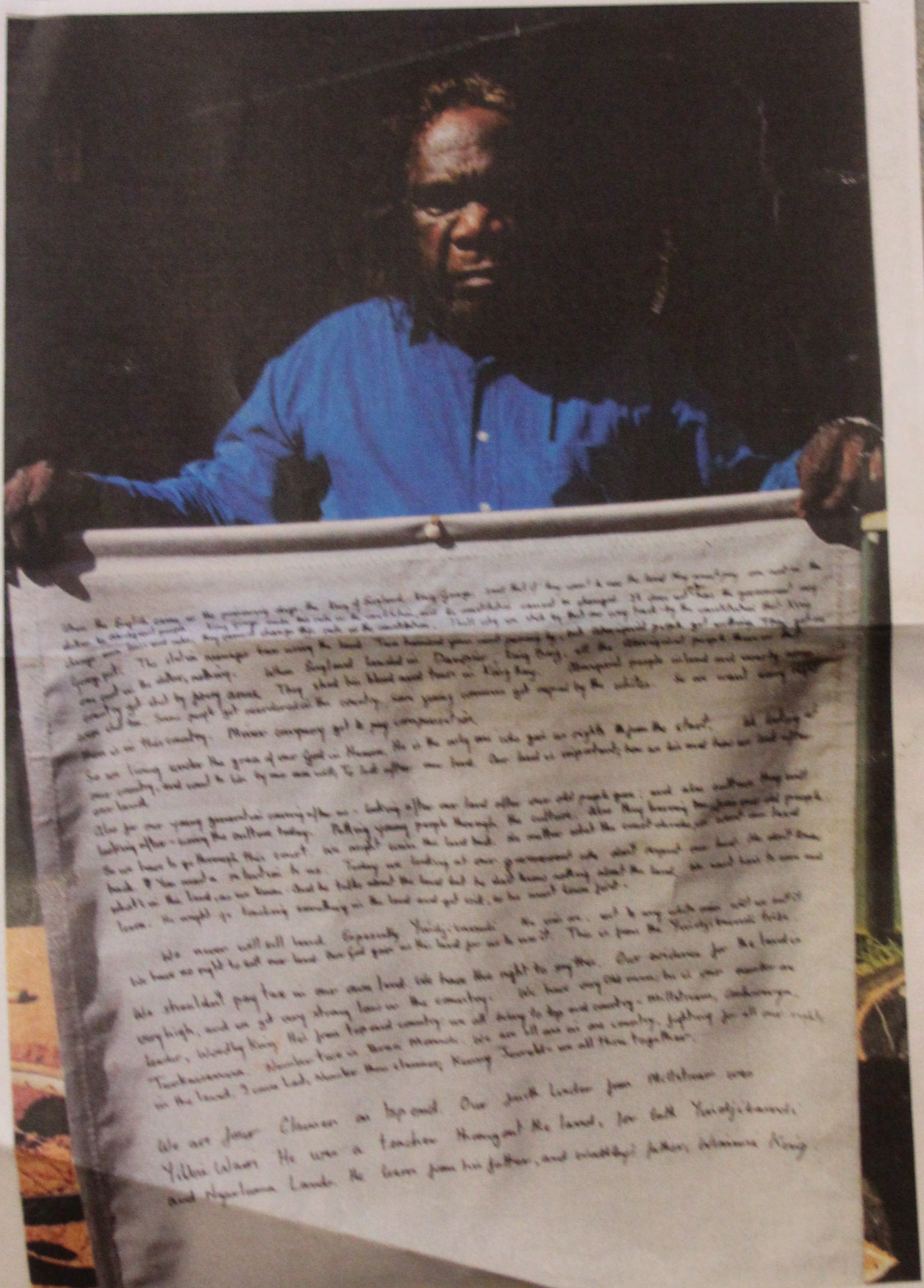
Appendices: 1 to 18.

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 1:

Photo of late Elder, Kenny Jerrold, holding Yindjibarndi statement, and Juluwarlu Group Aboriginal Corporation transcription of the statement.



When the English came in the pioneering days, the King of England, King George said that if they want to use the land they must pay one cent in the dollar to Aboriginal people. King George made this rule in the constitution, and the constitution cannot be changed. It does not matter how the government may change some laws and rules, they cannot change this rule in the constitution. That's why we stick by that one way track – by the constitution that King George put. The station manager been using the land. Two hundred years went passing by, but Aboriginal people got nothing. They got no one cent in the dollar, nothing. When England landed in Dampier, King Bay, all the Aboriginal people there in that country got shot by firing arms. They shed his blood and tears in King Bay. Aboriginal people inland and nearby areas were shot too. Some people got murdered in the country. Some young women's got raped by the whites. So we want every right there is in the country. Miner company got to pay compensation.

So we living under the grace of our God in Heaven. He is the only one who give us right from the start. We looking at our country, and want to live by our own will, To look after our land. Our land is important; how we live and how we look after our land.

Also for our young generation coming after us – looking after our land after our old people gone; and also culture they will looking after – using the culture today. Putting young people through the culture. Also they learning too, from our old people. So we have to go through this court. We might win this land back. Not matter what the court decides, we want our land back. You must a retention to us. Today we looking at our government who don't respect our land. He don't know what's in the land, as we know. And he talks about the land be he don't know nothing about the land. We want him to care and learn. He might go touching something in this land and get sick, so he must learn first.

We never will sell land. Especially Yindjibarndi. No iron ore, not to any white man will we sell it. We have no right to sell our land. Our God have us this land for us to use it. This is from the Yindjibarndi tribe.

We shouldn't pay tax in own our land. We have the right to say this. Our evidence for the land is very high, and we got very strong law in the country. We have very old man; he is our number one leader, Woodley King. He's from top end country: we all belong to top end country – Millstream, Coolawanyah, Tunkawanna. Number two is Bruce Monadi. We are all one in one country, fighting for all our rights in the land. I came Last Number three claimer, Kenny Jerrold – we all three together.

We are four Claimers on top end. Our fourth Leader from Millstream was Yilbie Warri. He was as a teacher throughout the land, for both Yindibarndi and Ngarluma Lands. He learn from his father, and Woodley's father, Wimmia King.

Kenny Jerrold

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 2:

List of Definitions.

Appendix 2:

List of Definitions.

1. **D1:**

   Definition One: The Function of an Artefact.

   An artefact embodies the function of all of the uses ascribed to it by the individuals and societies which created and used it and the environment within which it has existed.

2. **D2:**

   Definition Two: Artefact.

   An artefact is an object or product that has been made, constructed, or is the result of an activity or process, conducted by humans or any other intelligent being.

3. **D3:**

   Definition Three: Artefact Intentional design.

   The creator of an artefact may have intended it for a specific purpose and a particular audience. The function of the artefact may correspond with the maker's intention, with the purpose being realised by cognisant consumer/s. If this were the case, then the embodied intention which was to be encapsulated by the artefact's material design matches with its subjective consumption, creating a philosophical joinder between subject and object.

4. **D4:**

   Definition Four: The Philosophy of the Artefact.

   Embedded within every artefact is the codex of the culture from which it emerged.

5. **D5:**

   Definition Five: Artefact Functional Ambiguity.

   Artefacts can be subjective material symbols which hold meaning and the capacity for action, and may be interpreted in various ways influenced by the context of the engagement. If the artefact creator and the consumer/s are not one and the same entity, necessitating a distance over space, use and time, then the cognitive link between function and original intent may be obfuscated.

6. **D6:**

   Definition Six: Artefact singular function versus functional ambiguity.

   The maker's intention or purpose for creating the artefact is more likely to be identified by an artefact that tends towards singular functionality. In other words, if the artefact has only one function then the purpose for its creation is more likely to be known. Alternatively, if the artefact is capable of many uses, the creator's intended function is less likely to be known.

7. **D7:**

   Definition Seven: Religious Modification of Behaviour.

   Just as material symbols have the capacity to demonstrate personal and communal belief, so to do personal and communal actions and inactions.

8. **D8:**

Definition Eight: An Artefact's Religious Function.

If an artefact was designed to function as a religious icon, symbol or influence for a target audience, potentially to act over space and time, then it can only exist if the intended participants are conscious of, and can appropriately interpret, the theoretical framework within which it was shaped. If the religious purpose and use of the artefact are universally united then the intended religiosity of the artefact is revealed, understood and potentially acted upon. If the religious symbol is recurring and repeated throughout a specific environment or location/s then the intended function may become more apparent.

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 3:

Support letter: Juluwarlu Group Aboriginal Corporation.

Juluwarlu Aboriginal Corporation

Phone: (08) 9182 1497 Fax: (08) 9182 1035 | PO Box 111, Roebourne WA 6718
Email: supportofficer@juluworlu.com.au | ABN: 52 300 944 909

"Time away from our dreams is a lifetime away from our law, land & culture; Time away from our law, land & culture is time we will never have or see again."

18/10/19
To the Social and Behavioural Research Ethics Committee
Flinders University
South Australia

Re: Philip Davies *Master of Archaeology and Heritage Management* Thesis at Flinders University regarding research into 4 Yindjibarndi artefacts

To the Ethics Committee,

The purpose of this letter is to let your ethics committee know that the Yindjibarndi people associated with the Juluwarlu Group Aboriginal Corporation, as well as all of our volunteers and employees, support the research being conducted by Phil Davies.

Phil came to work with Juluwarlu many years ago and we have forged a great bond and friendship through good times and bad. We know the title for the Master's thesis is *Four Yindjibarndi artefacts: Evidence of religious practices for a discrete human community in the Pilbara?* We understand that Phil would like to conduct interviews with many of us to discuss the features of the 4 artefacts he has selected.

Juluwarlu fully supports Phil's research as he is a valued member of our team and family, and is integral to the Yindjibarndi's aspiration to improve our human, social, economic and environmental rights. Phil has helped create, sustain and maintain our amazing and incredibly significant Indigenous archive, which he is welcome to use for his studies.

I have attached an information brochure information about Juluwarlu for your information.

Yours sincerely Judith Coppin

Judith Coppin
Chairperson
Juluwarlu Group Aboriginal Corporation

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 4:

Support Letter: Yindjibarndi Aboriginal Corporation.

YINDJIBARNDI ABORIGINAL CORPORATION
I.C.N. Number 4370
A.B.N. Number 97 456 543 455

18/10/19
To the Social and Behavioural Research Ethics Committee
Flinders University
South Australia

Re: Philip Davies *Master of Archaeology and Heritage Management* Thesis at Flinders University regarding research into 4 Yindjibarndi artefacts

To the Ethics Committee,

The Yindjibarndi Aboriginal Corporation (YAC) Registered Native Title Body Corporate (RNTBC) holds the native title rights and interests in trust for the Yindjibarndi people. I am the Chairperson of the YAC and welcome the research that Philip plans to do with us.

Today, another decision will be handed down by the full bench of the Federal Court of Australia regarding Yindjibarndi's native title rights and interests, this time regarding the challenge made to our exclusive possession Yindjibarndi #1 decision.

Philip has played a major role in protecting and enhancing our rights and we support him all the way; He has always given us his respect and hard work to assist our community's aspirations. I offer this reference absolutely because we have come to know that Philip acts ethically and with honesty and integrity.

Yours sincerely

Lyn Cheedy
Chairperson
Yindjibarndi Aboriginal Corporation (YAC)
Registered Native Title Body Corporate (RNTBC)
Phone: 0467 471698
Email: lynzee70@icloud.com

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 5:

Support Letter: Yindjibarndi Ngurra Aboriginal Corporation.

YINDJIBARNDI NGURRA
ABORIGINAL CORPORATION RNTBC
ABN 59262954785

18/10/19
To the Social and Behavioural Research Ethics Committee
Flinders University
South Australia

Re: Philip Davies *Master of Archaeology and Heritage Management* Thesis at Flinders University regarding research into 4 Yindjibarndi artefacts

To the Ethics Committee,

The Yindjibarndi Ngurra Aboriginal Corporation is the second Prescribed Body Corporate set up in conjunction and association with the Yindjibarndi Aboriginal Corporation. We protect the rights and interests of the Yindjibarndi people.

I first met Philip in 2001 and have had a long, and very close association with him since. Phil, me and the rest of the Yindjibarndi people have worked really hard together to protect our rights and interests. We have built a very strong platform together for our people. I think we are beginning to see the fruits of our hard work. There is no doubt that many people in Australia and the world are taking notice of what we are doing as a community and as a strong people with language, culture, country and responsibilities.

Philip is welcome to access all of our archive, knowledge and we will participate fully in the interviews he plans to have with us. We know that Philip always puts our interests first, so we have no concerns regarding his behaviour or protection of our data and knowledge.

We fully support the research being conducted by Phil Davies.

Yours sincerely,

Stanley Warrie

Stanley Warrie
Chairperson
Yindjibarndi Ngurra Aboriginal Corporation
Phone: 0458 352591

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 6:

GJCRM 2015 Heritage Survey Report.

A report of the Aboriginal archaeological sites Jarnkurna Thalu and Jimarndan, Pilbara, Western Australia

Yindjibarndi Aboriginal Corporation: YAC_2015_01

For Yindjibarndi Aboriginal Corporation

June 2015| Dr Ian Ryan, Ben Pentz and Simon Colebrook

Gavin Jackson
Cultural Resource Management

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Ownership of the primary materials created in the course of the research remains the property of Gavin Jackson Cultural Resource Management (Gavin Jackson CRM).

DISCLAIMER

Although every effort has been made to ensure that all relevant data has been presented, the authors are not accountable for omissions or inconsistencies that may result from information that may come to light in the future but which was not forthcoming at the time of this research.

The results, conclusions and recommendations within this report are based on information available at the time of its preparation.

COORDINATE CAPTURE

The authors advise that all coordinates for newly recorded sites quoted in this report were obtained using Nautiz X7 hand held GPS field computers in GDA 94 datum (MGA Zone 50).

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JIMARNDAN (ENGRAVINGS AND GRINDING PATCHES)

Grid Reference

1	360670 mE	7584440 mN	9	360700 mE	7584100 mN
2	360670 mE	7584410 mN	10	360615 mE	7584100 mN
3	360690 mE	7584360 mN	11	360600 mE	7584160 mN
4	360630 mE	7584320 mN	12	360590 mE	7584220 mN
5	360650 mE	7584290 mN	13	360570 mE	7584280 mN
6	360670 mE	7584230 mN	14	360570 mE	7584360 mN
7	360680 mE	7584180 mN	15	360590 mE	7584420 mN
8	360680 mE	7584150 mN	16	360620 mE	7584460 mN

Location of place

Location

The Jimarndan site is situated in a gorge within Strangers Creek, a tributary of Pilbaddy Creek, and is located approximately 170 km to the southwest of the town of Roebourne (see Map 1).

Description of Site and Boundary

Jimarndan is a large and complex site comprising a series of engravings, grinding patches and a grinding base located within a small, steeply sided gorge, which has a permanent creek running through it from south to north. There were several water pools present along the creek line. The vegetation of the site and its surrounds are characterised by a valley tree steppe, consisting of low density hard spinifex (*Triodia wiseana*) and various *Acacia* spp shrubs, with occasional native fig (*Ficus platypoda*) shrubs, corkwood (*Hakea lorea*) trees and snappy gum (*Eucalyptus leucophloia*) trees noted along the creek line and on the cliffs of the gorge.

Justification for Boundary

The Jimarndan site appears to have been originally recorded by Bruce Wright, Lesley Maynard and Don McCaskill at some time in the mid-1970s. During this recording, the site was described as 'a large number of engravings distributed across a number of panels on the inside of a small gorge'. It was subsequently registered with the Department of Aboriginal Affairs (then the Sites Department) in 1977, under the name 'Stranger's Spring', and given the file number P0016 (DAA Site ID: 12,152).

Following from this in 1990, Roger Solomon lodged another site with the DAA, which he described as a range of engravings located within a small gorge. Solomon also provided the name of the site as 'Jurnarndan'. The site was registered with DAA and given the file number P06453 (DAA Site ID: 6,503). The overview map for the 'Jurnarndan' site (DAA Site ID: 6,503) currently provided on the DAA site form, are at a scale of 1:100,000 and show the site to be located on Pilbaddy Creek, approximately 4 km to the northwest of Hooley Station homestead. However, the sketched map that is also provided shows the site to be located 3 to 5 km further to the north west of Hooley Station homestead on Stranger's Creek, which is a tributary of Pilbaddy Creek.

After an examination and comparison of the descriptions, photographs and maps available on the DAA site forms for both 'Stranger's Spring' (DAA Site ID: 12,152) and 'Jurnarndan'

(DAA Site ID: 6,503), we suggest that they are actually the same site. This means, unfortunately, that neither of the current polygons provided by the DAA for the site that we have referred to here as the Jimarndan site is correct. As such, the boundary provided here is the most up-to-date and accurate polygon for the site at the date of this report. The name 'Jimarndan' is currently used by the Yindjibarndi Traditional Owners to refer to this site and has therefore been adopted as its official name.

Description of Place

The Jimarndan site comprises a series of 35 panels of engravings, 19 grinding patches and a single grinding base. The maximum dimensions of the site are 360 m (north/south) by 130 m (east/west). The site has a total surface area of approximately 28,500 m² (see Figure 1).

Objects in Relation to section 6 of the Act

- Engravings

The 35 panels of engravings are clustered in three distinct areas within the Jimarndan site (see Table 1 and Figure 1). The panels vary in the number of motifs present with many featuring a single motif but with several panels including five or more (particularly 5, 16, 19 and 23). The engravings appear to be clustered around pools of water within the gorge. The engravings are a mix of outline and infilled pecked works.

Motifs include a number of human figures who are often holding spears, spear throwers, shields and boomerangs, along with a range of other enigmatic items. Most figures are male, although a small number of female figures are also present, some of which appear to be depicted menstruating. At least one of the mail figures appears to be ejaculating. A few of the human male figures are shown wearing a radiating headdress. A small number of animals are depicted, including large macropods, some figures interpreted here as recently killed long necked birds (possibly Australian bustard *Ardeotis australis,* commonly known regionally as the bush turkey), and some smaller animals that may be dogs but are perhaps more likely to be marsupials. A single engraving of a hand is present. There is at least one enigmatic engraving that may be a geometric design (i.e. non-representational) but which could also be interpreted as represent a spear thrower.

At least nine of the engravings at the Jimarndan site are anthropomorphic figures of the distinctive type referred to by Wright (1968:50-55) as 'Kurangara' figures (Panel 4, 5, 15, 18, 21, 22 and 23). These distinctive figures are found through much a large section of the central Pilbara (discussed below) and are characterised by protruding muzzles, heads with one or more 'antennae' oriented away from the direction the figures are facing, and with thin bodies and bent elongated limbs. They are usually shown with two fingers and toes and long and large penises. They are normally drawn in profile although a few examples exist drawn with a frontal view. The examples at this site are, however, all drawn (with one possible exception) in side profile and several are shown with three rather than the normal two fingers and toes. One of the male figures (Panel 19, Motif 1) may be a 'Kurangara' figure drawn from the front but the distinctive 'antennae' are not clearly visible (possibly reflecting heavy weathering of the rock).

