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PRIMITIVE MAN AS SCIENTIST

LOWELL D. HOLMES

The Nobel Prize-winning physicist, P.W. Bridgman once defined science as "doing one's utmost with one's mind". If this is what makes one a scientist then we must agree that scientists are to be found in all cultures—even in those which anthropologists refer to as "primitive". Although the dictionary defines "primitive" as "simple, old fashioned, plain, pertaining to the beginning or origin" and although many people believe that the word denotes crudeness or childlikeness, anthropologists merely use "primitive" to refer to those indigenous populations of Africa, the South Sea islands, interior Asia, and North and South America which may be differentiated from modern industrialized peoples by the fact that they live in relatively small communities, have somewhat simpler economic and political institutions and are characteristically quite slow to accept new ideas and alter their time-tested ways of living.

Because these people have not attained the technological proficiency of Europeans or Americans it is often

Lowell D. Holmes is a Professor of Anthropology at Wichita State University and National Secretary of Lambda Alpha.
believed that there is something in their makeup which causes them to be dominated by their emotions and therefore not seek cause and effect relationships. If anything, the primitive's failing is that he thinks too much in terms of cause and effect. He is not incapable of logical thought, but he operates in terms of insufficient premises. He frequently believes that events which are associated are causally connected. Hopi Indians hold annual rain dances and carry about live rattlesnakes in the belief that there is a causal connection between their activities and the advent of rain. To the mind that does not systematically test and retest premises there is good reason for this belief. On many occasions the dances brought rains so heavy that the roads between the Hopi villages and Flagstaff, Winslow and Holbrook were turned into muddy bogs and visitors were stranded for days until the roads were fit for travel. The Snake dance phenomenon is however a case of being scientific without realizing it. While the snakes are believed to carry requests to the gods who govern the falling of rain, it is well known that Hopi Snake priests study the sun, clouds and sky for weeks before proclaiming that the gods are ready to receive their petitions. The Hopi priests are probably very good meteorologists without knowing it.

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world this has been the practice and a common explanation for the reasons why the Western countries have dominated the world as colonial powers is that they had the gattling gun and the primitives didn't. Actually many Americans and Europeans who take pride in their gattling gun superiority are themselves helpless with anything more mechanically complex than a hammer or a screw driver.

The story is told that a white explorer was telling an African how much superior he was to the black man. "For example," said the explorer, "we know how to make guns. You have to admit that that is quite an accomplishment."

"Weather bureau? What are the chances for a rain dance succeeding today?"

(Reproduced from True Magazine)
The African then asked, "Do you know how to make a gun?" The explorer, somewhat irritated with this question, said, "Why of course not! Only certain people do. But I could certainly learn if somebody showed me how." The African then said quietly, "And so could I—if somebody showed me how!"

While primitive man is usually pictured holding a crudely fashioned stone-pointed spear, this does not mean that he is inherently incapable of developing a complex technology. Actually, there is a scientific attitude embodied in all primitive technology. Scientific behavior involves observing nature's regularities and utilizing this knowledge in future performances. If we look at the problems the primitive people must overcome and the resources they have at hand, we find that great ingenuity is utilized, and there is a great awareness of natural principles. This can perhaps be seen best in the characteristics of native architecture.

Although the primitive architect almost always works in an economy of scarcity where materials and energy are limited, his creations are often more successful than those of Western designers, for he always works with nature and not against it. Advanced technology tends to make a people arrogant in their attitude toward nature but primitives see nature not as something to be conquered
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but as something with which they must achieve harmony. We have come to believe that our technical abilities have freed us from bowing to the demands of climate and therefore we far too often created beautiful futuristic structures without proper attention to functional qualities. Glass walled skyscrapers often leak in rainstorms and require special types of air conditioners and blinds to reduce excessive heat or glare. We build antebellum mansions in Maine and Cape Cod cottages in Arizona.

The genius of primitive architects in working with the physical environment can be seen by analyzing the structural features of the Eskimo igloo. The hemispherical shape of this dwelling offers the maximum amount of resistance and the minimum obstruction to arctic winds, while at the same time offering the largest amount of living space with the smallest structure. An oil lamp, centrally placed, can effectively heat every cubic foot of the interior. The house is insulated by a glaze of ice which develops on the inside of the snow block walls when they melt slightly from the heat of the lamp. This glaze serves as both insulation and radiant heat reflector.

