LANG ANDREW, ATKINSON JAMES JASPER

SOCIAL ORIGINS AND PRIMAL LAW

Andrew Lang
James Atkinson

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Social Origins and Primal Law:

Содержание

J. J. Atkinson
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and Primal Law

TO

ANNABELLA ALLEYNE

Dear Annie,

As you first pointed out to me the facts which are the germ of my Theory of the Origin of Totemism, you are one cause of my share in this book. The other is affection for the memory of the author of 'Primal Law.'

Yours always,
A. LANG.

St. Andrews:
Feb. 13, 1903.

INTRODUCTION

The portion of this book called 'Primal Law' is the work of the late Mr. James Jasper Atkinson. Born in India, of Scottish parents (his mother being the paternal aunt of the present editor), Mr. Atkinson was educated (1857-1861) at Loretto School, then managed by Messrs. Langhome. While still young he settled on certain stations in New Caledonia bequeathed to him by his father, and, except for visits to Australia and a visit to England, he lived and died in the French colony. His ingenious mind was much exercised by the singular laws and customs of the natives of the New Caledonian Archipelago and the adjacent isles. These peoples have been little studied by competent European observers – that is, in New Caledonia. Mr. Atkinson wrote an account of native manners before he had any acquaintance with the works of modern anthropologists, such as Mr. Tylor, Mr. McLennan, Lord Avebury, and others. To these he later turned his attention; he joined the Anthropological Institute, and, in the course of study and observation, he discovered what he conceived to be the 'Primal Law' and origin of morality, as regards the family. In his last illness, in 1899, he was most kindly attended by Commander John Haggard, R.N., then Her Majesty's Consul in New Caledonia. Mr. Atkinson's mind, in his latest moments, was occupied by his anthropological speculations, and, through Mr. Haggard, he sent his MS. to his

cousin and present editor. I have given to it the last cares which the author himself would have given had he lived. But I have also taken the opportunity to review, in the following pages, introductory to 'Primal Law,' the present state of the discussion as to the beginnings of the rules regulating marriage among savages.

The discussion is now nearly forty years old, if we date it from the appearance of Mr. J. F. McLennan's *Primitive Marriage* in 1865. Yet, in spite of the speculations of some and the explorations of other distinguished students, the main problems are still in dispute. Was marriage originally non-existent? Was promiscuity at first the rule, and, if so, what were the origins, motives, and methods of the most archaic prohibitions on primitive license? Did man live in 'hordes,' and did he bisect each 'horde' into exogamous and intermarrying moieties, and, if he did, what was his motive? Are the groups and kindreds commonly styled 'totemic' earlier or later than the division into a pair of moieties or 'phratries'? Do the totem-kins represent the results of an early form of exogamous custom, or are they additions to or consciously arranged subdivisions of the two exogamous moieties? Is a past of 'group marriage' or 'communal marriage' proved by the terms for human relationships employed by many backward races, and by survivals in manner and custom?

These are among the questions examined in the introductory chapters that may be read either before or after Mr. Atkinson's

Primal Law. To him I am indebted for the conception of sexual jealousy as a powerful element in the evolution of exogamy.

Since my attention was first directed to these topics, I have felt that a clear and consistent working hypothesis of the origin of totemism was indispensable, and such an hypothesis, with a criticism of other extant theories, is here offered. Throughout I have attempted to elucidate and bring into uniformity the perplexing and confused special terms employed in the discussion. Here it should be explained that by 'marriage' in this work I mean permanent cohabitation of man and woman, sanctioned by tribal custom, and usually preceded by some rite or initiation which does not prelude to casual amours. By family or fire circle I mean the partners to this permanent cohabitation, their offspring, and such kinsfolk by blood or affinity as may be members of their camp. In the first sentence of the book I speak of the family as 'most ancient and most sacred,' and I do so deliberately. The primitive association described I take, with Mr. Darwin and Mr. Atkinson, to be 'most ancient,' and to be the germ of the historic family, which is 'most sacred.' But to 'sacred' when I apply the word to the primitive fire-circle I give no religious sense, such as the Greek hearth enjoyed under Hestia, youngest and oldest daughter of Zeus. I mean that the rules given to the primitive fire-circle by the sire were probably the earliest and the most stringent, though not yet sanctioned by a tabu or a goddess.

Such a small circle, and not a promiscuous horde or commune,

I conceive, with Mr. Darwin and Mr. Atkinson, to have been the earliest form of human society.

The book deals only with the institutions of races certainly totemistic, and mainly with the Australian and North American tribes, which present totemism in the most archaic of its surviving forms. But little is said, and that tentatively, on the question as to whether or not the ancestors of the great civilised peoples, ancient and modern, have passed through the stage of totemic exogamy, as our evidence is weak and disputable. Too late for citation in the body of the book I read Mr. A. H. Keane's theory of the origin of totemism.[1]

Mr. Keane's theory is much akin to my own as it stood in *Custom and Myth* (1884) and to that of Garcilasso de la Vega, the oldest of all. Garcilasso (1540-1616), an Inca on the mother's side, describing the animal and plant worship of the low races in the Inca Empire, says 'they only thought of making one differ from another and each from all.'[2] But it may be that he had not totemism in his mind; the passage is not too explicit.

Mr. Keane says: 'And thus the family, the initial unit, segments into a number of clans, each distinguished by its totem, its name, its heraldic badge – which badge, becoming more and more venerated from age to age, acquires inherited privileges, becomes the object of endless superstitious practices, and is ultimately almost deified… Its origin lies behind all strictly religious

[1] *Man, Past and Present*, Cambridge, 1899, pp. 396, 397.

[2] *Royal Commentaries*, i. 47.

notions, and it was at first a mere device for distinguishing one individual from another, one family or clan group from another.[3] Thus among the Piaroas of the Orinoco below San Fernando de Atabapo the belief holds that the tapir, originally the totem of the clan, has become their ancestor, and that after death the spirit of every Piaroa passes into a tapir; hence they never hunt or eat this animal, and they also think all the surrounding tribes are in the same way each provided with their special animal fore-father. It is easy to see how such ideas tend to cluster round the clan[4] or family totem, at first a distinguishing badge, later a protecting or tutelar deity of Protean form. It should be remembered that the personal or family name precedes the totem, which grows out of it, as seen by the conditions still prevailing amongst the very lowest peoples (Fuegians, Papuans of Torres Strait[5]).'

I am indebted in various ways to assistance, chiefly in the interchange of ideas, from Mr. A. C. Haddon, Mr. G. L. Gomme, Miss Burne, and Mr. A. E. Crawley, author of *The Mystic Rose*. Mr. Crawley kindly read the book, or most of it, before publication, and collaborated most efficiently in the way of suggesting objections. It is not implied that any of these students accept the ideas of the two authors. I regret that it has been found impossible to wait for the publication of a new book by Mr. A. W. Howitt, from which we may expect much new information.

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[3] *The Import of the Totem*, Amer. Ass., Detroit, 1897.

[4] M. Chaffanjon, *Tour du Monde*, 1888, lvi. 348.

[5] *Ethnology*, pp. 9, 11.

The question of the relations of religion and totemism is scarcely touched on in this work. A certain amount of regard is given to their totem animals and plants by some of the Australian tribes, to the extent of not killing, plucking, or eating them, except under stress of need, but even this is not universal. There also exists, in some cases, a sense of kinship with them. They are not worshipped. That magic is worked for their preservation and propagation, as by the Arunta, proves nothing in the nature of a religious attitude towards them. In my opinion this religious regard for the totem does not appear till ancestor worship, which does not occur in Australia, has made considerable advance and a myth arises that an ancestral spirit or family god is incarnate in the animal which originally was only a totem. If so, totemism is not an element in the origins of religion, but a field later invaded by religion.

On the other hand, Dr. Achelis, of Bremen, writes that to savage man 'animals are his equals. To the ancient worship of animals is added, under the influence of sympathetic emotion, the worship of ancestors and totemism, which sees in a beast worshipped as a god the ancestor of the whole tribe.'[6] Clearly this sentence is replete with errors and confusions. The whole tribe, in Australia, does not regard any animal as its ancestor. No beast is worshipped as a god. No ancestors are worshipped. If the animals are 'his equals,' why did man worship them, and that apparently before the worship of ancestors and totemism arose?

[6] *The International Quarterly*, Dec. – March, 1902-1903, p. 321.

In an essay like that of Dr. Achelis on *Ethnology and Religion* the facts ought to be correctly ascertained.

I have been obliged to place in Appendix A certain facts about group names derived from animals which came late to hand, among them Mr. Robertson's interesting letter on many such names in the Orkneys, and some remarks on village names derived from animals among the ancient Hebrews.

CHAPTER I
THE EARLY HISTORY OF THE FAMILY

THE FAMILY. THEORY OF MR. ATKINSON

The Family is the most ancient and the most sacred of human institutions; the least likely to be overthrown by revolutionary attacks. In epochs of change the Family naturally invites the attentions of impetuous reformers, like Shelley (who advocated a scheme more than any other apt to shock the conscience of a savage), and like the friends of 'Free Love,' who would introduce a license beyond the Urabunna model. The horror aroused by certain relations, such as that of brother-and-sister marriage, is perhaps the oldest of moral sentiments, yet it has lost its hold of some barbaric races, and has been overcome by dynastic pride, as in the Royal House of the Incas of Peru, and in that of Egypt. While the Family, everywhere almost, has been secured by a religious and all but instinctive dread of certain aberrations, the laws or customs which may not be broken have varied in different lands, and in different stages of civilisation. What is incest in one

age or country is innocent in another; still certain unions, varying in various regions, have always been regarded with loathing. No such emotion is known to be felt among the lower animals, and scientific curiosity has long been busy with the question, why should the least civilised of human races possess the widest list of prohibited degrees? What is the origin of the stringent laws that, among naked and far from dainty nomads, compel men and women to seek their mates outside of certain large groups of real or imagined kindred? The answers given to this question have varied with the facts of savage law which chanced to be at each moment accessible to inquirers, and all attempts to solve the problem must be provisional. New knowledge may upset even the most recent theory, and, indeed, new knowledge of the rules of certain Australian tribes has already produced fresh hypotheses, as regards certain aspects of the problem.

The whole subject is thorny, and I must crave pardon for venturing to differ, provisionally, on several important points, from authorities whose learning, research, and experience far exceed my own. The facts which they have collected from personal knowledge of savages, and from reading, often group themselves otherwise in my eyes than in theirs – the perspective is different. My observations, therefore, are submitted to criticism with all diffidence. Only the main lines of a complex discussion are here traversed, and the works cited are, as a rule, either by English-speaking authors, or, at least, are sometimes accessible in English translations. It will be seen that students have differed

greatly, not only from each other, but, at different times, from themselves, under the influence of new facts brought in from the most remote and isolated of savage races. One author is most interested in this, another in that, factor of the problem. The difficulty of the subject cannot be exaggerated; for the origins of our human society cannot be *historically* traced behind the institutions of the races now lowest in the scale of culture. We are driven to risk hypotheses. Again, it is by no means certain that some of these lowest peoples of to-day (say the Arunta of Central Australia) represent a moment in the main current of the stream of tendency, a point through which all progress has passed. The ideas and institutions of such tribes may be mere local 'sports,' other divergencies may have arisen in other quarters, and it would be an error (repudiated by Mr. McLennan, the founder of the study in England) to suppose that, everywhere, exactly the same series of changes evolved itself in due sequence. 'In one place or another everything may have been going on,' I have heard Mr. McLennan observe.

Once more, the subject is obscure because the races apparently 'nearest the beginning,' the naked Australians, houseless hunters, just emerging from the palæolithic condition as regards implements, are, as to society and system of thought, very far from being 'primitive;' very remote from 'the beginning.' Their social rules are various and extremely complex, especially as regards marriage: some of their social customs are perhaps inexplicable – a field for modern guesswork – their speculative

philosophy is, in one instance, ingenious, elaborate, and highly peculiar. The 'beginning' lies far behind them, yet their society and institutions may have their germs (on the Darwinian theory) in a state of all but complete brutality.

To trace human institutions back to that hypothetical stage of first emergence from the brute is the purpose of the following treatise, 'Primal Law,' by Mr. Atkinson. It were superfluous for me to dwell on the audacity of his enterprise. Of thoroughly human man we know a good deal: of the brutes we know something. Of a hypothetical creature, not wholly brute, but not yet 'articulate-speaking man,' we know nothing, and as to the ways of his supposed next of kin, 'the great extant anthropoid apes,' our knowledge is vague, resting on the accounts of native observers. Such a creature, however, half ape, half human, is in part the theme of Mr. Atkinson's speculations, on which I venture to express no opinion: as not being persuaded that man ever had such a direct ancestor.

PRIMITIVENESS IN MAN

As to men really primitive, and their social arrangements, I only venture to conjecture that, in the nature of the case, they probably lived a nomadic life, 'selecting a temporary place of abode, whether a cave, rock, shelter, or hut, influenced chiefly by the amount of edible materials to be found in the neighbourhood.'[7] The area of the wandering of each group of hearth-mates would be limited, probably, by the existence of other groups, which would resent poaching. A large trout may often be seen to turn angrily and drive away a little trout that has ventured too near the bend of the brook which the large trout finds a good station for flies; and human groups would also, as in cases to be cited they do, mortally resent intrusions. I conceive that the males would be polygamous (like the gorilla) and jealous, killing or expelling the young males, as in the theories of Mr. Darwin and Mr. Atkinson. Thus groups would, on the whole, be hostile,[8] 'wandering from one locality to another, now gathering fruits and seeds, now hunting wild animals, or, as a last resource, feeding on shell-fish and other produce of the shore.'[9] The implements now used by backward savages for

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[7] Dr. Munro, *Archæological Journal*, vol. lix. no. 234, pp. 109-143: (*Tire à part*, p. 1.) See also later, *Hypothetical Early Groups*.

[8] To this point, hostility, I return later.

[9] Dr. Munro, *Archæological Journal*, vol. lix. no. 234.

fish-catching, nets, spears, and barbed hooks, cannot be precisely primitive. Primitiveness, we must remember, does not depend on antiquity of date.

The Australians, though now their groups have coalesced into local tribes in defined areas, and though their customary law is extremely complex, are least remote from the primitive, least remote, but very far removed. They are, though our contemporaries, infinitely beneath the status in culture of palæolithic man of the mammoth and reindeer period. It is not improbable that he had domesticated the ox, goat, pig, horse, and dog. 'They manufactured fine needles of bone, with which they sewed their skin garments. They adorned their persons with a variety of beads…' Their art was of notorious and amazing excellence. Dr. Munro says that they were 'ignorant of the rearing of domestic animals,'[10] but also that 'there seems to be no inherent improbability in the idea that some of them' (ox, goat, horse, pig, and dog) 'had been domesticated by the indigenous inhabitants prior to the coming of the neolithic brachycephals into France.'[11] A palæolithic sketch of a horse 'with a supposed cover,' and another of a horse with a bridle,[12] may be misinterpreted: Dr. Munro thinks that the horse-cloth 'may be no more than the hunter's skin coat thrown over the back of the animal when led home by means of a halter made

[10] Munro, *Archæological Journal*, vol. lix. no. 234, p. 22.

[11] *Ibid.* p. 32.

[12] *Ibid.* p. 18.

of thongs or withes to be there slaughtered.' If palæolithic man had advanced as far as Dr. Munro supposes, it was a short step to the domestication of the horse. It is hardly conclusive to say that, if he had tamed the horse, 'we would undoubtedly ere now have had an equestrian representation of the fact,' though it is also said that 'we have only as yet a preliminary instalment of these most interesting art productions.'[13] The representation may later be discovered. That palæolithic man, so far advanced as he was, was 'ignorant of the principles of religion,'[14] seems a hasty conclusion. If he had the beliefs of our Australians in such potent beings as Baiame, Nooreli, Daramulun, Mungun-ngaur, Pirmaheal, and Pundjel, that belief would leave no material traces, except, perhaps, the Bull-roarer, whose noise represents the voice of one or other of these beings. Now a small but unmistakeable pair of palæolithic bull-roarers in bone, or of amulets which are bull-roarers in miniature, one of them decorated with the sacred Australian pattern of herring-bone and concentric circles, have been found in a quaternary station in France.[15]

Palæolithic man in France, countless ages ago, was thus, especially if he had domesticated animals, immensely more remote from 'the beginning' than contemporary wild Australian tribes. They, again, with their copious languages,

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[13] *Ibid.* p. 20.

[14] *Ibid.* p. 22.

[15] L'Anthropologie, Mars-Avril, 1902. For a brief bibliography of the bull-roarer see Mr. Frazer, *The Golden Bough*, iii. pp. 423-4, note 1.

ingenious implements, complex institutions, and prolonged tribal assemblies, are infinitely in advance of those really primitive men among whom we must tentatively seek the origins of customary law regulating the family and marital arrangements. A society almost incalculably ancient may have been much more advanced than a society of to-day, and the society of the lowest known modern savages must be equally advanced from the status of 'primitive man'.