Table 1: The Jimarndan site, engraved panels

Panel 1	Engraving Location		Length (cm)	Width (cm)	Aspect	Motifs #	Motif Description	Style and Technique
	mE	mN						
1	630461	7584383	45	35	NW	1	Horizontal woomera (?)	Outline and pecked
2	630461	7584383	76	21	W	1	Marsupial (?)	Infilled and pecked
3	630640	7584383	130	30	NE	1	Marsupial (?)	Infilled and pecked
4	630640	7584382	80	30	W	1	Horizontal Kurangara Figure (Marga)	Infilled and pecked
5	630638	7584383	150	38	W	1	Horizontal Kurangara Figure (Marga)	Infilled and pecked
						2	Horizontal Kurangara Figure (Marga)	Infilled and pecked
						3	Horizontal Kurangara Figure (Marga)	Infilled and pecked
						4	Figure (human)	Outline and pecked
						5	Figure (human)	Outline and pecked
						6	Figure (human)	Outline and pecked
						7	Figure (human)	Outline and pecked
						8	Figure (human)	Outline and pecked
6	630642	7584381	80	80	W	1	Ovular with concentric lines	Outline and pecked
7	630642	7584381	83	37	S	1	Figure (human) horizontally aligned	Outline and pecked
8	630610	7584304	184	108	N	1	Figure (human – female), possibly menstruating	Infilled and pecked
						2	Figure (human)	Infilled and pecked
						3	Figure (human)	Infilled and pecked
9	630607	7584294	275	180	SW	1	Figure (human - male) with up-raised arms holding something over his head; he has ejaculating penis	Infilled and pecked
10	630614	7584276	120	80	SW	1	Figure (human - male)	Infilled and pecked
						2	Figure (human - male) with shield and spear	Infilled and pecked
11	630612	7584278	105	70	S	1	Figure (human) with woomera, 2 spears and dead animal	Infilled and pecked
12	630620	7584261	180	140	SW	1	Figure (human) with spear	Infilled and pecked
						2	Figure (human)	Infilled and pecked
						3	Figure (human - possibly a child?)	Infilled and pecked
13	630656	7584185	75	50	Up	1	Figure (human) with centre-line	Outline and pecked
14	630655	7584185	230	130	NW	1	Figure (human - male)	Outline and pecked
						2	Figure (human – female), possibly menstruating	Outline and pecked
15	630651	7584180	155	130	NW	1	Kurangara Figure (Marga)	Infilled and pecked
						2	Figure (female) possibly menstruating	Infilled and pecked
						3	Figure (female) possibly menstruating	Infilled and pecked
						4	Figure (male) with penis	Infilled and pecked

Table 1 continued: The Jimarndan site, engraved panels

Panel 1	Engraving Location		Length (cm)	Width (cm)	Aspect	Motifs #	Motif Description	Style and Technique
	mE	mN						
16	630655	7584174	120	72	W	1	Figure (human)	Outline and pecked
						2	Figure (human)	Outline and pecked
						3	Figure (human)	Outline and pecked
						4	Figure (human)	Outline and pecked
						5	Figure (human)	Outline and pecked
17	630648	7584171	145	82	SW	1	Figure (human - possibly male) with 3 fingers	Outline and pecked
18	630648	7584171	185	135	NW	1	Kurangara Figure (Marga) with 3 fingers and toes and two disks on chest	Infilled and pecked
						2	Mammal	Outline and pecked
19	630649	7584167	365	97	WSW	1	Figure (human) with 3 fingers and toes (possibly a Kurangara figure drawn front on?)	Infilled and pecked
						2	Figure (human) horizontally aligned	Outline and pecked
						3	Figure (human) with outstretched limbs;	Infilled and pecked
						4	Bird	Infilled and pecked
						5	Bird	Infilled and pecked
						6	Figure (human - male) with spear thrower	Infilled and pecked
						7	Marsupial? / Dog ?	Infilled and pecked
20	630652	7584164	104	82	N	1	Figure (human)	Outline and pecked
						2	Bird	Infilled and pecked
21	630652	7584148	165	120	W (Up)	1	Kurangara Figure (Marga) with 2 fingers and toes	Infilled and pecked
						2	Marsupial	Outline and pecked
22	630660	7584147	220	100	N	1	Kurangara Figure (Marga) with 3 fingers and 2 toes	Outline and pecked
						2	Figure (human)	Infilled and pecked
						3	Dog	Outline and pecked
						4	Indeterminate lines	Outline and pecked
23	630658	7584143	400	160	NW	1	Kurangara Figure (Marga) with bent limbs	Infilled and pecked
						2	Figure (human) with linear infill and outstretched limbs with 2 fingers	Outline and pecked
						3	Figure (human)	Infilled and pecked
						4	Figure (human)	Infilled and pecked
						5	Figure (human)	Infilled and pecked
24	630658	7584143	420	90	NW	1	Figure (human) horizontally aligned	Infilled and pecked
25	630659	7584148	200	160	S	1	Figure (human)	Infilled and pecked
						2	Figure (human)	Infilled and pecked
						3	Figure (human)	Infilled and pecked
26	630592	7584283	130	130	SW	1	Marsupial with joey(?) pierced by spear(?)	Infilled and pecked
						2	Figure (human - male) with spear thrower	Infilled and pecked
						3	Figure (human - male) horizontally aligned	Infilled and pecked

Table 1 continued: The Jimarndan site, engraved panels

Panel 1	Engraving Location		Length (cm)	Width (cm)	Aspect	Motifs #	Motif Description	Style and Technique
	mE	mN						
27	630586	7584297	150	80	NE (Up)	1	Figure (human) with 4 toes and radiating lines	Infilled and pecked
28	630596	7584297	180	55	SE (Up)	1	Marsupial	Infilled and pecked
29	630589	7584298	72	45	N	1	Hand (right?)	Infilled and pecked
30	630591	7584319	160	150	NE	1	Figure (human - male)	Infilled and pecked
31	630588	7584314	120	75	Up	1	Figure (human) with boomerang, shield, head-dress and spear	Infilled and pecked
						2	Figure (human)	Infilled and pecked
						3	Figure (human)	Infilled and pecked
						4	Figure (human)	Infilled and pecked
32	630586	7584320	360	210	NE	1	Figure (human)	Infilled and pecked
						2	Figure (human)	Infilled and pecked
						3	Figure (human) with spear	Infilled and pecked
						4	Figure (human)	Infilled and pecked
33	630589	7584320	120	110	SE	1	Marsupial	Infilled and pecked
34	630589	7584321	155	95	NE	1	Figure (human) with shield and decorated spear	Infilled and pecked
						2	Figure (human) with shield and decorated spear	Infilled and pecked
						3	Figure (human)	Infilled and pecked
35	630610	7584406	120	80	E	1	Figure (human - female)	Infilled and pecked

- Grinding Patches

The Jimarndan site includes 19 grinding patches located in four clusters across the site. They are mostly clustered around the engravings, although the group on the northern section of the site is somewhat more dispersed than the other three groups. The grinding patches are all located on dolerite boulders or outcrops. Due to time constraints no additional information was recorded about these site features at this time.

The complexity and diversity of the objects

The Jimarndan site is a medium sized site that includes a large number of engravings with two additional site components, i.e. a large number of grinding patches and a single grinding base. As such, we suggest that the site has a *moderate* level of site complexity.

There is only one stone artefact at the site, a large dolerite grinding base. By definition, the site has a *low* level of diversity.

Temporal Context

There have been several attempts to construct chronologies for the engraved rock art of the Pilbara region (Maynard 1980; Mulvaney 2011; Wright 1968) although these have been mostly speculative in nature. As such, it is not yet posisble to date the Jimarndan site on the basis of any particular style or motif, although there is some evidence that Kurangara figures may date to the mid to late Holocene. The site also lacks an undisturbed stratified deposit that might include some cultural material that could be excavated and dated.

Some elements of the stone toolkit used by Aboriginal hunter-gatherers in the Pilbara region have a restricted temporal distribution, such as backed artefacts, tula adzes and blades. None of these artefacts were recorded at the Jimarndan site. At least one of the engravings at the site (Panel 1, Motif 1) appears to depict a woomera with a tula adze mounted in the handle. The appearance of tula adzes appears to date to between 3,500 and 3,700 BP in the arid zone of Australia (Veth et al. 2011:10). As such, the depiction of a tula adze in one of the engravings suggest that at least some of the engravings at the site date to sometime after around 3,500 BP.

The engravings at the Jimarndan site do appear to exhibit differences in weathering independent of any differential exposure to the elements. This suggests that the engravings were done over a relatively long period and, as discussed further, below, may span more than one stylistic tradition. For example, the five human figures shown on Panel 16 have heavily weathered to the point where they are the same colour as the rock within which they have been pecked. This contrasts with the figures on Panel 18 and 21, engravings that contrast with the surrounding rock. On some panels, figures are adjacent but are remarkably different colours, for example, the figures on Panel 14 and Panel 15. We suggest, based on these differences in weathering, that the engravings at the Jimarndan site probably span a period of at least several thousand years.

Relationship between the objects and the place

The Jimarndan site is a large and complex site comprising a series of engravings, grinding patches and a grinding base located within a small, steeply sided gorge, which has a permanent creek running through it from south to north. There were several water pools present along the creek line. The sides of the gorge include numerous flat surfaces of weathered dolerite that were clearly considered suitable for engravings by the Aboriginal inhabitants in the past and the occupation of this place by Aboriginal hunter gatherers was,

in all probability, primarily associated with these engravings, based on how numerous they are within the site.

The site also includes a large number of grinding patches. Archaeological research in the Pilbara (Vinnicombe 1987:31-32) and elsewhere in Australia (Gorechi et al. 1997:146-147) suggest that grinding patches were used primarily for the wet milling of grass seeds, although they were also used for a range of other food processing tasks. In the Pilbara region, seed processing technology like these grinding bases is thought to have been primarily associated with the seeds of three species; the mulga tree (*Acacia aneura*), soft spinifex (*Triodia pungens*) and hard spinifex (*Triodia wiseana*) (Bindon 1996, Brown 1987, Mitchell and Wilcox 1998). Given that mulga (*Acacia aneura*) are not present in the area, it seems likely that the grinding bases at the site were utilised to process the seeds of the locally occurring soft spinifex (*Triodia pungens*).

We suggest that the presence of a suite of engravings, coupled with the large number of grinding patches and the reliable source of water provided by the rock pools within the gorge suggest that the Jimarndan site may have constituted an 'aggregation locale' of the type suggested by Conkey (1980) for Palaeolithic sites in Spain. Veth (2006) suggested that engraving sites located in gorges in the Western Desert, immediately to the east of the Pilbara region, were similar 'aggregation locales' where various rituals would be undertaken and a range of information exchanged between individuals and cultural groups (Veth 2006:250).

The absence of other stone artefacts (apart from a single apparently cached grinding base) at the Jimarndan site may suggest that it has been subject to heavy wash (i.e. that the mobile elements of the assemblage have been washed away or covered with sediment). Research elsewhere in Australia suggests, however, that grinding patches are often not found in association with other artefactual material (Gorechi et al. 1997). Moreover, given the large number of grinding bases at the iste, there may have been no need for the occupants of the site to undertake any other activities related to subsistence at this location.

Context and relationship of the place to other places

The Jimarndan site is a large and complex site comprising a series of engravings, grinding patches and a grinding base located within a small, steeply sided gorge that includes a permanent creek featuring several large rock pools. Remarkably, there are very few other archaeological sites currently registered by the DAA within the surround area, with the nearest being another engraving site at Cheedy Creek, located approximately 4 km to the northwest. This is, however, likely to reflect the lack of large scale systematic archaeological surveys in the area which, in turn, no doubt reflects the absence of any large scale iron ore mines in the area. As such, the site is unlikely to be as archaeological isolated at it first appears. Indeed, some additional systematic archaeological surveying and/or excavation in the area might provide significant contextual information to use in the interpretation of the site.

As a medium sized rock art site characterised by a large number of engravings, the Jimarndan site should be considered in the context of other rock art sites within the Pilbara region, a region that is world famous for its remarkable engravings. Wright (1958) proposed several stylistic regions of engravings within the Pilbara. This was refined by McDonald and Veth (2013:68) who suggested that at least seven different stylistic provinces are present in the engravings of the region; Port Hedland, Upper Yule River, Cooya Pooya, Hamersley Ranges, Ophthalmia Ranges, Depuch Island and Dampier Archipelago. While these stylistic provinces are only loosely defined, the Jimarndan site appears to sit within the centre of the southern half of the Upper Yule River province (see Figure 12 in McDonald and Veth 2013). We suggest, however, that this may significantly under represent the uniqueness of the engravings at the Jimarndan site.

We suggest that the engravings at the Jimarndan site are unique not only in the remarkably striking 'Kurangara' figures at the site (particularly Panel 1, Motif 1) but also in the sheer number of depictions of elements of material culture not often depicted in Pilbara rock art. Some key examples include the woomera in Panel 1, Motif 1, the figures in Panels 10, 11 and 12 who are brandishing spears (one is also holding a shield) and the figure in Panel 31, Motif 1, who is holding a hooked boomerang. Additionally, several of the figures (such as Panel 31, Motif 1 and Panel 35, Motifs 1 and 2) appear to be more similar to the art found in the Juna Downs stylistic province (cf. McDonald and Veth 2006). As such, it is possible that the engravings at the Jimarndan site represent a place where these different styles existed side by side or replaced one another.

Intactness and condition of the place and objects

The Jimarndan site is a large group of engravings and grinding patches that have not been subject to any disturbance by development activities or by any significant natural process (such as rock collapse or large-scale water movement). As such, we consider that The Jimarndan site is intact and that the condition of the site, and the objects within it, is excellent.

Rarity and uniqueness of the place / object[s]

The Jimarndan site is a large and complex site comprising a series of engravings, grinding patches and a grinding base located within a small, steeply sided gorge. The site features several unique and remarkable engravings, including several 'Kurangara' figures as well as a range of other elements of the material cultural of the Aboriginal people who lived in the region prior to the European invasion of Australia. Based on data recorded during this and other surveys in the area, and from previous research conducted in the wider region of the Pilbara, we consider that The Jimarndan site is *uncommon* in the region (Brown 1987; Ryan et al. 2012; Thom et al. 2011).

The contribution [that the site may make] to research [that contributes] to the understanding of Aboriginal people past and present

The Jimarndan site is a large and complex site comprising:

1. a series of engravings, grinding patches and a grinding base located within a small, steeply sided gorge that includes a permanent creek featuring several large rock pools;
2. a large number of grinding patches, suggesting that large groups may have congregated at this site;
3. features several exceptional engravings that depict 'Kurangara' figures as well as a range of elements of material cultural not often depicted in Pilbara rock art; and
4. includes engravings that feature motifs that appear to be common in both the Upper Yule and Juna Downs stylistic provinces.

Considering these attributes together, we suggest that the Jimarndan site has **significant potential to contribute to archaeological research**. Some additional recording, analysis and research comparing the Jimarndan site with other rock art sites in the Pilbara region could assist in addressing current specific and timely research questions, including;

i. what role did comparatively large engraving sites with evidence of large scale congregation (i.e. large numbers of grinding patches) play in maintaining social networks in the region (see McDonald and Veth 2013);

ii. do the 'stylistic provinces' proposed by Wright (1968) and refined by McDonald and Veth (2013) accurately reflect variation in engraved rock art in the Pilabra region and is this a meaningful way of considering this part of the archaeological record?.

Importance and Significance

Archaeological Significance

We suggest that the Jimarndan site constitutes an Aboriginal site under Section 5 (a) of the *Aboriginal Heritage Act 1972* (WA) because it is a '…place of importance and significance where persons of Aboriginal descent have…[left objects]…made or adapted for use for, any purpose connected with the traditional cultural life of the Aboriginal people, past or present'.

In particular, we suggest that the Jimarndan site is of archaeological interest because it is a large and complex site comprising a unique series of engravings and a large number of grinding patches that could significantly contribute to our understanding of the archaeological recording of Aboriginal occupation of the Pilbara region of Western Australa.

