

# MARTU IDJA BANYJIMA PEOPLE NATIVE TITLE APPLICATION WC98/62; WAD 6278/98

## GENEALOGICAL CONNECTION TO CLAIM AREA

by  
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### Introduction

The Linguist Alan Dench states: ‘Two named dialects of Panyjima were originally spoken on the Hamersley Range... Pantikura dialect was spoken on the higher plateaus of the Hamersley Range, while the Mijaranypa dialect was spoken in lower areas (Dench 1991:126).

The Martuidja Banyjima, otherwise known as Bottom End, Bantikura, Mungardu or Fortescue Banyjima remain an identifiable society descended from apical ancestors maintaining a continuing connection to land and sharing common laws and customs. The Martuidja Banyjima genealogies and histories confirm a continuing connection between people and place through the apical ancestors: Pirripuri, Nathanha, Wirrilimarra, Maggie and Winnie.

Genealogical charts of the descendants of Pirripuri and Wirrilimarra include the majority of the Martuidja or Bantikura Banyjima and the membership of the Martu idja Banyjima native title claim, WC98/62; WAD 6278/98. In addition, a statement by Percy Tucker recorded by Dench confirms the close association between the Parker and Tucker families:

My father’s father was Wirrilimarra,

My father was Jacob Tucker.

My uncle was Kutiya-layi.

My name, with these two fella, is Karlayurangu.

These ones, they are the gang, the boss for the Hamersley Range,

All of the gang of this name – my grandfather [Wirrilimarra], Herbert Parker’s grandfather [Pirtupiri], the father belong to them [Marntunha], my father [Pilypanganpangu], my uncle [Pirtanganpangu].

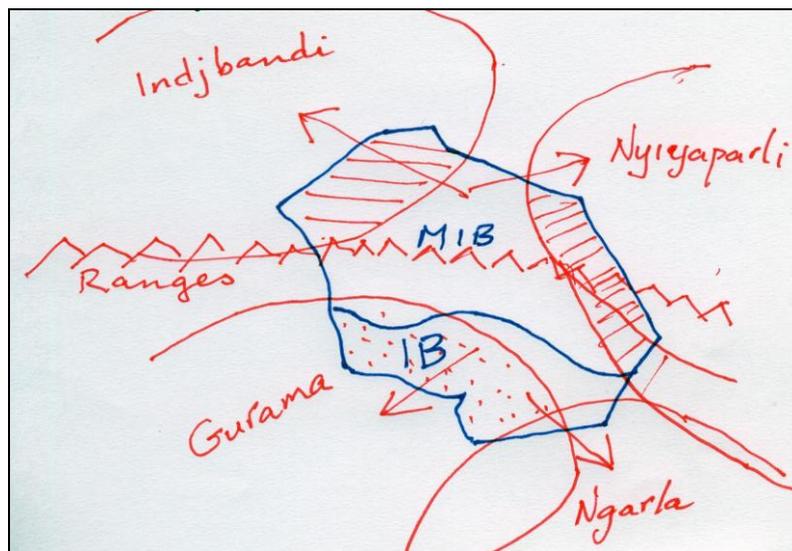
In this hill, on the top of the Hamersley Range,

They were the boss of what’s left behind, us little fellas (translation by Dench 1980).<sup>1</sup>

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<sup>1</sup> Transcript of interview with Percy Tucker recorded by Alan Dench at Onslow Nhuwala Centre, 19 June 1980.

Percy Tucker's statement suggests that his grandfather Wirrilimarra and Herbert Parker's grandfather, Pirtupiri, or more commonly spelt Pirripiri, were 'the boss of the Hamersley Ranges.' Furthermore, marriage patterns distinguish the Martuidja or Bottom End Banyjima from the Milyaranpa, or Top End Banyjima. Predominantly the Tuckers and the Parkers formed filial and ceremonial alliances with the Ngaluma, Indjibandi and Nyiyaparli language groups while the 'Top End' people intermarried and shared ceremonies with the Gurama and Innawonga to the south west of Karijini. Archival records also suggest that the Tucker and Parker families have a long association through shared residence on Mulga Downs and surrounding stations, intermarriage and common laws and customs.