The people who inhabit tropic areas encounter less trying climatic conditions but their construction methods show no less of an awareness of natural principles than has been observed among the Eskimos. The beehive shaped
thatched roofs of South Sea island dwellings shed the torrential downpours and provide a maximum of shade. In Melanesia and New Guinea floors are often raised on stilts to provide better exposure to the trade winds as well as protection from rats, snakes and crawling insects. In West Africa, Nigerian peoples have developed a double roofed dwelling. An inner roof of clay has projecting pegs to receive an outer layer of thatch. The thatch sheds water and protects the clay; the clay dome conserves heat for cold nights, and the air space between the two serves as insulation from the heat of the mid-day sun.

The Indians of the plains regions of North America had a whole set of problems of their own with which they had to deal. In a nomadic culture such as theirs, requiring constant pursuit of herds of buffalo (their chief source of food), houses had to be capable of being easily dismantled and moved from place to place. Furthermore they had to be made from suitable materials readily available on the prairies. The tipi, with its buffalo hide covering represented maximum use of their most abundant commodity, buffalo products. The tipi poles not only supported the hides but when lashed to the sides of a horse or dog made an excellent trailer (travois) for the transport of camp equipment.

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material wealth and tools testifies to his capacity for creative thought and technical know-how. One of the most outstanding inventions of pre-industrial peoples is the fire piston. Although this prototype of the modern cigarette lighter is based on a very simple physical principle its development required the utmost in intelligent observation and experiment. The principle involved is that if air is suddenly compressed, heat will be developed which can ignite tinder. The fire-piston, used throughout Southeast Asia even today, consists of a slender cylinder of bamboo, hardwood, or horn closed at the bottom end. A piston which is fitted snugly into the top of the cylinder has a small depression in which the tinder is placed. A sharp push on the piston compressed the air inside the cylinder and enough heat is produced to cause combustion. Besides being an accomplished architect, it would appear that primitive man has in the invention of this device shown himself to be no slouch in the realm of physics.

Turning to still other physical sciences—astronomy and meteorology—we are awed by the scientific achievements of Polynesian and Micronesian peoples in navigating the vast Pacific and maintaining contact between island groups separated by hundreds of miles of open sea. For these peoples voyages of 2,000 miles and more in open canoes were made possible by their acquaintance with the
mysteries of the heavens. Pacific island mariners laid a course to a given destination by keeping the bow of the vessel pointed toward a star on the horizon that lay in the direction of their island goal. However, the poetic references to native navigators steering by the stars often gives an erroneous picture, for anyone who is acquainted at all with the movements of the stars will quickly realize that due to the earth's rotation, use of a single star as a sailing beacon should result in a boat sailing in circles. Instead of taking one star and following it, the native captains used a series of stars which rose one after the other. They could identify all the stars associated with their island destination and would steer by each in turn before it rose too high above the horizon. In one respect, the native method of laying a course was superior to that used by navigators today. Using stars as celestial beacons toward which to sail results in a course which is the shortest distance between two points. In other words, it gives a Great Circle course which we, using a compass, can accomplish only by altering our ship's heading at given intervals. The Pacific islander's observation was so thorough that they realized that stars rise four minutes earlier each night and in the course of a year, star time gains one day on sun time. In both Micronesia and Polynesia the navigators constructed
Polynesian navigation chart of tied sticks and shells
In this Mattamy instruction chart, A represents the shell, B the Riti, C the Keelib, and D and E the Bootz. The Riti and Keelib consisted of curved ribs, and the Bootz were the points where the ribs met and were fastened together.
charts by tying together strips of bamboo and securing shells at various points to indicate the position of islands. Some of these charts served as actual sailing charts while others were used for training novice navigators with one of the greatest problems of Pacific voyaging—that of making a land-fall after a long voyage. Since outrigger canoes lie low on the water and since the line of coconut trees on atolls is difficult to see more than a few miles away, it was easy to miss an island completely. In order to prevent this, Micronesian navigators developed a method of observing the pattern of swells and counter swells found around an island. Their system of discovering their island destination was as follows:

The prevailing wind brings parallel swells to an island. As the swells approach (even out of sight of land) they begin to curve to the shape of the island obstructing their progress. The swells directly in front of the island start to form into smaller waves which build up and break over the reefs surrounding the island. On the leeward side of the island a counter swell develops and where the swell and counter swell meet there are areas of disturbed water which the islanders call "boots". These "boots" are of tremendous importance in finding the way to an island. If a boatload of voyagers should miss an island by a slight margin, they would at some point come upon this row of
"boots" and sail down them as if they were buoys leading them to their landfall.