Aboriginal knowledge holder comments

Recommendations

Figure 1: Jimarndan, site plan

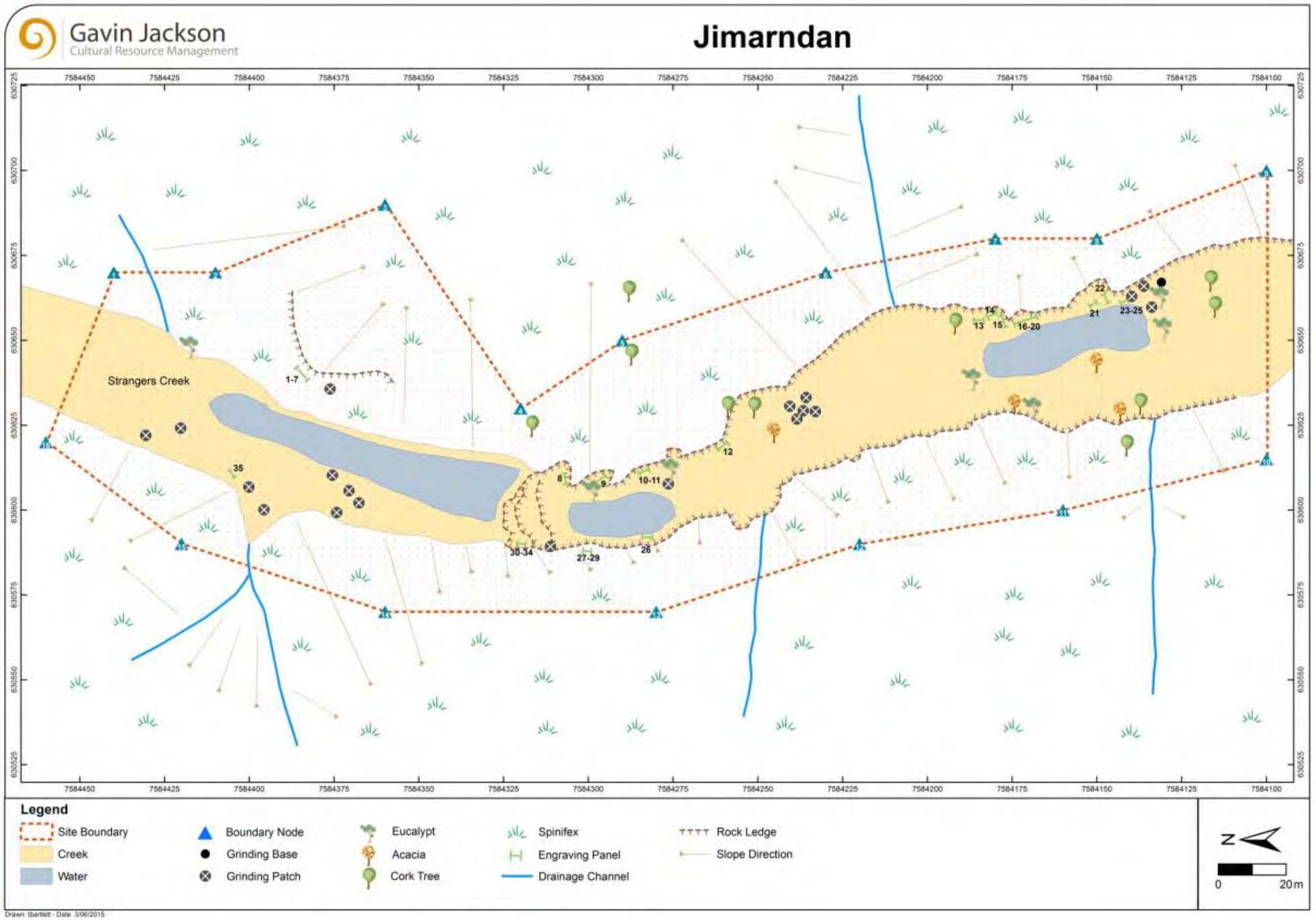


Plate 1: Site Jimarndan, view south west with Simon Colebrook

Plate 2: Jimarndan site, Panel 1 (Scale = 10 cm)

Plate 3: Jimarndan site, Panel 2 (Scale = 10 cm)

Plate 4: Jimarndan site, Panel 3 (Scale = 10 cm)

Plate 5: Jimarndan site, Panel 4 (Scale = 10 cm)

Plate 6: Jimarndan site, Panel 5 (Scale = 10 cm)

Plate 7: Jimarndan site, Panel 6 (Scale = 10 cm)

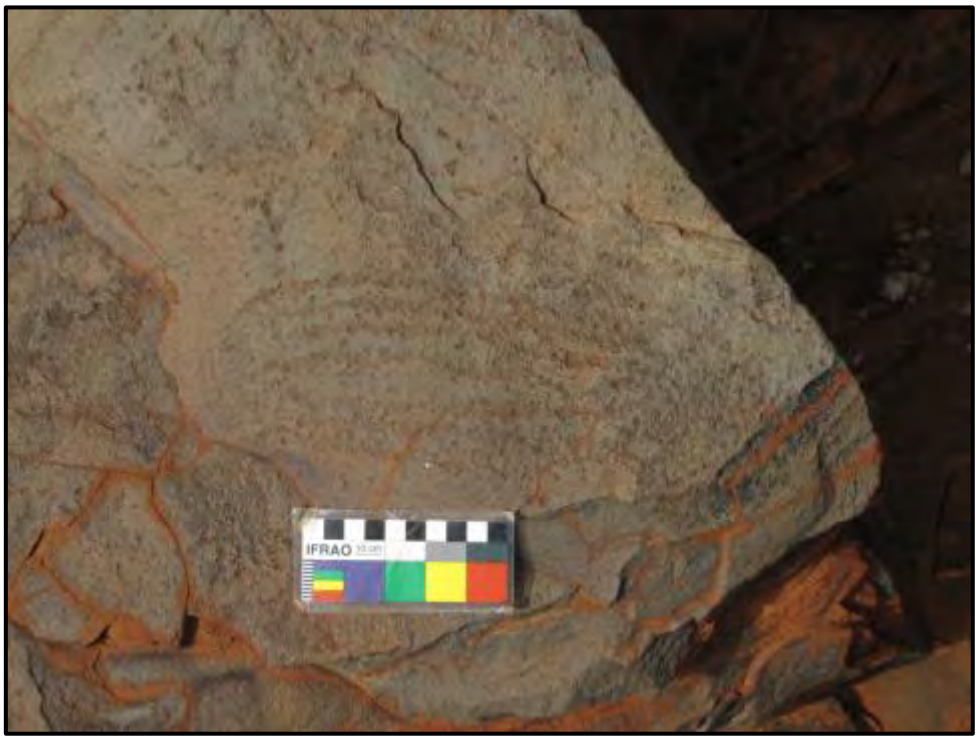


Plate 8: Jimarndan site, Panel 7 (Scale = 10 cm)

Plate 9: Jimarndan site, Panel 8 (Scale = 10 cm)

Plate 10: Jimarndan site, Panel 9 (Scale = 10 cm)

Plate 11: Jimarndan site, Panel 10 (Scale = 10 cm)

Plate 12: Jimarndan site, Panel 11 (Scale = 10 cm)

Plate 13: Jimarndan site, Panel 12 (Scale = 10 cm)

Plate 14: Jimarndan site, Panel 13 (Scale = 10 cm)

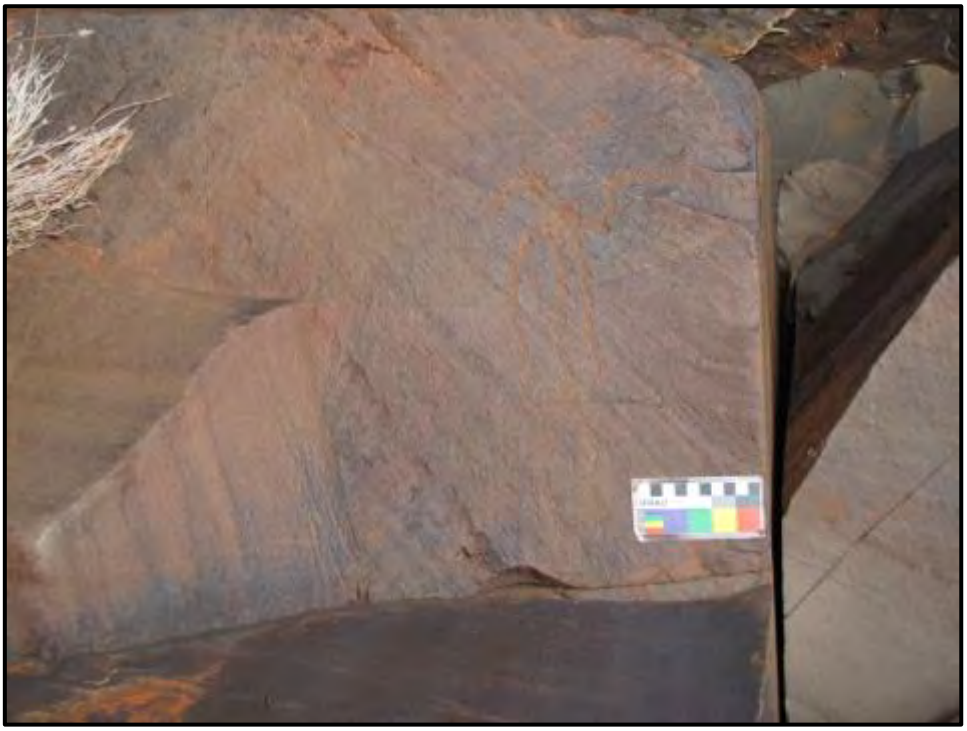


Plate 15: Jimarndan site, Panel 14 (Scale = 10 cm)

Plate 16: Jimarndan site, Panel 15 (Scale = 10 cm)

Plate 17: Jimarndan site, Panel 16 (Scale = 10 cm)

Plate 18: Jimarndan site, Panel 17 (Scale = 10 cm)

Plate 19: Jimarndan site, Panel 18 (Scale = 10 cm)

Plate 20: Jimarndan site, Panel 19 (Scale = 10 cm)

Plate 21: Jimarndan site, Panel 19 (Scale = 10 cm)

Plate 22: Jimarndan site, Panel 20 (Scale = 10 cm)

Plate 23: Jimarndan site, Panel 21 (Scale = 10 cm)

Plate 24: Jimarndan site, Panel 22 (Scale = 10 cm)

Plate 25: Jimarndan site, Panel 23 (Scale = 10 cm)

Plate 26: Jimarndan site, Panel 24 (Scale = 10 cm)

Plate 27: Jimarndan site, Panel 25 (Scale = 10 cm)

Plate 28: Jimarndan site, Panel 26 (Scale = 10 cm)

Plate 29: Jimarndan site, Panel 27 (Scale = 10 cm)

Plate 30: Jimarndan site, Panel 28 (Scale = 10 cm)

Plate 31: Jimarndan site, Panel 29 (Scale = 10 cm)

Plate 32: Jimarndan site, Panel 30 (Scale = 10 cm)

Plate 33: Jimarndan site, Panel 31 (Scale = 10 cm)

Plate 34: Jimarndan site, Panel 32 (Scale = 10 cm)

Plate 35: Jimarndan site, Panel 32 (Scale = 10 cm)

Plate 36: Jimarndan site, Panel 33 (Scale = 10 cm)

Plate 37: Jimarndan site, Panel 34 (Scale = 10 cm)

Plate 38: Jimarndan site, Panel 35 (Scale = 10 cm)

JARNKURNA THALU (RCEC-EQ-10712) (STONE ARRANGEMENT, ARTEFACT SCATTER AND GRINDING PATCHES)

Grid Reference

1	510490 mE	7673020 mN	4	510630 mE	7673020 mN
2	510550 mE	7673040 mN	5	510580 mE	7672960 mN
3	510610 mE	7673060 mN	6	510490 mE	7672960 mN

Location of place

Location

Site Jarnkurna Thalu (RCEC-EQ-10712) is located approximately 500 m to the south west of the northern end of Table Hill, 28 km south of the town of Roebourne (see Map 1).

Description of Site and Boundary

Site Jarnkurna Thalu (RCEC-EQ-10712) is a stone arrangement with an associated surface scatter of stone artefacts and grinding patches, located on a low flat poorly drained gravel spur within a landscape of gilgais plains and gravel terraces. The surrounding area is characterised by grassland of dense hard spinifex (*Triodia wiseana*) and other seasonal grasses.

Justification for Boundary

The boundary of site Jarnkurna Thalu (RCEC-EQ-10712) was originally established during a previous survey by Eureka Archaeological Research and Consulting (site description and associated paperwork provided by Yindjibarndi Aboriginal Corporation). The boundary of the site was significantly reduced by Gavin Jackson CRM during the works described here in order to distinguish the Jarnkurna Thalu site from a series of engravings, grinding patches and stone arrangements located some 400 m to the south. This area was included in the boundary of the site recorded by Eureka and given the name RCEC-EQ-10712. As there are a series of gilgais between these two concentrations of cultural material, GJCRM determined that these should be considered as two separate archaeological sites. This site description details only the Jarnkurna Thalu site as defined above.

Description of Place

Site Jarnkurna Thalu is a stone arrangement comprising 13 piles of rounded dolerite cobbles, a low-density surface scatter of stone artefacts, and three grinding patches. The maximum dimensions of the site are 100 m (north/south) by 140 m (east/west). The site has a total surface area of approximately 9,700 m² (see Figure 2 and Figure 3).

Objects in Relation to section 6 of the Act

- Stone Arrangement

The stone arrangement at the Jarnkurna Thalu site comprises 13 discrete piles of rounded dolerite cobbles in two clusters with a generally southwest to northeast orientation (see Figure 2 and Figure 3, Plates ? to ?). There are two straight lines of stones running between three of the piles of stones in the eastern most cluster of arrangements. The cobbles vary in maximum dimension from 8 cm by 9 cm to 100 cm by 32 cm, with most around 45 cm by 25 cm. It is possible that the natural movement of the gilgai has disturbed many of the mounds

of stone, although this is difficult to assess, as it is not always clear that the stones had originally been stacked.

Table 2: Jarnkurna Thalu Site, stone arrangement

Stone Pile #	Cluster Area	Max Length (cm)	Max Width (cm)	Max Height (cm)	# of Stones	Comments
1	SW	180	140	15	22	Partially disturbed by gilgai
2	SW	170	80	16	17	Mostly intact
3	SW	170	145	20	23	
4	SW	280	220	18	39	
5	SW	200	120	20	35	
6	SW	240	220	31	37	
7	SW	130	100	22	18	Partially disturbed
8	NE	200	160	18	34	
9	NE	190	190	27	44	
10	NE	140	140	23	32	Line of stones runs from 10 to 12 and another runs from 10 to 11
11	NE	200	190	21	67	
12	NE	170	150	21	44	
13	NE	210	170	32	61	

- Artefact Assemblage

Site Jarnkurna Thalu includes a very modest assemblage of stone tools, with only four flakes and four cores and a single muller recorded at the site. Flaked stone artefacts are primarily concentrated around stone arrangement 12, with a few other flakes located near stone arrangement 9 and 10 (see Figure 3, Table 3 and Table 4). The artefacts at the site are made from a single material (dolerite) and one of the flakes conjoins with one of the dolerite cores. Given the active nature of gilgai soil deposits, it is likely that there is an additional subsurface assemblage of stone artefacts at the site, albeit lacking in stratigraphic integrity.

- Grinding Patches

The site includes three grinding patches on flat dolerite boulders. These boulders are larger versions of the same dolerite stones used in the stone arrangement. Two of the grinding patches are on boulders closely associated with the southwest cluster of stone piles and are located between 6 m and 4 m southeast of stone pile 7. Grinding patch 1 featured a muller of dolerite *in-situ* on top of the grinding surface. The third grinding patch is separated from both clusters of stone piles, and is located in the northeast cluster of stone piles approximately 44 m northeast of stone pile 13.

Table 3: Jarnkurna Thalu Site, flakes

Easting	Northing	Artefact Type	Raw Material	Max Length (mm)	Max Width (mm)	Max Thick (mm)	Platform Surface	# Dorsal Flake Scars	Dorsal Cortex %	Parallel Margins (Y/N)
510565	7673016	CF	DOL	8	6	4	FK	2	51%-99%	N
510564	7673018	CF	DOL	11	6	3	FL	1	51%-99%	N
510549	7673013	CF	BAS	1.5	1	0.25	COL	1	51%-99%	N
510548	7673013	CF	DOL	6.5	4	1	NAT	2	51%-99%	N

Table 4: Jarnkurna Thalu Site, cores

Easting	Northing	Core Type	Raw Material	Max Length (mm)	Max Width (mm)	Max Thick (mm)	Platform #	Platform Surface	# of Flake Scars	Cortex %	Parallel Arrises (Y/N)
510564	7673016	MPC	DOL	12	9	4	1	FK	5	51%-99%	N
							2	FK			
510548	7673014	SPC	DOL	11	9	4	1	NAT	1	51%-99%	N
510549	7673012	SPC	DOL	12.5	9.5	7	1	FL	5	51%-99%	N
510559	7673020	MPC	DOL	14	9.5	8	1	FK	5	51%-99%	N

Table 5: Jarnkurna Thalu Site, grinding patches and grinding material

Name	Easting	Northing	Raw Material	Type	Max Length (cm)	Max Width (cm)	Max Thick (cm)	Aspect	Rock Colour	Patch Colour	Shape	Texture	Invasive-ness	Exfoliation (Y/N)
GP1	510533	7672987	DOL	Boulder	100	70	-	Up	Bluish Grey	Pinkish Grey	Flat	Rough	Shallow	Y
Muller	510533	7672987	DOL	Muller	12	10	7	-	Reddish Brown	Bluish Grey	Flat	Smooth	Shallow	N
GP2	510535	7672989	DOL	Boulder	100	90	-	Up	Pinkish Grey	Pinkish Grey	Flat	Rough	Shallow	Y
GP3	510605	7673040	DOL	Boulder	140	80	-	SW	Pinkish Grey	Whitish Grey	Flat	Rough	Shallow	Y

The complexity and diversity of the objects

Jarnkurna Thalu is a medium stone arrangement with two additional site components, a small stone artefact assemblage and three grinding patches. As such, we suggest that the site has a *moderate* level of site complexity.

The assemblage of stone artefacts at the site is characterised by a small stone artefact assemblage (with total population of nine artefacts) with artefacts made from a single raw material. We suggest that the site, therefore, has a *low* level of diversity.

Temporal Context

It is difficult to assess the chronology of occupation of surface artefact scatters in the Pilbara as they usually lack a stratified cultural deposit that can be excavated and dated. As the Jarnkurna Thalu site is dominated by an arrangement of stones, some of which are slightly buried in sediment, it is possible that an excavation of one or more of the stone piles would provide a chronological framework for the Aboriginal occupation of the site (see brief discussion of similar efforts in Hook and Di Lello 2010:291). Given the highly active nature of gilgais, however, it is unlikely that the site has any subsurface stratigraphic integrity.

The oldest date so far recorded for an arrangement of stones in Australia is 750 BP returned for charcoal associated with a stone arrangement in northwestern Tasmania (Jones 1968). The oldest published date for a stone arrangement in the Pilbara is 410 BP for a stone circle located on the Burrup Peninsula (Vinnicombe 1987). As such, it is likely that the stone arrangement at the Jarnkurna Thalu site dates to the last 1,000 years or so. Indeed, a large scale project dating stone arrangements within the Packsaddle Valley in the central Pilbara concluded that the stone arrangements that characterise much of that area were built and maintained over the last 300 years (Hook and Di Lello 2010:291).

There is some evidence that surface artefact scatters in the Australian arid zone tend to date from the late Holocene (Holdaway and Fanning 2014; Holdaway et al. 1998). Additionally, there are some elements of the stone toolkit used by Aboriginal hunter-gatherers in the Pilbara region with a restricted temporal distribution, such as backed artefacts, tula adzes and blades. As the Jarnkurna Thalu site includes a small surface scatter of generalised stone artefacts (i.e. cores and flakes), it is likely that these elements of the site date to the last few thousand years also.

Relationship between the objects and the place

The Jarnkurna Thalu site is dominated by a multi-component stone arrangement made up of a series of stone piles grouped in two discrete clusters. Nearly all of the dolerite cobbles in the stone arrangement are rounded rather than angular. The distribution of these rounded dolerite cobbles in the landscape appears to be restricted to the gravel spur where the stone arrangement is located. It is therefore likely that the arrangement was made from stones that were present in the immediate area.

The site includes three grinding patches in dolerite bedrock and an associated muller. Archaeological research in the Pilbara (Vinnicombe 1987:31-32) and elsewhere in Australia (Gorechi et al. 1997:146-147) suggest that grinding patches were used primarily for the wet milling of grass seeds, although they were also used for a range of other food processing tasks. In the Pilbara region, seed processing technology like these grinding bases is thought to have been primarily associated with the seeds of three species; the mulga tree (*Acacia aneura*), soft spinifex (*Triodia pungens*) and hard spinifex (*Triodia wiseana*) (Bindon 1996, Brown 1987, Mitchell and Wilcox 1998). Given that mulga (*Acacia aneura*) are not present in the area, it seems likely that the grinding bases at the site were utilised to process the seeds of the locally occurring hard spinifex. It is also likely that a range of vegetables and

fruit were seasonably available in the gilgais that characterise much of the surrounding area and we suggest these would have been processed using these grinding patches. This use of the site, however, may not have been directly related to the stone arrangement at the site.