**Plate 1: Diagram of dominant marital alliances of Bottom End and Top End Banyjima. B Day**

### **Descendants of Wirrilimarra**

In the introduction to his chapter on Banyjima language, Dench acknowledges his debt to two Pantikura, or 'Bottom End' Banyjima men, Herbert Parker and Percy Tucker. Dench continues:

My association with the Panyjima community extends over ten years ... In particular, I thank the Parker family for their encouragement and friendship. The late Herbert Parker effectively sponsored my research from the beginning by introducing me to the best speakers of the language and keeping a close eye on my education ... But my greatest debt is to the late Percy Tucker who devoted six months of the last year of his life to this project. I believe that he was well aware of his terminal condition some time before I met him and knew that the time we had to work on the language was limited. I hope that this description does justice to his memory. (Dench 1991:243)

Percy's grandfather, Wirrilimarra, alias Bob Tucker, had three children to a Banyjima woman from the Dales Gorge area. Wirrilimarra's children were Jacob Tucker, Tommy Tucker and Lucy Tucker, or Putha. Jacob had six children. His youngest son was Percy Tucker, who firstly married an Injibandi woman and later a Nyiyaparli woman. Percy's Indjibandi wife was named Nina Wally. Nina had five children who identify as Banyjima after their father. They also acknowledge an Indjibandi man, Wally Walibong, or Bagarman, as a *bajalri* ancestor (Palmer 2009:132). Percy later had seven children with his second wife, Bonny. This side of the family mostly follow their mother by identifying as Nyiyaparli.

Naidong was one of three daughters of Jacob. Her sons Eric, Harold and Douglas were removed by government officials. Naidong's Banyjima husband was Kayuna, who was the brother of Whitehead, the mother of Herbert Parker. Greg and Archie Tucker and the Robinson family are descendants of Naidong through her daughters Blanche and Garditha. Garditha was the wife of Ginger Parker, who was another son of Whitehead and George Marndu.

Kingsley Palmer, an anthropologist who also worked with Percy Tucker, confirms his close association with the Hamersley Ranges, the range of mountains that the Banyjima call 'Karijini':

Percy's [mother] was Bandjima, born on Juna Downs while his [mother's father] was Inawunga and his [mother's mother] a Bandjima probably from upper Turee. His [father] was a Bandjima who came from the Packsaddle area, and both his [father's mother] and [father's father] were Bandjima from the Dales Gorge area Palmer (1980:21).

Descent from his paternal grandparents would account for Percy's primary connection to the Hamersley Ranges.

### **Descendants of Nathanha and Pirripuri and Winnie**

The Parker family are descended from the brothers, Ginger, Horace, Jonah, Herbert, and Wobby Parker. Herbert had six children, Horace had fourteen children and Wobby had eleven. Horace states: 'My mother was a full blood, she was known as Whitehead her Aboriginal name was Payungu and my fathers name was George Parker, Mandu. My fathers father name was Pirripuri. My fathers mother was Thanpanha. My mothers mother was Thuranha and my mothers father was Nathanha.'<sup>2</sup>

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<sup>2</sup> Affidavit of Horace Parker, 27 May 1999.

Horace's brother Wobby Parker stated: 'Father to Whitehead was buried at Stonehut (Joombunna). He was Banyjima. He belonged to Cowra through Mulga Downs.'<sup>3</sup> In acknowledging a different father to his brothers, Wobby added: 'I'm not really a Parker. I'm a Coffin.' His sons explain that the distinction is important in ceremonies as it gives them authority as representatives of a separate lineage. Their apical ancestor would therefore be Winnie, the Banyjima woman who was the mother of Sam Coffin. Sam was also married to a Banyjima woman named Bidy who bore five children to Sam between 1952 and 1958. These four sons and a daughter would also be descendants of Winnie and are step siblings of Bidy's two sons to Horace Parker, Winston and Peter Parker, born in 1947 and 1951.

Wobby Parker is an example of the close ties between Bottom End Banyjima families through his promised marriage to Lola Cook, a descendant of Wirrilimarra's daughter, Putha, or Lucy Tucker. Wobby Parker's descendants from relationships with Indjibandi and Nyiyaparli women also confirm the close ties that exist between these neighbouring language groups and the Fortescue Banyjima.