The Pacific island peoples were no less meteorologists than they were astromers. One of the things which greatly impressed Captain Cook was the ability of islanders to predict the weather. They associated the various changes in the direction of winds with the appearance or position of various celestial bodies. Equally impressed was the explorer Andria y Valera who wrote in 1774:

"What took me most in two Indians (Polynesians) whom I carried from Otahiti (Tahiti) to Oria-zatea (Raia-tea) was that every evening or night they told me, or prognosticated, the weather we should experience on the following day, as to wind, calms, rainfall, sunshine, sea and other points, about which they never turned out to be wrong."

This ability to notice small features of nature on the basis of repeated observations to make predictions is certainly the essence of science. This same ability has even been observed among such rude peoples as the Australian aborigines who are considered by many at the very bottom of the technological heap. These Australians who wear no clothes and live in the simplest of brush lean-to's are capable of astonishing feats of observation. Anthropologists have testified that while traveling with these hunting peoples that it was not a bit unusual for a man to look at the ground and remark that a female kangaroo had passed across the trail going in the direction of the setting sun two or three days earlier. It
was obvious, they said, that the animal was a female because its tracks revealed that it hopped as though it were carrying young in its pouch. Its direction of movement could be told by analyzing the shape of the almost imperceptible tracks and the amount of dust or sand that had drifted over the prints told how long ago they had been made.

Having observed that primitive people are capable of some rather remarkable intellectual accomplishments it is reasonable to ask why such peoples have been so overshadowed technologically by those of Western cultures. Actually our technical superiority over such peoples is quite recent. When Northern Europeans were still chipping stone for their tools, West Africans were smelting iron. In the 12th century a Negro university in Timbucktu was equal or better than any in Europe at that early date. When the Spanish conquistadors occupied the Mayan territory of Central America in the 16th century they found that these people had developed an astronomical science which surpassed any in Europe at that time. Approximately 100 years prior to the climax of the Italian Renaissance, Inca artisans in Peru were producing priceless tapestries of gold and silver threads and fashioning unbelievable objects of sculpture from precious metals. One Conquistador's account describes a great golden garden on the grounds of the Inca emperor's
Palace where llama and their herders, flowers and birds were wrought life-size out of gold. Over many of the artificial flowers tiny golden butterflies with filigree wings floated like little kites.

What happened to all this ability, ingenuity and technical know-how? Why have these primitive people not gone beyond a certain place in their development while the Western world has constantly progressed in its mechanical achievements? I believe the answer to many of these mysteries can be provided in a single word. That word is *isolation*. Thru some quirk of fate Europe has for the last two or three hundred years been a great mixing pot of both peoples and ideas. Armies of every nationality have marched back and forth across the continent, and trade routes have covered Europe like a great net bringing goods from all the remote parts of the earth to be seen and adopted by the white man. European people have not had the opportunity to be isolationists even if they wanted to.

Compare, for a moment, the situation in Europe with that in which the Australian aborigines were involved. After entering the continent of Australia about 10,000 years ago, they remained almost totally isolated from other peoples until the 17th century when they were discovered by Tasman. In other parts of the Pacific the great distances between island groups in Polynesia and Micronesia kept contact and consequently
exchange of ideas to a minimum. Although there has always been some inter-tribal contact and trade in Africa, this continent remained a remote and isolated area until its coast was explored by the Portuguese beginning in 1415. Even today movement from one part of Africa to another would be difficult or even impossible if it were not for air transportation.

Technological inventions do not grow out of thin air; every new idea rests on a base of accumulated knowledge. The invention of the television, for example, did not come about until man knew about electricity, metallurgy, glass manufacture, sound and light wave theory and hundreds of other scientific principles. Inventions breed inventions, and the larger the base of knowledge the more likely it is that innovations will appear.