The best proof of all that no Australians are now in or near 'the chrysalis state' of humanity, is to be found in their combinations into large friendly tribes, each covering a wide extent of country, and holding stated meetings, for social, political, religious, and commercial purposes. Mr. Matthews remarks on 'articles of barter,' exchanged 'at the great meetings which were held for the initiation of the youths of the tribes.' Among these articles were stone hatchets, first chipped, then ground, the tribes having passed out of the stage in which mere rude flaking sufficed. 'At the conclusion of the ceremonies, before the people dispersed, a kind of fair was held, when natives in whose country stone was plentiful, would barter their things with other people for reeds for making spears, rich plumage of birds, &c. … or for any other articles brought by the various tribes for the purpose of exchange.'[16] We can scarcely conceive that this amount of tribal or inter-tribal unity was possible to man really primitive.

[16] *Journal and Proceedings Royal Society N.S.W.*, vol. xxviii. p. 305. See also Roth, *Ethnological Studies*, pp. 132-138. 1897.

Backward and conservative as the Australians are, we must not expect to find among them, with their highly complex customary laws, anything like the first beginnings of social regulations. To look for these, even among the naked and houseless hunters of Australia, is to organise failure in this research as to origins.

RECENT HISTORY OF THE SPECULATION AS TO THE EARLY HUMAN FAMILY

From the age of Aristotle onwards, inquirers naturally began with a belief in the Patriarchal Family as the original social unit. To this opinion, in a peculiar form, Mr. Atkinson returns, as will be seen. The idea was natural. Aristotle, like Hesiod, starts from 'the Man, the Woman, and the labouring ox,' though men and women were wedded long before oxen and other animals were domesticated. The Biblical account in Genesis opens with the same theory of the primal pair, whose children, brother and sister, must have married each other, as in the late Mr. Morgan's hypothesis of the 'Consanguine Family;' but, contrary to almost universal savage custom, and to Mr. Atkinson's 'Primal Law.'

In 1861, Sir Henry Maine's celebrated book, 'Ancient Law,' appeared. Herein he wrote that it was difficult to say 'what society of men had not been originally based on the Patriarchal Family.[17] His studies had lain chiefly in the law of civilised peoples, Romans, Hebrews, Greeks, Irish, and Hindoos; not in the customary law of the lowest races. He, like Mr. Freeman, concluded that the patriarchal family, by aggregation of descendants (and aided by adoption of outsiders, and by the

[17] Ancient Law p. 132.

ownership of the family by its Head), formed the gens, while the aggregation of *gentes* formed the tribe, and the aggregation of tribes made the State. But, as the *gentes* had traditions contrary to this theory, traditions of separate origins, he supposed that 'the incoming populace should feign themselves to be deduced from the same stock as the people on whom they were engrafted.' Thus we know that McUlrigs (Kennedys) of Galloway joined the remote Macdonnells of Moidart and Glengarry, and wore the Macdonnell tartan[18] (1745-1760), and so might come to pass as Macdonnells, though they still regard the Marquis of Ailsa, a Kennedy, as their chief, at least in Eilean Shona (Loch Moidart). In the same way the Camerons of Glen Nevis, though called 'Camerons,' were really MacSorlies, a branch of the Macdonnells, and from the sixteenth century to 1754 were always on ill terms with the chief of the clan Cameron, Lochiel. These are very modern instances, but illustrate Sir Henry's theory of incomers.

The members of the Roman tribes had traditions that they were *not*, really, of the same original blood with each other. Only by a fiction were they of the same blood. They did not all descend by natural increase from one patriarchal ancestor. There really did exist 'a variety of alien groups in a local tribe,' however they might all adopt the same name, and assert descent, in West Scotland from Somerled, let us say. This

[18] Major Kennedy's portrait of 1750-1760 represents him in Macdonnell tartan. He was an agent of Prince Charles.

fact, of heterogeneousness within the 'tribe' among others, was so obvious and so imperfectly explained, by friends of the Patriarchal theory, that it occupied 'writers belonging to the school of so-called prehistoric inquiry,' as Sir Henry styled it.[19] They were not satisfied with the theory that Society arose in the Patriarchal Family, based on direct descent from, and ownership by, a single male ancestor. To be sure a Cameron will 'cross the hill,' and call himself Stewart, and a Chinese immigrant into Australia has discreetly entitled himself Alexander Macgillivray. But such accretions, and such legal fictions, do not explain the heterogeneousness of the local tribe, which, by the theory of some historians, is of common descent. 'Prehistoric inquirers' could not but notice that, among ruder 'non-Aryan' races of various degrees of culture, 'the family is radically different from the Patriarchal Family,' and suggests a different origin.

Roughly speaking, the groups of real or fancied kindred among various low races exhibit the peculiarity that the kin-name is often inherited from the mother, not from the father; that the maternal blood is stronger in determining such cases of inheritance as arise; and that marriage is forbidden within the recognised limits of the *maternal* kinship. It was natural for inquirers to derive this condition of affairs, this reckoning in the female line, from a state of society in which fatherhood (owing to promiscuity, or to polyandry – several husbands to one wife) was

[19] *Early History of Institutions*, pp. 310, 311.

notably uncertain. Bachofen, who first examined the problem, attributed the system to a supposed period of the Supremacy of Women: McLennan to dubious fatherhood, and possible early promiscuity. The recovery of supremacy by men, or the gradual advance in civilisation, especially in accumulation of property, would finally cause descent to be reckoned through the male line, as among ourselves.

As to the question of early promiscuity – sexual relations absolutely unregulated – Dr. Westermarck, Mr. Crawley, and others have argued, and Mr. Atkinson argues, that it never existed, at least to any wide extent, and with any potent influence. We hear rumours of savages utterly promiscuous, say the Mincopies of the Andaman Islands, just as we hear of savages utterly without religion. But later and better evidence proves that the Andamanese have both wives and a God.[20]

Again, the lowest savages known are so far not 'promiscuous,' that they recognise certain sets of women as persons with whom (as a general rule, subject to occasional exceptions) certain sets of men must have no marital relations. It was the opinion of Mr. Darwin, as of Mr. Atkinson, that sexual jealousy, from the first, must probably have been a bar to absolute promiscuity, even among the hypothetical anthropoid ancestors of human race. To tell the truth, our evidence on these points, as to existing savages, is, as usual, contradictory.[21]

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[20] Westermarck, *History of Human Marriage*, pp. 53-57.

[21] Mr. John Mathew declares that 'jealousy is a powerful passion with most aboriginal

husbands' in Australia. Messrs. Spencer and Gillen, on the other hand, represent the aboriginal husband as one of the most complacent of his species, jealousy being regarded as 'churlish.' Messrs. Spencer and Gillen are decidedly the better authorities. Mathew, *Jour. Roy. Soc. N.S.W.*, xxiii. 404. Westermarck, p. 57. *Native Tribes of Central Australia*, p. 99.

WHAT IS EXOGAMY? DIFFICULTIES OF TERMINOLOGY

In these inquiries a great source of confusion arises (as all students must be aware) from the absence of exact terminology, of technical terms with a definite and recognised meaning. Thus when my friend, the late Mr. John Fergus McLennan, introduced the word 'Exogamy,' in 'Primitive Marriage' (1865), he probably knew perfectly well what he meant. But he did not then, from lack of practice in an inquiry practically novel, and originated by himself, express his meaning with exactness. He at first spoke of exogamy as the rule 'which prohibited marriage within the tribe.'[22] But the word 'tribe' was later taken by Mr. McLennan to mean, and is now used as meaning, what cannot be a primitive community, a local aggregate of groups amicably occupying a considerable area of country; say the Urabunna tribe of Central Australia. Mr. McLennan did not wish to say that exogamy forbids an Urabunna tribesman to marry an Urabunna tribeswoman; he meant that exogamy prohibited marriage within the recognised kindred – that is, in this case, between members of totem kindreds of the same name, say Emu or Kangaroo. This fact he later made perfectly clear. But meanwhile such terms as 'horde,' 'tribe,' 'sub-tribe,' 'family,' 'gens,' 'section,' 'phratria,'

[22] *Studies in Ancient History*, 1876, p. 41.

'clan,' many of them derived from civilised classical or Celtic usage, have been tossed up and down, in company with 'class,' 'division,' 'section,' and so on, in a way most confusing.[23] Odd new terms come from America, such as 'socialry,' 'tutelaries,' 'ocular consanguinity,' 'ethnogamy,' 'conjugal conation,' and so forth.[24] Most perplexing it is to find words like clan, family, tribe, *gens*, phratry, words peculiar to civilised peoples, Greek, Roman, or Celtic, applied to the society of savages. 'The term "clan" implies descent in the female line,' says the late Mr. Dorsey, following Major Powell; but why take the Celtic term 'clan,' which has no such signification, and confer it on what is really a totem kindred with descent in the female line?[25] Next, 'several of the Siouan tribes are divided into two, and one into three sub-tribes. Other tribes are composed of phratries, and each sub-tribe or, phratry comprises a number of *gentes*.' Is there a distinction between the 'sub-tribes' of some tribes, and the 'phratries' of others, or not? Apparently there is not, but the method of nomenclature is most confusing.

I shall understand the terms which I employ, as follows:

The tribe, speaking of the Australians, for instance, is a large

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[23] The late Major Powell, of the American Bureau of Ethnology, used *gens* of a totem kin with descent in the male line, *clan* of such a kin with descent in the female line, and his school follows him. Mr. Howitt, on the other hand, uses 'horde' for a local community with female, 'clan' for a local community with male descent.

[24] 'The Seri Indians,' by W. J. McGee. *Report of Bureau of American Ethnology*, Washington, 1898.

[25] 'Siouan Sociology,' *Report of American Ethnological Bureau*, 1897, p. 213.

aggregate of friendly or not hostile human groups, occupying a territory of perhaps a hundred square miles, and holding councils and meetings for social and religious purposes. It is so far 'endogamous' that its members *may* marry within it – that is to say, it is no more endogamous than the parish of Marylebone. An Urabunna man, a man of the Urabunna tribe, may marry an Urabunna woman – if no special native law interferes. He may also at pleasure marry, out of his tribe, say a woman of the neighbouring Arunta tribe, again, if no special law bars the arrangement. So far the tribe, the large local aggregate of groups, stands indifferent. But, within the tribe, there are laws barring marital intercourse. First, each tribe is usually composed of two 'primary exogamous divisions,' or 'phratries,' so called; in the case of some tribes the phratries are named; for example, *Matthurie* and *Kirarawa*. Every man and woman, in such tribes, is either a Matthurie or a Kirarawa, and can only marry into the opposite division, and the children follow the name of the mother. These two divisions are called 'primary classes' by some students; 'phratrias' (from the Greek: Φρατρία) by others; 'sub-tribes' by others; or, again, 'moieties,' or 'groups.' I shall, in each instance, use the term ('class,' 'phratria,' 'moiety,' 'primary exogamous division,' 'group,' and the like) employed by the author whose opinion I am discussing, though I prefer 'phratry,' as 'class' has another significance; so has 'group,' &c.

Again, the tribe contains a number of totem kindreds (often called 'clans' or *gentes*, rather at random), that is, of sets of

kin deriving their names from *totems*, plants, animals, or other objects in nature. To the possible origin of Totemism we return in a separate section. No Urabunna man may marry a woman of his own 'phratry,' nor of his own *totem*, and the children inherit the phratry and totem names from the mother. Finally, there are sets of relationships, roughly indicating, it would seem, seniority by generations, and degrees of actual or supposed kindred. Within many of these, which I shall style 'classes' (they have other terms applied to them), marriage is forbidden. Thus there are bars of three several sorts on the intermarrying of an Urabunna man with an Urabunna woman. In a way, there are three grades of exogamous prohibitions.

Mr. McLennan, who introduced the word 'exogamy,' defined it thus: 'an exogamous marriage is a marriage between persons of different clans of kinship, not entered into fortuitously, but because of law declaring it to be incest for a man to marry a woman of his own clan.'[26] The same community cannot be 'both exogamous and endogamous,' as some suppose. Thus Lord Avebury writes, 'some races which are endogamous as regards the tribe, are yet exogamous as regards the gens.' But really 'exogamy is the law prohibiting marriage between persons of the same blood or stock as incest – often under pain of death – and endogamy is the law prohibiting marriage except between persons of the same blood or stock.'[27] In Mr. McLennan's sense

[26] *Studies in Ancient History*, second series, p. 265.

[27] *Studies in Ancient History*, second series, p. 46. In an appendix to Mr. *Morgan's*

I shall take the word 'exogamy,' while dealing with peoples apparently nearest the beginning.

Later, when descent in the male line is established, the prohibition on marriage within the totem name comes to apply, sometimes, to marriage within the local district held by the men of the name. The old prohibition, we see, is to many within the recognised limit of the blood kinship, or stock, designated by the totem name. But, as tribes advance to kinship through males, and as, thereby, groups of one totem name come to possess one region of country, it often happens that exogamy prohibits marriage between persons dwelling in that region. Whereas Grouse was forbidden to marry Grouse; later, the Grouse living together, say in Corradale, the exogamous prohibition takes the shape 'persons dwelling in Corradale must marry out of Corradale.' The name marking the exogamous limit is now, in such cases, local, but the prohibition is derived from the older tabu on marriage between 'persons of the same blood or stock' – all those in Corradale being conceived to share the same blood or stock. This origin of 'local exogamy' must be kept in mind, otherwise confusion will arise. There are a few cases, even in Australia, where even local exogamy has become obsolete, and marriage, as with ourselves, is prohibited between persons of near kindred simply.

Now, if I may venture to interpret the mind of Mr. John Fergus McLennan, I conceive that he regarded the totemic

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Ancient Society, Mr. McLennan's terms are severely criticised.

division as older than the 'phratry' or the 'class' bar, and he thought it the oldest traceable exogamous limit. Not to marry within the totem name (no male Emu to marry a female Emu) was, in Mr. McLennan's opinion, the most archaic marriage law.[28] This appears from the words of Mr. McLennan's brother, Mr. Donald McLennan.[29] He writes: 'As the theory of the Origin of Exogamy took shape, and the facts connected reduced themselves to form in his mind, the conclusion was reached that the system conveniently called "Totemism" … must have existed in rude societies, prior to the origin of Exogamy.[30] This carried back the origin of Totemism to a state of mind in which no idea of incest existed. From that condition my brother hoped to trace the progress of Totemism – necessarily a progress upwards – in connection with kinship and Exogamy. It may here be said that he had for a time a hypothesis of the origin of Totemism, but that he afterwards came to see that there were conclusive reasons against it.'

Meanwhile may we not, then, assume that, in Mr. McLennan's opinion, the earliest traceable human aggregate within which matrimony was *legally* forbidden was the totem kin, indicated by the totem name, the totem tabu, and the totem badge, or symbol

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[28] I shall call each set indicated by a totem name a 'totem group,' if the members live together; a 'totem kin,' if they are scattered through the tribe.

[29] *The Patriarchal Theory*, pp. 6, 7, 1885.

[30] Meaning by Exogamy, not a mere tendency to marry out of the group, but a customary law with a religious sanction.

– where it existed?

We now see how heterogeneous elements came to exist in the tribe of locality, a puzzle to the friends of the theory of the Patriarchal Family. For the nature of totemism, *plus exogamy* and *female descent*, is obviously such that under totemism, each family group even (each 'fire circle' of men, wives, and children), *must* contain persons of different totems. The father and mother *must* be of different totems (persons of the same totem not intermarrying), and the children must inherit the totem either of the father or of the mother.[31] When paternal kinship is not only recognised (as, in practical life, it always is), but becomes exclusive in its influence on customary law, and when an approach to the Patriarchal Family, with the power of the patriarch, is evolved, all the members of the family in all its branches will (if Totemism persists) have the same totem; derived from the father. Thus there will now be a *local* totem group, a group mainly of the same totem name, as is practically the case in parts of Central Australia.[32]

It is necessary to understand this clearly. Take a very early group, in a given district; suppose it, at first, to be anonymous, and let it later be called the Emu group. So far, all members of the group will be Emus, they will form an Emu *local* group. But, next, suppose that there are many neighbouring groups, also at

[31] Here the unusual case of the Arunta offers an exception to the rule; a point to be discussed later.

[32] Spencer and Gillen, pp. 8-10.

first anonymous; let them later be styled Rat, Cat, Bat, Sprat. Suppose that each such group now (for reasons to be indicated later) takes its wives not from within itself, but from all the other groups; that these women bring into the Emu group their group names; and that their children inherit their names from their mothers. Then the name, 'Emu group,' will cling to that *local* aggregate, as such; but, in time, the members of the Emu group will all be, say, Rats, Cats, Bats, and Sprats, so called from the group-names of their alien mothers. Suppose that, for one reason or another, children at last come to inherit their names and totems from their fathers. Then a Cat father will have Cat children, though his wives may still be of different totems, and his sons' children will also be Cats, and so the local group will become mainly, if not wholly, a group of one totem, the Cat. The Arunta of Central Australia do trace kinship in the male line, and thus there is 'one area which belongs to the Kangaroo men, another to Emu men, another to Hakea flower men,' and so on. This has reached such a pitch that 'in speaking of themselves the natives will refer to these *local* groups,' not by the prevalent totem names in each, but 'by the name of the locality which each of them inhabits,' namely, as men of the Iturkawura camp, and so on.[33] Thus we might say 'the Glen Nevis men,' 'the Corradale men,' and so on.