No flaked artefacts were identified in association with the southwest cluster of stone piles. The muller found with grinding patch 1 was the only artefact observed in the southwest part of the site. All of the eight flaked stone artefacts were found in association with the northeast cluster of stone piles, including four flakes and four cores (see Table 3 and Table 4). The very small stone artefact population at the site may suggest that Jarnkurna Thalu has been subject to some disturbance associated with the movement of gilgai soils. Research elsewhere in Australia suggests, however, that grinding patches are often not found in association with other artefactual material (Gorechi et al. 1997). Furthermore, although there is small stone artefact population present at the site, the highly disturbed and active nature of the gilgai sediments in the area suggest that the various site elements (stone arrangement and grinding patches) may not be contemporary.

It is likely, given the very limited range of tool types and presence of a single raw material that any stone working at the site was opportunistic and focused on an immediate need for stone tools. As such, stone working was probably only a minor element of occupation of the site. We suggest that these artefacts may also reflect some use of the site that was not connected to the stone arrangement at the site.

Context and relationship of the place to other places

Site Jarnkurna Thalu is a stone arrangement with an associated surface scatter of stone artefacts and grinding patches, located on a low flat poorly drained gravel spur within a landscape of gilgais plains and gravel terraces. The surrounding area is characterised by grassland of dense hard spinifex (*Triodia wiseana*) and other seasonal grasses. As outlined above, it seems likely that the resource rich nature of the gilgai plain may have been what attracted Aboriginal hunter-gatherers to the site.

The Jarnkurna Thalu site is located approximately 300 m north of a low hill with seven small engraving panels, three grinding patches and two stone arrangements of piled stone. As outlined above, this hill was originally included in the boundary of a larger site recorded by Eureka Archaeological Research and Consulting (Eureka) and given the name RCEC-EQ-10712. During the site recording process outlined here, however, GJCRM decided that the lack of concentrated cultural material and the highly disturbed nature of the gilgais between the site and the low hill suggested that these two places should be considered as two separate archaeological sites. It is possible that these sites, along with some additional cultural material identified by Eureka further south of the hill (including several concentrations of flaked artefacts and a stone arrangement identified as a hunting hide), could be considered as part of a site complex. Some additional site recording works would be required to investigate further the relationship between the concentrations of archaeological materials.

It is difficult to assess the role of Jarnkurna Thalu in the settlement system of the Aboriginal people in the area during the late Holocene. The site lacks the kind of assemblage that suggests a focus of residential occupation, such as a functionally diverse toolkit and artefacts associated with subsistence activities. Rather, the site is dominated by a large stone arrangement that was probably associated with ritual activity, possibly to increase the productivity of the surrounding area in some way. We suggest that the large artefact scatter site RCEC-9112 (DAA Site ID number 32,533), located approximately 950 m to the North West of Jarnkurna Thalu, was the primary residential site in this area. It is possible that small groups with appropriate sacred knowledge visited this location from the residential base camp at RCEC-9112 to undertake increase ceremonies or something similar.

Intactness and condition of the place and objects

The Jarnkurna Thalu site is a relatively intact stone arrangement site with associated grinding patches and a low-density artefact scatter. This site has not been subject to any high-level water movement; however, the mobile and active nature of the gilgais within the site appears to have affected the integrity of some of the stone piles, particularly in the southwest cluster.

The intactness and condition of the stone piles that make up the arrangement at the Jarnkurna Thalu site is highly variable. The growth of the large and dense spinifex across much of the site may also have disturbed the site. In general, the stone piles in the northeast cluster are in better condition than the stone piles in the southwest cluster, largely reflecting the level of soil drainage in these sections of the site. It is also possible that livestock have disturbed some sections of the stone arrangement.

The grinding patches and artefacts at the Jarnkurna Thalu are in good condition, as represented by the *in-situ* muller on top of grinding patch 1 (see Plate 17). The close association of the flaked artefacts to the stone piles in the northeast portion of the site support the integrity of the sediments along the gravel spur. Exfoliation was noted on all three grinding patches, however, and was common on most of the cobbles used in the stone arrangement.

In summary, while the stone piles in the southwestern section of the stone arrangement have been partially disturbed by natural site formation processes associated with the active soils of the gilgais in that section of the site, the Jarnkurna Thalu site is in generally good condition. There is no evidence of vehicle traffic over the site and the artefacts at the site are in good condition. As such, we consider that the Jarnkurna Thalu site is intact and that the condition of the site, and the objects within it, is excellent.

Rarity and uniqueness of the place / object[s]

The Jarnkurna Thalu site is a medium sized stone arrangement with a comparatively small stone artefact population and three grinding patches, located on a wide gilgai-covered valley plain. Based on data recorded during this and other surveys in the area, and from previous research conducted in the wider region of the Pilbara, we consider that sites like the Jarnkurna Thalu site are relatively *uncommon* in the region (need refs).

The contribution [that the site may make] to research [that contributes] to the understanding of Aboriginal people past and present

We suggest that the comparative rarity of the stone arrangement at the Jarnkurna Thalu site means that the site could provide information that would contribute to archaeological research in the Pilbara region. In particular, additional analysis and study of the stone arrangement could contribute to research focusing on stone arrangements in the inland Pilbara, particularly on research questions such as:

1. was the stone arrangement at the Jarnkurna Thalu site built and/or regularly maintained over the last 300 years only as suggested by Hook and Di Lello (2010:291) for stone arrangements in the Packsaddle Valley; and
2. is there evidence to support Hook and Di Lello's (2010:292-293) suggestion that stone arrangements correspond with an increasing importance of 'boundedness', group identities and an increase in population during the late Holocene?

In conclusion, we suggest that additional consideration and study of Jarnkurna Thalu would provide particular insight into the nature of the settlement system not directly associated with

subsistence activities in the area around modern day Harding Dam. As such, the site has *high potential to contribute to archaeological research*.

Importance and Significance

Archaeological Significance

We suggest that site the Jarnkurna Thalu site may constitute an Aboriginal site under Section 5 (a) of the *Aboriginal Heritage Act 1972* (WA) because it is a '…place of importance and significance where persons of Aboriginal descent have…[left objects]…made or adapted for use for, any purpose connected with the traditional cultural life of the Aboriginal people, past or present'.

In particular, we suggest that the Jarnkurna Thalu site is of archaeological interest because it is a moderately complex stone arrangement featuring 13 stone piles, 2 linear stone features as well as grinding patches and a low density artefact scatter.

Aboriginal knowledge holder comments

Figure 2: Site Jarnkurna Thalu, site plan

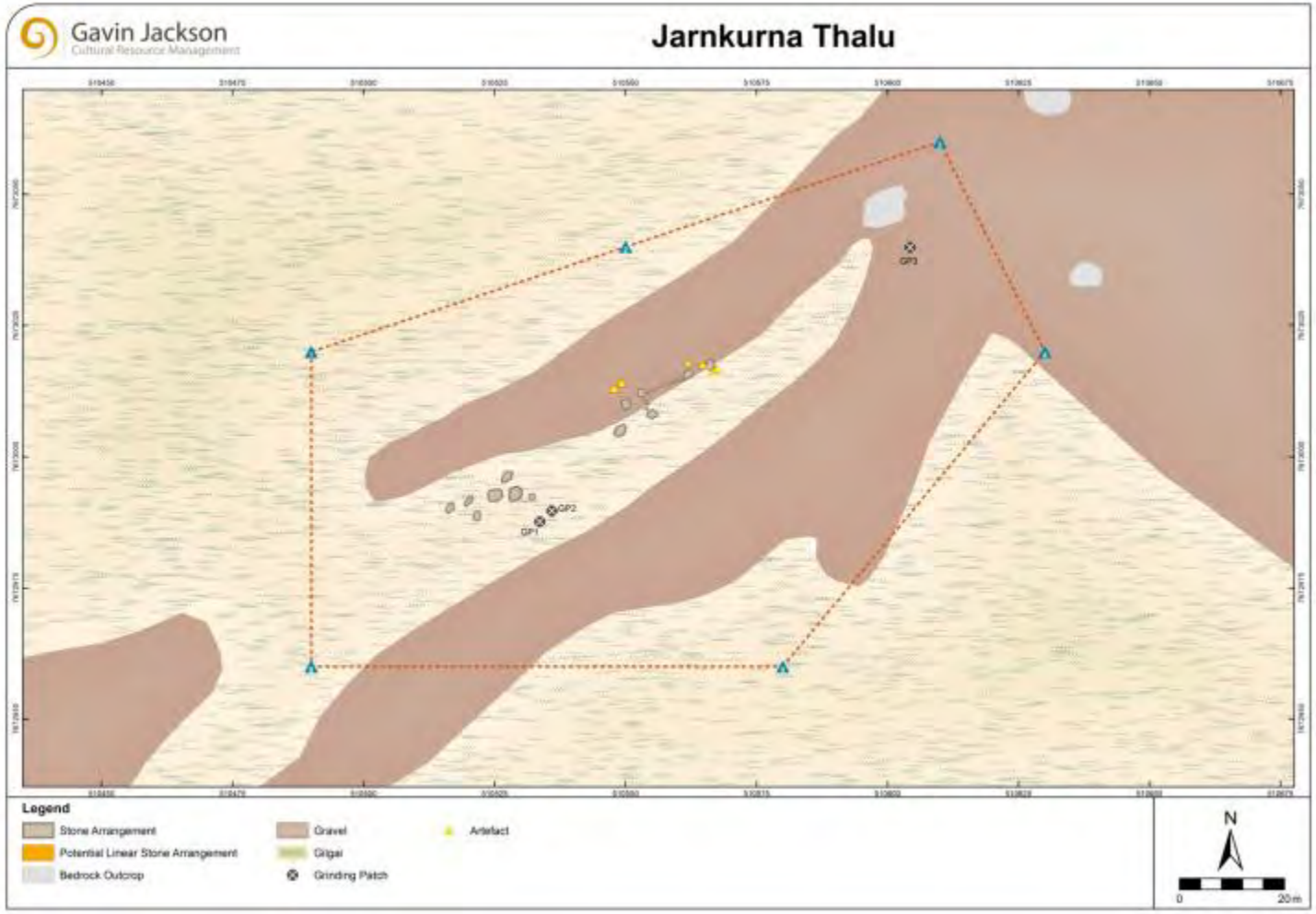


Figure 3: Site Jarnkurna Thalu, detail of stone arrangement

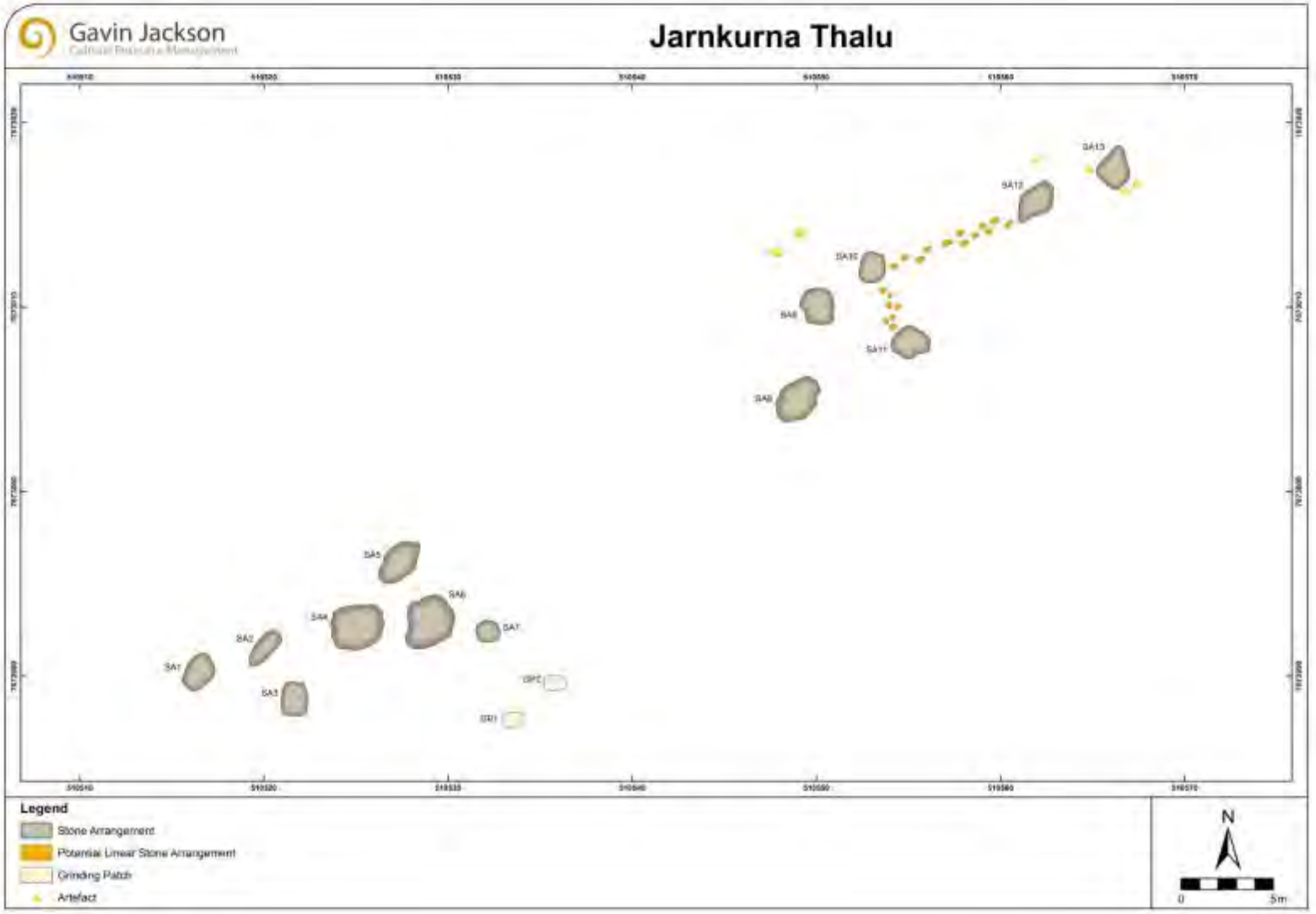


Plate 39: Site Jarnkurna Thalu, Stone Arrangement 1

Plate 40: Site Jarnkurna Thalu, Stone Arrangement 2

Plate 41: Site Jarnkurna Thalu, Stone Arrangement 3

Plate 42: Site Jarnkurna Thalu, Stone Arrangement 4

Plate 43: Site Jarnkurna Thalu, Stone Arrangement 5

Plate 44: Site Jarnkurna Thalu, Stone Arrangement 6

Plate 45: Site Jarnkurna Thalu, Stone Arrangement 7

Plate 46: Site Jarnkurna Thalu, Stone Arrangement 8

Plate 47: Site Jarnkurna Thalu, Stone Arrangement 9

Plate 48: Site Jarnkurna Thalu, Stone Arrangement 10

Plate 49: Site Jarnkurna Thalu, Stone Arrangement 11

Plate 50: Site Jarnkurna Thalu, Stone Arrangement 12

Plate 51: Site Jarnkurna Thalu, Stone Arrangement 13

Plate 52: Site Site Jarnkurna Thalu, lines between stone arrangement 10 and stone arrangement 11 (on the far right of the photograph), and stone arrangement 12 (near the upper section of the photograph)

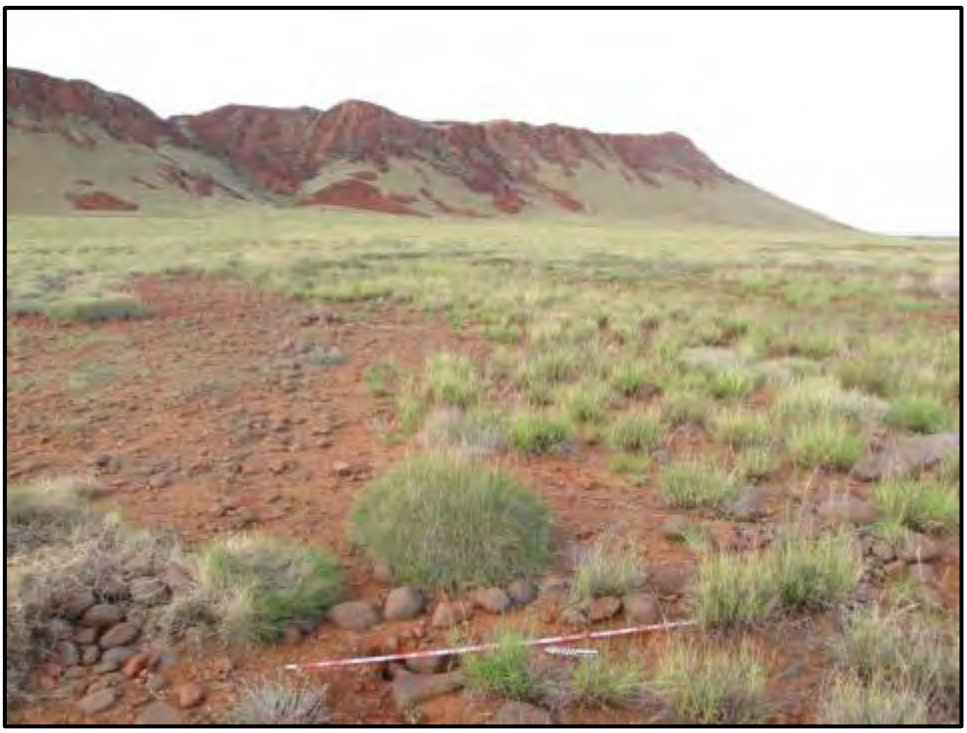


Plate 53: Site Jarnkurna Thalu, grinding patch 1, with muller

Plate 54: Site Site Jarnkurna Thalu, grinding patch 2

Plate 55: Site Site Jarnkurna Thalu, core with conjoining flake

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 7:

Interview questions: Petroglyphs at *Jimarndan*.

Appendice 7:

Interview questions: Petroglyphs at *Jimarndan*.

Questions on the photos of the 2 petroglyphs at *Jimarndan* (Strangers Spring) at *Winyjuwarranha* (Hooley Station).

1. How would you describe the images in the photographs?
2. What do the images mean to you?
3. What is the significance of the images to you?
4. What are the images symbols of?
5. Who made the petroglyphs?
6. When do you think they were made?
7. Why do you think they were created?
8. What is the function of the depictions?
9. What are rituals or ceremonies associated with these images?
10. Do you know of other similar images in Yindjibarndi country and if so, what do they mean to you?
11. How do the petroglyphs affect you?
12. What sort of message do you think is being delivered by these types of petroglyphs?
13. What are the consequences of ignoring these images?
14. What is the relevance of these images today?

