

Wooden sculpture of a human male collected by Berndt, 1946–7 by Leigerang Dalawongu people, north-east Arnhem Land courtesy Buku-Larrnggay Mulka Centre National Museum of Australia

## 'Cluttering up the department'

Ronald Berndt and the distribution of the University of Sydney ethnographic collection

#### by Geoffrey Gray

#### Abstract

The issue of ownership of cultural objects collected by fieldworkers sponsored by the Australian National Research Council (ANRC) between 1926 and 1955, when the ANRC was replaced by the Academy of Science, is now in a sense passé, as these collections have been broken up, and now reside in diverse centres both nationally and internationally. This does not mean that we should not revisit the issue of how the ANRC collection was made, the way it was broken up and distributed, the circumstances around its distribution and the question of ownership — does it reside with the collector, the institution housing the collection, or the funding body? This paper traces Ronald Berndt's attempts to assert ownership over part of the collection housed at the University of Sydney, at the two moments of its redistribution, 1957 and 1980.

## Introduction

Scattered among the ethnographic collections of several Australian and overseas museums are a large number of objects originally collected between 1927 and 1956 by anthropologists sponsored by the Australian National Research Council (ANRC). These expeditions covered many parts of northern Australia, particularly the north-west Kimberley in Western Australia, Arnhem Land in the Northern Territory and Cape York Peninsula, North Queensland. Some material was also obtained from the Territory of New Guinea. The material collected was by no means confined solely to these areas but it is from them that the bulk of the collection was made. The collection was housed in the rooms of the Department of Anthropology at the University of Sydney. In 1949 the ANRC transferred ownership of the collection to the University of Sydney, where most of the objects were housed until they were distributed to other institutions in the mid-1950s.

The story of the how the collection was disbursed is seemingly well-known among curators and anthropologists. Some have described the distribution as an act of vandalism. But the evidence of impropriety is anecdotal — there is little hard evidence to back it up. This paper addresses the charges by reconstructing the history of the collection. I focus on shifts in perceived ownership of the Sydney University ethnographic collection, mostly barks from Arnhem Land, made by Ronald and Catherine Berndt between 1941 and 1949. Ronald Berndt attempted to claim ownership of these materials when it became apparent that the collection housed at the University of Sydney, especially those items he and Catherine had collected, was to be distributed by the incoming professor, JA Barnes, Ronald Berndt advanced several



Ronald Berndt at his desk Berndt Museum of Anthropology

reasons, among which were a claim of moral ownership and the need to have these objects available for his research and teaching purposes at the University of Western Australia. As a result of his tenacity in asserting some control and ownership over the collection at the two moments of its redistribution, there is a paper record which offers an insight into the history of this collection.<sup>1</sup>

### The ANRC

At the end of the First World War, Australia resumed international scientific activities with the formation in 1919 of the ANRC. This was intended to be Australia's link with the newly established International Research Council, which it officially joined in the following year.<sup>2</sup> Australia was one of 16 countries invited to participate in the international body, on condition that it had an organisation capable of representing it internationally. The ANRC was an independent scientific body with membership limited to 100 leading scientists, making it an influential body with government.<sup>3</sup>

Anthropology as an academic discipline was not formally established in Australia until 1925, with the establishment of a Chair of Anthropology at the University of Sydney. AR Radcliffe-Brown, foundation professor, arrived in Sydney in July the following year. Research in anthropology was initially funded by the Rockefeller Foundation, and distributed by the ANRC on the advice and recommendation of an expert committee, the Anthropology Committee, headed by the University of Sydney's Professor of Anthropology and comprising members drawn from each state and the Commonwealth.

From 1927, when the first anthropologists were sent out under the auspices of the ANRC, they agreed to a number of conditions, one of which governed the collection of material culture. Section 3, Clause 12 of the conditions governing grants and fellowships awarded by the ANRC states:

> Any complete field research in ethnology will normally include the collection of objects of ethnographical interest. Any object collected shall be the property of the ANRC. The fieldworker will be expected to label and index the collection. In general, permission will be granted to keep for himself, or to present to ethnological museums, a limited number of duplicate specimens. He shall not, however, dispose of specimens for sale. If the recipient of the grant wishes to make a collection for some museum, he must obtain permission beforehand from the Committee for Anthropological Research.4

All grantees and fellows gave a signed undertaking to observe these conditions. There are two matters of interest for the purposes of this paper: one is the virtually unenforceable nature of the contract without the cooperation of the researcher; the other, implicit in this particular clause, is the idea of a national collection.

It was not only material culture that was collected by these early anthropologists under the auspices of the ANRC.<sup>5</sup> Besides orthodox ethnographic research, which consumed the bulk of the funds, researchers were sent to make observations on 'Aborigines and mixed-bloods on a native reserve'; funds were also awarded for the 'tabulation and statistical treatment of anthropometric data' that was collected, for example, by W Lloyd Warner in the Northern Territory; and, for a physiological investigation among Aborigines and 'mixed-bloods' in New South Wales and Queensland, to the Department of Physiology at the University of Sydney. Other projects included support for an unnamed medical student in the Department of Anatomy at the University of Sydney 'making anthropological observations and securing a large series of casts of teeth for the purpose of study', including funds for apparatus for more exact study of crania.6 Professor J Shellshear from Hong Kong University received funds to 'visit the University of Sydney for 3 months in order to examine and report on the collection of Australian aboriginal and Papuan brains in the Department of Anatomy'.7

The collection soon outgrew its departmental premises and Radcliffe-Brown searched for an alternative site, raising the possibility of a national museum. This proposition was raised in 1923 at the Pan Pacific Science Congress where it was proposed that the federal government be persuaded 'on the need for the formation of a Federal Museum of Australia and its Territories, and the immediate necessity for securing specimens, historical and ethnological, while they are yet available'.<sup>8</sup> By the end of July 1929, Radcliffe-Brown noted that '[a]t a very reasonable estimate, these collections are worth well over  $f_1000$ . They have been offered to the Australian Government in order to form the nucleus of a national collection, but no decision has yet been reached on the question of the proposed museum at Canberra; meanwhile the problem of the proper storage and care of these collections is becoming increasingly difficult'.<sup>9</sup>

The plan for a national museum was part of a wider agenda to establish a Bureau of Ethnology which Radcliffe-Brown hoped would alleviate many of the difficulties he was experiencing with the ANRC.<sup>10</sup> His intention was that the Department of Anthropology should become a:

> bureau of [ethnology] on all matters relating to the native populations of Australia, New Guinea and Melanesia; the collection and collation of all information from printed sources to be commenced at once; the New Guinea and Papuan administrations to be asked to make available copies of all reports dealing with the natives, received from district officers, with particulars in each case as to the name of the officer, date of report, division and locality and name of tribe; the information collected in this and other ways to be filed in a manner that will facilitate reference by persons seeking information as to any tribe or native custom; co-operation in the work of the Anthropology Department to be arranged with the islands under the High Commissioner of the Western Pacific, work in Polynesia to be maintained through the Bernice Bishop Museum of Honolulu and the American Museum of Natural History, and, if possible, contact to be established with Japan in relation to ethnographic work in Micronesia.11

This was a 'collecting' enterprise in which material culture was but a part. There were, however, two difficulties in implementing Radcliffe-Brown's grand scheme: first, insufficient government funding and support; and second, the physical difficulty of transporting the material from missionaries, patrol officers, anthropologists and others concerned with 'Native Administration' in Papua and New Guinea in particular. The failure to obtain sufficient funding ensured it was stillborn. The collection remained in the department.

Anthropologists' collecting

To a wider public, displayed artefacts provide a window into Indigenous life. How many visitors to museums have read any of the articles and books of the collecting anthropologists which set out the lives of people from whom these artefacts were collected? In contrast to the public visibility of the collecting enterprise displayed at museums, the mechanics of collecting can be seen as a by-product of anthropological research and certainly not central to the research enterprise. Collecting and collections of material culture, their purpose and intended and unintended effects have been discussed and analysed by many scholars, including the anthropologist James Clifford.<sup>12</sup> He argues that ethnographic collecting 'implies a rescue of phenomena from inevitable historical decay or loss. The collection contains what "deserves" to be kept, remembered, and treasured. Artefacts and customs are saved out of time'.13

I do not wish to dwell on this. The point I seek to emphasise and underline here is that, in contrast to their thorough and methodical explication of issues such as kinship relations, totemism, and ceremony (ritual), anthropologists — at least those working in Australia and sponsored by the ANRC — have rarely left us complete information about their processes in collecting cultural objects. The acquisition of cultural objects in the field is rarely described, except in field notebooks or personal correspondence. Even then it is not always clear from whom the objects were purchased, how the purchase was understood by the various parties in the transaction, the actual items of exchange, the nature of the exchange, and so on.<sup>14</sup> This has been exacerbated by the loss or deliberate destruction of field notebooks of a number of researchers such as Lloyd Warner, Ralph Piddington, Gerhardt Laves and Ursula McConnel, all funded by, and sent out under the auspices of, the ANRC.<sup>15</sup>

Some examples highlight how gifting and collecting accompanied anthropological research, and how the process of collecting so often remains tantalisingly unknown.<sup>16</sup> The Australian anthropologist Ian Hogbin, working on Ontong Java in the then British Solomon Islands Protectorate, exclaimed to a friend:

> Wait till you see my lovely mask which I brought [bought?] for a dress shirt. I could only get it in exchange for a dress shirt as the owner would not take tobacco.<sup>17</sup>

We may wonder what Hogbin was doing with a dress shirt in the field! And what was the attraction for the seller of the mask? We will not find an explanation in his field notes, as Hogbin destroyed them. He, like other anthropologists, including the Berndts, had material specially made: I have yet to get several artefacts ... which are still in the process of being made'.<sup>18</sup> Later, when working in Guadalcanal, he commented:

> I am making a good collection, but unfortunately the stuff is frightfully expensive — £1 each for spears, 10/and 15/- for shields etc. The reason is that the natives established 5/- as the value of a string of shell 'money',

and from this they translate all their values. I saw a pig the other day sold for, at this rate, £18. And a bride costs upwards of £60.<sup>19</sup>

In 1936 gifts were presented to informants on Nauru Island on behalf of Camilla Wedgwood, who had studied the effects of European culture on native life at the request of the Nauru Administration.<sup>20</sup> These gifts included a pencil to the interpreters, silk and cotton goods, a scarf, a fountain pen and books. It is unknown how these gifts were selected, or what people thought of them.<sup>21</sup> It was a very formal exchange, and distanced from the event.