The primitive's present day lack of technological development can also be understood in part by their general attitude to change. In most European cultures, the fact that father and grandfather "did it that way" is no reason at all for continuing a process if a better method has been found. Primitive people, however, who have worked out their technology painfully through the process of trial and error tend to find an acceptable method and stick to it for many generations. Change takes place slowly and painfully. The new and different seldom hold
fascination for them if it touches on their basic subsistence methods. Life is difficult, and if they have found effective methods of hunting, fishing or farming, they tend to hold fast to them rather than take a chance on new untried methods. While primitive man has shown himself to be capable of the understanding advanced scientific principles he, like Rip Van Winkle, has been out of touch for a long time and has a lot of catching up to do.
COUNTER CULTURE: SOME ANTHROPOLOGICAL IMPLICATIONS

R. M. HOLMES

A novel development in the social sciences is the possibility of the idea of a counter-culture, evolving within the framework of western culture, which owes its development to a supposed rejection of traditional western values and a display of alternative styles of life, contrary to the customary norms. The essential questions that the counter-culture concept poses are of current importance to the prevalent conceptions of the culture model itself, and it is a concept which necessitates examination in terms of present anthropological approaches to American urban anthropology, in order to test its viability and relation to existing concepts of the American urban scene. Since little scientific data-gathering has been done in order to document the actual status of counter-cultural groups, the counter-culture concept must still be regarded as a hypothesis, and it is my intention to discuss some of the anthropological implications of this concept in terms of its relationship to current anthropological variables in order to determine whether these implications merit study of the subject as a valid anthropological concept.

Although little actual cultural data has been recorded,

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the counter-culture concept has been approached in a broad theoretical sense by Theodore Roszak (1969), and its relationship to current theories of cultural change has at least been suggested by Mead (1970) with cross-cultural comparisons. However, the main source of information, scientific or otherwise, has been provided by the public media, and an examination of the media can suggest at least the notions that exist in the public mind concerning the groups that may be counter-cultural in formation. The conceptions that people have of each other constitute the cultural matrix of their social reality, and the media, including newspapers, books, magazines, radio, television, and movies, form an enculturative device of increasing efficacy, the implications of which may, as McLuhan suggests, have far-reaching consequences. Due to the fact that the popular media has been the primary source of information on possible counter-cultural behavior, it may also be said that the media have been instrumental in the creation and development of counter-culture groups as the source of feedback, with and without reinforcement, of the patterned behavior that those groups are purported to display. Although the journalist is not committed expressly to scientific objectivity, journalistic data may be considered in a scientific context as long as the potential biases are considered. At any rate, if the amount of journalistic space and time devoted to the
activities of unconventional and reactionary groups are indicators of the cultural reality of these groups, it suggests the possibility that a sizable and significant force is operating contrary to traditional American and western cultural traditions. Whether these groups constitute a contrary and alternative life style developed as a reaction to traditional norms, or merely a continuation of customary cultural styles is the essential question of the "counter-culture" concept.

The counter-culture concept implies a dialectic opposition of cultural traditions, and the source of the opposing norms is a crucial factor in assessing the viability of the concept. Behavior which is contrary to the norms of one's elders implies a failure of enculturational processes, assuming that the success of these processes is determined by the stability and consistency of the behavior patterns of the succeeding generations involved. However, if successful enculturation results in alternative life styles which provide some obviously superior adaptation to the social environment, then an extensive investigation of the new behavior patterns would provide evaluative information of contemporary western enculturative processes.

The essential thesis of Margaret Mead's book Culture and Commitment, centers around the concept of the world-wide development of a "co-figurational" culture of youth who find the
contemporary culture of their parents untenable and who seek alternative styles of life among their peers. Mead attributes the development of this unique cultural form of peer group primacy to the breakdown of the three-generational family unit caused by the increased mobility in modern cultures. The traditional American value of "progress" serves as reinforcement to the search for alternative life-styles. Due to an increased awareness of alternative styles of life, the child is no longer required to relive the traditional cultural experiences of his parents. The dissimilation of the extended family unit exemplified by modern western culture, she contends, has weakened the traditional continuity and conservatism of cultural transmission, resulting in patterns of deviance among the young. Mead does not discuss this "youth culture" in terms of a counter-culture, and whether or not the patterns of behavior this "youth culture" displays are actually contrary to the existing norms in a dialectic fashion remains to be documented by ethnographic inquiry. However, her work in this area does offer some broad theoretical concepts in which the concept of counter-culture may be explored, and offers some explanation for the increasing deviance in western culture which is typical of so-called counter-cultural groups. She emphasizes, however, that the youth culture of the world today represents a qualitative change from traditional post-figurational
cultures, and she suggests that any attempt to analyze youth by analogy with the past may prove futile. Mead's "youth culture" model suffers from the fact that her writing is largely impressionistic, and she fails to identify concretely the group that she is describing, other than defining the group as "the young".