Thus we begin with an anonymous group, or group of unknown name, a local group. We introduce Totemism, and

[33] *Ibid*. pp. 8-9.

that group becomes a local group with a totem name. Granting exogamy (prohibition of marriage within the group), and reckoning in the female line, it soon developes into a local group made up of various totems, but, at first, *as a local group*, it probably retains its original totem name among its neighbours. Reckoning, still later, through the male line, we again meet, as at first, a local totem group, but already Totemism is on the wane, and the groups are soon to be called by the territorial names of their lands. At this stage totem names are tending to decay, and the next step will probably be to style the group by the name of some remembered, or mythical, male ancestor, such as 'children of Donald' – Macdonalds.

Thus if, at a given time, the name of a certain male ancestor is substituted, as 'eponymous,' for the totem name, or the district name, we shall find a local group of, say, Sons of Donald, into which other groups, Sons of Sorlie, or Ulrig, will enter, as occasion serves, and be more or less absorbed. A State may at last arise, say, 'Softs of Israel.'

We are not assuming, however, that all human societies have passed through the totemistic and exogamous stages.

TOTEMISM AND EXOGAMY

But what was the original unit, the totem group, or other division outside of which alone could marriages be arranged? And why was the totem name the limit? Returning to Mr. Donald McLennan's account of the opinions which his brother did not live to set forth, Totemism arose 'in a state of man in which no idea of incest existed.' On this theory, I presume, there would be totem groups before exogamy arose; before it was reckoned 'incest' to many within the totem name. This, as we shall see, appears to be sometimes the opinion of the best Australian authorities, Messrs. Fison and Howitt, and Messrs. Spencer and Gillen. It is also the theory of Arunta tradition. The totem belief, as it now exists, imposes many tabus: you may not (as a rule) kill, eat, or use the plant or animal which is your totem; still less perhaps, in the long run, may you 'use,' sexually, a woman of your totem. If *this*, or a kindred totem tabu, is the origin of exogamy, then to exogamy (as a law, though not necessarily as a tendency) the totem is prior in time. But I have no reason to suppose that Mr. McLennan ever regarded the totem tabu as the origin of exogamy. In his published works he offers another theory, not commonly accepted.

But the important thing to note is that exogamy may conceivably (contrary to Mr. McLennan's opinion, but in accordance with that of Mr. Atkinson) have existed, or rather

tended to exist, before totems arose; much more, then, previous to the evolution of totem names, of totem tabu, and of the idea of incest, *as a sin*, or mystic misdeed, and as an offence to the totem – a religious offence to God, or to ancestral spirits. Persons may have been forbidden to marry within their local group, their 'fire circle' before that group had a totem, or a totem name, and they may have been forbidden for reasons purely secular, to which the totem later lent a sanction, and a definite limit. Thus Mr. Tylor, our most sagacious guide in all such problems, writes 'Exogamy can and does exist without Totemism, and for all we know was originally independent of it.'[34]

It is part of my argument that exogamous tendencies, at least – that is, a habit of seeking female mates outside of the fire-circle – may very well have prevailed before any human group had even a totemic name. But exogamous tendencies are not, of course, the same thing as exogamy strictly defined, and sanctioned by religious or superstitious fear, and by secular penalties inflicted by the tribe. Against the notion that exogamy may have been prior to Totemism, Mr. Robertson Smith argued that very early man would not be restrained from marriages by such an abstract idea as that of kindred – 'not to marry your near kin' – while the idea of kindred was still fluid, and not yet crystallised around the totem name.[35] But, without thinking of kindred by blood, perhaps without recognising consanguinity (though it must have

[34] 'Remarks on Totemism,' *Jour. Anthrop. Inst.*, August, November, 1898.

[35] *Kinship in Early Arabia*, p. 187.

been recognised very soon), early man may have decided that 'thou shalt not marry within this local group or crowd, of which I am head.' Nothing abstract in that! There was no tribal law – there were as yet (I suppose) no tribes – only the will of the head of each small set of people practically enforced exogamy.

We can have no certainty on this point, for we know of no pre-totemic race, no people who certainly have not yet entered into the totemic stage. Any such people, probably, in the remote past, had no idea of incest as a sin, or of exogamy as a law sanctioned by a tabu. But they may have, at least, had a strong tendency to marry outside of the circle of the hearth, the wandering hearth of homeless nomads ranging after food.

The reader of Mr. Atkinson's treatise will find that this kind of exogamy – marriage outside the local group – would, on his theory, be the rule, even when no idea of blood kindred, or of incest as a sin, need have arisen; and no totem, or anything else, had yet been named. The cause of the prohibition would, in Mr. Atkinson's opinion, be the sexual jealousy of the hypothetical patriarchal anthropoid male animal; and, later, the sexual jealousy of his adult male offspring, and of the females. Still later the group, already in *practice* exogamous, would accept the totem name, marking off the group from others, and the totem name, snipe, wolf, or what not, would become, for the time, the exogamous limit. No man and woman of the same totem name could intermarry. Still later, a myth of kinship with the totem would arise, and would add the religious sanction of

a tabu.

A prohibition may perhaps have arisen very early, even if Mr. Atkinson's hypothesis (that the rule of marriage outside the group arose in a state of brutality) be rejected. 'The origin of bars to marry is, in fact, complex,' writes Mr. Crawley. A dislike of marriage with a group-mate, familiar, through contiguity, from infancy, may have been developed among early men;[36] and may have been reinforced by the probably later superstitions which create 'sexual tabu,' and mutual avoidance, among many existing peoples. Men and women are, by savages, conceived to be mysteriously perilous to each other, especially when they live in close contiguity. Mr. Crawley also allows for Mr. Atkinson's main factor, jealousy, 'proprietary feeling, which is one crude means by which the family has been regulated and maintained.'[37] If these things were so (whether we go back to Mr. Atkinson's semi-brutal ancestors, or not), then, contrary to Mr. Donald McLennan's opinion, and to general opinion, it would not 'appear to be possible to demonstrate that Totemism preceded exogamy,' or at least preceded the exogamous tendency. For, in the first place, exogamy might conceivably tend to arise before the explicit idea of kinship – whether male or female – arose. Mr. Atkinson's 'primal law' would be unuttered in speech (speech, by his theory, there was none), but would amount to this: 'I, the

[36] But, as Dr. Durkheim says, man and wife might soon abandon each other, if familiarity breeds contempt.

[37] *Journal of the Anthropological Institute*, May, 1895, p. 444.

patriarchal bull of this herd, will do my best to kill you, the adult young bulls, if you make any approaches to any of the cows in this crowd.' There is no notion of 'incest,' but there is jealousy producing the germ exogamy. The young bulls must find mates outside of the local herd – or do without. This rule persisted, on Mr. Atkinson's theory, till the hypothetical anthropoid became a man, and named his group (or had it named for him, as I later suggest) by a totem name.

But real human and speaking beings might enforce marriage outside of the group, though they did not perhaps think explicitly of kindred (or, at least, did not think the idea fully out), still less of 'incest,' as sin. Mr. McLennan's theory, as given in his works, was partly identical with that of Mr. Atkinson. 'The earliest human groups can have had no *idea* of kinship' – they must, therefore, have been rather low savages. 'But,' he said, 'they were held together by a *feeling* of kinship,' not yet risen into explicit consciousness. Cat and kitten have, probably, *feeling* of kinship, and that *feeling* is very strong, while it lasts, in the maternal cat, while between semi-human mothers and children, arriving so very slowly at maturity, mother-kin must have been consciously realised very early. Mr. McLennan then showed the stages by which the savage would gradually, by reflection, reach explicit consciousness of female kinship, of mother-relationship, sister and brother relationship, and all the degrees of *female* kin.

But Mr. Fison and others have argued powerfully against this

theory.[38] Moreover, we find male relationships, as we saw – 'descent counted in the male line' – among the Arunta of Central Australia, whom Mr. J. G. Frazer regarded, in 1899, as actually 'primitive;' while the neighbours of the Arunta, the Urabunna, reckon through the female line.[39] Mr. Crawley, for various reasons, says, 'the famous Matriarchal theory' (the prepotency and dominion of women) 'was as exaggerated in its early forms as was the Patriarchal… It is a method of tracing genealogy, more convenient in polygamous societies and more natural in primitive times when the close connection of mother and child during the early days of infancy emphasises the relation.'[40] Dr. Westermarck argues to a similar effect.[41] His motive is to discredit the theory of promiscuity, and consequent uncertainty of fatherhood, as the cause of reckoning on the spindle side. But the Arunta, who reckon on the sword side, actually do not even know that children are the result of sexual intercourse, according to Messrs. Spencer and Gillen. How they can have any idea of blood-kinship at all is, therefore, the mystery. It may perhaps be argued that they have none. But these ignorant Arunta reckon descent through the male line – while the Royal Picts, in early Scotland, infinitely more civilised, reckoned by the female line.

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[38] *Kamilaroi and Kurnai*, p. 132. 1880.

[39] Spencer and Gillen, p. 70. Frazer, *Fortnightly Review*, April, May, 1899.

[40] *The Mystic Rose*, p. 460.

[41] *History of Human Marriage*, pp. 105-113.

For myself, I still incline to the opinion[42] that the reckoning of descent through the woman is the more archaic method, and the method that, certainly, tends to dwindle and disappear, as at last it did among the Picts. This applies to human society, not to that of Mr. Atkinson's hypothesis, in which the question is not of kin, but of property. 'Every female in my crowd is my sole property,' says – or feels – Mr. Atkinson's patriarchal anthropoid, and the patriarch gives expression to his sentiment with teeth and claws, if he has not yet learned to double up his fist, with a stone in it. 'These were early days.'

[42] Tylor, *J. A. I.* xviii. 3, 254.

THEORIES OF EXOGAMY. MR. MCLENNAN'S THEORY

In any case, Mr. McLennan's hypothetical first groups, like Mr. Atkinson's, were very low indeed. They developed exogamy, not (as in Mr. Atkinson's theory) through sexual jealousy on the part of the sires, but, first, through regular female infanticide. This practice, being reasonable, could not prevail among Mr. Atkinson's anthropoids.[43] Girl babies being mostly killed out, women became scarce. Neighbouring groups being hostile, brides could only be procured by hostile capture. Each group thus stole all its brides and became exogamous, and marriage inside the group became a sin, by dint of 'a prejudice strong as a principle of religion.'

This theory of Mr. McLennan's is, I think, quite untenable. The prevalence of female infanticide, at the supposed very early stage of society, is not demonstrated, and did not seem probable to Mr. Darwin. Even if it existed, it could not create a prejudice against marrying the few women left within the group. Mr. McLennan, unhappily, was prevented by bad health, and death, from working out his hypothesis completely. His most recent statement involves the theory that the method of the Nairs of Malabar, living in polyandrous households (many men to each

[43] The practice however, is attributed to tame canary birds.

woman) was the earliest form of 'marriage.' But people who, like the Nairs, dwell in large households, are far indeed from being 'primitive.' 'A want of balance between the sexes' led, Mr. McLennan held, to 'a practice of capturing women for wives,' and was followed by 'the rise of the law of exogamy.' The first prohibition would be against capturing women of the kindred (marked by the totem), for such capture, if resisted, might involve the shedding of kindred blood. Women being scarce, through female infanticide, kindred groups would not give up or sell their women to each other (though to the males of the groups, such women could not be wives), nor could women be raided from kindred groups, as we saw. So they would be stolen from alien groups, 'and so marriages with kindred women would tend to go into desuetude.' The introduction of captured alien wives would change the nature of matrimonial relations. Under the Nair system 'a woman would live in the house of her mother, and under the special guardianship and protection of her brothers and her mother's brothers. She would be in a position of almost absolute independence of her husbands…'

But really pristine man and woman can have had no houses, no matriarchal rule of women. The Nairs, not being primitive, have houses, and their women have authority: pristine man was not in their condition. However, captured alien wives would, Mr. McLennan argues, be property, be slaves; and men would find this arrangement (now obsolete) so charming that polyandry and the reign of woman would go out. The only real legal marriage

would be wedlock with an alien, a captive, a slave woman. Marriage with a woman of the same stock would be a crime and a sin. It would be incest.[44] Really it would be, at worst, concubinage.

This theory seems untenable at every point, community of wives, female infanticide, household life, supremacy of women in the household, living with a non-captive wife reckoning as incest, and, in short, all along the line. Even if the prejudice against marrying native women did exist, it could not be developed into the idea of sin – granting that the idea of sin already existed. To be sinful, endogamy within the group must have offended some superstitious belief, perhaps the belief in the totem, with its tabu.[45]

[44] *Studies in Ancient History*, second series, pp. 57-65.

[45] Cf. *Custom and Myth* (A. L.), p. 258.

MR. CRAWLEY'S THEORY

To disengage from his learned book, *The Mystic Rose* (1902), Mr. Crawley's theory of the origin of exogamy is no easy task. He strongly insists on the 'religious' element in all early human thought, and as in 'religion' he includes the vague fears, misgivings, and ideas of 'luck,' which haunt even the least religious of modern men, we may say that 'religion,' in this sense, mingles with the thought of all ages. The present writer, like Dr. Johnson, is an example of the 'religious' character, and of Mr. Crawley's remark that 'human nature remains potentially primitive.' To the 'religious' man or woman (using 'religious' in this sense) the universe is indeed a thing of delicate poise, and may 'break, and bring down death,' if we walk under a ladder, or spill the salt, or enter a doorway with the wrong foot foremost, or fail to salute a magpie, or the new moon. The superstitious anthropologist, of course, knows that all these apprehensions of his are utterly absurd, but the savage is careful and troubled about them. The Philistine, on the other hand, is proud of his conquest of these airy terrors: he 'cannot imagine what people mean by such nonsense,' and, exactly so far as he is sincere, he cannot comprehend early mankind.

Now, as to exogamy, our difficulty is to understand why breach of the rule against certain marriages is, everywhere, so deadly a sin: so black an offence against 'religion.' Mr.

Crawley's explanation is not, perhaps, easily to be disengaged from the mass of his work, but it begins in his appreciation of the δεισιδαιμονία of early men, their ever-present sense of 'religious' terrors. 'Thus all persons are potentially dangerous to others, as well as potentially in danger…'[46] This sense of peril arises 'in virtue simply of the distinction between a man and his fellows.' Much more, then, are women dangerous to men, and men to women, the sexes being so distinct from each other. We know that the most extraordinary precautions are taken to avoid contact with women in certain circumstances, and a well-known story of Sir John Mandeville's is only one case of the fact that the bridegrooms of some races, from a superstitious terror, insist on being made *cocus en herbe*. Messrs. Spencer and Gillen give the instance of 'the marriage ceremony' (an odious brutality) among the Arunta of Central Australia.[47] It is perhaps intended to deliver the bridegroom from a peril imagined by superstition (as in Mandeville's tale);[48] and, without it, the Australian would resemble the man derided in the old Scottish song:

The Bridegroom grat when the sun gaed doon.

Thus a 'religious' dread attaches among savages (the theory holds) to all marriages; all are novelties, new steps in life, and therefore are so far 'sinful' that they involve a peril, vague but

[46] *Mystic Rose*, p. 31.

[47] Spencer and Gillen, pp. 92-93.

[48] Lord Avebury's view that the 'rite' implies compensation to the other males of the community will be considered later.

awful, the creation of superstition. Marriages contrary to the exogamous rule, are only especially and inexplicably bad cases of the 'sin' – that is, mystic danger – of marital relations in general, as I understand Mr. Crawley. Marriage ceremonies of every kind are devised to avoid 'sin,' as our Marriage Service candidly states, using 'sin' in the Christian sense of the word. But there are savage marriages, those forbidden by the law of exogamy, which, as a general rule, no ceremony can render other than sinful. So great and terrible is the danger of such marriages – namely, among many savages, between persons of the same totem, that it threatens the whole community, just as the marriage of Charles I. with a Catholic bride caused the Plague, according to the Rev. Mr. Row, and therefore such unions are punished by the death penalty, and are but seldom left to the automatic vengeance of the tabu. Foremost in this black list of sins are the unions of brothers and sisters of the full blood, though, we must remember, these are not more heavily punished than marriage between a man and woman of the same totem, even if the pair come together from opposite ends of the continent, and are not blood relations at all. Why is this?