In contacts between Europeans and Aboriginal Australians, the usual mediums of exchange for information and the acquisition of ethnographic material were flour, tea, sugar and tobacco, although tobacco appears to be a universal item of exchange for all services.<sup>22</sup> Ursula McConnel, seeking reimbursement for unexpected field expenses, pointed out to the secretary of the ANRC that she incurred:

> a good deal of expense not foreseen in making my estimates. Men in the vicinity of the mission expect the mission wage and rations and tobacco for daily information. I have had to employ a great many informants. In the bush one does not have to give either rations or money but just presents and tobacco. Hence an extra expense in flour, rice, tea and tobacco ... wages as compared with previous field trips.<sup>23</sup>

Clothing was also used as a medium of exchange. Ronald Berndt, when at Ooldea Soak in 1941, asked JB Cleland, chairman of the Aborigines' Protection Board of South Australia, for some clothing:

The aborigines are showing me a series of ceremonies for which I

promised them some old clothes — I am obtaining some from my people and relatives — if you have any that can be spared I will be most grateful.<sup>24</sup>

Clothing, flour, tea, sugar and tobacco were not the only items of payment. The University of Adelaide Board for Anthropological Research used what were referred to as 'buck currants' to pay informants. Ronald Berndt had undertaken a short expedition with the University Board to Ooldea Soak in August 1939 when he first saw buck currants used a form of payment. Cleland had made an arrangement with the South Australian Dried Fruit Board to supply inferior grade currants and sultanas, labelled 'Not Fit for Human Consumption', to pay Aboriginal informants on the expeditions of the University Board and the museum, often joint expeditions. When Ronald and Catherine Berndt were at Ooldea between July and November 1941 they used buck currants to pay informants. Ronald commented to Cleland, when asking for further supplies, that he found the 'natives were most pleased with the currants', which were 'much appreciated' by the informants.25

Ralph Piddington and Gerhardt Laves, who followed both AP Elkin, the first ANRC researcher, and Stanley David Porteus, the Australian racial psychologist and educationalist, into the field at La Grange Bay in north-west Western Australia, were confronted with the problem of too many objects being brought into trade. Piddington, who made two trips to La Grange, the first in 1930 and the second in the latter half of 1931, noted:

> the people were eager to bring us objects for the collection, which is growing rapidly owing to the fact that Yuari [described as the local headman] uses his official position to pillage the sacred storehouse. We have now several specimens of everything except

spear throwers and circumcision knives, and Yuari has promised to secure these for us in due course.<sup>26</sup>

Elkin, who was at La Grange Bay in late 1928, noted that on the second day he was there, 'the men took me to their sacred ground to show me their sacred objects and to sing me sacred songs ... They also brought me various curios'.<sup>27</sup> He made no further mention of whether he was given the curios, traded them, or if they were gifted.

## Ronald Berndt and Catherine Berndt

Ronald Berndt left school in 1930 aged 14 years.<sup>28</sup> His father, recognising that his son was not happy at school and probably illfitted to follow his own career as a jeweller, encouraged him to attend the South Australian School of Mines and Industry where he completed, in 1933, a course on bookkeeping, business correspondence and typewriting'.<sup>29</sup> He was a close friend, from his schooldays at Pulteney Grammar, of James Vandeleur (Jim) Wigley, who was to become a companion on some of his early forays into Aboriginal Australia (Wigley accompanied Berndt to Murray Bridge in 1939,30 and joined him again at Daly River in late 1945). Wigley left school at about the same time as Ronald Berndt and attended the Millard Grey Art School in Adelaide.<sup>31</sup> After they left school, it seems that Berndt and Wigley did odd jobs here and there and pursued their various interests together. What Berndt did in the five years between 1934 and 1939, when he enrolled in a pre-undergraduate Diploma of Commerce course at the University of Adelaide and was appointed honorary assistant ethnologist at the South Australian Museum, is to date largely unknown.

It was through Ronald Berndt's father, described by Jim Wigley's brother Bill as an 'eccentric jeweller' who collected

Aboriginal artefacts,<sup>32</sup> that Wigley became interested in such material and started collecting it. John Wilson, a friend of Wigley and one of Berndt's first students at the University of Western Australia told me that Berndt collected Japanese toggle buttons (presumably netsuke) and miniatures, and had an overall interest in 'aesthetic matters'.33 When Berndt was appointed in May 1939 to the position of honorary assistant ethnologist at the South Australian Museum, he had to give an undertaking that he was not a collector himself.<sup>34</sup> In their introduction to Going It Alone?, a festschrift honouring the Berndts, Robert Tonkinson and Michael Howard state that Ronald Berndt started reading ethnology as a result of his interest in his father's collection of artefacts. What ethnology he read is unknown, but he revealed in an interview conducted in 1975 that as a young man he read Herodotus, Josephus, Edward Gibbon, James Frazer and Alfred Cort Haddon, the Cambridge zoologist and anthropologist, as well as the novelist Rider Haggard.35

At the South Australian Museum, Berndt came under the influence of CP Mountford.<sup>36</sup> Mountford was a collector of Aboriginal material culture and most likely introduced him to the idea of obtaining crayon drawings on brown paper.<sup>37</sup> In early 1945, when Ronald and Catherine Berndt were at Birrundudu in the central north-west Northern Territory, we obtain a glimpse of the use of crayon on brown paper and the number of crayon drawings collected by the Berndts:

> As a sideline, we obtained a series (several hundred) of adult drawings (lumber crayon and pencil on brown paper); many of these are extraordinarily good (although not of course, in the style of Albert Namatjira), and all show excellent prospects for development. It is

unfortunate that there is not some person who could collect such drawings from various areas ... It is a pity that something of this kind could not be done before it is too late.<sup>38</sup>

After his first field trip to Ooldea as part of an expedition with the University of Adelaide Board for Anthropological Research, in August 1939, Ronald Berndt was gripped by the idea of becoming an anthropologist. But he had no formal qualifications in the discipline. Encouraged by JB Cleland and T Harvey Johnston, both members of the University of Adelaide Board for Anthropological Research, he visited professor of anthropology at the University of Sydney, AP Elkin, at the end of 1939, and enrolled in the following year's Diploma of Anthropology course. This was open to missionaries, colonial administrators and others who showed an interest in anthropology, and could be taken either as a graduate course or an entry course, without prerequisite formal qualifications.<sup>39</sup>

Catherine Webb, who enrolled at the University of Sydney on 25 November 1940, had arrived from New Zealand, having completed a Certificate of Proficiency in anthropology at the University of Otago under RD Skinner. She and Ronald Berndt met soon after her arrival, and 'it did not take long for the budding anthropologists to realise the extent of their common interests and ambitions'.<sup>40</sup>

After their research at Ooldea the Berndts completed the necessary work to be awarded the Diploma of Anthropology; it was a joint thesis which was later published as *A Preliminary Report of Fieldwork in the Ooldea Region, Western South Australia.* From there they went to Murray Bridge and continued, with support from the ANRC, with research on culture contact and change in South Australia, later published as *From Black to White* (1951) and *A World That Was*  (1993). Between August 1944 and May 1946 they were employed by Vestey Bros, undertaking research into conditions of Aboriginal labour on Vestey cattle stations, which was published, finally, in 1987, as *End* of an Era.<sup>41</sup>

Ronald and Catherine Berndt worked together; she investigating women and he men. They were the husband and wife team Elkin had been hoping for for years.42 Ronald Berndt was the more assiduous and enthusiastic of the two about collecting material culture, which is unsurprising, as Aboriginal art, at that time, was essentially the concern of the men. Catherine was more interested in language and other intellectual pursuits, which complemented Ronald's work. In correspondence with Elkin in particular, Ronald often referred to the collections he made while working in the field as his, rather than Catherine's: in all discussions relating to the return of selected items in the material held at the University of Sydney, Ronald staked a claim for his ownership rather than joint ownership.