Explaining these connections, Wobby Parker told Noel Olive (1997:47):

My mother and father were Punjima. [They] worked on Munjina station where I was born. My grandparents lived and worked at Munjina also, Tommy Tucker and Sam Coffin. And old Jacob, the oldest one of grandfathers belong to me and Brian Tucker, he was there ... Dora and Lola [Innawonga] are my cousins out of my mother...

Elizabeth and Margaret Dowton who are descendants of Putha, refer to the mother of the Parker brother's as 'Aunty Whitehead'. Their father, Chookie, was a son of Putha. Putha was the sister of Jacob Tucker, making Jacob's daughter Naidong a cousin-sister of Chookie. Putha was Naidong's father's sister, so Putha would have been a 'mother' (aunt) of Naidong. Naidong married Kayuna who was Whitehead's brother. So Whitehead was a sister-in-law of Naidong and a daughter-in-law of Putha.

### **Descendants of Maggie**

Although the connections to Whitehead is not known, the Banyjima woman Maggie who was born in about 1885 is thought to be related to the Mulga Downs families. Her genealogy includes the Simmons, Mowarin and Carey families, as well as the family of Trevor Parker, the

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<sup>3</sup> Undated draft statement by Wobby Parker

son of Herbert Parker's wife from her first marriage to Richard Simmons. Maggie's descendants on the Simmons and Carey side identify and are accepted as fully participating Martuidja Banyjima claimants.

Some of the descendants of the woman Artu who had a Banyjima mother would also appear to be eligible to belong to the Fortescue Banyjima group, although most have a strong Indjibandi connection. Those who identify as Banyjima are encompassed within the descendants of Wirrilimarra.

### **Alan, Pat and Henry Long**

There are also cultural and familial connections between Fortescue Banyjima and Nyiyaparli, epitomised by the family of the third Parker brother, Horace, who married Olive, the Nyiyaparli daughter of Paddy Long. Police reports show that on 14th December 1950 a complaint was received from Marillana Station that Horace wanted to marry Olive but 'he was tribally related to her, and it was against the tribal customs for them to marry'.<sup>4</sup>

The police report noted:

Paddy, father of Olive and King of the Marillana tribe, [is] a good hard working native who is able to keep his tribe orderly. Pat, brother of Olive. Henry another brother. Neither of these boys having native names yet .... All were questioned in turn and I ascertained that Horace Sam [sic] was a cousin to Olive and naturally this fact was the reason, more so than the fact that Sam is a half caste, for the fathers vigorous opposition to the marriage according to tribal laws.<sup>5</sup>

David Stock recalls the incident and says it arose because Olive's mother was Whitehead's 'sister' (pers com.). David Stock typifies the close relationship between Martuidja Banyjima and Nyiyaparli people as he could identify as both but chooses Nyiyaparli. The close connection between the Parker and Long families is confirmed in a statement by Wobby Parker:

Nyiyarparli give me a wife and I was married in Nyiyarparli to Queenie Yuline. She is the mother for Susanne Parker. I went through Law at Roy Hill. Paddy Long was Nyiyarparli. The Banyjima people put Pat through in exchange for me. Patrick Long my young brother. Pat been giveaway to Banyjima in return (Nangarra). Still Banyjima law.

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<sup>4</sup>Report by F S Jackson PC 2040 to Chief Protector, 18 January 1951

<sup>5</sup>Journal of J G Jackson PC 2040, Police Patrol Report, AN 5/3 Acc 430 File 100/1951.

Pat Long was also a partner of Cella Tucker and adopted Dennis Guinness, known as Bangu, who was the son of an Indjibandi man. Bangu and his family are putative members of Martuidja Banyjima. As a result of these ties, the descendants of Pat and Henry Long are accepted as claimants in the Martuidja Banyjima native title claim. The two brothers are buried at Youngaleena where they resided in their final years.