Roszak's work on counter-culture is subject to basically the same criticism as Mead's--he does not concretely identify the group he is analyzing--other than referring to them as "children of the technocracy". Roszak presents a theoretical approach to the concept of a counter-culture, which he believes to be a synthesis of Freudian and Marxian social theory. Freud interprets the social reality as resulting from individual psychic contents; Marx explains the individual psyche in terms of "social modes of production". According to Roszak, internalization of these contradictory approaches results in a "dialectic of liberation" which sets the counter-culture apart from the established cultural traditions. In terms of concrete anthropological data, Roszak's work is of little value because his writing, like Mead's, is impressionistic, and he offers no concrete cultural data to document his theoretical approach. However, his work does suggest some very important issues in cultural dynamics of contemporary relevance, and illustrates the need for sound anthropological investigations
in this area, if only to prove Roszak wrong.

In effect, the published considerations of the counter-culture concept have been inadequate in establishing the viability of this concept as a social reality. No one, to my knowledge, has offered a concrete description, based on anthropological methodology, of the cultural specifics of the purported counter-cultural group. However, the fact that there are groups, primarily of the young, that exhibit radically different styles of life, in seeming opposition to traditional values, is obviously conveyed in national news media. As is generally true of the news media, however, only the extremes of human behavior make front page news, and this front page news lends itself to the tendency to stereotype group members according to the behavior of their most radical peers. Many who have never experienced first-hand contact with these unconventional groups are nonetheless convinced that they exist. It may be charged that these groups are actually created by the media, and have no concrete existence out of print, and the only counter to this argument is sound methodological investigation. Any analysis of the data conveyed by the media may be the analysis of an intangible stereotype, but the stereotype is nonetheless real to its beholder, and, in lieu of empirical data, it is our only source of information to date.
In the final analysis, there is at least a popular notion in America that a significant number of young people are establishing behavior patterns which are normally characterized as exhibiting a life style which is contrary to traditional American norms. This group is appropriately stereotyped with its own status characteristics and social placement which makes its members readily identifiable as a visible minority located primarily in the urban setting in specific dwelling areas and with equally specific value orientations. Many of the anthropological dimensions associated with what has come to be identified as a counter culture do not seem to be contrary to the traditional norms as illustrated by urban anthropological research. Counter-culture members, labelled by the media as "hippies", are thought of as unkempt and unshaven Bohemians, who live in oddly furnished homes in low income housing areas, and who constitute a conscious and willful commitment to lower class culture and life style. Counter-culture members apparently originate from all social class levels, with a large percentage from middle-class homes. Group members are readily identifiable by length of hair and style of dress. In some urban areas they have concentrated in ghetto areas such as the Haight-Ashbury district of San Francisco, and their sources of income vary from manual labor to more sophisticated professions in the arts.
Drug usage is the norm for this group, as it is for their parent generation, the main difference being the type of drugs used. A great deal of their jargon is drug-oriented with many loan words from hard-core narcotic drug subculture. In many respects, counter-culture groups display characteristics of a culture of poverty, with in-group egalitarianism and reverse snobbery typical of working class culture. Alienation is a key word often used in connection with these groups, with the suggestion that their group identity and membership is a step toward a social affiliation made necessary by a sense of alienation from traditional cultural norms. If it can be documented that counter-culture members voluntarily assume and accept minority status, then this, in some respects, is indeed contrary to the traditional notion of the status and success-seeking American popularized particularly by Warner (1949). Generally, a culture of relative poverty is thought of as a self-perpetuating blight on the social conscience, and willful assumption of poverty-limited life styles constitutes a radical alternative to traditional mores.