# Arnhem Land and making a collection

When Ronald and Catherine Berndt went to Arnhem Land in September 1946, they were among the first anthropologists to work there. W Lloyd Warner had been there in the late 1920s and Donald Thomson in the mid-1930s and again during the war. The Berndts arrived at Yirrkala, their main base, soon after the Royal Australian Air Force had pulled out and the air base was abandoned. The effect of the Air Force base manifested itself, in the eyes of the Berndts, in the sophisticated tastes of the local Aboriginal people in the matter of food. The demand for tobacco and food was 'at times almost overwhelming'.43 They described the people at Yirrkala as 'very grasping ... with a great

idea of their own importance'.<sup>44</sup> There is much in this vein in their correspondence with EWP Chinnery, director of the Northern Territory Native Affairs Branch, and Elkin. They nevertheless stayed at Yirrkala, moving to other areas as the situation required. Their main purpose was to study the social anthropology of northern Arnhem Land, 'paying special attention to social organization, social life, ceremonial life and art'.<sup>45</sup>

In 1942 the retail department store David Jones, in Sydney, mounted an exhibition of primitive and Aboriginal art. In his foreword to Fred McCarthy's *Australian Aboriginal Decorative Art*, which predated the exhibition by some four years, Elkin wrote:

> The growing interest in and appreciation of primitive art in general and of aboriginal art in particular has a very important human, as distinct from scientific, implication. It is gradually causing persons who otherwise would either ignore or despise the aborigines to realize that a people possessing an art which is full of traditional meaning as well as expressive of many interesting motifs is much higher in the human scale than had been previously thought. The average white person is not impressed by totemism, kinship and sociological studies of aboriginal life, but a simple presentation of a native people's art is something which he can appreciate. I am hoping that this introduction to the decorative art of the Australian aboriginal ... will contribute materially to the appreciation of the Australian aborigines both as a people possessed of artistic powers, and as human personalities. Moreover, in so far as we let the aborigines ... know our appreciation, we shall help them to get rid of that feeling of inferiority

for which contact with us has been responsible.<sup>46</sup>

As the anthropologist Nicholas Thomas points out, the language may be dated, but Elkin's argument is extraordinarily prescient, foreseeing it as he did as something 'we' could do for 'them'. It is unlikely that Elkin imagined the extent to which selfaffirmation would empower Aboriginal communities.47 I argue that Elkin saw Aboriginal art as a means to counter white Australia's colour prejudice by showing a shared (universal) humanity. The extent to which Elkin influenced the Berndts, and how far they appreciated the complex potential of Aboriginal art at the time, is unclear. However, the Berndts echoed Elkin's sentiment when they wrote in 1950:

> Aboriginal art need not be allocated to the shelves of the past ... It can and should, take its place alongside other great schools of art, and be incorporated in our general appreciation for its own worth.<sup>48</sup>

In a report to the ANRC, Elkin described what the Berndts had collected during their first expedition to Arnhem Land:

> These included not only bark paintings from Oenpelli and the north east corner with their different styles but also the rare painted, sacred stones of the former region, and the hitherto unknown wooden, carved human figures from Yirrkala. In addition, they obtained long song cycles dealing with works of art which throw light on contacts of Aborigines with the people of Indonesia and the Torres Strait Islands. They also obtained a very fine collection of artistically made magical objects together with texts associated with their use of these. Another interesting piece of work was the collection of

crayon drawings on brown paper which they obtained. An unexpected find was that of pottery made on the mainland of Arnhem Land by the Macassans with the help of the Aborigines. The first indication of this came in their song cycles.<sup>49</sup>

#### Catherine commented to a friend:

[The] difficulty is to stop the natives ... (the men, that is) ... from making ... our wooden figures ... - we can only pay for and transport a certain number. We haven't seen anything like them among the aborigines before, and some of them are really good. Of course they aren't polished, and are rather crudely done in comparison with specimens from New Guinea etc. but they make a good collection just the same. Some are small figures, 2-3 feet high; and some are heads, or skulls. They are all either carved or painted, or both, and we are quite attached to them. They need a certain amount of attention on account of the damp heat - they grow mould, if not watched; they are an elaboration of the carved grave-post, so that the natives have never given much thought to their preservation, and commonly used 'green' 'sappy' wood.50

They were certainly excited by what they had collected, telling Chinnery:

we have boxes of bark drawings and carvings — the latter are really interesting, and I hope you will have a chance of seeing them. Some are just heads, others the full human figure, carved and painted, and some with detachable hair of 'bush' string. They are apparently a result of Macassan and Malayan influence, and quite unlike anything we've seen before: they differ from the grave posts of Melville Island, although we have seen roughly-carved heads on grave posts at Millingimbi. Altogether we have about four or five tons of stuff, which we'll have to send by boat — the estimates for road and rail run into at least a couple of hundred pounds, and we can't stand [afford] that (they want £100 just as far as Mt Isa!) Passengers aren't allowed on the east-bound boats as yet, so we'll be going overland.<sup>51</sup>

The Berndts were keen to leave Yirrkala,<sup>52</sup> but did not want to leave any 'of their boxes (the carvings, bark drawings etc) ... They are too precious to leave behind for the missionary to load on to the Mission boat when it comes round; so we are staying here to see that it is safely done, and finishing off our work in readiness for departure'.<sup>53</sup> By the end of July, Catherine 'could rejoice' that they were 'away from Yirrkala at last, and very thankful for it'.

The wooden figures about which Catherine expressed such excitement were exhibited in 1949 at David Jones Art Gallery. A newspaper at the time emphasised the importance of the figures in a report headed 'Weird Aboriginal art: Young scientists' find':

> Weird aboriginal carvings caused a scientific sensation when they were unveiled at an exhibition in David Jones Art Gallery ... Sydney anthropologists say they represent the most remarkable 'find' in Australia for a quarter of century. They were brought to civilisation by two young scientists - husband and wife who lived with the aborigines for months to gain their confidence. The statues are the only carved human figures 'in the round' ever brought out of mysterious Arnhem Land and ... their existence was a well kept scientific secret ... AP Elkin ... said: 'These remarkable statues were

discovered in 1946-7 in far northeastern Arnhem Land ... Until their discovery it was always supposed that our aborigines knew nothing of the art of carving human figures in the round. ... Their discovery is of first rate importance' ... Mr Berndt described how he and his wife came by the carvings. We camped for many months near the tribes ... learned their language, studied their customs and mythology, employed them as hunters, ate their food - wallaby, emu, fish, and berries - and at last gained long-coveted permission to attend their secret ceremonies. We knew these extremely secret statues could not be bought or sold, but by showing an interest in them the time came when were offered some specimens as a gift. We, in our turn, responded in native fashion with gifts of our own - flour, tea, sugar and tobacco ... Similar statues have not been discovered by white men before because as soon as they have been used for religious and ceremonial purposes they are put into wells and gradually rot away. They are never left lying about.'54

In a direct reference to the 1948 Australian and American National Geographic Arnhem Land Expedition under CP Mountford, Elkin told the reporter:

> 'even the biggest American and Australian expeditions failed to locate them. It took two young people, living among the native tribes for something like 18 months ... to win the confidence of the tribal head men, that they were admitted to their secret totem ceremonies. In this way [the Berndts] became the first white people to see these unique sculptures and the manner in which they were used in aboriginal ritual ceremonies'



"These carvings stirred scientists', Sydney Morning Herald, 18 October 1949, p. 7

... Professor Elkin disclosed that about 40 of the statues are 'housed or hidden', as he put it, in the University of Sydney.<sup>55</sup>

In 1950 Clem Christensen, founder and editor of the cultural journal Meanjin, was asked by Elkin if he would invite the Berndts to write a piece on Arnhem Land art. The Berndts were eager, informing Christensen that the 'specimens of Aboriginal art exhibited last year [1949] at David Jones' art gallery were collected by us in the course of our normal anthropological field work'.56 Meanjin had carried a review of Elkin and the Berndts' Art in Arnhem Land (1950) and therefore Christensen sought something different.57 Ronald Berndt replied that they would provide an article on the central western area of the Northern Territory: We shall deal with some crayon drawings made by Aborigines with the minimum of contact; these show some very interesting features. They represent a selection of several hundreds we have in our possession'.<sup>58</sup> They wanted to 'give the anthropologist's attitude toward Aboriginal art'.<sup>59</sup> They also raised the possibility of writing an article on 'some unique moulded ochre heads done by Aborigines at Oenpelli', which they later did.<sup>60</sup>

By concentrating on the Berndts in Arnhem Land I want to bring to the fore two matters. First, the Berndts' intensive engagement in the collecting enterprise: it is difficult to know just what they collected although more may be revealed when their field notebooks are released for scholarly research in 2024.<sup>61</sup> My second point is a contentious one: Who owned the collection made by the Berndts under the aegis of the ANRC and the University of Sydney, and later housed in the Department of Anthropology at the University of Sydney?

### Cluttering up the department

In April 1956 Elkin wrote to Ronald Berndt that there was a French artist, Karel Kupka,

'studying aboriginal art from an artist's point of view'. Elkin asked Berndt whether there were any:

> bark paintings in addition to those in the tall cupboard outside the lecture room door and the special cabinets up the passageway and, of course, any on display in the lecture room. Mr Kupka says the highest number he has seen is 215. I had an idea that we had a lot more. Are any still in cases nailed down; for example, I think there is a case of yours in the lecture room. What would be in it? ... There are two boxes of yours in the lecture room marked 'personal', so possibly they do not contain bark paintings. I have an idea that one or both contain stone objects - certainly they are heavy enough.