### **Descendants of Yandikutji**

The descendants of the Banyjima man, Yandikutji, who died in before 1910 could also be eligible to members of the Martuidja Banyjima on the grounds that Yandikutji's country was the on the west side of Weeli Wolli Creek and his Banyjima wife Dardana is buried near Weeli Wolli Creek. Their son, Paddy Stock also inherited rights in the area. Paddy, alias Mardathada, also known as 'Woodstock Paddy', married a Nyiyaparli woman, Walaba, and their son, David Stock, grew up on Roy Hill station. David has followed his mother as a Nyiyaparli. Tonkinson reports, 'David Stock bore the name "Yandicoogina" and had inherited ownership rights with his sister. Their grandmother had been buried there... In October 1981 the survey area was re-visited with Poonda Bob and his wife Stella Kip, to who the buried woman was a grandmother.' Obviously, David Stock's rights to the Yandicoogina area therefore are inherited through his Banyjima ancestry because his Nyiyaparli mother is from the Mount Newman area. David has grandchildren descended from his marriage to Phyllis Spade, She is the daughter of Jemina Ingan and granddaughter of Sally Warbun. Through cognitive descent her children therefore may choose to be either Nyiyaparli, Top or Bottom End Banyjima or Thudgari from Phyllis's father, Jack Spade. Kip, recorded as Paddy Stock's 'brother', was the father of Felix Derschow and Stella Kip. In light of the above, it appears that no descendants of Yandikutji identify as Martuidja Banyjima or have asserted their rights and interests to the Yandicoogina area.

### **Connection to country**

Horace Parker was a remarkable man who maintained his family's connections to country and in later years established the Youngaleena community excised from Mulga Downs. In a eulogy, Louis Warren acknowledged Horace's efforts:

In the early 1960s, Mr Parker started work as a dogger for the Agricultural Protection Board, where he worked for many years.

Importantly, this work kept him in touch with his country at a time when opportunities to leave the Onslow district and go back to station work in Banjima country were limited.

Mr Parker should always be remembered for the passion with which he pursued the maintenance of his people's cultural heritage and identity. In the late 1980s he began his first steps to bring his family and other Banjima back to the lands they traditionally occupied.<sup>6</sup>

Clarke and Smith (1982:9) wrote: 'The Panjima were consulted about the survey [to Weeli Wolli] at Onslow. Herbert Parker and his brothers were regarded as the most appropriate informants. The survey area was Herbert's grandfather's country...' O'Connor (1996:10) also commented on Horace's responsibilities:

From the commencement of the consultation process it became clear that apprehension over the future of the Springs had been one of the main reasons for Mr [Horace] Parker calling such a wide-ranging meeting. His fundamental position in this regard was that the springs are a cultural resource for all Aboriginal people associated with the Fortescue River catchment area and that, as senior elder for this group, responsibility for protection of these Springs had been placed upon his shoulders.

Tonkinson and Veth (1986) also consulted the Parker family when conducting heritage surveys for the BHP Yandi development. They describe their initial contacts:

By telephone I contacted Mr Slim Parker, in his capacity as Chairman of the Pilbara Aboriginal Land Council and also as a member of the Parker family which speaks for Banjima interests in the Yandicoogina area. Slim had accompanied his father, the late Herbert Parker, into the area during the earlier survey, to be shown the sites there (Tonkinson and Veth 1986:2).

Percy Tucker had died 18 months before Brown conducted his survey for the Great Northern Highway realignment (Brown 1983:6). Brown consulted Herbert Parker who knew the general area around the Lake Gundawuna and Munjina claypan and gorge. He knew of Aboriginal sites in the gorge and wanted these recorded. Brown (p.10) states:

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<sup>6</sup> *North West Telegraph*, Wednesday April 12, 2000, page 7.

In the present situation, there seems to be no descendants of specific ‘owners’ of, or of local descent groups from, this area of land. Percy Tucker seemed to have the strongest claim in this regard. Generally the Pandjima have taken responsibility to ‘speak for the country’. Specifically Herbert Parker and his two brothers appear to be the ‘caretakers’ and spokesmen for this area. However, Jerry Wing [Top End Banyjima], who is recognised as being the most authoritative person for an area west of the survey area, seems to have the most knowledge of the southern Packsaddle area.

Brown and Mulvaney (1983b:6) describe the Packsaddle area as ‘a “divide” (watershed) with water courses draining north and east to the Fortescue River and south and west to the Ashburton River.’