Four Yindjibarndi artefacts:

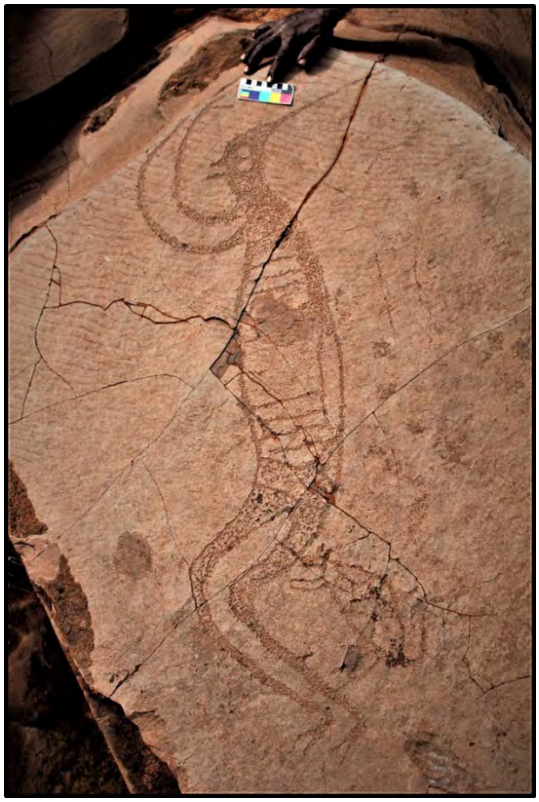
Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 8:

Summary of the Yindjibarndi interviewee's comments on the petroglyphs at *Jimarndan*; Figures four and five (Juluwarlu 2020b, 2020f, 2020g, 2020h, 2020j).

Figure 4: ***Marrga Petroglyph at Jimarndan.***

Figure 5: ***Marrga Petroglyph at Jimarndan.***



Appendice 8:

Summary of the Yindjibarndi interviewee's comments on the petroglyphs at *Jimarndan*; Figures four and five (Juluwarlu 2020b, 2020f, 2020g, 2020h, 2020j).

I have summarised the comments made in the interviews conducted for this project by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020b, 2020f, 2020g, 2020h, 2020j) with regard to the two images above labelled Figures four and five. The remarks made by Michael, Lorraine and Middleton reveal their deep and intricate understanding of the images, the profound effect the symbols have on their daily lives, actions and beliefs, and the significant influence the petroglyphs have on their personal and communal identity.

Transcripts of these interviews are found within this work at Appendice 9:

1. *The images depict the Marrga;*
2. *It is the creation spirit that used to be on the country before the Ngaarda;*
3. *This was the spirit that created the land;*
4. *It was the first being on the Ngurra;*
5. *It's a very distinctive figure;*
6. *The Marrga is not seen in the country now;*
7. *Old people used to see the figure in their dreams, or a get a glimpse of it on country;*
8. *It is part of the creation times;*
9. *It only shows up to certain people when there is reason for it to do so;*
10. *The Marrga will show up in the dreams of the old people and pick them up and have a conversation with them;*
11. *The Marrga might give a song to the person they show up to, explain the meaning of the song and take them on a journey in the sky, telling them the names of the places where they are travelling;*
12. *They speak Yindjibarndi to Yindjibarndi people;*
13. *When they are speaking of other Indigenous people's country, they may refer to those places in the language of that other person's country;*
14. *The Marrga has the old language which covers everybody's language;*
15. *These depictions are relevant because they keep a check on people, they are the guardians of the country;*
16. *These images remind a Ngaarda there are certain rules they must abide by;*
17. *If you do the wrong thing on country the Marrga will come and grab you and make you sick, or take your children and make them sick;*
18. *The Marrga may come and take your children's spirit;*
19. *The Marrga also may influence other beings to hurt you or your family;*

20. *The animals in the bottom of both depictions are thalu-ngarli, like or dog or pet; that's the Marrga's thalu;*
21. *Thalu is two things, it's your pet or other spiritual beings;*
22. *The Marrga can send thalu-ngarli to grab the people's Manggarn;*
23. *These depictions of the Marrga are all over the place, everywhere;*
24. *The petroglyphs depicted are examples of the Marrga leaving his own mark;*
25. *Some rock art is made by the Marrga, and some made by the Ngaardangarli;*
26. *The images were made a long time ago, but the interviewees don't know when exactly, and they use the description Ngurra Nyjunggamu, for a long time ago, as well as for creation times;*
27. *The Yindjibarndi word balamu is also be used to describe a long time ago;*
28. *If you obey the Law you don't have to worry about yourself or your kids being attacked by the Marrga;*
29. *The Marrga put his image in the world when it was soft, so that when it got hard, his images would be a reminder to the Ngaardangarli of who he is;*
30. *The Marrga revealed himself to that person who made the petroglyphs;*
31. *Once the images were set in rock, the depictions will last for generations as a reminder of who created the land;*
32. *The image was created as a reminder that Yindjibarndi has been here for a long time and as proof of Yindjibarndi's occupation of this land;*
33. *The Marrga is sending a message to the Yindjibarndi, that this is their place, this is their inheritance and that he has been before them.*
34. *"Other people symbolise Marrga-like alien figures in movies, and make fun of him and show disrespect to us. Well the Marrga is our creator, he built where we are, so they over there are making fun of him and reckon he's from space, but he's been here all the time" (Juluwarlu 2020h: Lorraine Coppin).*
35. *"If you're talking about a UFO figure, you've got the Marrga, the same as what they are making now [movies], but they don't want to acknowledge that because it belongs to the black fella … if they acknowledge that then they have to acknowledge the black fella having seen him first, having some idea of space and whatever else exists out there … it's the ongoing devaluing of Indigenous people's world and their knowledge …"(Juluwarlu 2020h: Michael Woodley)*

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 9:

Transcript of interviews: Petroglyphs at *Jimarndan* (Juluwarlu 2020b, 2020f, 2020g).

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MIDDLETON CHEEDY - *Marrga* Interview
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: 1 - *Marrga* Interview.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020b

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MC: Middleton Cheedy

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:00.0	[Setup] I: Wanthiwa	[lots of background hissing]

	MC: Wanthiwa I: Thanks very much Middleton for agreeing to be interviewed. MC: Mm. Now... I: So I've just a few questions on the four different artefacts. MC: Alright. I: The first one is the depiction of the Petroglyph that you've got in front of you and I just wondered what that image is, what it depicts? MC: Um, mm, well you put me right on the spot there.	
0:01:00.5	MC: It's a creation script, *Marrga*, what the old people thought that this was the spirit that created the land, yeah. I have... I don't know here. You can, what I say is..., you can take it off, hey? I: I can, yeah. MC: Yeah, so if I make mistakes, um... I: Yeah, just let me know and... MC: Yeah. I: You'll see a copy of the interview as well.	

	MC: Mm. I: You can take out whatever you like. MC: Mm.	
0:02:00.5	MC: This is what I think was what the old people saw, whoever done this, whichever whoever done that drawing, um, not the drawing, what do you call this? Carving, yeah, it's a carving. Whoever done this carving here, it was I believe it was something that he saw in his dream, so he put it... while it was fresh in his mind he put it on, what do you call this, carved it on the rock as a reminder of... and I believe that this...	[loud noise]
0:03:00.3	MC: this *Marrga* came to reveal himself as the creator to that person who put it on there. To pass onto the generations as to how the ***What do you call it*** the land was created and it was also a reminder of, you know, this once they're set in rock, it's a thing that will remain for generations and it's still there today. So it's like our people saying we've been here before you and we leave these things for you to see after we've gone.	
0:04:01.2	MC: And it's still there today. Now we don't know when it was put there but it's been a long time. I haven't.... um, will you stop there? See how, with um, I can't word it, I'm unprepared for this. I: No, you're right. MC: Yeah, it's alright? I: Yeah.	

	MC: Yeah, a bit sketchy. I: I've got a question for you then. MC: Yeah. I: So why do you think it was created? MC: I think it was created as a reminder for us of this day and age that we've been...	
0:05:00.0	MC: here for a long time and it was also for proof of our occupation of this land, mm. I: And do you know of other similar depictions of those, *Marrga*? MC: No, only this one. This is the only one of its kind. This is in ***Jimarndarnha*** yeah my father's place, yeah, ***Jimarndarnha*** Hooley Station. I: And how does that depiction affect you?	
0:05:56.8	MC: Um, well, it's more like the... well to me it's as I've said, how long we've been here and we've, you know, the questions always asked now, can you so say this about this, you know, this area. Well, when we show people who ask these sort of questions, see we can always say, look, we can go back to this as our base. Well our old people are definitely trying to join the ancestral genealogies, so we go back with this [points to Petroglyph] these things.	[lots of background noise, could be traffic?]

0:06:58.8	MC: Still this sketch here but I what is it a symbol of? Um, I don't... oh the 2nd question, do you recognise the depiction? Yes, I recognise it, I've seen it before and I know where it comes from, alright? I: And you've already explained you know what it means. MC: Mm. Yeah, see that's like... it's like today's, er, what is that, you know when people go and scribble all over, graffiti. It's like graffiti but this is a message left for us, for this generation of today to remind us that they've been here before and they've left us a reminder.	[people talking in background]
0:08:01.8	MC: This is your place, this is your inheritance and I'm leaving you this mark where I've been, where I've been before you, mm. I: Thank you. MC: Mm.	
0:08:16.2- END OF CLIP		

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MICHAEL WOODLEY & LORRAINE COOPIN - *Marrga* Interview
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: 1 - Marrga Interview.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020f

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MW: Michael Woodley
LC: Lorraine Coppin

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:05.3	LC: Like this table is... see the legs, the prison officer was talking about it, because they've got this one, hey?	

	MW: Mm. LC: Mm, this is our Jarrah from here. MW: Yeah, you're right, mm. I: So are you ready? LC: Mm. I: Oh well, thank you for coming. I just wanted to ask you about these four different artefacts and the first one we might talk about is the Petroglyph that's in front of you there and I just wondered if you could tell me what that symbol on that Petroglyph means to you?	
0:00:56.5	MW: Well we, we all call this the Marrga, that's creation spirit that used to be on the country before the ***Ngarda***. So in our beliefs, Mingkala made the creation spirit and the creation spirit made the ***Ngarda of the land***. It was the first, what do you call it, being on the ***Ngurra***, on the land, to put it in that sense. I: So how do you know that's the Marrga? MW: Well I've been taught by old people. Every time you see this ***type of*** because you can say, obviously a very distinctive, you know, figure. It's all of these figures, this figure [points] is different to that figure there, you'll see it. But they're all Marrga, so they all came in those different types of ***Shapes*** you know, shapes, sizes and obviously with different, you know, characteristics.	

0:02:02.8	MW: And every time you see one like that, when you're with the old people, they always say it's Marrga. I: So sometimes with Petroglyphs or engravings, they might be of something that you've seen in the country. MW: Mm. I: It's like an animal or a kangaroo, ***Mujura***, but do you see this symbol in the country? MW: This one here [points]? Now? Nothing, gone now. Old people, you know, seen it, you know, through their ***Buwarri (Dream)*** or some of them might be see it, you know, through a glimpse, sometimes a certain time or country but nothing physically walking around. Like you see a carving of an emu or a kangaroo on cut face that exists in the country, you know, obviously but the Marrga are different. It's part of the creation times. So it only shows up to certain people as well whenever there's a reason for it to do so, you know.	
0:03:05.0	NW: I haven't seen it, I think in my time. I: What do you by ***Buwarri***? NW: Dream, in the dream. The ***Marrga*** come in the ***Buwarri*** in the dreaming and the people all get up and they have a conversation with them, mm. I: What do they say?	

	MW: The ***Marrga*** might say well here's a song given to you, you know, it means this and this is the place we're travelling and they all travel the sky, obviously in the ***Buwarri*** in dreaming and have a conversation with the elder. I: What language do they speak? MW: Yindjibarndi. I: What are they speaking to _____? MW: ***Well for us if you're picking a Yindjibarndi person they speak Yindjibarndi*** sometimes they might, you know, prefer to something else and know that as a country. So they're speaking that language to because the Marrga has the whole language, which covers everybody's language ***when the language and Ngaardangarli was given to us.***	
0:03:56.3- END OF CLIP		

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MICHAEL WOODLEY & LORRAINE COOPIN - *Marrga* Interview
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: 2 - Marrga Interview continued.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020g

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MW: Michael Woodley
LC: Lorraine Coppin

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:08.1	I: So I think we were talking about the fact that you were saying that the Marrga might come to people in their dreams.	

	MW: Mm. I: And you can talk to them in Yindjibarndi? MW: Yeah, talk in the language, yeah. I: So is this depiction relevant to you guys today? MW: Mm, well it's still relevant in the way that it keeps a check ***on things***, you know, make sure that ***Yindjibarndi*** are continuing to do the right thing. These are like the guardians of the country that make sure Yindjibarndi people, ***in their own*** country, and they might... you might can go onto country having no regard for the country at all that not ***being taught as a*** Yindjibarndi. He comes over like this and he might see it [taps Petroglyph] and it gives you a bit of a reminder, you know, that you're still a ***Ngarda*** and you've got certain rules that you must apply to.	
0:01:09.2	I: How would a Yindjibarndi person know those rules? MW: Well, they're ***just being a*** Yindjibarndi and the first thing that you do when you get there that you make sure that you don't do anything that's going to upset the spirits, you know, by, you know, going up there and you know, just freely cutting trees or, you know, burning up, you know, the country or making a big mess or, you know, not telling your kids where to go and where not to go, ***stuff*** like that. There's certain rules that you just have to follow where, you know, you're not seen by the spirit as someone coming here with no connection, you know, therefore no responsibility.	
0:01:53.8	MW: So, you people see the country as a recreation rather than a responsibility or purposeful responsibility that you have to manage. You have to manage the country. In a way that you	

	don't abuse it or keep teaching the next generation on how to, you know, conduct themselves when they're there. I: What happens if they do abuse it? MW: Oh, Marrga come and the spirits come again, make you sick or you know, take your kids and make them sick. Probably back in the old days when kids, when someone was I suppose playing up or something, they'd go grab the kids spirit. Take the spirit ***gone***. I: Who did that? MW: The Marrga, spirits.	
0:02:46.1	MW: They make ***them other things*** in the spirit to going to do it. There's other ***Thalu-ngarli*** is two words. ***Thalu*** is there's an animal on the bottom of it, an animal in that one there [points] and the ***Thalu*** like a dog, you know, or pet, sorry but ***that's a Tharlu*** if they're So ***Thalu*** is two things, it's your pet or other spiritual beings that they got in the country and they send down to go and grab the people's ***Manggarn***, or ***Wirrard***, the spirit. I: So have you seen these types of... or the Marrga Petroglyphs elsewhere in the country as well? MW: ***Everywhere they all over the place,*** you know. You've got to know where they are, you know and I never seen them two, but you know, but they're everywhere. Normally when you find one rock carving then you will find a flurry of them... LC: Mm.	[speaking in Yindjibarndi language] [speaking in Yindjibarndi language]

0:03:44.2	MW: and in those rock carvings you'll come across a Marrga all the time, mm. I: Alright. MW: He leaving his foot... heaving his mark there, you know. I: So do you know who made them? MW: That there, Marrga. It's a difference, I think it's two different rock carving, there's some been made by the ***Ngaardangarli*** and some been made by the Marrga. The ones you see with the, I don't know, obviously the Marrga, they make it themself, you know and maybe the ***Ngaardangarli*** made it too, I don't know but there's two different ***what you call it*** I think, type of Petroglyphs. I: When do you think they were made? MW: Oh, look I don't have a clue. We always say ***Ngurra-Nyjunggamu*** when the world was soft. So back in the dream times or way back when, you know. LC: Creation time, yeah. MW: Either the creation time or long time. I: Mm. MW: But when we say long time ago, we say ***Ngurra-Nyjunggamu*** you know, or ***Barraa***	[Yindjibarndi language]

0:04:40.7	I: And just a final question then, what happens if you do obey the law? MW: If you do obey the law? I: Yeah. MW: Well, you'll always going to be welcome on country and country will always look after you. LC: Mm. MW: You know. If you go on obeying the law and that you don't have to go far to get a kangaroo or you don't have to, you know, feel worried about your kids being, you know, hurt, attacked or you being attacked by the spirits or the Marrga. So everything will flourish for you. You'll find things in the country too, things appear, you know, medicine, fruit, all that stuff. Things will come out and look after you all the time. Country will look after you. Make the journey for you get there to everyone all safe and everything like. All in the country. I: Oh thank you. LC: Mm.	
0:05:32.4 - END OF CLIP		

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 10:

Interview questions: Ochre on bodies.

Appendice 10:

Interview questions: Ochre on bodies.

Questions on the use of ochre on bodies in ceremony:

1. Why do people paint ochre on their bodies?
2. What is the significance of using ochre?
3. Where does the ochre come from?
4. What are the times of year that ochre is used?
5. Why is it important to use ochre in ceremonies?
6. What are the colours of ochre and how are they used in ceremonies?
7. What does the use of ochre in ceremonies mean to you?
8. What is the significance of the ochre symbols painted on the bodies in the photographs above, and what do they mean?
9. What is the intention of painting ochre on bodies in ceremony?
10. What is the relevance of the use of ochre on bodies in ceremonies in today's society?
11. What are the rituals or ceremonies associated with the use of ochre in ceremony?
12. What are the consequences if ochre is not used in ceremony?

Appendice 11:

Summary of the Yindjibarndi interviewees comments on ochre on bodies; Figures eight, nine, ten and eleven (Juluwarlu 2020c, 2020h)

Figure 8: Ochre on body.

Figure 9: Ochre on bodies.

Figure 10: ***Ochre on Bodies.***

Figure 11: ***Ochre on Bodies.***

Appendice 11:

Summary of the Yindjibarndi interviewees comments on ochre on bodies; Figures eight, nine, ten and eleven (Juluwarlu 2020c, 2020h)

I have summarised the comments made in the interviews regarding ochre on bodies conducted for this project by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020c, 2020h) with regard to the four images labelled Figures 8, 9, 10 and 11.