Elkin told Ronald Berndt that Kupka wanted to write a 'simple story' about Arnhem Land Aborigines, using bark paintings as the means of presenting it.62 For Elkin this was a delicate situation: he was aware that Berndt had collected most of the material Kupka was interested in and wanted to support him; but he also wanted to support Karel Kupka, who saw these barks as art. To do this, Elkin acknowledged, would require a lot of work on the part of Berndt: Kupka 'would need to have information regarding the subject matter of each painting', which only Berndt could supply. Elkin supposed that all Kupka might need were a few lines that were normally attached to each exhibit. On the other hand, Elkin was uncertain as to Berndt's plans: 'it may be that you will some day want to publish a full book on the bark paintings using all the material you collected explaining them. If this is so I do not know whether you should give the information to Mr Kupka or not, although I do not think his book would interfere with any you might write'. Elkin met Kupka in

early 1951, described him as an 'artist of distinction from Europe' who had not only studied Aboriginal art in museums but had also 'spent several months amongst the local artists, observing them'.<sup>63</sup> He added that Kupka was concerned about the condition of some of the barks, offering to spray them, something Elkin believed should have been done 'years ago'.<sup>64</sup>

Ronald Berndt had recently returned to Australia, having completed his PhD at the London School of Economics. He moved almost immediately from Sydney to Perth to take up an appointment as senior lecturer in anthropology in the Department of Psychology at the University of Western Australia. Catherine likewise had completed her doctorate, but had no academic position. Ronald Berndt arrived in Perth on 12 March 1956 and had barely settled in when the request from Elkin came. Elkin was due to retire and was waiting for the arrival of JA Barnes, his successor as professor of anthropology. Ronald replied warily to Elkin: I should be pleased to contact this man if he so desires, although if he is looking at the barks simply as an artist would do there is little I could offer — except, of course, to give what I could of the Aboriginal artists' standpoint'. He was not convinced that this could be done by 'an artist without an anthropological background and without knowledge of the specific region to which the barks belong'. Rather it was, 'most certainly you, Warner or I ... even McCarthy or Mountford for that matter' to write about 'Arnhem Land Aborigines ... using bark paintings as a means of presenting his material'. If Kupka were to do this, then he 'would strongly suggest he have his material read through by you, and that due acknowledgments should be made to the Dept. of Anthropology, U of Sydney, for use of barks. ... Already there are a couple of French and German popular works on



Professor Elkin in his office, University of Sydney photograph by Axel Poignant Axel Poignant Archive, London

the market which illustrate, among other things, some of our bark paintings and carved figures without any acknowledgments whatsoever'.<sup>65</sup>

Ronald Berndt was both conciliatory and insistent; he paid due deference to Elkin, vet was careful not to upset him by claiming ownership, or making a territorial claim to the material and denying Kupka access to the collection.66 Berndt explained that he planned to write up his research including a study on the barks, which were unlabelled and uncatalogued.<sup>67</sup> The following letter gives an idea of how much of the Arnhem Land material was scattered throughout the department. It also hints at Berndt's implicit belief that the material would stay at the department until he was ready to work on it. The material collected by the Berndts had been largely untended since 1950, when they had gone first to the New Guinea highlands and then the London School of Economics to complete their doctorates. He told Elkin:

Let me mention, however, some of the points you bring up.

the N.E. Arnhem Land barks 1 should be located in the Dept. in the following places: in the special cabinet in the hall and at the top of it; in the vestibule cupboards; in the glass cases in the lecture room; there are 3 or 4 in the bathroom against the wall. I was under the impression that there were more than 215: I have no way of checking this number at present, but when I do eventually receive my boxes (now on the way to Perth) and unpack them I can go through my Yirrkala notebooks, since every one I collected has been recorded, numbered and appropriately annotated. This will reveal the number in the Department. Miss Jennifer Woods, who at one time made a catalogue of these, should also have noted the number in the possession of the Dept. A couple of dozen went to the Australian Museum; also a couple, so I believe, went on loan to UNESCO. [GG's emphasis]

2. The Western Arnhem Land barks. Some on exhibition in the glass cases, and a few in the vestibule cupboard, if I remember rightly. But a small collection (I don't remember the number, but this could be obtained from my field note books) is packed away in the large box under the glass case in the lecture room: this also contains some other objects.

Before we went to London I mentioned to you that I was packing this collection away, since I proposed to work on it at the earliest opportunity. For this reason I marked the box 'personal' and hold the key - as you were retiring, I did not want an unauthorised person to go through it. As soon as I can get over to Sydney for a fortnight or so, I intend to deal with it: I hope later to do a separate book on Arnhem Land painting, using this collection for illustrations. I would prefer, with your consent, that this remain as it is. [GG's emphasis] Since this collection has remained virtually untouched it should be in good order. I would not like anyone else to use the material - excepting, of course, yourself. Mr Kupka should find sufficient to interest him in the barks available, don't you think.

3. Thus my box under the glass case in the lecture room contains the above mentioned barks. There should be two other cases in the lecture room containing stone axes and other objects. In the bathroom there are, among smaller items, a large tin flour bin containing a school essay survey and various objects, and a large wooden box containing objects (yet to be sorted and classified): I marked these 'personal' so that they will have my attention when I get to Sydney again. There was unfortunately no time to attend to them when we were there in Feb. As far as I know there are no other bark paintings in the Dept., nor any in my possession: I have none of my own. [GG's emphasis]

I was going to keep three NE Arnhem land barks, and these are wrapped up above the cupboards in the vestibule leading to your room: Jim Bell will show you.

It seems to me, however, that 215 for those barks available is a conservative estimate, and I shall most certainly check numbers as soon as my note books are to hand. When I was in Sydney, you may remember, I mentioned that I could not find a small collection of stone tjurunga which I had brought personally to Adelaide, and later had identified up at Oodnadatta, etc. Nor could I find the Arnhem Land love magic seagull heads, and several hard wax ranga, with a defloration boomerang etc. I must go over the place with a tooth-comb when I can. These must not be allowed to disappear, since they are quite valuable.

4. I too have been concerned with the depreciation of the paintings, and would appreciate it if Mr Kupka can preserve them. McCarthy, though, knows what is best to use since they sprayed the Museum collection. You may remember that we discussed this matter after the barks arrived, but nothing came of it.

5. To compile a detailed annotation of each bark painting would be a big task. Each bark is numbered and all the particulars are in my note books: it could, and in fact, should be done. I will try to do it, but owing to my present commitments cannot promise any definite time. There should be a typed copy lodged in the Dept., and in fact I should have done this myself years ago!

As I say, I would like to use all the western Arnhem Land barks myself for my proposed (?) study. On the other hand, I suppose Kupka will write his book whether or not we help him and it's better to have some control over it. If he wants to get in contact with me I shall see what can be done in this direction.

6. It is true that Woodward-Smith took about 50 coloured pictures of the western Arnhem Land barks. Brown took a number, too. These are, as you say, transparencies. I hold the collection of these photos, which are at present packed in my London boxes. When I receive them, and if you still want them, I can have prepared a full group of black and white photos.

Ronald Berndt hoped his explanation was of some help to Elkin, and again reiterated his concern about the safety of the collection:

> it would ... most certainly be a terrible thing if any were missing from the collection or destroyed ... I trust too that you agree with me about my (i.e. the Dept's) box of western Arnhem land barks in the lecture room. [GG's emphasis] ... Incidentally, I was hoping that later I might hold over here an exhibition of the bark paintings contained in the box underneath the glass case in [the] lecture room: I would, of course, have to seek the permission of your Dept. for this - perhaps some time towards the end of the year, to stimulate interest, as the David Jones exhibition did. [GG's emphasis]68

This letter explains Berndt's role in making the collection and his recognition that it was owned by the University of Sydney. There was no doubt, for example, that Ursula McConnel, who made a disparate collection which is housed in four institutions — the South Australian Museum, the Queensland Museum, the Australian Museum in Sydney and the National Museum of Australia in Canberra recognised the ownership of the ANRC and the University of Sydney. McConnel made a collection of shields at Mitchell River and she informed the secretary of the ANRC that they 'were purchased in 1931 with a special grant from the ANRC and are of course the property of the Council, and are on loan [to the Queensland Museum] — for display, when space is available' at the University of Sydney.<sup>69</sup> Berndt wanted only three barks for his personal possession, from the collection made by him and Catherine when they were in Arnhem Land and, aware that the material they had collected was owned by the Department of Anthropology, he sought permission from Elkin. Some of the Arnhem Land material had already been dispersed to the Australian Museum in Sydney and to UNESCO.70 Berndt sought only to retain the collection's integrity (what he called its 'safety'), as best he could, so that at some time in the future he could return to Sydney to undertake further research, especially on the barks. At this stage he had no plans to ask Elkin if he could permanently transfer some of the Arnhem Land material to Perth. He acknowledged how difficult it would be to annotate each bark but seemed assured he would be able to do it when, and if, time permitted.