Greg Tucker, who has ancestors from both families, has worked tirelessly to establish a community and Law Ground on Mulga Downs station. Greg’s connection to the area is supported by a statement made by his mother, Blanche Tucker, who told the Seaman Inquiry in 1984:

I was born and reared up [sic] on Mulga downs. Mulga Downs is my cousin Alec Tucker’s country. It is my son Greg’s country too. It has been handed to them through Aboriginal law. They know all about that country through the old people. I have some country at Mulga Downs through my grandfather but it is not really my place to talk about it. Alec has more right to talk about it. It is my spirit country. (ALS 1984).<sup>7</sup>

### **Keepers of the Banyjima Law**

The Fortescue Banyjima people regard themselves as keepers of the Wardilba Law that has been observed continuously by Bottom End Banyjima people and others in the Central Pilbara Cultural Block. Amongst the many references to ‘Pinki’ or initiation ceremony gatherings is the following police report from Mulga Downs:

Sunday 12-07-14 left camp at 8 a.m. and arrived at Mulga Downs Station at 1 p.m. and camped. Saw the manager Mr S Criddle. Mr Criddle informed the P.C. that there were a number of strange natives in the Station Native Camp that he would like to have shifted or cleared away. After making careful inquiries the P.C. ascertained that the reason there was such a number of strange Natives about Mulga Downs was owing to there being three yond boys belonging to the

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<sup>7</sup> Statement given to Sandy Toussaint by Blanche Tucker in Roebourne, 1984.

Station, about to become circumcised and go through some tribal customs that are still practised in this District.<sup>8</sup>

Meeting camps and Law Grounds still operate on Mulga Downs at Youngaleena and Wirrilimarra block (see Day 2003, 2005) and at '5 Mile' on the border of Karijini National Park. Greg Tucker was initiated at a Law Ground near Wittenoom.

## **Succession**

Kim Barber noted the Banyjima views on succession:

The woman carries the child (during pregnancy) but it is the man who carries the law and should be followed by his sons in issues of the law and land ownership. This is predicated on the view that the land has culturally defined meaning and its features are a metaphor for law. The logic then follows that, as the father educates a boy about the law, the boy in turn takes over his father's responsibilities which includes looking after the land (Barber 1997:46).

Barber's comments are often contradicted by those who say that Banyjima follow the mother's line.<sup>9</sup> It is social categories that come from the mother, while descent of land rights was partilineal in Banyjima society until more recent times when cognative descent has been accepted the rule (from mother or father). Palmer (2009:81) adds that 'authority is most likely to have vested in those who had a legitimate right potentially to command authority with respect to the land or a matter at hand ... it would appear reasonable to conclude that such an arrangement was likely a part of the system of social authority and control at or about the time of sovereignty'.

Apart from the authority that comes from the maintenance of ceremony, Bottom End Banyjima people have maintained their connection to the land in various ways. After decades working on the land for pastoral stations, members took an active role in opposing mining on traditional lands. When Hamersley Iron proposed the Marandoo mine without adequate recognition of Aboriginal interests, Banyjima and Innawonga leaders led Aboriginal protests against mining and infrastructure. O'Brien (1992:205) describes negotiations held with the Karijini Aboriginal Corporation (KAC) which was incorporated on 29 January 1991 to represent Banyjima interests (see Hodson 1994). The Marandoo dispute is credited with being a turning point in relations

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<sup>8</sup> AN 5 Acc 430 File 5368/1914. Journal of Constable Napier 452 Tableland, 01.07.14 to 31.07.14.

<sup>9</sup> See *Pilbara News*, September 2, 2009, 'Native Title claims clash over burial'.

between Aborigines and mining companies. Since then, Fortescue Banyjima people have been dominant in their involvement in the administration of the Karijini National Park.

### **Social organisation**

Dench (1982, 1987) describes the Banyjima 'skin' system as being of the Kariera type. This system of social categories controls roles in ceremonies and marriage. For example, if the initiate is *burungu* then *banaga* and *garimara* are *karnku* (family) and *jinyjanungu* (workers) would be *milangka* and *burungu*. If the initiate is a *banaga* boy, then the *karnku* would be *milangka* and *burungu* and the *jinyjanungu* would be *garimara* and *banaga*. If a *milangka* boy, then *karnku* are *garimara* and *banaga* and *jinyjanungu* will be *milangga* and *burunga*. If it is a *garimara* boy, then *karnku* will be *milangga* and *burungu* and *jinyjanungu* will be *garimarra* and *banaga* (see Dench 1982:212). Organisation by social categories in Banyjima ceremonies is illustrated in a series of videorecording of ceremonies made by the Gumala Aboriginal Corporation (Day 2003a,b,c; 2004a,b,c; 2005).