Transcripts of these interviews are found within this work at Appendice 12:

1. *Wearing ochre is part of our religious obligation to the creator who made the Ngurra and gave the Ngaarda the country;*
2. *Ochre is how we celebrate and be at one with the country;*
3. *Wearing ochre makes you and the country as one, moving as one body;*
4. *Celebrating everything the Marrga gave us – songs, dance, stories and even the colours of the earth;*
5. *When Marrga see us he doesn't separate the two, he doesn't see an object at all, whether it is a human being or the Ngurra;*
6. *When Ngaarda dresses up with his paints and puts feathers on that belong to the animals of the country and he might dance with sticks everything is one being – there is no separate object;*
7. *When we get dressed up we are celebrating as one thing, the Ngaarda and the Ngurra;*
8. *Yindjibarndi can collect ochre from Yindjibarndi country, it makes you feel comfortable, it doesn't make you sick, it's your own resource;*
9. *You can collect ochre from outside Yindjibarndi country, but you must go and get permission first, but if you did it wouldn't feel right anyway. It would be like putting on a dead man's suit, it wouldn't feel right;*
10. *You can put ochre on anytime, or the burning bark of a tree, similar to ochre, it makes me feel comfortable of who I am;*
11. *Wearing ochre is like putting on the country, like putting on a shirt, it protects you;*
12. *People wear ochre on bodies in Birdarra and corroborees – Birdarra is to do with life and is more serious, while corroborees are more to do with entertainment for everyone to watch;*
13. *There are 4 colours of ochre – red, yellow, black and white and they all come from the Yinda at Millstream;*
14. *The red ochre was painted all over the top part of their bodies in Birdarra Law, and there is also a distinguishing mark on the person's back which classifies that individual's role in the Birdarra Law ceremonies;*

15. *The playwright determines how the corroboree should be performed – he directs people – and when he gets people to paint up, the paintings on the bodies are from what he saw in his dreams, the patterns;*

16. *Ochre isn't put on any time – it is for the Birdarra Law ceremonies or for a corroboree performance;*

17. *Red ochre is special for Birdarra Law because everyone wears it – it is collected before the Law ceremonies;*

18. *Yindjibarndi people collect their ochre from Millstream, which is their house, they don't have to ask anyone, all of the 4 ochres are provided there, we don't have to trade with anyone, and we've got it in store.*

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 12:

Transcript of interviews: Ochre on bodies (Juluwarlu 2020c, 2020h).

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MIDDLETON CHEEDY – Ochre Interview
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Cheedy 3 - Ochre on bodies interview.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020c

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MC: Middleton Cheedy

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:00.0	I: So Middleton, I'm guessing you're seen the depictions of people in ceremony with ochre on their bodies?	

	MC: Mm. I: Do Yindjibarndi people paint ochre on their bodies when they're performing ceremonies? MC: Yes. They have always done that, even in a... not only in May... what do you call it; a Corroboree is entertainment, Corroboree. A ***Birdirra*** it's a, I don't know what to call it. It's not a performance, it's to do with our law, to do with life, whenever there is something to do with our life.	
0:01:01.9	MC: It's the picture of a young man, a young boy being taken away, being brought back through the ***Birdirra*** as a man, when he walks through the ***Birdirra***. So these are going back to the ochre. Now in the ***Yinda***, or our capital, the Y*indjibarndi* capital, we have a four colours, four ***Ochres***, red, yellow, black and white. They all come from the ***Yinda*** and this, they were used to, as I said they were used to decorate the people for performances.	
0:02:00.5	MC: It was something for everyone to watch and it was like entertainment, Corroboree and then the ***Birdirra*** was more serious, it was a life, when people got painted, the red paint, the red ochre was used to paint over the whole body, like the whole top half of the person and then everyone had their red paint but there was also a distinguishing mark. The mark on the back that would identify you as being Uncle or a Father, Mother or an Aunty, that mark there [points to picture] distinguishes you.	
0:03:16.2	MC: It was everybody put on the red paint. The red paint is known as ***mardarr***. Everyone is painted up red but there is a marked that is traced on the back to identify you. There's four skin colours you see. Everyone is painted red, but then oh, who's who? This will distinguish you, the mark on the back. Oh yeah, you can't go there, that straight away and I believe this is, I'm going back to	

	the performance the Corroboree, I believe when the guy the director, the man who's, what do you call the guy, the you know, he put things, like a play into a... I: Or the Choreographer?	
0:04:17.8	MC: Yeah, he's the man that's okay, this is his play, so he's going to direct the people, hey. So these marks, this is what the... when these Corroborees are, the man who's putting on the, what is it, play role, not play role, the playwright, he becomes how this thing, how the Corroboree should be performed see. Like in, what do you call it, in European, what do you call it, someone okay, look I got this and that and you know, I want to put it into action, so this is what I want. So he directs people.	
0:05:16.5	MC: And these things here, the paintings, I believe that when he gets people to paint up, it's from that what he saw in his dream, see, the paintings, it's all sort of what it was in the dreams he sees, patterns. So that's the way it was corroborated. I: So I've got a question for you then. Do you see people putting ochre on their bodies at any old time? MC: No, no. Not any time. It's only for ***Birdirra*** time or the law ceremony, that's the time they put on... they don't put on the ochre for a performance, like in a Corroboree. They don't paint up with it, so that's the difference.	
0:06:17.2	MC: They don't paint up with, what do you call it? You see in the picture [points to picture], all these guys they got no ***mardarr*** on, or the red ochre, see. They just paint up on the night. But here	

	[points to photo] when they go up to ***Woodbrook*** to perform the *Birdarra* they're painted up and they stay that way until the law is finished. I: So what's so special about the ochre? MC: The ochre, what so special about it is, the red ochre is especially, what do they call it, a little bit of red, yellow, black and there were red, yellow and black and there's also the white **Biyulu, Jirrba I mean.**	
0:07:18.9	MC: It why it was so important is it was only used at a certain time of the year. It was always coming into summer and people knew, oh we've got to get some red paint, ***mardarr***, we've got to get it. See everyone is painted up red. I: And can you collect it from anywhere? Or who collects it? MC: the, what do you call it, um, you can't collect it from anywhere, not can't you can but there is a, as I said, they're what do you call it, the people always collect it, the *Yindjibarndi* people collected it from ***Millstream*** see.	
0:08:22.7	MC: Only one place because that was their house and they didn't have to ask anyone, they went oh, we've got a provision of ***Mardarr***, or the red ochre, we've got a provision of the ***Biyulu***, the yellow ochre, we got a provision of the black ochre, what was that ***Gurnarn***, we also had that and we've also got the white ***Jirrba***, also got it there, we don't have to go and ask anyone, we don't have to trade with anyone, we've got it in store.	

	I: That's fantastic, thank you. MC: Mm.	
0:09:11.2 - END OF CLIP		

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MICHAEL WOODLEY & LORRAINE COOPIN 4 – Ochre on Bodies
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Ochre on Bodies.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020h

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MW: Michael Woodley
LC: Lorraine Coppin

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:03.1	I: So the third artefact that I wanted to interview you about is for that ochre on bodies and why do Yindjibarndi people paint ochre on their bodies?	

	MW: Why? Well because as I say, again, the ceremony it's a religious, you know, part of our society, ***Ngarda-yarndu*** society, you know, it's our religious obligation to our creator. **Who made the Ngurra and gave the Ngarda the country.** So how we celebrate him and we celebrate the country and how we continue to be one with the country, it's through the ochres and country. So when you put ochre on from your country, it makes you and the country as one and that's moving as one body, you know.	
0:01:04.3	MW: So what we're doing is celebrating everything that Marrga give us, through songs and dance and stories and even the colour on the earth. So when Marrga see us he doesn't separate the two, you know, he don't see an object at all whether it's a human being or the ***Ngurra*** and we're just the most superior and normally in our case, now you've got the human beings, the most superior out of the two now that doesn't respects country. Take a miner for example, you know, a guy walking around with, you know, Hi-Vis shirts and other things and their machinery and stuff and you know, they are not in line or in sync with the country.	
0:01:52.9	MW: You don't see one being, you one thing and another thing and you see this thing over here that moves around and has all sorts of, you know, new technology and other things that are normally harming the country. Where with the ***Ngarda***, goes off with his paint, puts feathers on him that belongs to the animals in the country and he puts, you know, either... down to the sticks or I think he sees everything as one. So we're celebrating us together as one body, as one thing, the **Ngurra and the Ngarda or Ngarda and the Ngurra.** I: And can you collect ochre for anywhere? MW: Only from your country. Yindjibarndi can only collect ochre from Yindjibarndi country. You can't go other people's country and collect ochre, you can but you have to go and get permission first.	

	But it wouldn't feel right unless. You don't feel right in your body when you get other people's stuff, you know.	
0:02:59.3	MW: It's like this thing about, you know, putting on a dead man's uniform or dead man's suit, you know, it doesn't feel right [chuckles]. I: [chuckles]. MW: That's how the country, you can't go on people other people's... and sticking it on your body. You've got to get your own and when you've got your own, the country and you they know who you are, it don't make you ***Yirriri***, it don't make you sick, it don't make you get into trouble, you don't go and find yourself, you know, in, what do you call it, um, feeling uncomfortable in your life, it's your own, what do you call it, your own resource, so to speak. It's like setting another skin on your body which is part of your body anyways, mm. I: So do people wear ochre any old time? MW: Put it on any time, you know, you don't have to put to go here or go now, you know, it's to make you feel comfortable.	
0:04:00.9	MW: When I go out bush, I always dress myself up with ochre or the burning bark of a tree, you know, same as the ochre because it makes me feel comfortable of who I am. Old people always taught me that, you know. ***Nyirryayi, banggarrima nyirryayi, nyirrayi nyirrayi ngurrayu mirda waarri*** you know. ***Nhaa Ngurra yingu mirnu*** then ***nhaana nyinda. Nyirrayi Ngurrayu*** means put the, cover yourself, put on, put on the country. ***Nyirrayi Ngurra*** means put on the country. LC: Mm.	[speaking Yindjibarndi language]

	MW: It's like put on a shirt, you know and then you go in, you know, but like the working man, putting on a Hi-Vis, you know, when we're going to work, **this is about us Ngurrayu, put on your Ngurrayi, put on your ngurra** you're going to work, you're going to visit your country or hunting or anything like that, you're going in the safety of your country, that's always with you and protecting you. I: From what?	[speaking Yindjibarndi language]
0:05:00.0	MW: Well just from all sorts of things, you know because back in the old days too you had other, what do you call it, um, other things that always associated with everybody's country whether this was law and culture or ceremony and stuff, you had **medicine man** and all that sort of stuff, you know. So people with ***Mabarn*** and stuff and they want to be walking, flying around country or travelling through or stuff like that **always looking for trouble**. I: So who protects you? MW: The country and the spirit, mm. I: Why does it do that? MW: Because we belong to the country, you belong to the spirits, you know, you're a child of the ***Ngurra***. So the way they do it as well is that you have to be, you have to exist, you even have to exist, so the next generation exists. LC: Mm.	

0:05:59.4	MW: And if you don't have that people, that body of people, that continue to carry **Yindjibarndi's** law and culture and songs and stories and all that sort of stuff, then you've got no hope for the next generation, or there may be no generation, you know. So the country always look after their own people, in every country **Ngarluma, Banjima, Kurrama, Yinawangka, Nybali, Kariyarra, Nyamal, Balgu** all that they own, what do you call it, protection, and the **Ngurra** always protected them. I: Why is that important? MW: For our existence, you know, our survival because **Ngurra** only has, what do you call it, you know, um, **Ngurra** only exists or lives today because of the **Ngaarda** and vice versa. You know, I always, you know, always...	[speaking in Yindjibarndi language]
0:07:01.7	MW: you'd be amazed about how people treat the **Burrup** rock art, different to the **Ngaarda** of the country, you know. People come there, oh **how amazing** this place, as you know all the rock art and **Petroglyph** and stuff there and so on and so on. They've got the **traditional owner** standing right there with them, they have no, they don't talk to that person the same way in that they talk to the rock art, about the rock art. See the rock art exists but you've got that person standing up there who's the **traditional owner** of the **country**. He's given you a narrative and explained why the place is important. But you know, he start... you know, again, he doesn't know the challenge or anything for First Nations people as to, um, get, you know, white people, you know, thinking of giving them or removing their fears and thoughts about, you know, there is a, what do you call it...	
0:08:01.8	MW: a level of value that they put onto the **indigenous** person, as he does not exist because of their own views, you know. **Struggling to** determine that, um, there's this level of superiority that the white fella always think that he's better than blackfellas, so therefore he doesn't have any worth or value in that person being anything. But they have high praise for things like rock art or things	[mobile phone sound]

	like that and if we keep on having that attitude then, you know, because you can't wake up to that, right. If the **Whitefella** can't wake up to that, then you try and point him to another example and say well the **Stonehenge**, right, is one example. That's maybe built there by whoever, but nobody knows, right?	
0:09:01.6	MW: No one took the time to, you know, to value the people who was there, you know, building it to record that person and so in whatever time now that they're looking at it in our time from history, oh they don't have a clue. But here the rock art, you've got the person right there, you know, [chuckles]. He can tell you about the place and he can teach you the importance and the value of it and who did it and so on and so forth. In the **Stonehenge**, it's all about a guess now, you know [chuckles]. LC: It's like what you were saying about all the movies they symbolise the alien figure, you know? MW: Mm. LC: And you keep saying, why they be showing disrespect to us and I say why? When the Marrga is our creator, he's our creation, he built where we are. So they over there making fun of him and reckon he's from space but he's been here all the time.	
0:09:55.3	MW: Well is you're talking about a UFO figure, something that's, what do you call it, you've got to the **Marrga** mark it. The same as what they're making now... LC: Mm. MW: but they don't want to acknowledge that as long as there's blackfellas here.	

	LC: Mm. MW: If we acknowledge that, we acknowledge the blackfella having seen him first, having some idea of space and, you know and whatever else exists out there, no? LC: Mm. MW: It's a bit like the **Dogman** tribe, you know, about Sara's A & B. So, it's yeah, the ongoing devaluing of indigenous people in the world and their knowledge. LC: Mm. I: Beautiful. MW: Mm.	
0:10:53.9 - END OF CLIP		

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 13:

Interview questions: Stone arrangements.

Appendice 13:

Interview questions: Stone arrangements.

Questions on the 13 stone arrangements on the flat near *Mirdawadnha* (Table Hill near the Harding Dam):

1. What is the meaning of the 13 stone arrangements near *Mirdawadnha*?
2. Why do you think the stone arrangements were created?
3. When do you think they were created?
4. Who do you think placed the stone arrangements there?
5. What do you think the function of the site is?
6. What do think the stone arrangements symbolise?
7. What rituals or ceremonies are associated with this site?
8. Who can perform the ceremony?
9. How do you know about the ceremony?
10. How do you know if you are correct about the ceremony?
11. What are the rituals or procedures that need to be followed to perform any ceremonies associated with this site?
12. What are the consequences if rituals and procedures for this site are not followed correctly?
13. What is the significance of this site in today's society?
14. If there are other stone arrangements in Yindjibarndi country, what purpose do they serve and how are they significant?
15. What are the consequences if sites like these are forgotten or not created any more?

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 14:

Summary of the Yindjibarndi interviewee's comments on the *Jarnkurna Thalu*; Figures twelve, thirteen, fourteen and fifteen (Juluwarlu 2020d, 2020i).

Figure 12: Jarnkurna Thalu.

Figure 13: Jarnkurna Thalu.

Figure 14: ***Jarnkurna Thalu.***

Figure 15: ***Jarnkurna Thalu.***

Appendice 14:

Summary of the Yindjibarndi interviewee's comments on the *Jarnkurna Thalu*; Figures twelve, thirteen, fourteen and fifteen (Juluwarlu 2020d, 2020i).

I have summarised the comments made in the interviews regarding the corpus of thirteen stone arrangements located at *Mirdawadnha* conducted for this project by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020d, 2020i) with regard to the four images labelled Figures 12, 13, 14 and 15.

Transcripts of these interviews are found within this work at Appendice 15:

1. *This represents the Jarnkurna Jimbu (eggs);*
2. *The Thalu belong to the Jarnkurna;*
3. *This is an increase site for emus;*
4. *Old people go there to increase Jarnkurna (emu) in the country;*
5. *They go there and ask the Mingkala to make the Jarnkurna to lay more eggs;*
6. *You go up there with the leaves and the ochre. You've got to get painted up with the ochre. You connect with the country then. You become one.*
7. *You brush the site with leaves, then you sing out to the country.*
8. *It's got to be the Elders who do that and you've got to be a certain Galharra too;*
9. *Two of the four Galharra groups work together, its either Burungu/Banaga or Garimarra/Balyirri, who work together at Thalu sites. This one is Burungu/Banaga.*
10. *Old Long Mack used to own these sites. He is a Banaga.*
11. *If you are not the right Galharra you would be breaking that Law. Old people will punish you, and secondly, the country won't respond to you anyway;*
12. *If the ceremony isn't performed properly, nothing will happen. Then someone will say, we have to go back again and do it properly. The old people would talk about the possible reasons for why the ceremony didn't work. Then they would pick someone who they know is a credible man to show the mob how to do it properly, and they would go back again;*
13. *When they perform the ritual and call out, they are talking to the spirits in the land, the providers;*
14. *When they call out, they name that place that needs the emus, so it is being specific, not just anywhere;*
15. *It is done properly then the rain will come, there will be an explosion of insects, then here comes the emus, turkeys, Gurrumanthu, not only bringing one thing they are asking for, they would be blessed in multiple things;*
16. *If the country doesn't respond then you have done something wrong, and the senior Elders will need to get involved to try and work out what is going wrong. It's a seniority thing, and you may have to go right back to the senior man, and he will go and do it*

then. And then Mingkala upstairs may feel sorry for him … and grant him what he is asking for.

17. *You always have to go back to some credibility;*
18. *This ceremony is relevant to us today – we have no emu in the country.*
19. *There are too many emus being killed – and it is out of balance … you've got to find the balance.*
20. *There is a new Ngaarda in town who is an individual – he's got his car and his guns … if he finds 4 emus in the country he will kill all four for himself … whereas before if the hunters found 4 emus he might kill one or two and take it back to share with the group.*
21. *People who don't respect or know the law are one of our biggest threats;*
22. *We have got to start educating people now by using the things at our disposal;*
23. *If people respect the law, then the individuals and the country will be blessed;*
24. *Mingkala is always watching us, everything we do he is watching us, we have got him watching us 24/7;*
25. *I know he is watching us because I can feel it, I feel Mingkala, and I don't feel afraid;*
26. *If I continue doing the right thing, he will continue looking after me;*
27. *These stones don't have any other purpose;*
28. *The 13 piles of stones represent the 13 Ngurra in Yindjibarndi country, one for each nation;*
29. *In the Yindjibarndi nation there are thirteen 'rooms';*
30. *If the people wanted to increase emu in a particular 'room' then they would go to a particular pile of stones to which is specific to that part of Yindjibarndi country. It was always in order. They would go to their pile. They would do the ceremony there to increase the emu in their area;*
31. *Only a person from the certain family group from a particular 'room' of the Yindjibarndi country can perform the ceremony and increase the emu for that particular 'room'. Where ever their pile was within this increase site they would do the ritual there;*
32. *The size of the rocks would determine the size of the eggs produced, that was what the old people had in mind;*
33. *That's where you want the emu to be laying eggs all over the country, so they are a benefit to all Yindjibarndi;*
34. *What all the old people were saying was, don't upset nature;*
35. *There is no improvement on perfection, leave things as is.*

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 15:

Transcript of interviews: Stone arrangements (Juluwarlu 2020d, 2020i).