### **JA Barnes**

The arrival of the British social anthropologist JA Barnes put a new complexion on the collection and its retention in the department.<sup>71</sup> Barnes later declared he had moved Australian anthropology from being a 'regional backwater to bringing Australian ethnography firmly back into the mainstream of social enquiry'.<sup>72</sup> Not all agreed with this, including the Berndts.<sup>73</sup> Soon after Barnes arrived at Sydney, Berndt heard from Jim Bell, a tutor in the department, that Barnes was trying to persuade Mrs Nadel, curator at the Institute for Anatomy in Canberra, to take on permanent loan some of the material exhibits that, in Barnes's words, were 'cluttering up the Dept'. The material was to be added to the National Ethnographic Collection, consisting then of material collected by some of Australia's earliest collectors of Aboriginal and Pacific material. These objects later provided the basis of the National Museum of Australia's Aboriginal and Torres Strait Islander collections.<sup>74</sup> Berndt was worried about what this might mean for the material he and Catherine had collected. Berndt put in his claim, not for ownership, but as custodian, and added a further plea to keep their Arnhem Land collection intact. Again he wrote to Elkin, seeking his assistance:

> I want to make quite sure that the specimens I collected in Arnhem Land and elsewhere (collected through the ANRC) are quite safe, and will not be dispersed. I wonder whether you would please be kind enough to take up this matter with him [Barnes] and get some assurance. I have written to you first, but if you think it necessary I shall write to Barnes himself, and/or to the Vice-Chancellor [University of Sydney]. On the other hand, if there is to be any dispersal I think my Australian material should come to us in Perth. Further, I would like an assurance that my box under the case in which the Arnhem Land figures are exhibited, and several cases and items in the 'bathroom', are safe and will remain untouched ... I feel rather strongly about it, and have no intention of remaining quiet if the collection we [he and Catherine] made are dispersed or given (on permanent loan or otherwise) to another Institution. I think you will agree with me.75

Elkin did speak with Barnes and arranged for Berndt to make a selection.<sup>76</sup> Berndt hoped to make a visit to Sydney in mid-December 1956 but this turned out not to be possible; he and Catherine therefore arranged for their visit to coincide with the Australian Society of Anthropologists conference in May 1957. He was also making arrangements with the University of Western Australia to assist financially in transporting the selected items to Perth.<sup>77</sup> Berndt told the vice-chancellor of the University of Western Australia that, 'owing to the appointment of a new man in succession to Professor Elkin, the collection of ethnological objects ... was to be dispersed on permanent loan'.

> Since we [he and Catherine] made relatively large collections of Australian Aboriginal objects, bark paintings and so on, particularly from Arnhem Land, it seemed to us that if the Sydney department was no longer interested in them we should try to get a representative selection here. [GG's emphasis] ... Barnes [had informed Elkin]78 that he was trying to lend to other institutions any objects from the ... collection of which they could make use, on the understanding that if and when the Sydney University decided to found its own museum, the objects could be brought back there. That is to say, in his words, 'the objects will be on indefinite loan' ... [He told Berndt he] would be very glad for you to take for use in Perth anything which you feel you could make use over there.79

The objects Berndt had in mind were a number of bark paintings from Western Arnhem Land, and a similar collection from north-eastern Arnhem Land. Some of them are illustrated in *Art in Arnhem Land.*<sup>80</sup> Berndt again stated that he had 'full particulars of each [object] in my field note books'. He told the vice-chancellor that if the university could acquire:

> say, 25 to 30, if not more, they would make an outstanding and unique exhibition which could be assembled within the University. Each is an Australian Aboriginal masterpiece ...

In addition there are other objects carved wooden human figures and so on. I would suggest we also obtain a selection of these, if Barnes is willing to part with them ... not too many, but a sufficient number of choice examples.

There is a clear recognition on the part of Berndt that the University of Sydney could distribute the collection, in part or whole, as it wished. For Berndt to obtain a selection required the support of the University of Western Australia and a willingness on the part of the university to 'have these objects on loan'.<sup>81</sup> While supportive, the vice-chancellor wondered where the collection would be displayed.82 Berndt thought some of the bark paintings could be displayed 'in either Winthrop Hall or the main administrative block', but he had not given this much thought since his main objective was securing a part of the collection.83 The University of Western Australia agreed to pay Berndt's return fare 'and for expenses involved in packing and transporting the collection to Perth'.84

Barnes wrote to Berndt on 16 November regarding procedures. There were three conditions, supported by the registrar of the University of Sydney, and agreed to by the University of Western Australia:

1. We would like the material to be insured ...

2. We will make a list describing the objects which we are loaning to you and will ask you to acknowledge that these are the objects that you have taken.

3. We will ask you to agree to maintain the objects as nearly possible in the condition in which they were received.<sup>85</sup>

Berndt arrived at the Sydney department with some trepidation. Jim Bell had previously informed him that some of the 'Arnhem land wooden figures have gone to Canberra'. Berndt was somewhat aggrieved as he 'had understood that I was to have first choice: if the main ones have gone, I propose to have them back, if possible. It's a sad thing breaking up a collection like this. But, of course, a social anthropologist is not supposed to be interested in material objects — apart from his own'.<sup>86</sup>

On 6 June 1957 Berndt informed the registrar at the University of Western Australia that he had made:

> a selection of approximately 100 bark paintings, some carved human figures, painted skulls and other objects. This collection is the one that will be on permanent loan for the University of Western Australia ... I was pleased to be able to obtain almost a complete set of Western Arnhem Land paintings, making an outstanding collection; and in addition there is a series of a different style from north-eastern Arnhem land. The human figures are representative, but four of the best have gone to Canberra [to the Institute of Anatomy].

He had been assured, however, by Barnes that 'these can be obtained for Perth if we want them'.<sup>87</sup>

By mid-September the crates had been unpacked and the collection stored in a room in the Psychology Department; he made an inventory (see Table 1 below) — not as detailed as promised, but sufficient for the purposes of the University of Sydney.<sup>88</sup> Sydney was informed that all objects, a total of 244, had arrived safely in 'relatively good condition'.<sup>89</sup>

In moving these objects from the University of Sydney to the University of Western Australia, Berndt had secured some of the collection that he and Catherine had collected over the years. He had made a moral claim for ownership and this had been recognised, albeit limited to a selection of objects. The bulk of the objects remained with the University of Sydney to be distributed to other museums. Berndt was confronted with a lack of permanent exhibition space, a situation that was no better than that at Sydney. In fact there was less space at Perth for exhibiting selected items. Much of the material that Berndt chose for permanent loan was without labels, but fortunately the relevant information was in his notebooks. He promised that he would label and describe all that he had chosen plus those items which remained in Sydney and those that had been placed on permanent loan to the Institute of Anatomy in Canberra.

Berndt kept faith with the University of Western Australia when he announced that he planned to hold an exhibition of barks at the Western Australian Museum for three weeks from 11 December 1957. Fifty-five barks were exhibited (most of them from

Sydney), as well as a few of the carved human figures. The exhibition, Exhibition of Arnhem Land Aboriginal Paintings on Bark, was held in the large ground floor gallery. The museum published a catalogue which contained one or two illustrations, a reference to the organisation of the exhibition by the Anthropology Section at the University of Western Australia and the museum, a brief history of the exhibits 'from their collection to their arrival in the University of WA', and an introduction to Aboriginal art written by Ronald and Catherine.<sup>90</sup> In 1960-61 some of the barks were included in another exhibition, Australian Aboriginal Art, that toured the capital cities.<sup>91</sup> But the space at the University of Western Australia was virtually nonexistent, and it was impossible to show the barks or any of the other ethnological objects on a more permanent basis.

# Table 1: INVENTORY of Ethnological Objects on permanent loan from the University of Sydney, Department of Anthropology, to the University of Western Australia.

Number

ımber	
10	painted skulls from Millingimbi, Arnhem Land.
2	plain skulls (one from Manbullo, the other from Arnhem Land)
4	wooden skull models, painted (clan designs), N.E. Arnhem Land.
25	pottery sherds, varying sizes; from N.E. Arnhem Land.
12	orchid fibre and hair paint brushes; N.E. Arnhem Land.
1	stone axe, hafted; Arnhem Land.
2	small painted wax figures (male and female); N.E. Arnhem Land
1	wooden ceremonial object (yam) N.E. Arnhem Land.
1	wooden ceremonial object (fish) N.E. Arnhem Land.
5	wooden ceremonial objects (birds) N.E. Arnhem Land.
1	ceremonial emblem, with parakeet feather tufts — western Arnhem Land
1	paperbark <u>banatia</u> ceremonial beater — N.E. Arnhem Land.
2	small wooden bobbins, N.E. Arnhem Land.
1	incised 'Macassan' type pipe, N.E. Arnhem Land.
1	wooden ceremonial object — Western Arnhem Land.
3	wooden <u>tjilbilba</u> boards: Ooldea, SA (smaller one)
6	spearthrowers, Ooldea.
2	boomerangs, Ooldea.
2	wooden dishes, Ooldea.
1	long wooden didgeridoo, N.E. Arnhem Land.
6	wooden head-rests, Eastern Highlands of New Guinea.
18	carved wooden human figures, decorate: N.E. Arnhem Land.
2	wooden post-figures from Millingimbi, Arnhem land
	(one originally collected by [W Lloyd] Warner)

109 total number of objects

#### PAINTINGS ON BARK

North-Eastern Arnhem Land	67
Western Arnhem Land	68
Total	135

(All the above objects, excepting one as noted, and all the bark paintings, were originally collected by R and C Berndt in the course of anthropological fieldwork)<sup>92</sup>

#### Making a further claim for ownership

In December 1982, some 25 years after he had made the selection from the Sydney collection, Ronald Berndt wrote to the Commonwealth Minister of Home Affairs and Environment, seeking the return of some of the objects housed at the Institute of Anatomy, Canberra, which he claimed were removed without his consent.93 He was more forceful about his ownership than he had been in previous years; it was, he asserted, his collection. Berndt now made a clear claim of legal rather than moral ownership, and there was no one to challenge this: Elkin was dead and Barnes was out of the country. Berndt attached a letter he had written in December 1980 to the director of the ethnographic section at the Institute of Anatomy.<sup>94</sup> He had written to the Minister as he understood that the 'ethnographic/ anthropological collections held by the Institute of Anatomy will be moved ... to the newly planned National Museum of Man in Canberra'; he wanted to 'enquire about material collected by myself during fieldwork carried out under the auspices of the Department of Anthropology, University of Sydney'. He then detailed what he called the 'circumstances of the removal of my material' from the Department of Anthropology at the University of Sydney:

> This occurred in 1957, if I remember correctly, when Professor John Barnes, who then held the Sydney

Chair of Anthropology, gave Mrs Nadel (who was then Curator at your Institute, after the death of her husband, Professor SF Nadel) approval to take from the Department's collections whatever objects she wanted. Professor Barnes was, or appeared to be, quite uninterested in items of material culture, and saw them as cluttering up the Department. He had previously assured me by letter that all items collected by myself would remain untouched, and kept until I could come over to Sydney to go through them, pack them and arrange to have them trans-shipped to Perth. However, when I was eventually able to visit Sydney, I found that a large number of my items had already been taken to Canberra, and deposited at the Institute. The remaining part of my collections were taken to Perth.