As I understand Mr. Crawley, the sexes, in savagery, avoid each other's society in everyday life, partly from 'sexual tabu' – the result of the superstitions already indicated; partly because of 'sexual solidarity,' perhaps even of 'sexual antipathy.' In fact, men and women are often very much in each other's way. We do not want women in our clubs and smoking-rooms – nor do

savages – and we despise a man who lurks in drawing-rooms when his fellows are out of doors; a man who is a pillar of luncheon parties and of afternoon tea. But this separation of the sexes is especially rigid between the children of the same hearth, even among nomads. The boys go with the father, the girls with the mother. The manlike apes have the same ideas. 'Diard was told by the Malays, and he found it afterwards to be true, that the young Siamangs, when in their helpless state, are carried about by their parents, the males by the father, the females by the mother.' 'The nests … are only occupied by the female and young, the male passing the night in a fork of the same tree or another tree in the vicinity.'[49]

These facts of ape etiquette would, to use an Elizabethan phrase, have been 'nuts' to Mr. Atkinson, and prove that sexual separation of the children is a very early institution. In Australia, New Caledonia, and other countries, brothers and sisters must not even speak to each other, and must avoid each other utterly. Thus the danger and 'sin' of the most innocent intercourse between brothers and sisters is emphasised; much more awful, then, are matrimonial unions of brother and sister. 'The extension' (of this idea) 'by the use of relationships produces the various forms of exogamy,' says Mr. Crawley.[50] There are difficulties here; for example, Mr. Crawley tells us that incest

[49] Westermarck, p. 13. Citing Brehm, 'Thierleben,' i. 97, *Proceedings R.G.S.* xvi. 177.

[50] *Mystic Rose*, p. 443.

did not 'need prevention,' though the rules of brother-and-sister avoidance seem really to mean that it did, or was thought to do so (but perhaps only superstitious dread of ordinary intercourse caused the rule?), and though we know of regions where such incest, in early youth, is said to be universal.[51] 'Such incest,' says Mr. Crawley, 'is prevented by the psychological difficulty with which love comes into play between persons either closely associated, or strictly separated before the age of puberty…'[52] Now we know that lust does come into play – for example, among the Annamese – between brothers and sisters not closely separated; and we also know that, the more persons are 'strictly separated,' the more does the novelty and romance, when they do meet, produce natural attraction, as between Romeo and Juliet. Incest among the young is really prevented by the religious horror with which, by most peoples, it is regarded; as well as, among the civilised, by the constant and sacred familiarity of family life. The bare idea of it can only occur, as a desirable notion, to a boyish revolutionary, like Shelley, or to minds congenitally depraved.

Again, men and women of the same totem have no 'avoidances' forced upon them, as far as I know (and, as they may not marry, this is an oversight); yet their marriages are as terribly sinful as marriages between brother and sister of the full blood. Mr. Crawley writes, 'Obviously the one invariable

[51] Westermarck, p. 292.

[52] *Mystic Rose*, p. 222.

antecedent in all exogamous systems, indeed in all marriage systems, is the prohibition of marriage "within the house."' But, we reply, A (a male) and B (a female), of the same totem, may never have been in the same house, or in the same degree of latitude and longitude, before they met and fell in love. As to 'house,' houses they may have none. Yet their union is a deadly sin. Mr. Robertson Smith is said to have 'set the question in the right direction,' when he wrote, 'whatever is the origin of bars to marriage, they certainly are early associated with the feeling that it is indecent for house-mates to intermarry.'[53]

But what is early need not be primary.

Again, if Mr. Crawley reads on, he will find, I think, that the context of Mr. Robertson Smith's argument shows him not to have held that exogamy arose in 'the feeling that it is indecent for "house-mates"' (or tent-mates) 'to marry.' For Mr. Robertson Smith adds, 'it will not do to turn this argument round, and say that the pre-Islamic law of bars to marriage may have arisen … in virtue of a custom that every wife and her children shall have their own tent.[50] In any case, we cannot speak of 'house-mates' before there were houses. But if for 'house-mates' we read 'hearth-mates,' then no sense of 'indecency,' as on Mr. Crawley's theory, need necessarily attend their marriage, for hearth-mates may be of different totems, derived from different mothers, and may be marriageable enough, at least as far as totem law is concerned. A, male, an Emu, marries B, a Bandicoot,

[53] *Kinship and Marriage in Early Arabia*, p. 170.

and C, a Grub. His children by B have the Bandicoot totem, his children by C have the Grub totem. As far as totem law goes, these children may intermarry, but this is not allowed in practice to-day. Mr. Mathews says, of the Kamilaroi, 'in order to prevent such a close marriage' (of brother and sister on the father's side), 'every tribe has strict social customs, founded upon public opinion, which will not tolerate the union of a man with a woman whose blood relationship is considered too near.'[54] Australian ethics, long trained under the old totem and phratry prohibitions, are now sufficiently enlightened to reject unions which we also forbid. But it cannot have been so in the beginning, or the totem and phratry tabus on marriage would have had no occasion to exist. It would have sufficed to say, 'Thou shalt not marry thy sister, or mother,' and the totemic rule would have been a cumbrous superfluity. Superfluous it would have been, even under the hypothetical 'group marriage system,' where the law would have run 'Thou shalt not marry thy group-sister or group-mother.'

While Mr. Matthews gives a kind of bye-law, forbidding marriage, under female descent, with the paternal half-sister, Mr. Fison avers that the Kamilaroi do allow such unions. 'It is marriage within a phratria,' but not within a totem.[55] The fact was denied, or at least questioned, by many correspondents, but Mr. Fison believed it to be authentic. 'The natives justified it on

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[54] *Proc. Roy. Soc. N.S.W.* xxxi. 166.

[55] *Kamilaroi and Kurnai*, pp. 42,46, 47, 115.

the ground that the parties were not of the same *mudji*' (totem). Apparently these natives, who let a man marry his father's daughter, had not arrived at an objection to unions of 'too near flesh.' But mere decadence, under European whisky, may be the explanation. Mr. Matthews denies, as we saw, what Mr. Fison asserts, as to the Kamilaroi. Mr. Crawley writes, 'if we apply to the word "indecent" the connotation of sexual tabu … and if we understand by "house-mates" those upon whom sexual tabu concentrates, we have explained exogamy.'[56]

Scarcely, for sexual tabu against marriage, in fact, now, at least, concentrates on people of near kin, and on totem-mates, man and woman of the same totem, and they may be 'house-mates,' or 'hearth-mates,' or they may not (in polygamous society), and the hearth-mates (as far as the totem rule goes, but not now in practice) may thus be intermarriageable, as not of the same totem, while totem-mates, from opposite ends of a continent, are not intermarriageable (except in the peculiar case of the Arunta and cognate tribes).

But Mr. Crawley may reply that each totem, originally, did really pertain to all members of each small local group, and that the totem prohibition was extended, later, to all groups of the same totem name, however distant in space. Thus according to the Euahlayi blacks there were originally no totem names, but the divine Baiame gave them to mortals with the rule that no pair of the same totem name were to marry, 'however far

[56] *Mystic Rose*, p. 443.

apart their hunting grounds.' Thus considered, the tabu which forbids an Emu man to marry an Emu woman, would mean no more, originally, than that marriage between persons living in the close contiguity of the same local group (in this case the Emu group) was forbidden. There might be no original intention of prohibiting marriage with a person of an Emu group, dwelling a thousand miles away; probably no such group was known to exist. The original meaning of exogamous law, I repeat, would be merely 'you must not marry a hearth-mate,' – or a 'house-mate,' in Mr. Crawley's phrase – the hearth-mates, in this particular instance, being delimited by the name 'Emu.' So far my conjecture agrees with that of Mr. Crawley. The extension of the prohibition to persons of the same totem-name, however remote their homes and alien their blood, I am content to regard as a later kind of accidental corollary. There came to be totem kins of the same name, far remote, and thus, as it were casually, the law acquired an unpremeditated sweep and scope, including persons not really of the same group or blood, only of the same name.

But why was there originally any objection at all to marrying the most accessible bride, the female hearth-mate? Here, as I have tried to show, Mr. Crawley would explain by his idea of sexual tabu. All men are regarded with superstitious dread by all women, and *vice versa*; above all, as a daily danger, the men, or women living in close contiguity must avoid each other. To keep them apart all sorts of tabus and avoidances are invented,

including the tabu on their marriage.

This is a plausible and taking theory, and I am far from arguing that it cannot be a true theory. But the insuperable difficulty of deciding arises from the circumstance that we know nothing at all about the intellectual condition of the more or less human beings among whom the prohibition of marriage within the group first arose. Were they advanced enough to be capable of such a superstitious dread of each other as the supposed cause of the prohibition takes for granted? Males and females, among the lower animals, have no such superstition. It requires human imagination. On the other hand, animal jealousy was well within their reach, and Mr. Atkinson derives the original prohibition of marriage within the group from the sheer sexual jealousy of the animal-patriarch. In his opinion the consequent aversion to such wedlock crystallised into a habit, as the race advanced towards full humanity.

Even before his anthropoid clients were completely human, the group would be replete with children of females not of the full group blood, captives, and therefore these children (if blood kin through females were regarded) would be eligible as wives. But this would not yet, of course, be understood. Perhaps it would not be fully understood till the totem name was given to, and accepted by, each group, and so there was a definite mark set on each woman brought in from without the group, and on her children, who bore her totem name. After that, each totem group obviously contained members of other totems, and

those, being now recognised by their mother's totem names, were technically intermarriageable. What had been a group not explicitly conscious of its own heterogeneous elements, became, in fact, an assemblage of *recognised* heterogeneousness, capable of finding legal brides within itself, and no longer under the necessity (had it understood) of capturing brides from without in hostile fashion. Such an assemblage would, or might, come to consist of families, dwelling, or rather wandering, within a given region, all on terms of friendship and mutual aid. I take it that, by this time, improved weapons and instruments, and improved skill, enabled groups larger than the small original groups to live in a given area. In fact, the group would, or might, be a small local 'tribe,' but, probably, was unconscious of the circumstance. If conscious, one cause of hostility among the groups was at an end, there was no necessity for stealing women, a system of peaceful betrothals within the group might now arise, though certain facts, to be dealt with later, raise a presumption, perhaps, that this relatively peaceful state of life did not appear until two of the original local totem groups coalesced in *connubium*, intermarrying with each other, in fact becoming 'phratries.'

To produce the new condition of affairs, two factors were necessary: first, a means of distinguishing the captured women within every group from each other, and from the group into which they were brought by capture. This means of distinction was afforded by the totem names. Next, a recognition of kinship was needed, and this was supplied, let us conjecture, by naming

the children of each of the captive women after the totem name of the group from which she was captured. If all the children indiscriminately were called by the totem name (say Emu) of the local group into which their mothers had been brought – that is, by the totem name of their fathers – there would be no recognisable heterogeneity within that group, and so there would be, within the local group, no possible wives, under the exogamous rule. Whether polyandry then existed, or not, still all the fathers were of one local totem name, say Emu, and children could only be differentiated by styling them after the totem names of their alien mothers. This is usually done among the savages who are least advanced, but not among the Arunta, whose totem names, as we shall see, by a curious divergence, do not indicate stock, but are derived from a singular superstition about ancestral spirits, of various totems, incarnating themselves in each new-born child.

Mr. McLennan, in *Primitive Marriage* (1865), had arrived at conclusions very like these. The primitive groups 'were assumed to be homogeneous… While as yet there was no system of kinship, the presence of captive women in a horde' (group), 'in whatever numbers, could not introduce a system of betrothals' – the women and their children not yet being differentiated from each other, and from the group in which they lived. Mr. McLennan, in 1865, did not ask how these women ever came to be distinctly differentiated, each from each, and from the group which held them, though that differentiation was a necessary

prelude to the recognition of kindred through these women. But presently, in his *Studies of Totemism* (1869), he found, whether he observed the fact or not, the means of differentiation. Differentiation became possible after, and not before, each primitive group received a totem name, retained by its captive women within each group to which they were carried, a name to be inherited by their children in each case.

He says, 'heterogeneity as a statical force can only have come into play when a system of kinship led the hordes to look on the children of their foreign women as belonging to the stocks of their mothers.' That was impossible, before the totem or some equivalent system of naming foreign groups arose, a circumstance not easily observed till Mr. McLennan himself opened the way to the study of Totemism.[57]

It thus appears that Mr. Crawley's theory of exogamy and mine are practically identical in essence (if I rightly interpret him). The original objection was to the intermarriage of the young of the group of contiguity, the hearth-mates. If there was but one male of the elder generation in the group of contiguity, these young people would be brothers and sisters. If there were two or more males of the elder generation, brothers, the group would include cousins, who (even before the totem name was accepted by the group) would also be forbidden to intermarry. When the totem name was accepted, cousins, children of brother and sister, and even brothers and sisters,

[57] See *Studies in Ancient History*, pp. 183-186.

children of one father, by. wives of different totems, would be, technically, intermarriageable: though their marriages may, in practice, have been forbidden because they were still of the group of contiguity, and as such bore its *local* totem name, say, Emu, while, by the mother's totem name, they may have been Bats, or Cats, or anything. Where I must differ from Mr. Crawley is in doubting whether at this hypothetical early stage, the superstitions which produce 'sexual tabu' had arisen. We cannot tell; but certainly, as soon as the totem name had given rise to the myth that the totem, in human beings as in animals and plants, was inviolable – the beast or plant of the totem blood not to be killed or eaten,[58] the woman of the totem name not to be touched – so soon would endogamy, marriage within the totem, be a sin, incest. This it would be; the totem tabu once established, whether sexual tabu, or sexual jealousy, or both, caused the first prohibition, not to marry group, mates. Here we may briefly advert to Dr. Westermarck's theory of exogamy, though it interrupts the harmonious issue of our speculations.

[58] This is the view of Dr. Durkheim, who explains the blood superstition. Cf. Reinach, *L'Anthropologie*, x. 652.

DR. WESTERMARCK'S THEORY

As to exogamy, Dr. Westermarck explains it by 'an instinct' against marriage of near kin. Our ancestors who married near kin would die out, he thinks, and they who avoided such unions would survive, 'and thus an instinct would be developed,'[59] by 'Natural Selection.' But why did any of our ancestors avoid such marriages at all? From 'an aversion to those with whom they lived.' And why had they this aversion? Because they had an instinct against such unions. Then why had they an instinct? We are engaged in a vicious circle. 'Lastly it is not scientific to use the term instinct of this kind of thing.'[60]

[59] *History of Human Marriage*, p. 352.

[60] Compare Mr. Crawley, *Mystic Rose*, pp. 444-446.

MR. MORGAN'S THEORY

As to Mr. Morgan's theory, in his *Ancient Society* (1877), of a movement of sanitary and moral reform, which led to prohibition of 'consanguine marriages' I shall return to it in a later part of this essay ('Other Bars to Marriage'). Here it will be found that Mr. Morgan is the source of certain other theories which we are to discuss, a fact involving a certain amount of repetition of arguments already advanced.

RETURN TO THE AUTHOR'S THEORY

We conclude, provisionally, that exogamy, for various reasons of sexual jealousy, and perhaps of sexual superstition, and of sexual indifference to persons familiar from infancy, may, at least, have tended to arise while each little human group was anonymous; before the acceptance of totem names by local groups. But this exogamous tendency, if it existed, must have been immensely reinforced and sweepingly defined when the hitherto anonymous groups, coming to be known by totem names, evolved the totem superstitions and tabus. Under these, I suggest, exogamy became fully developed. Marriage was forbidden, amours were forbidden (there are exceptional cases), within the totem name. This law barred, of course, marital relations between son and mother, between brother and sister, but, just as it stood, permitted incest between father and daughter, so long as the totem name was inherited from the mother. But that form of incest, in turn, came to be barred by another set of savage rules, which, whatever their origin, prohibit marriage *within the generation*. That set of rules, noted specially in Australia and North America, is part of what is usually styled 'The Class System.'

CHAPTER II
THE CLASS SYSTEM

Under this name appear to be blended, (1) the prohibition to marry within a division, which, in its simplest form, is said to cut the tribe into two 'classes' or 'phratries,' or 'groups;'[61] (2) the prohibition to marry within the totem name; (3) the prohibition to marry within the generation, and within certain recognised degrees ('classes,' 'sections') of real or inferred kinship – 'too near flesh,' too close consanguinity, which, in their present condition, many Australian tribes undoubtedly regard as a bar to matrimony. But it does not follow that they *originally* held this opinion.

We shall first examine what authorities who differ from me, call the great 'bisection' of the tribe, into, say, Matthurie and Kirarawa, members of which must intermarry, the totem prohibition also remaining in force. It will here be suggested, in accordance with what has already been said, but contrary to general opinion, that the totemic prohibition is earlier than the prohibition of marriage between persons of the same segment of the 'bisection.' The opinions of most students appear, at present,

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[61] Apparently, among the Kamilaroi, members of the same phratry may intermarry, avoiding unions in their own totems. Mathews (*Proc. Roy. Soc. N.S.W.* xxxi. 161, 162). Mr. Mathews calls a 'phratry' a 'group.'

to be divided thus. We hear that:

1. The exogamous division into two moieties, or 'phratries,' is *earlier* than the division of each into numerous totem kins. The totem kins are regarded as later 'subdivisions' of, or additions to, the two 'original' moieties.