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MIDDLETON CHEEDY – Stone arrangements
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Cheedy 4 – Stone arrangements.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020d

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MC: Middleton Cheedy

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:00.0	MC: Okay? I: Yeah so I've just got a question about why have we got these piles of stones?	

	MC: Mm, yeah, oh you already asked the question, yeah? I: Yeah. MC: So, why. This is what we call the ***Jarnkurna Thalu*** or the increase site for emus. Um, why the pile of rocks? When we went out surveying and we came across this where… where is this anyway? We came across this ***Jarnkurna Thalu*** or the emu increase site. What we found was there were thirteen piles in this one area.	[speaking in Yindjibarndi language] [speaking in Yindjibarndi language]
0:01:03.2	MC: What that shows is in the Yindjibarndi Nation, there are thirteen rooms. Now, when people come if they've found that there was no emus in their area, in their room, they'd come down, they'd have a certain pile in this… it's always in order, they'd got their pile and they'd do the ceremony there, to increase the emu in their area. Not just anybody.	
0:01:58.4	MC: A person from a certain family group had to come and do the ritual, um, ceremony. Wherever their pile was in this increase site, wherever theirs were, they'd go there and then they'd do the increase ceremony there. Only in that one pile, nowhere else, mm. I: So I've just got a question for you on that. MC: Mm. I: So is there any other purpose for these piles of stones?	[sounds of furniture being moved in the background]

	MC: Um, there were some really large rocks that were…	
0:03:01.1	MC: when they did the ceremony, the size of the rocks would determine the size of the eggs. That was the idea, what the old people had in mind. I: What happens if the ceremony isn't performed correctly? MC: Then nothing will happen. They know that the evidence would be, if they didn't do the ceremony right was, mm what's happening? I've been down to the increase site and nothing's happening… I: And then what? MC: and then someone would say, oh we've got to go back again and do it properly. That was that, mm. I: So they might talk to other people about it?	
0:03:58.8	MC: Yeah, then they'd ask, ***Nhungu nyinda thaanha mirda mirnungarli, (You sent to this place people with no knowledge)*** you know, You sent the wrong… not the wrong, you sent the, um, I don't know how to put it, uneducated, not uneducated, but the people who don't know how to do this ceremony properly. You know, they picked someone who they know who's a credible man; oh, you've got to go, show this mob here. Show them how to do it properly, as nothing's happening here. So that was the way, mm and go back again, alright, we'll go back again.	[speaking in Yindjibarndi language]

	I: So with the ritual and you were saying that you'd call out about where you think the… or you'd go through the ritual… MC: Mm. I: who are the people performing to? What are they talking to? MC: They're talking to the spirits in the land, see. The providers that evolved.	
0:05:01.7	MC: ***Nhantharri burbiwarni jarnkurna nhantharrilangu ngurrangga***. Our ***Ngurra*** we show the emus, we need emu in our place and in that place as well. So it's being specific, not just anywhere. I: And so implied in that ritual is that they're going to get an answer in some way? MC: Yeah and then the rain will come, rain comes, explosion of insects, [phwoo], here comes the emus, turkeys, see. They're not only bringing one thing that they the did the…	[speaking in Yindjibarndi]
0:06:03.6	MC: what do you… I know… performance for, the ***Thalu*** not only for one thing, they were blessed in multiple things now, yeah, if they did it the right way. Not only emu, also turkeys and ***Gurrumanthu (Goanna)*** and there's an abundance of insects. That's why we were told, as never… I think what the old people were saying, don't upset nature. I used to sit down with the missus when we were living in ***Karratha*** and say, you know there's no improvement on perfection. Leave	speaking in Yindjibarndi] [speaking in Yindjibarndi]

	things as is. You start mucking around, like this table, hey, [taps on table] you start putting a tomahawk to it, [laughs]…	
0:07:05.2	I: Thank you Middleton, that's fantastic. MC: Mm. I: Thank you so much for those… MC: Yeah, I tried. Sometime I don't even think about these things, you know, when somebody ask me the question, I go oh gee, haven't really given it a thought, you know. But when I sit down and think about it, even in my spare time when I sit at home. Yeah, but there's a lot of… I was just talking to the people down there, about the sustainability, I showed them the photographs, you know, the ***Burndud*** I showed them, I said, you know what [taps table] you see that thing there [points] that's sustainability. They go, where's this blackfella getting all these big words from. I: [Laughs]	[speaking in Yindjibarndi]
0:07:57.7	MC: That's sustainability. What you see there [taps table] is what is still practiced today, about 10kms south of here, also known as Woodbrook and even this, see that [indicates with arm] they're ***Galharra*** that's sustainability. That's still happening today. That keeps us in order. I: I see that galharra and I see you guys working in the galharra, men and women together.	[speaking in Yindjibarndi]

	MC: Yeah. I: I see those, having sustained you through the very hardest of times. MC: Yeah, that's right. I: That galharra. MC: Yeah. I: That forms the very basis of everything. MC: Mm, you know, I stood with the ***what a you call it*** and Liam just stood down. He talked about, you know, the economy, the sustainability or the economy and I said, mm.	
0:08:59.3	MC: You know, that really is nothing. You know, I said sustainability that's when they press the button, you know, with me and I started talking about, you know, sustainability is the ***what a you call it.*** It's what we have. See it's something that nothing can take the place of. Everything else, you can build things, it's ***temple***, it's going to fall, it's going to during the years, it's going to start ***what to do you call it*** and fall on you, it's going to start falling down but what we have, it's just goes on and on. It's like four rivers coming out of Eden. Four rivers. Pishon, Gihon, Hiddekel (the Tigris), and Phirat (the Euphrates). Four rivers. [phwoo] ***Burungu, Bananga, Balyirri and Garimarra*** [laughs].	[speaking in Yindjibarndi,

	I: Thank you.	
0:10:16.4 - END OF CLIP		

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MICHAEL WOODLEY & LORRAINE COOPIN 5 – Stone Arrangements
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Stone arrangements.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020i

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MW: Michael Woodley
LC: Lorraine Coppin

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:01.6	I: Thank you. Now I just wanted to move on to the fourth part of that which is the thirteen piles of stones at ***Mirdawadnha***.	

	MW: Mm. I: Just wondered what they are? MW: Well they're... this one's represents the ***Jarnkurnha jimbu*** chick, mm. [looking at photos] and the ***Thalu*** belongs to the ***Jarnkurnha***, so they're old. Might be people go to increase more emu in the country, mm. Go there and they ask the Mingkala to give them more to make ***Jarnkurnha*** lay more eggs or more emus to lay more eggs. I: How do they do that? MW: They go up there with leaves, you know, and again we talked about the elders, that's why the elders are important as well for ceremonies, you know, not only with this egg ceremony but ceremonies like this too where you go to do ceremony to increase sites.	[Yindjibarndi language]
0:01:01.6	MW: Whether it's a camel site or kangaroo site, or rain ***Thalu***. Whenever we go to country, we get painted up properly, you know and use the ochre. So again, the country then knows who you are, you know. You connect with the country, you become one as we always are. So you go up there with the leaves and you start, you know, brushing the site with leaves [demonstrates with hands] then you sing out to the country. Sing out to the country ***Ngurra…Nyi ganagarrinha nyingu manyuwarni wanggayi burbiwarni Jarnkurnha jimbu ngurrawanduralagayi wanthagayi (Country I come to ask of you to give us more emu season time to have emu eggs laid everywhere)*** Talk to things like that. You ask the country you want to make the country to tell the emus to lay more eggs. Tell more emus to lay more eggs, mm.	[speaking Yindjibarndi language]
0:01:52.9	I: So can anyone do that?	

	MW: Has to be the elders. They'd be a certain colour too. Certain colours can... normally there's two, two will work together, you know. **The Burungu and the Banaga or the Garimarra and Balyirri. There's one here the Banaga its Burungu / Banaga.** I: How do you know that? MW: Well, how **Long Mack** used to own these sites there to, so he's the **Banaga** I: So what would happen if it's not those two skin groups? Or those two **Galharra**? MW: Oh first and foremost, if you're not a **Banaga** you'd be in great trouble. Old people will punish you and then secondly the country won't respond to you anyways. I: So you're looking for a response? MW: Yeah. I: And what's the response? MW: You see, the country will tell you, next year they'll respond that they'll be more, emu will lay more eggs, that's the response. I: And what if there's not? MW: Oh it would mean that there's something else going wrong, you know.	[Yindjibarndi language] [Loud traffic noise]

0:02:59.2	MW: And the old people will research that and try and figure out what was going on and then they **right** back to the elders and to the last elder they got and they'll ask him to ask the man upstairs, you know, because it's like a seniority thing, you know. You go with the oldest and if no one get anywhere, you've got to go right back to the senior man and then he go to... and then, you know, Mingkala upstairs, go oh that feels, since you're asking me, you know, [laughs]. Mm. Or we go back to some credibility. I: So is this ceremony relevant to you today? MW: Yeah. Now we've only got a couple of emu in the country, you know, no more no emus laying, you know, so no more emus laying eggs, so don't make emus and there's more people killing emus as well, there's a story there with that too, you know, in terms of how you must kill an emu and when you must kill an emu and who kills the emu and how much emu do you kill, you know.	
0:04:04.1	MW: You've got to find the balance as well, the equal balance of everything in the country works with the ***Galharra***, works with the **individual**, works with the ***Nyinartd*** and so on and so forth. Nowadays there's a new ***Ngaarda*** in town, you know and he's an individual man now. Got his car, his guns and... LC: Mm. MW: So he's off, he's gone and, you know, he doesn't care what anybody thinks. He finds four emu in the country, he'll kill four of them for himself, you know. Where before they go hunting, they find four emu, they might kill one or two, leave the other ones, take the other ones back and then they share **it with** the group. This guy, kills about four of them, he takes it all to his place now. That's the new ***Ngaarda*** now. That's our biggest challenge today is the new ***Ngaarda***. He's not,	

	what do you call it, respectful of his own teaching and ways. He probably don't know, you know. But he's one of our biggest threats.	
0:05:05.3	I: So what can you do about that? MW: Well we can try and **educate people now, we got to** use what we have at our disposal now, you know. But the way that things are now, you know, cars and other innovative things that this society has now and the social media, you know. So these types of interviews and stuff, now where the old people plea to the nation of ***Ngaardangarli,*** you know, start being a bit more respectful as to how you manage your country. First and foremost, don't go shooting everything that you see or killing everything you see. If you want to get an emu, go get him, get one but when you bring him back you make sure you share him with the old people and the community. So you will be blessed, the country be blessed and so on and so on. Of course the Mingkala are always watching us. Everything we do he watching us, you know. We got him watching us 24/7.	
0:06:04.0	I: Who does he watch? MW: All the ***Ngaardangarli***. I: Does he not watch anyone else? MW: Oh I believe he watching anyone else who's here but he just… we know that he's watching us because that's our God, you know. I: How do you know?	

	MW: We know that because he's making me feel comfortable of who I am, you know. From a spiritual point of view, I can feel it. Like Christians feel Jesus or God, you know, I feel Mingkala and I feel quite comfortable with myself now, you know, I'm confident in everything I do and I don't feel afraid, you know. I know he's watching me, he's got my back and he's watching me do the right thing and he's looking after me. I: Just one final question on the piles of stones. Do they have any other purpose? MW: **them ones here?** I: Yeah. MW: Oh not really, only just to symbolize what it is, you know. It seemed the thirteen thing then, you know, what do we call it, when we talk about them, we've got thirteen ***Ngurra*** in our country, so it could be lay about that as well, you know. So you have the thirteen ***Jimbu-ngarli,*** one for each nation, you know and that's where you want them to be as well. You want them ***ngurrawandurala*** to be laying eggs, all over the Yindjibarndi country, so it, you know, a benefit for all Yindjibarndi, mm. I: Thank you very much. MW: Mm.	[Yindjibarndi language] [Yindjibarndi language]
0:07:38.3 - END OF CLIP		

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 16:

Interview questions: *Mirru*: Notches on the spearthrower.

Appendice 16:

Interview questions: *Mirru*: Notches on the spearthrower.

Questions on the notches on the 2 *Mirru's* are as follows:

1. How would you describe these two artefacts?
2. What is the significance to you of these artefacts?
3. Why do you think these artefacts were made?
4. When do you think they were made?
5. What does the diagonal branding depict on the 2 artefacts?
6. What is the meaning of the diagonal symbols?
7. Why do you think these symbols have been carved into the artefacts?
8. Why are there notches on the edge of the *Mirru's*?
9. What function do the notches perform?
10. What is the significance of the notches?
11. What are the rituals or ceremonies associated with these artefacts?
12. What is the relevance of the notches on these artefacts in today's society?
13. What are the consequences if artefacts like these are lost, forgotten, or not made any more?

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 17:

Summary of the Yindjibarndi comments on Artefact One, the *Mirru*, which was physically provided in the interviews for the participants, and which is shown in Figures eighteen and twenty-one (Juluwarlu 2020e, 2020j).

Figure 18: Artefacts One and Two displaying the side of artefact known to the Yindjibarndi as the Mirru.

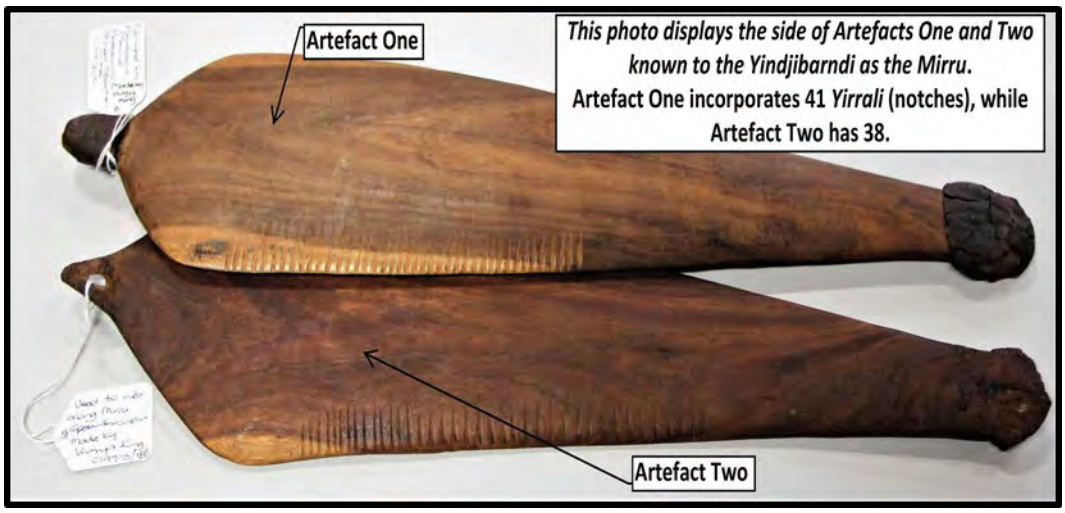
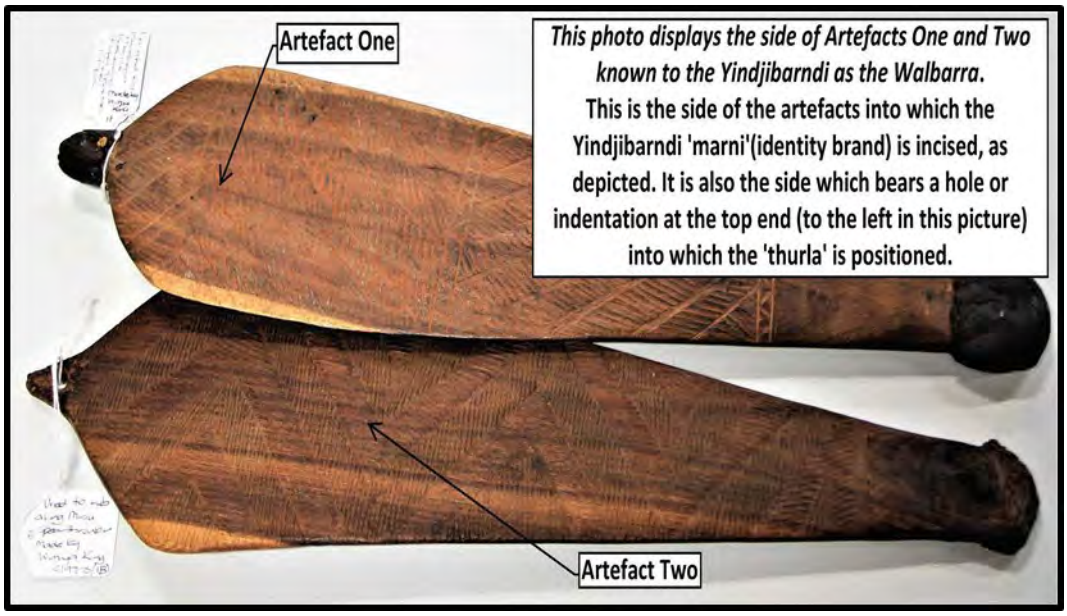


Figure 21: Artefacts One and Two displaying the side of artefact known to the Yindjibarndi as the Walbarra.



Appendice 17:

Summary of the Yindjibarndi comments on Artefact One, the *Mirru*, which was physically provided in the interviews for the participants, and which is shown in Figures eighteen and twenty-one (Juluwarlu 2020e, 2020j).

I have summarised the comments made in the interviews regarding the *Mirru* by Michael Woodley, Lorraine Coppin and Middleton Cheedy (Juluwarlu 2020e, 2020j) with regard to the *Mirru* physically provided to them in the interview which is displayed in Figures 18 and 21.

Transcripts of these interviews are found within this work at Appendice 18:

1. *Dad used to call this Mirru;*
2. *It's a spearthrower;*
3. *Used to launch the spear. It enabled more force to be put into the spear and get more distance;*
4. *I saw the old fellas use this in Fitzroy;*
5. *It's a very important tool in our society;*
6. *It is a masterpiece of innovation;*
7. *It allows the hunter to put down animals that may be big and fast;*
8. *There is ingenuity here, that Ngaarda can come up with this thing;*
9. *By putting a thurla[1] on top of the head there, hook the spear on and then throw it to get a kangaroo, emu or something like that a couple of hundred yards away … that's very innovative;*
10. *I have seen the old people putting the spear in the Walbarra and throwing the spear as a demonstration when they came to our school. I could see it when they threw it, the power of that thing ….*
11. *So that's one part of the thing and it's also used by the old people as a singing instrument;*
12. *It's also used as a musical instrument;*
13. *Middleton's Mali, Wimiya King, used to wake up early in the morning, and he would hear Wimiya singing the day into being, every morning;*
14. *He would sing for him and for others, to give thanks for the day, and not only that, they were grateful for still being alive;*
15. *There were so many things they were grateful for;*
16. *They would sing for the day to provide for them, because at that time, they didn't work;*
17. *That's not to say they were lazy, they knew that nature provided;*

[1] Wordick (1982:351) defines *thurla* as the 'butt peg on a *woomera*'.