This version is at odds with that found in the archival record, detailed above. It shows that Berndt's perception of the legal status of the Sydney collection had shifted and also his views on the distribution of selected items to both the University of Western Australia and the Institute of Anatomy. Berndt had visited the Institute of Anatomy a few years after the material had been transferred on permanent loan from Sydney, when Helen Wurm was curator. At that time he had sought to acquire 'some of the major objects which are particularly

associated with the material held in Perth returned to us'. He also pointed out how poorly the material had been kept, and that 'many of the labels which I attached in the field when I collected these objects were just lying there [at the University of Sydney]: it was an appalling shambles'.95 As we know from Elkin's description, however, many of the objects never had labels or adequate description. In the letter to the Minister, conscious of the need to show that the objects could be safely housed, he added that the University of Western Australia had an Anthropology Research Museum, with adequate facilities and a curator. It was established in 1976 (and renamed the Berndt Museum of Anthropology in 1992, two years after Ronald's death). This museum, an improvement on earlier facilities, always remained a few steps behind the expanding collection: it was then, as it was in 1957 and as it is now, too small to show more than a fraction of the collection.<sup>96</sup> In his letter to the Minister, Berndt limited his request to a few items, stating that he wanted to 'explore the possibility of certain objects which were originally collected by myself and previously lodged in the Department of Anthropology ... being returned to me for re-integration into our basic collection at the University of Western Australia'. It was not his intention 'to seek the return of all my items - only particular objects which may be correlated with what we now hold'.

He was unable to describe each object in detail at the time although he told the Minister he would do so later, as 'all (or most) are recorded in my field note books'. Most of those he had in mind came from western and north-eastern Arnhem Land:

These are as follows:

carved human figure from Yirrkala carved secret-sacred poles or posts from Yirrkala a series of white clay and red-ochre heads from western Arnhem Land a series of carved clapping sticks from the same area some small carved wooden objects

sections of a canoe which had drifted to the Arnhem land coast<sup>97</sup>

As a reciprocal measure, as he had promised on other occasions, he was 'prepared to annotate all other items deriving from [my] collections and now held by the Institute'.<sup>98</sup> He informed the Minister that 'items lose a great deal of their value if not properly catalogued with all relevant information'.<sup>99</sup>

The Department of Home Affairs decided the matter had to be resolved between the University of Sydney as the owner of the collection and the Institute of Anatomy as the custodian of part of the Sydney collection. The acting head of the Anthropology Department at the University of Sydney, acting alone and probably unaware of the original circumstances, saw no reason why the items should not be returned to Berndt.<sup>100</sup> It was decided, however, that for the transfer to take place, the approval of the newly established Interim Council of the Museum of Australia (later the National Museum of Australia) was needed.

On 2 February 1983 the executive secretary of the interim council wrote to the secretary of the Department of Home Affairs providing details of a conversation between a member of the interim council and DJ Mulvaney, chairman of the Australian Institute of Aboriginal Studies, who 'was happy to offer advice ... and was aware of its long-standing history'. Mulvaney supported Berndt's version of events, and concluded that he 'saw no reason to doubt' Berndt's claim that the collection had been disposed of without his consent. Mulvaney added a



(left to right) David Kaus, Ronald Berndt and Noel Keith, curator of the Australian Institute of Anatomy, at the institute in 1983 photograph by John Stanton Berndt Museum of Anthropology

pragmatic rider: not to comply with Berndt's wishes 'may cause ill-feeling in the Museum world'. From Mulvaney's point of view, the establishment of a museum at the University of Western Australia meant that the objects would be going to a 'good home'; moreover, as some of the objects were inappropriate for display at the proposed National Museum it was proper that Berndt should have them for 'his museum'.<sup>101</sup> Similarly, the chairman of the interim council, AT Dix, took the view that if the objects had been removed from the University of Sydney without Berndt's consent, then the museum would raise no objection to their being returned to Berndt.<sup>102</sup> Berndt's offer to annotate what remained of his collection was not pursued.103

## Conclusion

Ronald Berndt was often aggressive in manner and determined to prevail in matters that he felt strongly about.<sup>104</sup> It is apparent that when the opportunity arose for him to make a further claim on some of the material he and Catherine had collected that he determinedly pursued it. The version Berndt put forward in 1980, and no doubt promoted over the years, was at odds with the archival record, but revealed his determination to use whatever reasonable means he could to obtain those items he deemed to be his.

The distribution of the Sydney collection, especially those objects originally collected by the Berndts, remains contested. Should Barnes have kept the collection at the department? The ethnographic collection in the department was not available to students for study, nor was it on display; moreover, much of the collection was neither catalogued nor labelled, nor was it properly stored or cared for. Barnes went about distributing the collection, on permanent loan, to properly constituted museums where the material would be properly cared for and presumably catalogued and thus made available for research and display, until such time as a national museum was established.

Was Berndt right to feel aggrieved when Barnes decided to remove the collection? I argue that Berndt received a fair deal. By enabling Berndt to make a selection Barnes implicitly recognised a moral ownership if not a legal one. Elkin had pointed out to Barnes how the collection was made and the significance to Berndt of the Arnhem Land material in particular. At no time, however, did Barnes write to Berndt, nor did the University of Sydney agree that Berndt had legal ownership of the items collected by him. Berndt's proprietorial claim in 1982 was misleading, as was his claim that the items were removed without his consent. At the time the collection was distributed. Berndt recognised and accepted the legal status of the collection and that ownership rested with the University of Sydney. If he had legal title he could have made claim for all

the objects he and Catherine had collected, which were housed at the University of Sydney. Moreover, when presented with the opportunity in 1957 to remove from the Institute of Anatomy some material he claimed belonged to his collection he did not take it up.

Unfortunately most of those items transferred to other institutions from the Sydney collection, including those collected by Berndt, appear to remain unannotated, and will most likely be so for the foreseeable future. Ronald Berndt died in 1990 and Catherine four years later. His field notes, however, survive, hidden from public view. When they become available in 2024, they should strengthen considerably the value of the collection.

It is not uncommon for the importance and value of a collection to change throughout its history, and for this to complicate issues of ownership, especially where such material is not just a collection but also part of the legacy of a life's work. If Ronald Berndt, late in his career, became more proprietorial about his ethnographic collection, he was not the only collector to have done this, nor the most extreme example.<sup>105</sup>

This paper has been independently peerreviewed.

#### Notes

- A version of this paper was presented to the 1 symposium, Collecting for a Nation: The History of the National Historical Collection and its Collectors, National Museum of Australia, Canberra, 21 March 2006. I would like to thank Rebecca Conway, Macleay Museum, Tim Robinson and Julia Mant at the University of Sydney Archives, and the staff at the University of Western Australia Archives for their help in finding archival material that is used in this paper. I would like also to thank Christine Winter, Luke Taylor and two anonymous referees for their helpful comments. This article complements other work on related issues. For example, the conference, Makers and Making of Indigenous Australian Museum Collections, held at the Melbourne Museum, 9-11 February 2006, addressed the rarity of scholarly analysis of these matters. In conjunction with the aims of the conference is an ARC linkage grant, 'Anthropological and Aboriginal perspectives on the Donald Thomson collection: Material culture, collecting and identity'. There is also an ARC linkage grant with the Macleav Museum, University of Sydney: 'Producers and collectors: Uncovering the role of Indigenous agency in the formation of Museum collections'. See also Sally May, 'The last frontier? Acquiring the American-Australian Scientific Expedition ethnographic collection, 1948', BA (hons) thesis, Flinders University, South Australia, 2000.
- 2 The ANRC began with 100 ordinary members and 50 associate members, representing each of the 18 scientific disciplines. It underwent numerous changes to its membership and affiliations within Australia. In 1954, it was disbanded, to be replaced in 1955 by the Academy of Science. Roy MacLeod, 'From imperial to national science', in Roy MacLeod (ed.), *A Commonwealth of Science*, Oxford University Press, Melbourne, 1988, p. 61.
- 3 AP Elkin, "The Australian National Research Council", *The Australian Journal of Science*, vol. 16, no. 6, 1954, 203–4.
- 4 Australian National Research Council, *Conditions Governing Grants and Fellowships for Anthropological Research*, 1927.