2. Totem groups are earlier than the 'bisection' (though somehow, according to the same authors, the two moieties of the bisection bore totem names), but, before the 'bisection,' these *totem groups were not exogamous*. They only became exogamous when six of them, say, were arranged in one of the two moieties (phratries), now forbidden to marry, and another six in the other.

I venture to prefer, as already indicated, the system (3) that totem groups not only existed, but were already exogamous, before the great 'bisection' producing the 'phratries' came into existence, though I argue that 'bisection' is a misleading term, and that the apparent division was really the result of an amalgamation of two separate and independent local totem groups.

This theory (presently to be more fully set forth) is original on my part, at least as far as my supraliminal consciousness is concerned. I mean that I conceived myself to have hit on the idea in July 1902. But something very like my notion (I later discovered) had been printed by Dr. Durkheim, and something not unlike it was propounded by Herr Cunow (1894). Mr. Daniel McLennan had also suggested it: and I find that the Rev. John Mathew had stated a form of it in his *Eagle-Hawk and Crow*

(1899), (pp. 1922, 93-112). Mr. Mathew's hypothesis, however, involves a theory of contending and alien races in Australia. This theory does not seem well based, but, however that may be, I recognise that Mr. Mathew's hypothesis of the origin of exogamy (p. 98), and of the origin of the 'phratries' or 'primary classes,' in many respects anticipates my own. He opposes Mr. Howitt's conclusions, and I may be allowed to say that I would prefer Mr. Howitt, owing to his unrivalled knowledge, as an ally. On the other hand, the undesigned coincidence of Dr. Durkheim's, Mr. Daniel McLennan's, Mr. Mathew's, and Herr Cunow's ideas with my own, raises a presumption that mine may not be untenable.

THE CLASS SYSTEM IN AUSTRALIA

Though the existence of what are called exogamous 'phratries' (two to each tribe) was made known, as regards the North American tribes, by Mr. Lewis Morgan (to whose work we return) in the middle of the nineteenth century, almost our earliest hint of its existence in Australia came from the Rev. W. Ridley, a learned missionary, in 1853-55. In Mr. McLennan's *Studies in Ancient History*[62] will be found an account of Mr. Ridley's facts, as they gradually swelled in volume, altered in character, and were added to, and critically constructed, by the Rev. Mr. Fison, and Mr. A. W. Howitt. These gentlemen were regarded by Mr. McLennan as the allies of Mr. Morgan, in a controversy then being waged with some acerbity. He, therefore, criticised the evidence from Australia rather keenly. It is probable that Mr. Morgan and Mr. McLennan both had some right on their parts – seeing each a different side of the shield – though a few points in the discussion are still undecided. But it seems certain that the continued researches of Messrs. Fison and Howitt, reinforced by the studies of Messrs. Spencer and Gillen in Central Australia, have invalidated some of Mr. McLennan's opinions as to matters of fact.

Much trouble and confusion will be saved if we remember that, as has been said, under the 'classificatory system,' three

[62] Second series, pp. 289-310.

sets of rules applying to marriage exist. The totem rule exists, rules as to marriage in relation to generations and so-called degrees of kindred (real or 'tribal') exist ('classes'), and, thirdly, there are the rules relative to 'phratries,' the phratries, being, I think, in origin themselves totemic. We shall mainly consider here the so-called 'bisection' of a tribe into two exogamous and intermarrying 'phratries,' while remembering Herr Cunow's opinion that a 'class' is one thing, a 'phratry' quite another.[63]

[63] I shall, for my own part, use 'phratry' for the two 'primary exogamous divisions' of a tribe, and 'class' for the divisions within the 'phratry' which do not appear to be of totemic origin. Mr. Fison applies 'class' to both the primary divisions and those contained in each of them, observing that 'the Greek "phratria" would be the most correct term.' He is aware, of course, that this employment of phratria is arbitrary, but it is convenient. While he applies 'class' both to 'the primary divisions of a community, and their first subdivisions,' to the latter I restrict 'classes,' using phratry for the former (*Kamilaroi and Kurnai*, p. 24).

THE VARIETIES OF MARRIAGE DIVISIONS IN AUSTRALIA

Perhaps the most recent, lucid, and well-informed writer on the various divisions which regulate the marriages of the Australian tribes is Mr. R. H. Mathews.[64] In some regions, the system of two intermarrying phratries exists, without further subdivision (except in regard to totem kins). Sometimes each phratry is divided into two 'sections' (or 'classes'), making four for the tribe. Again, each phratry may have four 'subsections' or 'classes,' making eight for the tribe. Each phratry, like each 'class,' 'has an independent name by which its members are easily recognised.'

Obviously we need, of all tilings, to know the actual meanings of these names, but we do not usually know them. As we shall see, where a tribe has two 'phratries' and no subordinate 'classes,' the names of these 'phratries,' when they can be translated, are usually names of animals. In a few cases, as will later appear, when there are 'classes' under and in the 'phratries' their names seem to indicate distinctions of 'old' and 'young.' But Mr. Mathews nowhere, as far as I have studied him, gives the meanings of the 'class' names, some of which are of recent adoption. Mr. Mathews usually gives only 'Phratry A' and

[64] *Jour. and Proc. of the Roy. Soc. N.S.W.*, xxviii, xxxii, xxxiv.

'Phratry B.' We now cite his tables of the simple 'phratry' system, of the 'phratry' plus two classes system, and of the 'phratry' plus four classes system; making four, or eight, such divisions for the tribe.

'In describing the social structure of a native Australian community, the first matter calling for attention is the classification of the people into two primary divisions, called phratries, or groups – the men of each phratry intermarrying with the women of the opposite one, in accordance with prescribed laws.'

Mr. Mathews then mentions that some tribes have (1) this simple division only (of course, as a rule, plus totem kins). (2) Elsewhere each phratry is composed of two 'sections' (called by us 'classes'). (3) Elsewhere, again, each phratry has four sections (we need not discuss here the tribes where none of these things exist).

Mr. Mathews now gives tables representing the working of the system in each of the three cases.[65]

1

	Father	Mother	Son	Daughter
Phratry A	Kirraroo	Matturrin	Matturri	Matturrin
Phratry B	Matturri	Kirrarooan	Kirraroo	Kirrarooan

2

[65] *Proc. Roy. Soc. N.S.W.* xxxiv. 120-122.

	Father	Mother	Son	Daughter
	{Murri	Buta	Ippai	Ippatha
Phratry A	{Kubbi	Ippatha	Kumbo	Butha
Phratry B	{Kumbo	Matha	Kubbi	Kubbithai
	{Ippai	Kubbitha	Murri	Matha

3

	Father	Mother	Son	Daughter
	{Choolum	Ningulum	Palyarin	Palyareenya
Phratry A	{Cheenum	Nooralum	Bungarin	Bungareenya
	{Jamerum	Palyareenya	Chooralum	Nooralum
	{Yacomary	Bungareeny	Chingulum	Ningulum

	Father	Mother	Son	Daughter
	{Chingalum	Noolum	Yacomary	Yacomareenya
Phratry B	{Chooralum	Neenum	Jamerum	Neomarum
	{Bungarin	Yacomareenya	Cheenum	Neenum
	{Palyarin	Neomarum	Choolum	Noolum

It will be seen that, under the simple phratry system, children of the female Matturrin are always Matturri and Matturrin, children of the female Kirrarooan are always Kirraroo and Kirrarooan. On the phratry *plus* two classes system, female Butha is mother of Ippatha and Ippatha of Butha for ever. On the phratry *plus* four classes system, female Ningulum has a Palyareena daughter, who has a Nooralum daughter, who has a Bungareenya daughter, whose daughter reverts to the original Ningulum class, and so on, *ad infinitum*. The women remain

constant to their 'phratry,' and marry always the men of the opposite phratry.

It is to be observed that, by customary law, brothers and sisters *actual* (and not 'tribal') may never intermarry.[66] In short, consanguinity is now fully understood by the natives, and too close unions are forbidden on the ground of consanguinity. It also seems that, though the blacks are all on the same level of material culture, yet reflection on marriage rules, and modification of these rules by additional restrictions and alterations, have been carried much further by some tribes than by others. I by no means deny, but rather affirm, that consanguinity is now understood, and that rules have in some tribes been consciously made, and altered, to avoid certain marriages as of 'too near flesh.' But I do not think that, at the beginning, the objection to consanguineous marriages, *as such*, can have been entertained, and I am not of opinion that, for the purpose of preventing such marriages, in the beginning, a horde was bisected into two phratries, and each phratry split up into totem groups. Rather, I conceive, certain primitive conditions of life led to the evolution of certain rules, independent of any theory about the noxiousness or immorality of marriages of near kin; and then reflection on those primal rules helped to beget moral ideas, and improvements on the rules themselves. In the original restrictions, morality, in our sense, was only implicitly or potentially present, though now it

[66] *Prov. Jour. Roy. Soc. N.S.W.*, xxxiv. 127. Mr. Fison makes an exception for some Kamilaroi.

has risen into explicit consciousness. The tribes came to think certain marriages morally wrong, or physically noxious, *because* they were forbidden; such unions were not, in the first instance, forbidden because they were deemed physically injurious, or morally wrong. These ideas have, by this time, been evolved; but it does not follow that they were present at the beginning.

I took the liberty of laying a brief sketch of my own theory before Mr. Howitt, who, after considering it, was unable to accept it. He was kind enough to send me a summary account of many varieties of institutions, which, as we have seen, prevail – from tribes with totems and the simple phratry and female descent, up to tribes which have lost their classes and totems, count descent in the male line, and permit marriage only between persons dwelling in certain localities, or not of 'too near flesh.' All sorts of varieties of custom, in fact, prevail. Again, the most backward tribes, in Mr. Howitt's opinion, have group-marriage;[67] the more advanced have individual marriage, with rare reversions on special occasions. Each advance, from mere phratry to phratry *plus* eight 'classes,' reduced the number of persons who might intermarry, and extended the range of exogamy (except where, as among the Arunta, the totem prohibition has ceased to exist). The marked tendency of the developing rules is to prevent marriage between persons 'too near in flesh,' or 'of the same flesh.' Mr. Howitt argues that, if the later stages of prohibition are the result of deliberate intention to prevent too near marriage, we

[67] This view is discussed later.

may infer that the original 'bisection' of the 'undivided commune' was also consciously designed to prevent unions of persons of too near flesh.

To this I would reply, that the circumstances were different. The savages of recent centuries have been trained in the totem and phratry systems, and have now, like Mr. Howitt, excogitated the theory that these were originally designed for the purpose of preventing marriages of 'too near flesh,' wherefore all such marriages (even if permitted by the totem law) must be morally or materially evil. This is the theory expressed in the myths of the Dieri, Woeworung, and others; and it is the theory of many scientific writers. In brief, it is the hypothesis of men already trained to think near marriages morally wrong, or physically injurious. But how could this idea occur to members of 'an undivided commune,' who had never known anything better?

That is the difficulty; and we get rid of it by disbelieving in a primeval undivided commune; and by supposing a long past of forbidden unions, the prohibition then resting on no moral ideas, but on the interest of the strongest, the jealousy of the adult sire. These prohibitions later evolved into conscious morality; and were at last susceptible of improvement by deliberate design. I shall now examine more in detail the ideas which do not win my assent.

MR. FISON ON THE GREAT BISECTION

In 1880, in *Kamilaroi and Kurnai*,[68] Mr. Fison, a learned missionary and anthropologist, gave his account of the organisation of certain Australian tribes. He speaks of (1) The division of a tribe, or community, into two exogamous intermarrying classes.[69] (2) 'The subdivision' (mark the phrase) 'of these classes into four.' (3) 'Their subdivision into *gentes*, distinguished by totems, which are generally, though not invariably, the names of animals.'

Now totems we know, and we have cited Mr. Mathews for the other divisions. Take (1) 'the two exogamous intermarrying classes.' Examples are

> Male, Kumite; female, Kumitegor (one 'class,' which I call 'phratry').
>
> Male, Kroki; female, Krokigor (the other 'class,' 'phratry').

Again.

> Male, *Yungaru* (*opossum*); female, *Yungaruan*.

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[68] P. 27 *et seq*.

[69] There is a tradition of an aboriginal Adam, who had two wives, Kilpara and Mukwara, these being the names of two phratries. On this showing brothers married paternal half-sisters (*Kamilaroi and Kurnai*, p. 33).

Male, *Wutaru* (*kangaroo*); female, *Wutaruan*.

What *are* these two '*primary*' exogamous divisions? And why call them 'primary'?

'*PRIMARY* CLASSES?'

My object, as has been said, is now, contrary to general opinion, to repeat that the great dichotomous 'division' of a tribe into two exogamous, intermarrying, 'classes' or 'phratries,' is not 'primary' at all, but is secondary to groups at once totemic and exogamous, and is not, in origin, a bisection, but a combination. If I am right, the consequences will be of some curiosity. First, it will appear that the 'primary divisions' are themselves totemic in origin, thus implying the pre-existence of Totemism. Next it will be made to appear probable that the pre-existing totems were already exogamous before the phratries arose, and that exogamy does not date, as the best authorities hold, from the making of the great dichotomous divisions or 'phratries.' For no such dichotomous division, I suggest, was ever made.

THE 'PRIMARY DIVISIONS' ARE THEMSELVES TOTEMIC AND EXOGAMOUS

We see that, of the two 'phratries' Yungaru and Wutaru, Yungaru is 'opossum' (according to Mr. Chatfield) or 'alligator' (according to Mr. Bridgman); while Wutaru is 'kangaroo.' These two primary 'phratries,' therefore, have totemic names, and (in my opinion) were originally two local totem groups, each containing members of various totems derived from alien mothers. The same thing may be true when the meanings of the 'primary class names' ('phratries') can no longer be discovered. If so, the 'primary divisions' are, in origin, mere totem distinctions, involving, I think, the pre-existence of the rule of exogamy, which is also involved in the rules of the 'primary divisions.' Mr. Fison writes (what is obvious) 'in some places the primary divisions are distinguished by totem names at the present day.'[70]

'Probably they were so distinguished everywhere, in ancient times,' he adds, and this is certainly the case in North America, as we shall see later. Mr. Fison's opinion is my own so far, and, if it is right, if the 'primary class divisions' ('phratries'), within which marriage is now forbidden, were originally two totem divisions,

[70] *Kamilaroi and Kurnai*, p. 40.

then Totemism is earlier than the 'primary divisions.' On this point Messrs. Fison and Howitt say that the divisions on which marriage regulations are based 'are denoted by class names or by totems – frequently by both class names and totems.' In a note they add, 'Class names, so called by us solely for the sake of convenience, and because they cannot always be positively asserted to be totems, though the strong probability is that they are always totems.'[71]

By 'class names' the authors, I think, here mean the names of the 'primary exogamous divisions' or 'phratries.' These are often, if not always, known by totem names. But the 'classes,' as distinguished from the 'phratries,' are not known by totemic names, as far as I am aware. Herr Cunow, we shall see, asserts that in some cases they denote mere seniority, 'big' and 'little,' 'young' and 'old.' Unless they can be proved to be totemic, we must, I repeat, carefully avoid confusing the 'classes,' four or eight, with the 'phratries,' in which they are included. The confusion is general and very misleading.

Totemism, according to Mr. McLennan, preceded exogamy, and made exogamy possible. Thus totem distinctions, with exogamy, may be older than the 'two primary class exogamous divisions,' in which, according to most authorities, exogamy began. Mr. Tylor is cautious: 'the dual form of exogamy' (the 'phratries,' or 'two primary divisions') 'may be the original form,'

[71] *J. A. I.* xiv. 142.

or at least that view is tenable.[72] The origin of exogamy is, however, unknown, in Mr. Tylor's opinion, which commits him to nothing.

Mr. Howitt, if I do not misinterpret him, also regards the two divisions, 'phratries,' as primary, but at the same time agrees with me, and Mr. Fison, that the two 'phratry' divisions were themselves in origin totemic.

[72] *Journal of the Anthropological Institute*, xviii. 264.

THE TOTEM DIFFICULTY

At this point I lose Messrs. Fison and Howitt. I do not know what they mean, and, unless I misconstrue them, they unconsciously hold different opinions at different moments. They start with an 'undivided commune.' Mr. Fison, however, is not certain on this point. To prevent near marriages (previously universal), the commune is split into two exogamous intermarrying phratries. The names of these phratries are totemic, and each phratry has its totem. Such is their theory. How and why?

Did totemic divisions already exist in 'the undivided commune'? If so, the commune was not undivided! Or were totem names given, nobody knows why, to the two phratries at the time when the 'bisection' of the commune was made? Did the legislator send half the horde to the right, crying, 'You are sheep,' and half to the left, saying, 'You are goats,' – or rather, say, Emus and Kangaroos? This is not easily thinkable. But, if this was done, whence came the other totem kins, often numerous, within each phratry?