Kinship terms (Table 1) are also commonly used and regulate how Martuidja Banyjima people relate to one another.

### **Summary**

A useful comparison to the cohesiveness of the Martuidja Banyjima is the history of two other families who were living on Mulga Downs. Commonly known as the Dhus and the Dershaws, these two large families are descendants of Daisy Yitjiyangu and a white station worker named James Swan. Their Aboriginal step-father was a Nyamal man named Djimbangu. Ivy Swan had eleven children and Susie Swan had thirteen children. The descendants of Ivy and Susie identify as Top End Banyjima. However, unlike the Martuidja families, the descendants have married outside the pattern of relationships shown in Plate 1, generally not participated in ceremonies and have little or no interaction with Martuidja people with whom they have no filial connection.

Even while living on Mulga Downs, Ivy and Susie were kept apart. A 'List of half castes' notes: 'Ivy - Female, age about 17, white father, single uneducated, is employed in manager's house and sleeps and lives at the house, neither is she allowed to go to the native camp without permission.'<sup>10</sup> A trial marriage to a Nyiyaparli man was unsuccessful:

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<sup>10</sup> List of half castes in Tableland Police Sub-district, Police report 5418/22. Mulga Downs (Hancock and Wittenoom)

Ivy told me she could not possibly live with Kip, she put up a good trial, he Kip was too dirty, Kip did not like her. I suggested she on the other hand, was too clean, too fussy for an aboriginal husband. Kip left her he was not driven away. Ivy then appealed to Derchow to protect her, when Ivy became pregnant, Derchow appealed to the CPA for permission to marry her.

Frank Derschow was of German origin and proved to be a good father to Ivy's children all of whom bore his name. However at one stage he attempted to have Kip's son removed from the family and placed in an Aboriginal institution.

Susan Swan was similarly described in the same report: 'Porky - female, age about 19, white father, single uneducated, is employed in manager's house and sleeps and lives at the house, neither is she allowed to go to the native camp without permission.' However, Susie also was claimed by a supportive white man, Edward Dhu, who supported her and their thirteen children. Again they 'married out' and moved away as reflected by their family tree with no connection to Bottom End Banyjima and few commonalities with them.

Some of the commonalities or markers of Bantikura Banyjima identity emphasised in this brief report are:

- Descent from an apical ancestor.
- Exogamous marriages with neighbouring language groups.
- Participation in customary practices.
- Knowledge of social categories and kinship terms.
- Connection to land and participation in activities on that land.

The Martu Idja Native Title claimants described in this report have ably demonstrated all the above qualities that qualify the Martuidja Banyjima's 'stand alone' assertion of native title rights and interests to their country.

<b>Dench 1980</b>		<b>Sharp and Thieberger 1992</b>	
mama	F	mama	father
		yumini	father's older brother
ngarti	m	bibi, ngardi	breast, mother
		gamayi	mother's younger sisters
mayali	FF, MMB, ss, zds	mayali	father of my father, son's child
kaparli	fm, dd, zsd, mfz	gabarli	father's mother
kantharri	mm, sd, zdd, ffz	gantharri	mother's mother
mapuji	MF,DS, ZSS, FMB	mabuji	mother's father
mukulpa	fz	mugulba	father's sister
mimi	MB	mimi	mother's brother, father-in-law
		gurda	brother
		marrgara	younger brother
thurtu	z	thurdu	elder sister
nyupa	w	nyuba	spouse
kumpali	WB, MBS, FZS	gumbali	brother-in-law, son of mother's brother
manyka	S, ZS	manyga	son
kurntalpa	d	gurndalba	daughter
ngarraya	zd	ngarraya	daughter of mother's brother, daughter of father's sister

**Table 1: Banyjima kin terms after Dench (1980) and Sharp and Thieberger (1992). From Palmer (2009:79)**

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