- 5 See also Geoffrey Gray, A Cautious Silence: The Politics of Australian Anthropology, Aboriginal Studies Press, Canberra, 2007.
- 6 Radcliffe-Brown to Edwin Embree, 22 February 1927, Elkin Papers, University of Sydney Archives (hereafter EP): 155/4/1/1.
- Radcliffe-Brown to President, ANRC, 27 April 1928, EP: 155/4/1/4; Gibson (ANRC) to Radcliffe-Brown, 24 November 1927, EP: 155/4/1/6; Radcliffe-Brown to JB Cleland, 28 December 1926, EP: 157/4/1/23. Some of this material was collected by Warner, but unfortunately we do not know in what circumstances it was acquired. See, however, Mildred Hall Warner, W Lloyd Warner: Social Anthropologist, Publishing Center for Cultural Resources, New York, 1988, p. 19.
- 8 'Summary of resolutions affecting committees of the various sections', Section F, Report of the Fifteenth Meeting of the Australasian Association for the Advancement of Science, Melbourne, 1921, p. xxxiii.
- 9 Report, Committee on Anthropological Research and Fellowships in Anthropology and Human Biology for the Twelve Months Ended 31 July 1929, Radcliffe-Brown, chairman, EP: 161/4/1/81.
- 10 There is no evidence that Radcliffe-Brown used the Smithsonian as an example and he made no mention of it as a model in any of the correspondence with the ANRC, the Commonwealth Government or with HE Gregory of the Bernice P Bishop Museum in Honolulu, Hawai'i, with whom he discussed his proposal.
- 11 Memorandum, 'Chair of Anthropology (Sydney University) in its relation to cadets and officers of the Territorial Services', 10 September 1926, National Archives of Australia (hereafter NAA): A518, N806/1/1, Part 1.
- 12 Besides Clifford, see for example Nicholas Thomas, Entangled Objects: Exchange, Material Culture and Colonialism in the Pacific, Cambridge University Press, Melbourne, 1991; B Jules-Rosette, The Messages of Tourist Art: An African Semiotic System in Comparative Perspective, New York, 1982; Philip Jones, 'The boomerang's erratic flight: The mutability of ethnographic objects', in Bain Attwood & John Arnold (eds), Power, Knowledge and Aborigines, special issue of the Journal of Australian Studies, 1992, 59–71.

- 13 James Clifford, The Predicament of Culture: Twentieth-Century Ethnography, Literature, and Art, Harvard University Press, Cambridge, Massachusetts, 1988, p. 231.
- 14 I make no exhaustive claim regarding this, other than to say that in the field notebooks and correspondence of that group of ANRC-funded anthropologists working in the field between 1926 and 1956 that I have seen over the past 20 years, it remains true.
- 15 For a list of researchers during this period, see Geoffrey Gray, "Mr Neville did all in [his] power to assist me": AP Elkin, AO Neville and anthropological research in northwest Western Australia, 1927–1928', *Oceania*, vol. 68, no. 1, 1997, 27–46 (pp. 39–41).
- 16 However, the proceedings of the Making Collections conference will shortly document a number of examples.
- 17 Hogbin to Taylor, 25 October 1927, Hogbin Papers, University of Sydney Archives (hereafter HP).
- 18 Hogbin to D Taylor, 17 October 1928, HP.
- 19 Hogbin to AP Elkin, 14 April 1933, HP.
- 20 David Wetherell & Charlotte Carr-Gregg, *Camilla: A Life*, UNSW Press, Sydney, 1990, pp. 72–83.
- 21 AP Elkin to ANRC, 31 March 1936, EP: 157/4/1/18: 'Miss Wedgwood bought and sent these gifts to her leading informants to whom they were given by Mrs Garcia, the wife of the Administrator'. There followed a list of the recipient of the gift, item, and the price.
- 22 AP Elkin to ANRC, 9 April 1936; EP: 157/4/1/18. Maggie Brady, 'Mutual exploitation?: Aboriginal Australian encounters with Europeans, South east Asians, and tobacco', in William Jankowiak & Daniel Bradburd (eds), *Drugs, Labour and Colonial Expansion*, University of Arizona Press, Tucson, 2003, pp. 31–58; Peter Read and Engineer Jack Japaljarri, 'The price of tobacco: The journey of the Warlmala to Wave Hill, 1928', *Aboriginal History*, vol. 2, no. 2, 1978, 140–8.
- 23 Ursula McConnel to Hon. Sec. (ANRC),15 August 1934, National Library of Australia (hereafter NLA): MS 482, 834.
- 24 RM Berndt to JB Cleland, 19 July 1941; RM & CH Berndt, A Preliminary Report of Field Work in

the Ooldea Region, Western South Australia, Reprinted from Oceania [1942], 1–26 [305–30] p. 15 [p. 319]; Cleland to RM Berndt, 31 July 1941, Cleland Papers, South Australian Museum.

- 25 RM Berndt to JB Cleland, 19 July 1941, Cleland Papers, South Australian Museum.
- 26 Piddington to Radcliffe-Brown, 22 May 1930, EP: 159/4/1/61.
- 27 AP Elkin to Sally Elkin, 13 October 1928, EP: 1/1/1/1; see also SD Porteus, *A Psychologist of Sorts*, Pacific Books, Palo Alto, 1969, pp. 98–101, in which he discusses the reaction he received when he showed men photographs of *tjuringa* in Baldwin Spencer's book on the Arunta.
- 28 Pulteney Grammar ended at year 10 until the early 1950s. 'School record of Ronald Murray Berndt', provided by John Moore, archivist, Pulteney Grammar School, 29 August 2006; see also Robert Tonkinson and Michael Howard, 'The Berndts: A biographical sketch', in Robert Tonkinson and Michael Howard (eds), *Going It Alone? Prospects for Aboriginal Autonomy*, Aboriginal Studies Press, Canberra, 1990, pp. 19–20.
- 29 Student record of Ronald Murray Berndt, provided by Cathy Davis, archivist, University of South Australia, 13 September 2006.
- 30 See plates 3, 4 and 10 in RM Berndt, CH Berndt and JE Stanton, A World That Was: The Yaralde of the Murray River and the Lakes, South Australia, Melbourne University Press, Melbourne, 1993.
- 31 See entry on James Wigley in Alan McCulloch and Susan McCulloch, *The Encyclopedia of Australian Art*, Allen & Unwin, Sydney, 1994, pp. 752–3.
- 32 Julian Wigley, pers. comm. with the author, October–December 2006. Wigley asked his uncle a series of questions on my behalf.
- 33 John Wilson, pers. comm. with the author, 12 October 2006. This was confirmed by Wigley's brother. See also entry on John Wilson in McCulloch and McCulloch, *Encyclopedia of Australian Art*, p. 758.
- 34 Ronald Berndt's brother-in-law states that Berndt had 'the collecting disease' from childhood; this is confirmed by Berndt's cousin who told Kate Brittlebank that from about the age of 12 he haunted Adelaide's antique dealers and bookshops: Kate Brittlebank,

'Anthropology, fine art and missionaries: The Berndt Kalighat album rediscovered', *Journal* of the History of Collections, 2007, http://jhc. oxfordjournals.org/cgi/reprint/fhm017?ijkey=es 6PvCTMKd7t0sK&keytype=ref.

- 35 'Professor Ronald Berndt: The man behind the mask', WAASSA Newsletter, June 1975, 2–5; see also Tonkinson and Howard, 'The Berndts', pp. 18–21.
- 36 Geoffrey Gray, "You are ... my anthropological children": AP Elkin, Ronald Berndt and Catherine Berndt, 1940–1956', *Aboriginal History*, vol. 29, 2005, 77–106 (pp. 94–5).
- 37 The anthropologist and historian Philip Jones believes it was Tindale who introduced the use of brown paper and crayons.
- 38 RM Berndt to EWP Chinnery, 24 June 1945, Chinnery Papers, private collection (henceforth CP). See John E Stanton, 'Drawing the Dreaming: The Berndt Collection of drawings from Birrundudu', in Sylvia Kleinert and Margo Neale (eds), *The Oxford Companion to Aboriginal Art and Culture*, Oxford University Press, Melbourne, 2000, pp. 222–3 for some examples of these drawings.
- 39 The by-laws of the University of Sydney (University of Sydney Calendar, 1942) state: 'Admission to candidature for the Diploma in Anthropology may be granted (a) to graduates of this University, (b) to graduates of any other University approved by the Faculty of Arts and the Professorial Board, (c) to officers of the Public Service of the British Empire, and (d) to such other persons as may be approved by the Faculty of Arts: Provided that candidates seeking admission under (c) and (d) shall give evidence of such qualifications as may be required by the Professor of Anthropology and approved by the Faculty, and provided that candidates seeking permission under (d) shall furnish evidence by means of publications on anthropological subjects or of reports on field work and research or both that they are specially fitted to enter upon systematic courses of study in Anthropology'. Ronald Berndt was admitted under clause (d). Catherine Berndt under (b).
- 40 Tonkinson and Howard, 'The Berndts', p. 23.
- 41 RM Berndt and CH Berndt, *End of an Era: Aboriginal Labour in the Northern Territory*,

Australian Institute of Aboriginal Studies, Canberra, 1987.