Mr. Fison says that the totem kins (or 'gentes') 'arose out of two primary divisions, by an orderly process of evolution, such as might be expected from the forces at work,' and 'we have seen how' the phratries subdivided 'into other subdivisions,

distinguished by totems.'[73] But, alas, I have seen nothing of the sort! Mr. Fison has merely asserted the fact. 'The totems affect the intersexual regulations … by narrowing the range of matrimonial selection.'[74] Here would be a reason for the evolution of these totem kins. But this added restriction is exactly what (given phratries) the totems do not effect. There are so many totems in each phratry, but as the same totem (except among the Arunta and similarly disorganised tribes) never occurs in both phratries, the range of sexual selection is thus not more restricted by the totem than by the phratry. The members of each phratry may not intermarry, and all persons of their totem are in their phratry and so are not marriageable to them. They would all be exactly as exogamous as they are, if there were no totem rules, nothing but phratry rules. Thus the totems cannot be later deliberate segmentations of the phratry, for additional exogamous purposes, because they serve no such purpose, except where, among the Kamilaroi, a man may marry in his phratry, if he marries out of his totem. But that is a peculiarity.

Mr. Mathews writes, 'Under the group' (phratry) 'laws it is impossible for a Dilbi or Kupathin' (phratry names of the Kamilaroi) 'to marry a woman bearing the same totem name as himself, for the reason that such a totem does not exist in the division' (phratry) 'from which he is bound to select his wife. But when persons of the same group' (phratry) 'were permitted

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[73] *Kamilaroi and Kurnai*, p. 107.

[74] *Op. cit.* p. 41.

to marry each other, it became necessary to promulgate a law prohibiting marriage between persons of the same totem.'[75] But there were totems before that novelty of marriage within the phratry, and why were they there? Moreover, under phratry laws it was already the rule that no man could marry a woman of his own totem. Obviously we are not told how the totem kins arose out of the phratries, 'by an orderly process of evolution such as might be expected from the forces at work.' One sees no reason at all for the rise of totem kins within the phratry, itself, by Mr. Fison's theory, originally totemic.

Totem kins are called 'subdivisions' by Mr. Howitt, but why were the phratries subdivided into totem kins, and why were there totem groups in 'the undivided commune' before the bisection, the phratries (the result of the bisection) being themselves, in Mr. Howitt's hypothesis, totem groups? I quote a statement of the case by Mr. Howitt (1889): 'The fundamental principle of aboriginal society in Australia is the division of the community into two exogamous intermarrying moieties. Out of this division into two groups, and out of the relations thus created between the contemporary members of them and their descendants, the terms of relationship must have grown. As the two primary divisions (classes)' ('phratries') 'have become again divided in the process of social development, *and as the groups of numerous totems have been added*,' &c.[76]

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[75] *Proc. Roy. Soc. N.S.W.* xxxi. 162.

[76] *On the Organisation of Australian Tribes*, p. 129; *Transactions of Royal Society*

Here the totem kins are not orderly evolved out of the phratries, nor subdivided out of them, but are 'added.' Where were they picked up, whence did they arise, why were they 'added'?

May we not conclude that no clear account, or theory, of the origin and purpose of totems and totem kins has been laid before us?

Mr. Howitt elsewhere writes, 'If the supposition is correct that, in the primary divisions, we may recognise the oldest forms, and in the subdivisions somewhat newer forms of Totemism' (newer names of totems?), 'it should be found that these earlier divisions show signs of antiquity as compared to the totems which are, according to this hypothesis, the nearest to the present time. This, I think, is the case.' Thus, in fact, some of the Australian names for the *two* divisions are no longer to be translated,[77] perhaps owing to their antiquity, and sometimes the names are lost, as, elsewhere, in Banks Island. When translatable, the phratry names are totemic.

But this hardly amounts to proof that the 'primary divisions' are really older than totemic divisions, *plus* exogamy. The existing *names* of the 'primary divisions' may be older than existing totem names, in some cases. But that may be because the two 'primary divisions' endure, unchanged, while a local totem

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of Victoria, 1889.

[77] The natives retain sacred songs to Daramulun, but cannot (or will not?) translate them. *Proc. Roy. Soc. N.S.W.* xxxiv. 280.

group may become extinct.[78] Its place, perhaps, may be filled up by a totem group of relatively recent name, or, perhaps, in a great trek into a land of novel fauna and flora, old totem names might be exchanged for new ones. 'Munki' (sheep) is said to have been recently adopted.[79] Mr. Fison here corroborates my suggestion. 'If a tribe migrate to a country in which their totem is not found, they will, in all probability, take as their totem some other animal which is a native of the place.'[80]

Mr. Howitt, then, believes that 'the primary class divisions' were originally totemic, and also that the 'class system' as a rule has been developed through the subdivision of the earlier and simpler forms by '*deliberate arrangement*.'[81]

This appears to mean that savages began by making two divisions, bearing totem names, and established them as primary *exogamous* divisions. Later they cut them up into slices, each slice with a newer totem name. Or the totem divisions are evolved within the phratry, somehow or other, as in one of Mr. Fison's views. Or they are 'added' – for what purpose? Thus every tribesman has now a 'class name' (phratry name) – an *old* totem name (say either Eagle-Hawk or Crow), and no Crow may marry an Eagle-Hawk. But, later, they split Crows up into, say, bats, rats, cats, and kangaroos, while they split Eagle-Hawk up into,

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[78] Spencer and Gillen, p. 152.

[79] Howitt, *J. A. I.* xviii. 37-39.

[80] *Kamilaroi and Kurnai*, p. 235, note.

[81] *Op. cit.* pp. 59, 62, 63, 66.

say, grubs, emus, mice, and frogs. Now each person, under this arrangement, has two totem names. He is Eagle-Hawk (old) and (new) grub, emu, mouse, or frog: or he is Crow (old) and (new) bat, cat, rat, or kangaroo. If cat, he may not only not marry a Crow, but also he may not marry a cat. What could be the reason for this new subdivision of Eagle-Hawk and Crow, and for this multiplication of marriage prohibitions, which, given the phratries, prohibit nothing?[82] I shall try to show, and have already suggested, that, from a period infinitely remote, each member of the Eagle-Hawk and Crow *local* groups may also have been, or rather *must* have been, a grub, emu, mouse, or frog, bat, rat, cat, or kangaroo, by inheritance and birth. So understood, the 'primary divisions' (Eagle-Hawk and Crow) were not deliberately subdivided (as I conceive them to have been on Mr. Ho wit Vs system) into the other numerous new totem groups, nor were the totem kins added to the phratries, nor were they orderly evolved out of the phratries, but, from the dawn of Totemism with exogamy, they contained these totem groups within themselves; a fact which early man came to perceive.

Mr. Howitt adds, 'If the two first intermarrying groups' ('phratries') 'had distinguished names, they were probably those of animals, and their totems, and, if so, the origin of Totemism would be so far back in the mist of ages, as to be beyond my vision.' In the chapter on the 'Origin of Totemism,'

[82] New marriage prohibitions may have been, and, I believe, were added, but the divisions thus made were not, I think, totemistic.

we try to penetrate 'the mist of ages,' and to see beyond the range of vision of Mr. Howitt. But the 'Origin of Totemism' cannot be beyond Mr. Howitt's range of vision, if he agrees with Mr. Fison that the totem kins were orderly evolved within the phratry, or were segmented out of the phratry, or split off, as colonies, from the phratry (Dr. Durkheim's theory), or were added to the phratry, for some reason.

It seems, then, that he does not commit himself to any of these four theories. He appears to confess to having no theory of the origin of Totemism, which, in his opinion, gave the names to the phratries, these being the result of the primary bisection. Probably his best plan would be to say 'the horde was bisected into two moieties, for exogamous purposes, and animal names, for the sake of distinction, were arbitrarily imposed on the phratry divisions.' But, then, what about the many totem kins within the phratry? We receive no solid theory about them. They were certainly not arbitrarily marked out later, within the phratry, for exogamous purposes which they do not fulfil. If they were picked up elsewhere, and added into the phratry, where did they come from? Crowds of totems were not going about, Mr. Howitt seems to think, before the bisection, because, if so, we saw hordes were not 'undivided,' before the bisection, but were already divided into totem kins.

Or shall we say that the undivided communes had already organised distinct co-operative magical totem groups, to do magic for the good of the food supply, plants and animals,

but that these totem groups were not *exogamous* before the bisection? After the bisection two of these magical totem groups, say Eagle-Hawk and Crow, were selected, shall we guess, to give names to the two moieties or phratries? The other totem groups fell, or were meted out, some into Crow, some into Eagle-Hawk. This is a thinkable hypothesis, but it is fatal to the theory of subdivision, or of segmentation, or of evolution, as causes of totem kins within the phratries; and it is not suggested by Messrs. Fison and Howitt.

Thus we must construct for ourselves, later, a theory of the Origin of Totemism. We are actually constrained to make this effort, because it will probably be admitted that, having no theory, or hesitating between three or four theories, of the origin of totems and of totem kins, Messrs. Fison and Howitt produce an hypothesis of the evolution of Australian society which cannot be construed by us into an intelligible form.

Mr. Howitt elsewhere writes, 'The existence of the two exogamous intermarrying groups' ('phratries') 'seems to me almost to require the previous existence of an undivided commune, from the segmentation of which they arose.'[83] But they, the phratries, were totemic, and why? Once again, why was the undivided commune divided? We know not the motive for, much less the means of effecting, such a great change 'in the beginning.'

In 1885, Messrs. Howitt and Fison were aware of, and

[83] *Organisation of Australian Tribes*, p. 136.

expressed their sense of this difficulty (that of dividing people out into arbitrary groups) in the case of ancient Attica. Speaking of the γένος, or clan, in Attica, they combat the opinion of Harpocration, that the people were 'arbitrarily drafted into the γένη.[84] Our authors remark, 'Ancient society – the more ancient – does not thus regulate itself. *Nascitur non fit*. One can understand a Kleisthenes redistributing into demes a civilised community which has grown into a State, but the notion of any such arbitrary distribution of men into γένη; in the beginning of things cannot be entertained for a moment.'[85]

This being so, how can our authors maintain that, 'in the beginning of things,' given an 'undivided commune,' all its members were 'drafted' into one or other of two divisions, and again into totem groups. A subdivision of the 'phratries' into totem groups, by deliberate arrangement, is clearly as artificial and arbitrary as the scheme suggested by Harpocration, 'which cannot be entertained for a moment.'

We are speaking of 'the beginning of things,' not of the present state of things, in which we know that modifications of the rules, e.g. the division into eight 'classes,' are being deliberately adopted.[86] In 'the beginning of things,' as Messrs. Howitt and Fison, in 1885, maintained, society *nascitur non fit*. Our effort is to show the process of the birth of society before conscious and

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[84] Harpocration *s. v.* γεννῆται Greek: genneitai.

[85] *J. A. I.* xiv. 160.

[86] Spencer and Gillen, pp. 72, 420.

deliberate modifications were made to prevent marriages, of 'too near flesh.' Our criticism of Messrs. Fison and Howitt's theories may perhaps indicate that they are insufficient, or but dubiously intelligible. Something clear and consistent is required.

CHAPTER III
TOTEMS WITHIN THE PHRATRIES

AMERICAN SUPPORT OF THE AUTHOR'S HYPOTHESIS

The system which I advocate here, as to the smallness of the original human groups, and their later combination into larger unions, seems to have, as regards America, the support of the late Major Powell, the Director of the Bureau of Ethnology, and of Mr. McGee of the same department. This gentleman writes, 'Two postulates concerning primitive society, adopted by various ethnologic students of other countries, have been erroneously applied to the American aborigines … The first postulate is that primitive men were originally assembled in chaotic hordes, and that organised society was developed out of the chaotic mass *by the segregation of groups* …' This appears to be Mr. Hewitt's doctrine. In fact, Mr. McGee says, American research points, not to a primal horde, 'bisected' and 'subdivided' into an organised community, but to an early condition 'directly antithetic to the postulated horde, in which the scant population was

segregated in small discrete bodies, probably family groups…' The process of advance was one of 'progressive combination rather than of continued differentiation… It would appear that the original definitely organised groups occasionally coalesced with other groups, both simple and compound, whereby they were elaborated in structure…' Mr. McGee adds, 'always with some loss in definiteness and permanence.' As far as concerns Australia, I do not feel sure that the last remark applies, but, on the whole, Mr. McGee's observations, couched in abstract terms, appear to fit what I have written, in concrete terms, about the probable evolution of Australian tribal society.[87]

The theory thus suggested makes little demand on deliberate legislation, as we shall see later.

[87] *Ethnological Bureau, Annual Report*, 1893-1894, pp. 200, 201.

DELIBERATE ARRANGEMENT

This I take to be important. It seems well to avoid, as far as possible, the hypothesis of deliberate legislation in times primeval, involving so sweeping a change as the legal establishment of exogamy through a decree based on common consent by an exogamous 'Bisection' consciously made. Exogamy must have been gradually evolved. But, if we begin with Mr. Howitt's original undivided commune, and suppose a deliberate bisection of it into two exogamous phratries, each somehow containing different totems; or if we suppose a tribe of only two totems, and imagine that the tribe deliberately made these totems exogamous, which they had not been before, and then subdivided them into many other totem groups, we see, indeed, why persons of the same totem may not intermarry. They now, after the decree, belong to the same exogamous 'phratry' within which marriage is deliberately forbidden. But, on this theory, I find no escape from the conclusion that the 'bisection' into 'phratries' was the result of a deliberate decree, intended to produce exogamy – for the bisection has not, and apparently cannot have, any other effect. Now I can neither imagine a motive for such a decree, nor any mode, in such early times, of procuring for it common consent. At this point we have laboured, and to it we shall return, observing that our hypothesis makes much less appeal to such early and deliberate legislation.

TOTEMS ALL THE WAY

In any case, by Mr. Fison's and Mr. Howitt's theory and our own, we have totems almost all the way: totems in the so-called 'primary divisions' (phratries); totems in the so-called *gentes*, and all these divisions (setting the Arunta apart) are strictly exogamous. The four or eight 'classes,' on the other hand, are apparently not of totemic origin. However much the systems may be complicated and inter-twisted, the basis of the whole, except of the four or eight 'classes,' is, I think, the totem exogamous prohibition. There are many examples of the type; thus the Urabunna 'are divided into two exogamous intermarrying classes, which are respectively called Matthurie and Kirarawa, and the members of these again are divided into a series of totemic groups, for which the native name is *Thunthunnie*. A Matthurie man must marry a Kirarawa women' (as in the system of the Kamil-speaking tribes, or Kamilaroi, reported on by Mr. Fison) – 'and not only this, but a man of one totem must marry a woman of another totem.' This is precisely what I should expect. It works out thus:

{ Old Local Totem Group} Matthurie.
{ New 'Phratry' }
{ Old Local Totem Group} Kirarawa.
{ New 'Phratry' }

Each of these 'phratries' has five totems, not found in the

other class, and how this occurred, if not by actual deliberate arrangement, I do not know. One thing is clear: totem and phratry are prior to 'class' divisions. They occur where 'class' divisions do not. But my theory does not involve the deliberate introduction of exogamy, by an exogamous bisection of groups not hitherto exogamous, or by making two pre-existing totem groups exogamous. I take the groups to have been exogamous already, before the blending in *connubium* of two local totem groups (now 'phratries'), each including numbers of already exogamous totem kindreds. They were exogamous before the 'phratries' existed, and after their falling into the two phratries, exogamous they remained.

DISTRIBUTION OF TOTEMS IN THE 'PHRATRIES'

Mr. McLennan, ere he had the information now before us, wrote, in 1865, 'Most probably contiguous groups would be composed of exactly the same stocks' (we can now, for 'stocks,' read 'totem kins') – 'would contain gentes of precisely the same names.'[88] This is obvious, for Emu, Kangaroo, Wild Duck, Opossum, Snake, and Lizard, living in the same region, would raid each other (by the hypothesis) for wives, and each foreign wife would bring her own totem name into each group. Yet we find that the two 'primary classes' (phratries) of the Urabunna (which, on my theory, represent two primitive totem local groups, say Emu and Kangaroo, each with its representatives of all other totem groups within raiding distance) *never* contain the same totems.