18. *Middleton's Mali, Wimiya King, was singing to Mingkala. He was thanking Mingkala for keeping him and his peers alive, and for providing for them;*
19. *He would sing and give thanks because nature would provide. As a little boy Middleton remembers being told never to break anything because the earth was minutely balanced, right down to the smallest pebble;*
20. *We were told not to touch anything, leave as it is;*
21. *The 'marni' on the front part of the woomera gives them the licence to sing about country;*
22. *The marni on the instrument also gives the old people their licence to hunt;*
23. *Marni [incised design] means the markings on the artefact, their marking …*
24. *It gives them a licence to go through Yindjibarndi country. It's part and parcel of who they are as a man;*
25. *Kids can't go out on country and hunt by themselves, they've got to go through law first. When they go through initiation they get taught how to make this stuff and how to put the markings on, and that's their licence then to go on country. So if different Ngurrarra-ngarli catch them on country and they see them with this then they are OK. If they don't see them with this they will get in all sorts of trouble, because they don't have the licence, the free passage;*
26. *The marni on this is the Yindjibarndi marking. All Yindjibarndi have got this. It represents the Fortescue River or Yarndanyirrinha. This is our part of the Fortescue River;*
27. *[Michael Woodley explained the markings on the Walbarra by firstly pointing at the holding end of the Walbarra (with the marni side up), and then ran his hand up the Walbarra until he completed his summary and finished by pointing at the thurla end of the Walbarra]. If you come from the ocean [west] you've got the Guruma or Martuthunira side and then it is all Yindjibarndi until you get to the Banjima country [east]. The Fortescue River runs through Yindjibarndi country with Banjima on one side [east] and the Martuthunira on the other [west]. The markings on this Walbarra represents Yindjibarndi people and their country;*
28. *Other groups have a different brand for the Fortescue River, whether it's the river or something else;*
29. *This is an Yindjibarndi signature;*
30. *The zig zag line is the meandering of the Fortescue;*
31. *The dividing lines on the Walbarra represent the sections where different families lived along the Fortescue River. This was their section of the Fortescue River, like in the rooms, the 13 rooms that make up Yindjibarndi country;*
32. *Our mark is always the river, it's the giver of life;*
33. *If a man from another tribe is well taught, he would recognise the marni, and know it belongs to Yindjibarndi;*

34. *Michael turns over the Walbarra and is asked by the author, "what is the point of the notches"?*

35. *Well we talked about how the Marrga comes to give the old people stories and songs;*

36. *So when they give them the songs the old people make these then [Michael points out the notches on the Mirru]. They are called Yirrali. They call this a Mirru too;*

37. *[While turning the artefact/instrument over in his hands Michael says] this is called two names, Mirru [the side with notches] and the Walbarra [the side with the marni and the thurla];*

38. *The Mirru represent this back part;*

39. *When they play this Mirru they use the Mirrijimba (Mirrimba)[2] which is like a fork. That's the tool for this;*

40. *Michael then goes on to play and sing a Jawi (song) on the Mirru, using a pen as a rasp. Then Michael turns the Mirru over and taps the Walbarra side of the instrument;*

41. *This Walbarra is also sung in the Burndud. In the Burndud it's called the Walbarra;*

42. *Michael then goes on to sing the Walbarra Burndud song, but not using the pen as the rasp. That is because Yindjibarndi Burndud songs are played in time by communally clapping together wirra, or using something to hit or tap in time with the beat, while singing;*

43. *There is no other purpose for those notches;*

44. *Most Mirru have notches, especially the ones owned by the singers;*

45. *Middleton's Mali, Wimiya King, was a singer, he loved singing;*

46. *Playing the Mirru was also done for amusement, just like today's guitar. If you were a singer you would get the Mirru out and play and sing. It was the blackfella guitar;*

47. *When people are singing with the Mirru they are singing a Jawi;*

48. *Jawi's are dreaming songs;*

49. *That's the one that the Marrga will come and get that old fella who he has chosen to sing that Jawi and he'll take him on the journey and show him the event about what that Jawi represents;*

50. *The Elder who was taken on the journey that's his Jawi then, but that Jawi can be passed on to everybody else. Then old people carry that Jawi from one generation to another;*

51. *Jawi's are still carried today, like the one I just sang you now; that belongs to one of my great grandfathers. My grandmother's grandfather, old Bambardu[3], Blind Billy. That song I just sang you, the first bit he sings about the Hamersley Ranges;*

[2] Juluwarlu (2007a) defines the Mirrimba as a 'musical rasp [or] native fiddle'.

[3] A *Jawi* by Toby Wiliguru Bambardu labelled the *Birlinbirlin* song is featured in *Know The Song, Know The Country: The Ngaardangarli Story of Culture and History in Ngarluma and Yindjibarndi Country* (Rijavec 2004:3).

52. *Anyone Ngaarda can sing the Jawi's, and women too, we can all learn, it's a community thing;*
53. *Women can sing Jawi's but usually with a male;*
54. *Normally a male leader will sing a Jawi, and the ladies will join in and sing it like that;*
55. *But if there isn't a male leader around and the ladies want to teach it to the kids, then they can sing Jawi's too;*

Four Yindjibarndi artefacts:

Evidence of religious practices for a discrete human community in the Pilbara.

Appendice 18:

Transcript of interviews: *Mirru*: Notches on the spearthrower (Juluwarlu 2020e, 2020j).

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MIDDLETON CHEEDY – Notches Interview
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Cheedy 2 - Notches on the *Mirru* Interview.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020e

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MC: Middleton Cheedy

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:00.0	MC: My dad used to call this *Mirru*. I: Well we'll get started on the second one then.	

	MC: Okay. Right. [turning pages] I: Um, Middleton I've got some depictions of that *Mirru*... MC: *Mirru*, yeah. I: and also you've got it in front of you. MC: Mm. I: So do you recognise that artefact? MC: Um, yes. It's a spear thrower; this was used to, you know, when you launch something. I: Yeah. MC: It gave the throwing arm more, I don't know, you put more force into the spear.	
0:01:05.8	I: Yeah. MC: This enabled the hunter to get more distance.	

	I: Have you ever seen that happen? MC: I seen it happen, this when I was on holidays in Fitzroy. They fill these... The May holidays, we've gone there for two weeks holiday from the Mission in **Derby**. They had these fullish bags, chaff bags with old rags and what do you call it, you know, full up with things. But then they'd swing it on the tree and they stand back. It's like from here to that shop away, they stand up and they [demonstrates with arms] with these things, [picks up spear thrower] here, they gave it more...	
0:02:02.4	MC: Try now? I'm trying to say and it gave more, it's like a when you use that sling, you know. More distance. So I saw it happen and I saw the old fellas use this in Fitzroy, yeah. I: And you'll notice that there are some notches on that ***Walbarra or Mirru*** in the middle. MC: In the middle, yeah there is and it's also got notches and this was also used for, as a musical instrument to sing songs and what I used to hear, my old *Marli*, or King ***Wimiya*** he used to wake up early in the morning about 4:00 o'clock in the morning he'd wake up and then [moving stick across *Mirru* to make musical noise] and he'd sing the day into being [making percussion music with *Mirru*]	[Yindjibarndi words]
0:03:06.6	MC: He'd sing the day in [making percussion music with *Mirru*], every morning. I: What would he be singing?	

	MC: Ah it was something for him and for others to give thanks for the day and not only that, because they were still alive, you know, they were still alive and oh there is so many things that they were grateful for. So they'd sing the day in for the day to [making percussion music with *Mirru*] bring in, you know.	
0:04:00.0	MC: Bring in things that they needed that the day would provide for them. It was, um, none of old people worked, you know. It didn't mean to say that they were lazy, they knew that nature provided for them, see. It was they didn't touch anything, they knew that they'd go out and it was like the Subway, they got this, what do you call it, Eat Fresh, yeah, Eat Fresh Eat Subway, you know. Well, so this is what they did every morning, they ate fresh alright. Fresh, fresh [laughs]. I: [chuckles]. MC: Eat fresh [laughs] like Subway [laughs].	
0:04:59.1	MC: They killed that day and they ate that day. They picked fruit off the trees that day and they ate, mm. So they're eating fresh. I: So when you say he was grateful for that... MC: Mm. I: who was he singing to then?	

	MC: He was singing to the ***Mingkala***, he was singing to the ***Mingkala,*** [making percussion music with *Mirru*], being thankful. Thank you that you have kept us alive, thank you that you have provided for us, mm. Although they didn't work, see, the Bible says, I am the Lord that provided for thee. That's why they didn't work, you know and that's what we were told, I still remember clearly, as a little boy growing up. We were told never to break anything or, you know, or you pick up stones from somewhere and then you take it somewhere else.	
0:06:04.8	MC: It was like saying like the earth was minutely balanced, right down to the smallest pebble. Mm, ***Mirda garbagayi nyinda-wa marndangarli nhungularngu (You lot don't take rocks from this place).*** Don't touch anything. Leave as it is. I: So do you know if those notches on the *Mirru* are they used for anything else other than that? MC: Um, that's all I know them for being used for. I: And have you seen them like most spear throwers, or most *Mirru* do they mainly... do they have notches on there most of them or not? MC: Sometimes.	[speaking in Yindjibarndi language]
0:06:59.0	MC: So the singers, especially the singers, you know, they'll have this, my old *Marli*, or when ***Wimiya*** King was a singer, he loved singing [making percussion music with *Mirru*] and it was also for amusement. It's like a, today's guitar, you know. If you were a singer, you know, you get your guitar and start singing, you know, or get the whole guitar out and [making percussion music with *Mirru*] [laughs]. That'll say, I've got a blackfella guitar and the what do you call it, these marks,	

	you will see that these, this are not just a mark, this is a signature, It's a *Yindjibarndi* signature. If a man from another tribe was well taught...	
0:07:59.3	MC: he'd see this and he'd say oh, yeah, I know, this is *Yindjibarndi*, he'd see *Yindjibarndi* signature on this which a zig zag and, um, it was also, with the dividing lines, it was also showing... this was... the zig zag line is also the Fortescue, meandering up Fortescue and these lines that were put across, dividing lines are the sections where different families lived along the Fortescue River. This was their part of their section of the Fortescue River, yeah but in the rooms, painting rooms. I: Thank you, Middleton, we'll move onto the next one. MC: Okay.	
0:09:05.6 - END OF CLIP		

FOUR YINDJIBARNDI ARTEFACTS
EVIDENCE OF RELIGIOUS PRACTICES FOR A DISCRETE HUMAN COMMUNITY IN THE PILBARA.

INTERVIEW OF: MICHAEL WOODLEY & LORRAINE COOPIN – Notches on the Mirru
INTERVIEW CONDUCTED AT: Roebourne – Ganalili Centre

AUDIO RECORDING: Notches on the Mirru.mov
DATE RECORDED: 25/07/2020
THESIS REFERENCE: Juluwarlu 2020j

Flinders University.
Adelaide, South Australia.
Philip Davies
Student Number 2079362

TRANSCRIPTION LEGEND:

I: Interviewer – Phil Davies
MW: Michael Woodley
LC: Lorraine Coppin

PLEASE NOTE: ... indicates a change of track in the middle of a sentence or broken conversation due to people interrupting the speaker.

TIMECODE	DESCRIPTION	COMMENTS TO CLIENT
0:00:00.6	I: Is there something that you want to add Lorraine?	

	LC: Yep. Just with the, um, with Marrga and the carvings, I think what I believe is the country, when ***Ngurra-Nyjunggamu*** when everything was so soft, like, clay or cement, so it was the Marrga's canvas and he put his stories down there so once it gets hard, we've got a reminder of who he is and what's in the country. MW: Well we have the rain now, we have a, what do you call it, a ***real*** record, huh? LC: Mm, yeah we've got our ***archive***. MW: Not a ***real*** record, ***Marrga yala wantharna mandarnka (Marrga left on the rocks).*** LC: Yep. I: Mm. LC: ***Yep in the dreaming.*** MW: Mm. I: Thank you.	[Yindjibarndi language] [Yindjibarndi language]
0:01:01.5	I: We might move onto the Mirru. So what does that mean to you, that object in front of you? MW: Well it means a lot really. It's a very important piece of tool in our society, you know, call it innovation because it's a masterpiece here. I mean to make something like this that gives you the ability to hunt and put down, you know, animals that are sometimes, you know, big and run fast, and gee boy, some ingenuity here and regarding this thing here...	

	LC: Mm. MW: that's the first thing, you know. If Marrga can come up with this thing, put a little tool on top of the head thing there...	
0:02:00.0	MW: and that to hook the spear on, then, you know, throw it to, you know, to get a kangaroo or emu like that, couple of hundred yards away, you know, I'm telling you, it's very innovative. I: Have you seen one being used? MW: Yeah, I've been throwing one day, you know... LC: Mm. MW: I've seen them throwing them at an animal and they come to the school sometimes and talk about animals you know. I: Oh yeah. MW: Yeah, put the spear on the Woomera and throw it and see what, you know, the power of that thin, mm. So that's the one part of the thing and then it's also used by old people to ***What call it*** you know, as they singing ***instrument***.	
0:03:04.8	MW: and the thing that also gives them the licence to use this too and to do what they're doing is that there ***Marni (Yindjibarndi brand)*** on the front part of it. I: What do you mean by that?	

	MW: The Woomera. It's like their licence to hunt, you know. By putting their ***Marni*** on that there that gives them the right ***to go on to do the things.*** I: What do you mean by money? MW: ***Marni,*** yeah. The marking, that there [picks up Woomera and shows mark]. That's their marking. So it's like a licence for them to go through country, Yindjibarndi country and... I: So why does it give them a licence? MW: Well it's like I said, it's part and parcel of who they are as a man. Kids can't go out on country by themself and hunt and stuff like that, they've got to go through law first.	
0:04:01.4	MW: When they go through imitation and stuff like that, they get taught how to then make this stuff [points to Woomera] and they get taught how to put the marking and the position of licence now to go in country. So if someone catch you in country and the old people ***because you got you that different Ngurrara-ngarli,*** they catch you on country and they see you with this, then you're okay. If they don't see you with this, ***you get into all sorts of trouble.*** You don't have the licence, you don't have the free passage. I: So who's marking is that? MW: That's a Yindjibarndi mark. All the Yindjibarndi have this. This very marking it represents the Fortescue River or the part of the Fortescue River, what we call ***Yarndanyirrinha*** This is our part of the Fortescue River. Beside here, you've got the ***Kurrama and Martuthunira*** part. It comes from the ocean and from there, Yindjibarndi, Yindjibarndi, Yindjibarndi, Yindjibarndi, right up until	[speaking Yindjibarndi]

	you get here, the ***Banjima.*** So clear path of here ***Banjima*** and a clear path here all other people country but the Fortescue River still runs through here.	
0:05:04.1	MW: Other groups have a different brand of the **Fortescue** River. I: Oh right. MW: About their brand too. **Fortescue** River, something else but ours is always the river, ***Yarndanyirra*** the giver of life ***Wundu* (River)** mm. I: And then the notches on the back, so what's the purpose of those? MW: On this here is probably when they... we talked about the Marrga coming to give the old people stories and songs and stuff but it... I: You've got a pen? Get one. MW: [picks up pen] And they give the old people stores and songs and after they give them the songs, so old people make these things [points to Woomera with pen], ***Yirra-ngarli.*** And with ***Yirra-ngarli*** they call them *Mirru* too, there's two names, *Mirru* and a ***Walbarra***. I: Oh. MW: But a Mirru represents this part here **the back part** mm.	
0:05:58.1	MW: And when they use this thing, they use it with this... this other fella you see in that... [turns pages and shows I:] see that little stick in him?	

	I: Oh yeah.	
	MW: they got like a, what do you call it?	
	LC: Mm, a Fork.	
	MW: Like a fork.	
	I: Yeah.	
	MW: That's a ***Mirrinyinba*** that's what the old people call that a ***Mirrinyinba*** That's a tool for this. [scrapes pen across Woomera making noise], mm.	[Yindjibarndi language]
	LC: You going to sing a song.	
	MW: Like that, mm. ***Signing Gumbulina song*** **(Hamersley Range)**	[sings in Yindjibarndi language]
	LC: ***Wajiwarlu*** **(Deadly).**	[Yindjibarndi language]
	I: ***Wajiwarlu*** **(Deadly).**	[Yindjibarndi language]
	MW: Yeah, well. So yeah and this is also a **sung** in the ***Burndud*** too.	
	I: What is? The ***Walbarra***?	

	MW: ***Walbarra*** and why we call it a ***Walbarra*** is in the ***Burndud*** it's called a ***Walbarra*** _____	[sings in Yindjibarndi language whilst tapping Woomera]
0:07:17.0	**singing the Walbarra song when sung in the Burndud.** MW: **The *Burndud*.** I: Thank you, that was fantastic. MW: Mm. I: Are the notches used... Is there any other purpose for those notches? MW: Only for that now. Only for the singer. I: And when people are singing, what do you call that song when you are using the notches like that? MW: For the ***Jawi yirramagi Jawi yeah.*** I: And what sort of songs are the ***Jawi***? MW: ***Jawi*** are a dreaming song now. That's the one that where the Marrga come and get the old fella who he has chosen to sing that ***Jawi*** and it will take him on the journey and show him the event about what that Joey represents.	

0:07:59.6	MW: And then the person, the elder who is taken on the journey, he does his ***Jawi*** but the ***Jawi*** can be passed on then to everyone else and everyone will carry that ***Jawi***. Old people carry the ***Jawi***, you know, from one generation to another. I: And do you know of Joeys that are carried today? MW: Yeah, the one I just sang you now, that's one of my great-grandfather's. My grandmother's grandfather, called ***Bambardu*** **Blind Billy...** LC: Mm. MW: that's his ***Jawi*** and that ***Jawi***, I just sang then, the first thing he sings is about the Hamersley Ranges, mm. I: And can anyone sing the ***Jawi***? MW: Yeah. From Marrga and woman can sing it too if they want to. They all learn it, it's a community **what you ma call it.** I: So would Lorraine be able to sing that ***Jawi***... MW: Yeah. I: if she wanted to? MW: Yeah, if she wanted to but sometimes she'll normally sing it with a male...	[Yindjibarndi language]

	I: Yep. MW: normally a male leader would sing it and then they'll join in like that but if **they not here** she want to teach the kids, then she can sing it too, mm. I: Well thank you for that, that's fantastic. MW: Mm.	[Yindjibarndi language]
0:09:10.9 - END OF CLIP		