- 42 Tigger Wise, The Self-Made Anthropologist: A Life of A. P. Elkin, George Allen & Unwin, Sydney, 1985, p. 166; also Gray, "You are ... my anthropological children".
- 43 CH Berndt to Isabel Houison, 31 October 1946, NLA: MS 482, 857a; RM & CH Berndt to Chinnery, 21 January 1947, CP; CH Berndt to Chinnery, 24 March 1947, CP.
- 44 CH Berndt to Chinnery, 24 March 1947, CP.
- 45 See Nicholas Thomas, Possessions: Indigenous Art/ Colonial Culture, Thames and Hudson, London, 1999, p. 195; Howard Morphy, 'Seeing Aboriginal art in the gallery', Humanities Research, vol. 8, no. 1, 2001, 37–50.
- 46 AP Elkin, 'Foreword', in FD McCarthy, *Australian Aboriginal Decorative Art*, Trustees of the Australian Museum, Sydney, 1938, p. 9.
- 47 Thomas, Possessions, p. 195.
- RM Berndt and CH Berndt, 'Aboriginal art in central-western Northern Territory', *Meanjin*, vol. 9, no. 3, 1950, 183–8 (pp. 184–5).
- 49 Report on the Committee on Anthropology, n.d., (about 1948), EP: 161/4/1/81.
- 50 CH Berndt to Isabel Houison, 20 March 1947, NLA: MS 482, 857a.
- 51 RM & CH Berndt to Chinnery, 15 September 1947, CP. Also AP Elkin to Hon. Sec. (ANRC), 31 March 1948; AP Elkin to Hon. Sec. (ANRC), 12 May 1949, EP: 156/4/1/14. Berndt was 'present at all the important ceremonies, so that the objects brought back are really living objects coming straight out of the ceremonies', AP Elkin to Harney, 6 October 1948, EP: 30/8/1/8/3.
- 52 CH Berndt to Isabel Houison, 29 July 1947, NLA: MS 482, 857a.
- 53 CH Berndt to Isabel Houison, 26 May 1947, NLA: MS 482, 857a.
- Weird Aboriginal art: Young scientists' find', Sydney Morning Herald, 18 October 1949, p. 5.
   ibid.
- 56 RM Berndt to CB Christensen, 23 June 1950, *Meanjin* Archive, University of Melbourne Archives.
- 57 CB Christensen to RM Berndt, 19 July 1950, *Meanjin* Archive. The reference is to RM Berndt, CH Berndt and AP Elkin, *Art in Arnhem Land*, Cheshire, Melbourne, 1950.

- 58 RM Berndt to CB Christensen, 21 July 1950, *Meanjin* Archive; RM Berndt to EWP Chinnery, 24 June 1945, CP.
- 59 RM Berndt & CH Berndt to CB Christensen, 31 July 1950, *Meanjin* Archive. It was published as RM & CH Berndt, 'Aboriginal art in centralwestern Northern Territory'.
- 60 RM Berndt to CB Christensen, 16 February 1951; 7 August 1951; 15 August 1951; 23 August 1951, *Meanjin* Archive, University of Melbourne; RM Berndt, 'Aboriginal ochre-moulded heads in western Arnhem Land', *Meanjin*, vol. 10, no. 4, 1951, 350–3.
- 61 The terms of the Berndts' will placed an embargo on their field notes for 30 years after the death of Catherine in May 1994. However, some indication of the number and breadth of what they collected is given in their published papers: RM Berndt and CH Berndt, 'Sacred figures of ancestral beings of Arnhem Land', *Oceania*, vol. 18, no. 4, 1948, 309–26; 'Secular figures of north-eastern Arnhem Land', *American Anthropologist*, vol. 51, no. 2, 1949, 213–22; 'Discovery of pottery in north-eastern Arnhem Land', *Journal of the Royal Anthropological Institute*, vol. 77, no. 2, 1951, 133–8.
- 62 Kupka subsequently wrote Un Art a l'état brut: Peintures et Sculptures des aborigènes d'Australie, Editions Clairefontaine, Lausanne, 1962.
- 63 Richard McMillan, 'Karel Kupka in Australia: Artist, collector, writer, anthropologist', in «Rarrk» John Manurnddjul: Journey through Time in Northern Australia, Crawford House Publishing, Belair South, 2005, p. 193.
- 64 AP Elkin to RM Berndt, 18 April 1956, EP: 41/4/2/375.
- 65 RM Berndt to AP Elkin, 19 March 1956, EP: 41/4/2/375.
- 66 Wise, Self-Made Anthropologist, p. 166; also Gray, "You are ... my anthropological children"" (pp. 101–2).
- 67 AP Elkin to RM Berndt, 18 April 1956, EP: 41/4/2/375.
- 68 RM Berndt to AP Elkin, 24 April 1956, EP: 41/4/2/375 (Berndt's emphasis). Ronald Berndt wrote on the western Arnhem Land barks: RM Berndt (ed.), *Australian Aboriginal Art*, Ure Smith, Sydney, 1964, and with CH Berndt and JE Stanton, *Aboriginal Australian Art*, Methuen, Sydney, 1982.

- 69 Ursula McConnel to Hon. Sec.(ANRC), 30 July 1935, NLA: MS 482, 834.
- 70 I have not been able to determine the status of these objects.
- 71 JA Barnes, 'Looking back and hardly believing', in Geoffrey Gray (ed.), *Before It's Too Late*, *Oceania* Monograph No. 51, Sydney, 2001, pp. 139–46.
- 72 JA Barnes, 'Introduction', in LR Hiatt, Kinship and Conflict: A Study of an Aboriginal Community in Northern Arnhem Land, Australian National University Press, Canberra, 1965, p. xi. He was supported in this view by LR Hiatt: see 'It seemed an interesting career to follow', in Gray (ed.), Before It's Too Late, pp. 108–14.
- 73 For a critical response to Hiatt and Barnes, see CH Berndt, 'Review of *Kinship and Conflict*', *Anthropological Forum*, vol. 1, nos 3–4, 1966, 508–10.
- 74 See the Collecting for the Nation symposium website, National Museum of Australia, parts 1 to 4: http://www.nma.gov.au/exhibitions/now\_ showing/captivating\_and\_curious/collecting\_ for\_a\_nation/australian\_institute\_of\_anatomy/.
- 75 RM Berndt to AP Elkin, 24 July 1956, EP: 41/4/2/375.
- 76 RM Berndt to AP Elkin, 28 August 1956, EP: 41/4/2/375.
- 77 RM Berndt to AP Elkin, 8 November 1956, EP: 41/4/2/375.
- 78 JA Barnes to AP Elkin, 30 August 1956, EP: 41/4/2/375.
- 79 RM Berndt to Vice-Chancellor, 3 October 1956, in UWA Archives file 'Collection of ethnological specimens on permanent loan from the University of Sydney', (hereafter UWA Archives).
- 80 Berndt, Berndt and AP Elkin, *Art in Arnhem Land*.
- 81 RM Berndt to Vice-Chancellor (UWA),3 October 1956, UWA Archives.
- 82 Registrar (UWA) to RM Berndt, 5 October 1956, UWA Archives.
- 83 RM Berndt to Registrar (UWA), 1 October 1956, UWA Archives.
- 84 Finance Committee Minutes, 9 October 1956;
   Registrar (UWA) to RM Berndt, 24 October 1956, UWA Archives.
- 85 JA Barnes to RM Berndt, 16 November 1956; Registrar (University of Sydney) to Registrar (UWA), 19 June 1957, UWA Archives.

- 86 RM Berndt to AP Elkin, 1 April 1957, EP: 217/5/2/17.
- 87 RM Berndt to Registrar (UWA), 6 June 1957, UWA Archives.
- 88 RM Berndt to Registrar (UWA), 18 September 1957, UWA Archives.
- 89 Registrar (UWA) to Registrar (University of Sydney), 20 September 1957; Registrar (Sydney) to Registrar (UWA), 18 October 1957, UWA Archives.
- 90 RM Berndt to Registrar (UWA), 30 October 1957, UWA Archives.
- 91 See Luke Taylor, Seeing the Inside: Bark Painting in Western Arnhem Land, Clarendon Press, Oxford, 1996.
- 92 List attached to RM Berndt to Registrar (UWA), 18 September 1957, UWA Archives.
- 93 RM Berndt to Minister, Home Affairs and Environment, 23 December 1982, Macleay Museum, courtesy Rebecca Conway.
- 94 RM Berndt to Director of Ethnographic Section, Institute of Anatomy, 23 December 1980, UWA Archives.
- 95 RM Berndt to Minister, Home Affairs and Environment, 23 December 1982; RM Berndt to Director of Ethnographic Section, 23

December 1980, UWA Archives.

- 96 Today there is a call to build a new museum to house the extensive collection: www.development.uwa.edu.au/development/ berndt\_museum\_campaign (accessed 13 October 2006).
- RM Berndt to Director, Institute of Anatomy, 23 December 1980.
- 98 ibid.
- RM Berndt to Minister, 23 December 1982, UWA Archives.
- 100 Curator to B Wood (Social Health), 28 January 1983.
- 101 Follett, Minute to Executive Secretary, 2 February 1983.
- 102 Executive Secretary to Secretary Home Affairs, 2 February 1983.
- 103 The remainder of the collection is now part of the National Historical Collection at the National Museum of Australia.
- 104 Gray, "'You are ... my anthropological children'" (p. 101, n. 148).
- 105 For example, see Barry Hill's biography of TGH Strehlow, *Broken Song: TGH Strehlow and Aboriginal Possession*, Knopf, Sydney, 2002.

### **Citation guide**

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