It is mathematically impossible that this exclusiveness should be the result of accident. On a first consideration, therefore, I took it to be the result of deliberate legislative design, at the moment when on my hypothesis two *local* totem groups, containing members of several *totems of descent*, united in *connubium*. The totem names, I at first conceived, with reluctance, must have been consciously and deliberately meted

[88] *Studies in Ancient History*, p. 221.

out between the two local totem groups, now become phratries. This idea did not involve so stringent and useless a measure as that of segmenting the two phratries into minor totem groups: however the idea was still too much akin to that of Harpocration as regards the arbitrary drafting of the Attic population into γένη. But, on further reflection, I conceived that my first theory was superfluous. Given the existence of local groups, as such totemic, and of totem kins of descent within the original local totem groups, the actual results, I thought, arise automatically, as soon as two local totem groups agree to intermarry. Men and women must many out of their local totem group (now 'phratry') and must marry out of their totem of descent. Consequently, no one totem could possibly exist in both phratries. This I now, on third thoughts, 'which are a wiser first,' deem erroneous. The automatic arraying of one set of totems into one, or another set into the other, phratry, would not occur. The totems have been divided between the two phratries.[89] This condition of affairs is

[89] Suppose we take a group ranging in a given locality, and known to its neighbours as the Emu group. Let us also take a similar and similarly situated Kangaroo group. Let us suppose that each such group has raided for its wives among Opossum, Grub, Cat, and Dingo groups. By female descent, both the Emu and Kangaroo groups will contain persons of the Opossum, Grub, Cat, and Dingo groups. This being so a man of the Emu local group, named Grub by totem, might marry a woman of the Emu local group, by totem of descent an Opossum; and similarly in the Kangaroo group. But, as Dr. Durkheim remarks in another case, 'the old prohibition', deeply rooted in manners and customs, survives (*L'Année Sociologique*, v. 107, note). Now 'the old prohibition' was that a man of the Emu group was not to marry a woman of the Emu group. That rule endures, though the Emu group now contains men and women of several distinct totem kins. To escape from the difficulty, by my theory, Emu local

universal in Australia, except where, as among the Arunta and similar tribes, the same totem comes to exist in both phratries, so that men and women of the same totem, but of opposite phratries, may intermarry. That breach of old rule, we shall try to show, arises from the peculiar animistic philosophy of the Arunta, by virtue of which totems are no longer totems of descent, but are otherwise obtained. The Kamilaroi practice of interphratry marriage arises out of respect for totem and neglect of phratry law.

My conjecture takes for granted, let me repeat, that, before the 'bisection,' or the amalgamation, which produced the two exogamous 'classes,' the totem kindreds were already exogamous. My reasons for this opinion have already been given, in the discussion of Mr. Crawley's theory of the origin of exogamy (*supra*), to which the reader may refer. My suggestion

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totem group makes connubium with Kangaroo local totem group. Any Emu man may marry any Kangaroo woman not of his own totem by descent. But this does not, automatically, throw Opossum and Grub into one, Cat and Dingo into another, of the two local totem groups, Emu and Kangaroo, now become phratries, with loss of their local character. For if a man, by phratry Emu, and by totem of descent Cat, marries a woman, by phratry Kangaroo, and by totem of descent Grub, their children, by female descent, are Kangaroo Grubs. Meanwhile, if a man, by phratry Kangaroo, and by totem Cat, marries a woman, by phratry Emu, and by totem Grub, their children are Emu Grubs. There are thus Grubs in both phratries, a thing that never occurs (except among the Arunta). Therefore the division of the totem kins, some into one phratry, others into the other, is not automatic. There might be a tendency, by way of making assurance doubly sure, for the totem kins to be assorted into the two phratries, but some kind of deliberate arrangement does seem necessary. The same necessity attends Dr. Durkheim's theory later criticised.

makes the growth of exogamy non-moral, gradual, and almost unconscious, till it is clinched and stereotyped by the totem tabu.[90] The opposite theory – namely, the deliberate bisection into exogamous 'classes,' of totem groups, or of an 'undivided commune' not previously exogamous, appeals too much, I repeat, to conscious and – as far as we can see – motiveless legislation, at an early stage. The bisection must have had a purpose, and has no visible purpose except the establishment o f exogamy, and why did the 'undivided commune' establish that?

[90] See again Durkheim, in *L'Année Sociologique*, i. 47-57, on the superstition as to blood, and the totem as a sacred representative of the inviolable blood of the kindred. That superstition gives religious sanction to a pre-existing exogamous tendency.

THE IDEAS OF MR. FRAZER
HIS EARLIER THEORY

It cannot be concealed that my conjecture is opposed to the mass of learned opinion, which represents the primary 'phratries' as the first exogamous bodies, and the totems in each as later subdivisions of the phratries. The writers who, like Mr. Fison, recognise that the primary subdivisions are themselves, in origin, totem divisions, do not (as I understand) regard these very ancient totem groups as already exogamous, *before* the institution of 'phratries.'

Again, turning from Australia to North America, we find Mr. Frazer, at least in one passage, on the side of the view generally held. Of the 'phratry,' in America, he says, 'the evidence goes to show that in many cases it was originally a totem clan which has undergone subdivision.'[91] Many examples are then given of the North American 'phratries,' which include totem groups within them. 'The Choctaws were divided into two phratries, each of which included four clans' (totem kins); 'marriage was prohibited between members of the same phratry, but members of either phratry could marry into any clan of the other.' Among the Senecas, one phratry included the Bear, Wolf, Beaver, and Turtle totems: the other held the Deer, Snipe, Heron, and Hawk

[91] *Totemism*, p. 60 (1889).

totems; just as in Australia. Among the Thlinkets and Mohegans, 'each phratry bears a name which is also the name of one of the clans' (totems) 'included in it;' Mr. Frazer adds, 'it seems probable that the names of the Raven and Wolf were the two original clans of the Thlinkets, which afterwards by subdivision became phratries.'[92] This is precisely as if we were to argue that Matthurie and Kirarawa were the 'two original clans' of the Urabunna, 'which afterwards by subdivision' (into totem groups) 'became phratries,' or 'primary exogamous divisions.'

The objections to this theory, as advocated by Australian inquirers, apply to the American cases as interpreted here by Mr. Frazer. In the first place, how are we to conceive of a large tribe, like the Thlinkets, as originally containing only two totems, Raven and Wolf?[93] If we do take this view, we seem almost driven to suppose that, in exceedingly early times, the Thlinkets deliberately bisected themselves, for some reason, called one moiety Ravens, the other moiety Wolves, and then made the divisions exogamous. Or, perhaps, having two totems and only two, Raven and Wolf, they deliberately decided that members of neither group should marry within itself; but should always take wives from the other group. Later, the two tribes, Raven and

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[92] *Totemism*, p. 62.

[93] The people of New Britain group of islands are divided into two exogamous sets. The totems of these classes are two insects, but I incline to suppose that there are, or may have been, totem kins included within these totemic classes. Our informant, the Rev. B. Danks, regrets that he did not pay more attention to these matters. *J. A. I.* xviii. 281-294.

Wolf, again deliberately subdivided themselves, or perhaps, as in Dr. Durkheim's view, Wolf threw off colonies which became five totem kins, and Raven threw off colonies which became five other totem kins.

Is it not more readily credible that, over a large extent of Thlinket country, many small local groups came, by an unconscious process (see 'The Origin of Totemism'), to bear each a separate totem name? The two most important local groups, Raven and Wolf, would inevitably each contain, by the working of exogamy and female kin, members of all the other totems which would array themselves, five in each chief group, Raven and Wolf, as I have conjectured in speaking of the Australian cases.[94]

Again, I cannot believe that a tribe like the Thlinkets originally had but two totems, not yet exogamous, then made them exogamous, and then cut them up, or let them split off, into many exogamous totem groups. No motive is obvious: the people, by the theory, being exogamous already.

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[94] On the other hand, among the Mohegans, I can admit that Little Turtle, Mud Turtle, and Great Turtle may be deliberate subdivisions of the Turtle totem, now a phratry, but even this need not necessarily be the case; the different species of turtles being quite capable of giving names to different totems. I would not deny the possibility of the occasional segmentation of a totem group – far from it – but I doubt whether great tribes originally (and, as it seems, deliberately) first bisected themselves, and then cut up the two main divisions.

OBJECTIONS TO MR. FRAZER'S EARLY THEORY

We shall later see that Messrs. Spencer and Gillen appear to advance, but also to qualify out of existence, a theory of a motive for an exogamous bisection of earlier non-exogamous local totem groups. They practically explain away their own explanation of – the great bisection, but it rests, while it exists, on certain recently discovered facts, which, in turn, are fatal, perhaps, to any theory that a tribe had originally but two totems, which became 'phratries,' on being subdivided into other totems. The new facts accepted and theorised on by Mr. Frazer and Mr. Spencer, would make it seem perhaps impossible that a tribe like the Thlinkets should originally have possessed but two 'clans' or totems. The facts, as stated by Mr. Spencer, in 1899, are these, or rather, this is his hypothesis founded on his facts. 'In our Australian tribes the *primary*[95] function of a totem group is that of ensuring, by magic means, a supply of the object which gives its name to the totem group.'[96] Mr. Frazer says, 'in its origin Totemism was, on our theory, simply an organised and co-operative system of magic… Each totem group was charged with the superintendence and control of the particular department of nature from which it took

[95] My italics.

[96] *J. A. I.*, N.S. i. 278.

its name…'[97]

But this is hardly the origin of Totemism, so long as we are not told how, or why, each totem group took its name from a department of nature. Had it the name, before it worked magic for its eponymous object, or did it take the name because it worked the magic?

Again, there are dozens of such departments,[98] which implies the existence of dozens of organised and co-operative totem groups: not of an original poor pair of such groups alone. Can we believe that, on Mr. Frazer's earlier theory, the Thlinkets formed but two such groups, one 'charged with' the duty to mollify the Wolf, the other to take care of the interests of the Raven? Manifestly this is unlikely. I elsewhere oppose this theory of the magical Origin of Totemism, made at first to fit the case of the Arunta and cognate tribes. If organised co-operation in magic is the source of Totemism, we may be pretty confident that no tribe began by appointing one half of all its members to do magic to propagate ravens, and the other half to mollify wolves. This would indicate, in the magical and co-operative tribe, a most oddly limited and feebly capitalised flotation of the company – merely 'Wolf and Raven.' No tribe would select ravens as the article of food which most required careful propagation and preservation, even if the Wolf most

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[97] *Ibid*. p. 282.

[98] Mr. Mathews counts thirty-four totems in the *Dilbi*, and as many in the Rupathin 'phratries.' *Proc. Ray. Soc. N.S.W.* xxxi. 157-158.

demanded to be propitiated and mollified. The new Australian facts (whatever their interpretation) are fatal to the older idea that a tribe could have had only two original totems: an idea which we may perhaps regard as now abandoned, at least by Mr. Frazer.

Thus Mr. Spencer himself remarks that, in Arunta tradition, there were numbers of totem groups before the great dichotomous division was made. That is my own opinion: though I do not hold it for Mr. Spencer's reasons, or believe in any 'bisection.'

MR. SPENCER'S THEORIES OF THE BISECTION

It will be noted that Mr. Spencer's original totem groups existed for magical purposes only, and were not exogamous.

'The traditions of the Arunta tribe point to a very definite introduction of an exogamic system long after the totemic groups were fully developed, and, further, they point very clearly to the fact that the introduction was due to the deliberate action of certain ancestors. Our knowledge of the natives leads us to the opinion that it is quite possible that this really took place, that the exogamic groups were deliberately introduced so as to regulate marital relations.'

The Arunta 'exogamic groups' are 'classes,' and 'phratries,' the totem does not now regulate marriage among the Arunta. I shall later try to show, that, originally, totems did regulate marriage, among the Arunta. But here we find Mr. Spencer averring that possibly 'the exogamic groups were deliberately introduced so as to regulate marital relations' among the Arunta. This opinion surprises us, if we hold that exogamy was, in its original forms, the result, not of a deliberate enactment, but of gradual and unconscious processes, to which, later, conscious modifications have been added. Mr. Spencer, despite the passage cited, is obviously of the same opinion, for he proceeds to remark, 'By this we do not mean that the regulations had anything whatever

to do with the idea of incest, or of any harm accruing from the union of individuals who were regarded as too nearly related… It can only be said that far back in the early history of mankind, there was felt the need of some form of organisation, and that this gradually resulted in the development of exogamous groups.'

This statement must remind us of what the ancient ballad sings about Lord Bateman:

> He shipped himself all aboard of a ship,
> Some foreign country for to see.

The scholiast (Thackeray, I think) explains, 'some foreign country he wished to see, and that was the extent of his desire: any foreign country would serve his purpose, all foreign countries were alike to him.' In the same way, long ago, the ancestors of the Australians 'felt the need of some form of organisation,' and that was the extent of their desire; any organisation would serve their purpose. Nevertheless, Mr. Spencer also says that, quite possibly, 'the exogamic groups were deliberately introduced so as to regulate marital relations.' But exogamic groups can regulate marital arrangements in one way only – that is, by introducing exogamy. Yet Mr. Spencer remarks that 'the development of exogamic groups' *gradually* resulted from some organisation of unknown nature. I am unable to reconcile Mr. Spencer's statements with each other. The 'bisection' of his theory could not, I fear, be 'gradual.'

Mr. Frazer, in 1899, begins with numerous totem groups, primarily and originally arranged for mere purposes of co-

operative magic, in the social interests of a large friendly tribe, itself no primitive institution, one thinks. Then he supposes that the exogamous bisection occurred (and *why* did it occur?), and then 'if the existing totem groups were arranged, as they naturally would be, some in one of the two new classes, and the rest in the other, the exogamy of the totem groups would follow, *ipso facto*.'[99] Mr. Frazer does not here pretend to guess why the bisection occurred. The rest is quite obvious: but it is unavoidably inconsistent with Mr. Frazer's earlier theory, that a tribe begins (or that the Thlinkets began) with two original totem groups, made them exogamous, and then 'subdivided' them up (or did they merely swarm off?) into many totem groups. It is against that almost universal theory, in 1899 abandoned (as I conceive) by Mr. Frazer, that I have so long been arguing. There was not first an exogamous bisection of a tribe, or the addition of the exogamous rule to two 'original clans,' or totem groups, and then the subdivision of each of the two sections into a number of totems. This cannot have occurred. Totems, I venture to think, did not come in that way, but pre-existing totem kins, granting the bisection, might fall into one or other phratry, if they had always been exogamous.

[99] *J. A. I.*, N.S. i. 284-285.

ADVANTAGES OF THE SYSTEM HERE PROPOSED

On my system, as has been already stated, the origin of exogamy may have been sexual jealousy, in small primitive groups, perhaps aided by 'sexual tabu,' with the strange superstitions on which it is based, and these causes would be strengthened enormously by the totem superstition, later. The totem name would now be the exogamous limit. The 'phratries' might result, quite naturally, and even gradually, now in one region, now in another, from the interlocking and alliance, with *connubium*, of two large friendly local totem groups, an arrangement of which the advantages are so obvious that it might spread by way of imitation and accretion.

This view of the possible origin of what is usually called the 'bisection' of 'the undivided commune' had already been suggested by the late Mr. Daniel McLennan.[100] Writing before our information was so full as it now is, he says, as to the two 'phratries' Kumite and Kroki (answering to Matthurie and Kirarawa), 'were it worth while to make surmises, it would not be unreasonable to surmise that at Mount Gambier two separate local tribes[101] containing different totem kindreds had,

[100] *Studies in Ancient History*, second series, p. 605.

[101] Local totem groups, in my theory.

through the operation of exogamy and female kinship, become welded into one community.' Mr. Daniel McLennan, unluckily, inherited his brother's feud against Mr. Fison, and he opposed all that gentleman's doings. Later research has corroborated many of Mr. Fison's facts, and extended the range of their influence. On this point, however – namely, that the 'phratries' are not the result of a bisection, but of an amalgamation – Mr. Daniel McLennan appears to have had a good case. He illustrates his theory, and mine, by remarks on a tradition of the tribes of Northern Victoria.[102]

The exogamous 'phratries' of these tribes are Eagle-Hawk and Crow. The tradition represents these birds as hostile creative powers. They made peace on the terms 'that the Murray blacks should be divided into two classes' ('phratries'), 'the Makquarra, or Eagle-Hawk, and the Kilparra, or Crow… Out of the enmities' (of the original Crow and Eagle-Hawk) 'arose the two classes, and thence a law governing marriage among these classes.' This tradition, it will be observed, espouses the theory of a bisection, deliberately made of 'the Murray blacks,' into two intermarrying and exogamous classes. Mr. McLennan writes, 'But what the tradition suggests is, not that the Crow and Eagle agreed to divide one tribe into two, with a view to the better regulation of marriage, but that Crow and Eagle or Eagle-Hawk were tribes (and they might have been constituted in the ordinary Australian way) which long waged war against

[102] Brough Smyth, *Aborigines of Victoria*, i. 423-424.

each other, and that at length there came peace, and then their complete interfusion by means of friendly marriages.' The tradition asserts the reverse; it adopts, or rather it forestalls, the scientific theory of a 'bisection' of the Murray blacks, not the amalgamation of two tribes (or large local totem groups). But I agree with Mr. McLennan in prefering, for the reasons given, the theory of an amalgamation. It is rather curious and interesting to observe that almost every scientific hypothesis about totems and 'classes,' which I am obliged to reject, has, in fact, been forestalled by the theories which the natives themselves express in their explanatory myths. Myths, I fear, are never in the right. 'The aborigines themselves,' says Mr. Howitt, 'recognise the former existence of the undivided commune in their legends, but,' he judiciously adds, 'I do not rely upon this as having the force of evidence.'[103]

We shall presently see that other distinguished anthropologists do, to some extent, rely on Arunta myths, as 'bearing the stamp of authenticity.' The truth is that the native thinkers have hit on the same hypothesis as their European critics, the hypothesis of something like deliberate primeval legislation to a given end, the regulation of marriage. Far from accepting any such native myths, I am rather inclined to hold that, whatever theory be correct, the theory of the savage myth-makers must be wrong. It ought to be said that Mr. Fison, at least, knows what his own theory involves, and once even frankly accepted the possibility

[103] *On the Organisation of Australian Tribes*, p. 186.

that the Dieri myth (the foundation of exogamy by divine decree) may be historically true. 'All I contend for is,' he says, 'that if the former existence of the undivided commune be taken for granted' (and Mr. Fison, unlike Mr. Howitt, regards the undivided commune as a mere unproved hypothesis), 'its division into exogamous clans must have had precisely the effect' (a consciously reformatory effect) 'which Mr. Morgan's theory requires. If such a community ever existed, I do not hesitate to say that Mr. Morgan's "reformatory movement" appears to me the most likely method by which it would begin its advance to a better system of marriage' than 'communal marriage.'

But what gave the impulse to the hypothetical moral reformation? Contact with a more advanced tribe is reckoned improbable by Mr. Fison (for how came the other tribe to be more advanced?), and so the moral impulse 'must have been derived from a higher power,' from the Good Spirit, or from ancestral spirits, as in the myths of the Dieri, the Woeworung, also of the Menomini Redmen of North America, a branch of the Algonquins; and the Euahlayi tribe.

According to the Menomini, there is, or was, a Being who 'made the earth.'[104] His name being interpreted means 'The Great Unknown,' but only extreme believers in the theory of religious borrowing will say that he was Sir Walter Scott, Bart. He (The Great Unknown) created 'manidos or spirits,' in the shape of

[104] I know that many students will decline to admit that there is such a myth of a Maker.

animals, or birds. The chief birds (as often in Australia) were Eagles and Hawks. The Bear 'came out of the ground,' and was turned into an Indian, by the Great Unknown, *alias* 'The Good Mystery.' He and the Beaver headed totem kins now in 'The Big Thunder phratry.' Other animals came in; there are now Bear, Eagle, Crane, and Moose 'phratries,' each containing a number of totems. All the people of a totem name in the Menomini tribe are akin to persons of the same totem in other tribes, say of the Sioux.[105]

These myths favourably illustrate the piety of the Dieri, Woeworung, Euahlayi men, and Menomini. Like Mr. Fison (at one time, and 'under all reserves') these tribes leaned to the hypothesis of divine or supernormal intervention in matters totemic. The Dieri may be right, but a less difficult hypothesis is that there was never 'an undivided commune,' in the sense of Mr. Morgan and Mr. Fison, and that, consequently, it never was 'divided into exogamous clans.' If so, no miracle is needed: *Nec Deus intersit nisi dignus vindice nodus.* My own scheme needs no divine aid, nor deliberate legislation, 'in the beginning.' But that such legislation has intervened later, I think probable, or certain.

Messrs. Spencer and Gillen write: 'Rigidly conservative as the native is, it is yet possible for changes to be introduced… There are certain men who are respected for their ability, and, after watching large numbers of the tribe, at a time when they were assembled together for months to perform certain of their most

[105] *Report of Bureau of Ethnology*, 1892-1893, pt. i. pp. 32-43.

sacred ceremonies, we have come to the conclusion that, at a time such as this, when the older and more powerful men from various groups are met together, and when day by day, and night by night around their camp fires, they discuss matters of tribal interest, it is quite possible for changes of custom to be introduced.'[106] The Arunta traditions allege that such changes introduced by men of weight, and accepted after discussion, have been not unusual.[107] This is highly probable, now, but not in the beginning.

The Arunta historical traditions are of little value as to historical facts,[108] but the consciousness of the Central Australian tribes accepts the possibility that new customs may now be proposed, debated, and adopted. If no such thing ever occurred, the belief in its possibility could scarcely have arisen among the Arunta. But the possibility has its limits, and one of these is the deliberate primeval introduction of exogamy, for no conceivable reason, and its imposition on a society already totemic but not yet exogamous. Perhaps few critics will frankly say that exogamy was thus imposed; they will try to qualify or evade so improbable and antiquated a theory. Yet they cannot but slip back into it, while they believe in 'segmentations' of 'an undivided commune,' and of later totemic 'subdivisions' of the 'segmentations.'

In any case these Arunta and cognate tribes of similar usages,

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[106] *Natives of Central Australia*, pp. 12-15.

[107] *Ibid*. pp. 15, 421-422, also p. 272.

[108] Here I dissent from Mr. Frazer and Messrs. Spencer and Gillen; the point is discussed later.

so recently discovered, so anomalous, so odd, are 'the only begetters' of the latest hypotheses of Mr. Frazer and Mr. Spencer – namely, that totems, originally, were co-operative industrial groups with no influence on marriage rules. Do the Arunta, then, present a surviving model of primitive Totemism, in other regions modified and contaminated; or is their Totemism not, like their metaphysics and psychology, a 'freak,' an unique divergence from the normal development, as I have from the first maintained?[109] All these difficulties and confusions, as to 'phratries' and totems, inevitably arise from the doctrine that the original totem groups were not at first exogamous, and only became exogamous when separate sets of them were scheduled under the two more recent exogamous primary divisions, or were segmented out of them. In that case it is not easy to see how we can escape from the impossible theory that exogamy, and the primary divisions, were the result, of direct legislative enactment. Even if we could believe this, we see no conceivable motive, except Mr. Fison's divine intervention, an idea which, it appears, he put forward quite provisionally in an argument with Lord Avebury.[110]

[109] *Fortnightly Review*, June 1889.

[110] In 1895, *J. A. I.* xxiv., no. 4, p. 371, Mr. Fison abandons hope of a certain discovery of the origin of exogamy.

THE ARUNTA

The case of these Central Australian tribes, in regard to Totemism and marriage prohibitions, is so peculiar that it demands particular notice. Mr. Frazer some years ago propounded the hypothesis that the Arunta tribe, especially, are the most 'primitive' of living peoples, are still in 'the chrysalis stage' of humanity, whence it would follow that their singular kind of Totemism, and of marriage rules, is nearest to the beginning, and best represents the original type.[111] The Arunta, dwelling in the arid regions of the centre, have certainly been little contaminated by European influences. They are naked, houseless, non-agricultural nomads, like all the Australian tribes, and it is asserted by Messrs. Spencer and Gillen and others that they have not yet discovered the rather obvious facts as to the reproduction of the species. All this has certainly a primitive air. But I have ventured to reply that the Arunta, as regards the family, are confessedly more advanced towards individual marriage than their neighbours, the Urabunna, with whom they freely intermarry.[112] Unlike what is told of the Urabunna, the Arunta recognise 'individual marriage.' They deliberately and ingeniously modify their system on the occasion of intermarriage with the Urabunna. These reckon descent in the female, the

[111] *Fortnightly Review*, April, May, 1899.

[112] Spencer and Gillen, pp. 68, 69, 121.

Arunta in the male line.[113] The office of Alatunja, or head man of a local group, among the Arunta, is hereditary in the male line, descending to a brother of the late Alatunja, if he leaves no adult son.[114]

Moreover, the Arunta, and cognate tribes, occupy an area of 750 miles, and their meetings and discussions last for months. A people truly *primitive* cannot be conceived as capable of such immense local associations, and of such prolonged and pacific assemblies. Again, Messrs. Spencer and Gillen, rightly or wrongly, believe that 'communal marriage' is the earlier institution, and that it persists, 'slightly modified' among the Urabunna, but not among the Arunta. Thus, beyond all doubt, the Arunta are more developed, more advanced, than the Urabunna, and it is hardly safe to say that, where their organisation differs from that of the Urabunna, and other tribes in general, it differs because it is more 'primitive.' It must be less primitive, a special divergence from the type.

[113] *Ibid*. p. 70.

[114] *Ibid*. p. 10.

ARUNTA METAPHYSICS

Again, as proof that they are in no chrysalis stage, the Arunta possess a reasoned theory of things, so ingenious and complex, so peculiar, so extraordinary, so carefully atheistic, that one could scarcely believe it possible for naked savages, were it not so well attested. The theory is that of the original evolution of types of life into plants and animals, which, with the minimum of extra-natural aid, became human. The human beings possessed souls, which on the death, or disappearance into earth, of the original owners, were hereditary, being reborn into Arunta children. These souls each of a given totem (the plant or animal or other thing which first became human) haunt certain local centres. One place is the centre of Grub totem souls, another of Cat totem souls, and so forth. Each new child is of the totem of the haunted locality where the mother supposes that she conceived it; a totem soul of that locality has become incarnate in her, and from her is born. Thus the wife may be of one totem, the child of another; the husband may be of the wife's totem, of the child's, or of another. The totem is thus no bar to marriage, and is not inherited, all this being the result of the peculiar philosophic system of the Arunta. Their totemism is thus a 'sport,' and not the original form of the institution.

We cannot reverse the case, the philosophy of hereditary totemic souls cannot be the result of the present mode of

inheriting the totem from the group of souls that haunts each locality, it cannot be a myth invented to explain that custom. That custom requires the peculiar Arunta soul-belief as its basis, and cannot exist without the belief. If the child received its totem name from the place where it is *born*, we might say, 'Originally the child was called after the *place of its birth*.' (Arunta children still receive territorial *personal* names from the place of their birth.) 'Later, Totemism came in with totem local names, each place having a totem title. The local totem name of the place where a child was born was then given to each child. Still later, arose a myth that totem souls haunted each place, and that the child received its totem name because a local totem soul was incarnated in it, at the place where it was born.' We cannot maintain this theory – which makes the present Arunta belief a myth to explain the present Arunta custom – because that custom it does not explain. The child receives its totem name, not from the place where it is born, but from the place where the totem soul entered into its mother. Nor can we assume that totem names were originally given, not to human groups, but to districts of territory. Thus the present Arunta mode of obtaining the totem, in each case, is the direct result of the Arunta philosophic belief. That belief is peculiar, is elsewhere unheard of, is the property of a tribe distinctly more advanced in marriage rules, and local solidarity, than some of its neighbours, and therefore cannot be primary. It follows that the Arunta mode of obtaining the totem, not by inheritance, is not 'primitive,' is not the original

model from which the rest of savage mankind has diverged. This I state, because, as a rule, a belief exists to explain an institution, and, as a rule, an institution is not the result of a belief.

ARUNTA TOTEM EATING AND TRADITIONS

Each Arunta totem kin may now eat, in moderation, of its own totem, and each kin does magic (*Intichiuma*) for the benefit of its totem, as part of the food supply of the tribe in general. The traditions represent men and women of the same totem as, of old, usually intermarrying (that is, as endogamous): while they are also said, as a rule, to have fed almost exclusively on their totems, being thus endophagous.

All these usages, real or traditional (except doing magic for the benefit of the totem), are at the opposite pole from the customary exogamous and exophagous Totemism of savage tribes all over the world, and even in Australia. If, therefore, the Arunta and tribes practising the same usages are primitive (it may be, and has been argued), their Totemism is, in origin, the earliest known case of the division of labour; each group selecting and working (by magic) for the benefit of its totem, as part of the tribal food supply. I elsewhere argue that each group must probably have had a recognised connection with its totem, before it set out to do magic for the propagation of the creature.[115] But I have also maintained that the Arunta are far from being 'primitive,' but are rather a 'sport,' and that their usages represent a local variation

[115] See 'The Origin of Totemism,' *infra*.

from the central stream of Totemism; not Totemism in its earliest known form.

DR. DURKHEIM ON THE ARUNTA

I had written on this topic in the *Fortnightly Review* (June, 1899), and in another chapter of this book ('The Origin of Totemism'), before I saw the essay of Professor Durkheim, of Bordeaux, *Sur le Totémisme*.[116] It is encouraging to find that Dr. Durkheim, independently, has worked out the same theory – namely, that the Arunta are not in the primitive stage of Totemism, but represent a very peculiar divergence from the type, and that their historical legends (more or less accepted by Mr. Frazer and Mr. Spencer) are mainly myths, told to account for certain facts in their social arrangements. We are not to reason from their single case, says Dr. Durkheim, as against the great mass of our knowledge of Totemism and totemistic exogamy and exophagy. 'In place of being a perfectly pure example of the totemistic *régime*, is not Arunta Totemism a later and disfigured (*dénaturée*) development?' For many reasons, says Dr. Durkheim, 'the Arunta are among the most advanced of the Australian peoples,'[117] and he gives his grounds for this opinion, some of which I had already adduced in 1899. Entering into detail, Dr. Durkheim readily shows that, though the Arunta now permit marriage between persons of the same totem (which is not hereditary on either side, but casual), they are, for all that,

[116] *L'Année Sociologique*, 1900-1901, pp. 82-121.

[117] *Ibid*. v. 89-90.

exogamous, in a fashion resulting from precise Totemism in their past.

They may not marry within the two primary divisions (which Dr. Durkheim styles 'phratries'). Each phratry contains two (sometimes four) other 'classes' (exogamous), and phratries arose in the combination of 'two elementary exogamous totem groups' – as I have already suggested. Now phratries, we have agreed with Mr. Howitt and Mr. Fison, were, in all probability, themselves originally totemic. Mr. Frazer also says, 'We should infer that the objects from which the Australian phratries take their names were originally totems. But there seems to be direct evidence that both the phratries and subphratries actually retain, in some tribes, their totems.'[118] If the opinion be correct, the phratries of the Arunta, which regulate their marriages, were originally local totem groups. On my system, then, namely, that totem kins were originally, or very early became, exogamous, were exogamous before 'phratries' arose, and before the so-called 'bisection' was made, then the Arunta organisation was originally that of exogamous Totemism. At first, though not now, totems regulated Arunta marriages.

Dr. Durkheim, in the passage cited, says that the two exogamous phratries are composed of 'two elementary totem groups, *également exogames*.'[119] Dr. Durkheim, who here is of my opinion, writes, 'It is not true that, among the Arunta, the

[118] *Totemism*, p. 83.

[119] *L'Année Sociologique*, v. 92.

totem has always been' (as it is now) 'without influence on marriages, nor, above all, is it true that Totemism, generally, implied endogamy.' Yet, according to Arunta myth, the ancestors of the 'dream-time' (*Alcheringa*) were endogamous, as a general rule, and, as a general rule, were endophagous, ate their totem animals or plants. The ancestors of their traditions fed on their own totems, 'as if by a functional necessity,' say Messrs. Spencer and Gillen. But this simply cannot be true, for each totem is not in season, (plums, for instance), or accessible, all the year through, and, if it were, it would be exterminated by endophagy. The traditions, again, do not represent the men of the totem groups as really and religiously endogamous. They exercised marital privileges, not only over the women of their totem group, but over any other woman they could come across. Certain totem groups are represented in the legends as wandering across the land, the men living with women of their totem group, while 'there is nothing to show definitely that marital relations were prohibited between individuals of different totems.' The men accepted the caresses of such women of other totems as they encountered; but their habitual mates were the women of their own totem.[120] In the alleged state of perpetual *trek*, the wives were naturally, in the opinion of the myth makers, of the group. At present an Arunta marries in or out of his totem; as he pleases.

[120] Spencer and Gillen, p. 419.

THE RELATIONS OF TOTEMS AND 'PHRATRIES' AMONG THE ARUNTA

The relations of the totem groups to the 'primary divisions,' or 'phratries,' among the Arunta and cognate tribes, are, as we have already stated, entirely peculiar. We have seen that, in North America, and in Australia generally, no phratry ever contains the same totems as its linked phratry, and we have seen that Mr. Frazer calls this the natural arrangement.[121] If so, the present Arunta arrangement is not natural; it is a divergence from the natural type. Among the Arunta, 'no totem is confined to either moiety' ('phratry') 'of the tribe.' There is only 'in each local centre a great predominance of one moiety.'[122]

Dr. Durkheim regards the present state of Arunta affairs (the totems not being peculiar to either phratry) as *une dérogation*. Originally, he thinks, as among the Urabunna, each phratry contained only totems which were *not* in the other phratry; and he detects survivals, among the Arunta, of the earlier usage. At present the Arunta totems show 'a slight tendency to skip' (*chevaucher*) 'from one into the other phratry, doubtless because the Arunta totem system is no longer complete' – and no wonder, as Arunta totems are now not hereditary, but derived

[121] *J. A. I.*, N.S., i. 285.

[122] Spencer and Gillen, p. 120.

from the totem souls haunting each locality. Again, in Arunta legend, the ancestors 'were divided into companies, the members of which bore the same totem name, and belonged as a rule to the same moiety' ('phratry') 'of the tribe,' as now among the Urabunna, 'who are in a less developed state than the Arunta.' So say Messrs. Spencer and Gillen, and thus Arunta legend points to a past in which Arunta usage was, in this matter, as a rule the same as that of the less developed Urabunna: which I believe it really was.

But we can hardly accept the legends when they fit, and reject them when they do not fit, our theory! I lay no stress on the legends.

Конец ознакомительного фрагмента.