It is in consideration of dominating counter-cultural values that the idea of opposing cultural norms may be most fertile. The ethos of the "hippie" is considered to be rather infantile in that apparently these people place a higher value on "playing" than they do on "working", if
media reports of their entertainment habits are accurate. It has been suggested that a contrary orientation to the value of work may be the result of an overly permissive childhood and lack of discipline. It may be that these people favor the increased leisure that comes with sporadic employment over the materialistic security that derives from steady labor.

At least one writer interprets the counter-culture scene as a commitment to the abandonment of reason, illustrated by a rejection of the primacy of rational logic and an interest in occult and mystical philosophy. Thomas Meehan has written, in an article covering recent Woodstock Festival:

The occasion that drew my attention to the flight from reason was the so-called Woodstock Music and Art Fair. In Bethel, New York, on the week-end of August 15, 1969, . . . some four hundred thousand under-thirty Americans sat hunched in the rain on a drenched and muddy hill listening passively hour after hour to a concert of rock and folk music. For the most part they were under the influence of drugs—marijuana, hashish, amphetamines and LSD. This happening, or concert, which attracted the largest live audience of any kind in the history of the world, has been called the dawning of the Age of Aquarius, a time when love, peace, and tranquility will dominate the earth. Perhaps. More significantly, I'd suggest, it marked the dramatic rise to the surface of an Age of Unreason . . . The striking revelation of the Woodstock Music and Art Fair was that the United States had almost an entire generation—and not simply a relative handful,
as had earlier been assumed--of Dionysian anarchists who had abandoned reason (1970:6).

Meehan illustrates a typical paradox of the counter-culture concept when he writes that:

Moreover, the young claim that their elders are equally as irrational as they are. To their minds, the exhausted Fairfield County commuter who downs three martinis after his return from his job in New York, and who then spends his evening glazly watching television reruns of "Perry Mason" and "Run For Your Life" is behaving every bit as unreasonably as the marijuana smoker staring at a psychedelic light box in an East Village pad (1970:6).

He concludes his assessment:

Paradoxically, those young Americans who have chosen illogic as a way of life have used the classic process of reasoning to arrive at a rationale for their unreason. If reason has led man to create nuclear weapons and to fight wars that have since 1914 killed some one hundred million persons, they argue, then reason itself is suspect, leaving only the alternative of unreason (1970:9).

Kenneth Lamont, in covering an earlier festival of the counter-culture set, the Human Be-in in San Francisco, makes a perceptive distinction between facets of the counter-culture movement:

The political activists and the San Francisco hippies overlap at the edges, but they represent not a single, unified younger generation but an entire spectrum of movements that are widely different both in their objectives and their dynamics. To put it as simply as possible, the demonstrators on campuses, and at City Hall, and in the Viet Nam Day and civil rights parades are essentially political
animals, while the hippies—who sometimes call themselves the Love Generation—belong to what is in almost every conventional sense a religious movement (1967:103).

He expounds upon the religious dimensions of the counterculture, concluding that:

New religions always begin as a rebellion against the existing, visible world, and this is as true of the hip movement as it is of Black Muslims... or, for that matter, of primitive Christianity itself. All of these religions share a conscious denial of the social and moral values of the workaday world and revolve around gatherings of the minority, who expect to be saved (1967:104).

Lamont suggests an intrinsic relationship between these religious implications and the poverty of its adherents:

Poverty too is, of course, a principal ingredient of any active religion... Clearly a good part of these kids don't have to wear grubby clothes and sleep in slummy rooms and take their soup bowls down to the park in the afternoon for a handout. Even when they're begging spare change, the accents of their speech give away the plain fact that they've been raised in warm, dry,roachfree houses in decent neighborhoods rather than in real slums and ghettos (1967:105).

Lamont offers an interesting comparison between the traditional culture and its counterpart:

It is becoming increasingly clear that this country is going through a social and technological revolution in which the upward drive of the Negro citizens and the far-reaching consequences of the circuitry of the computer are only two of the most conspicuous features. Other countries in
revolution have produced the Hitler Youth, the Komsomol, the Sons of Wolf, and most recently, the Red Guards. It has often seemed to me that the people who profess to be most outraged by the hip generation would probably be quite happy if our young people would, instead, dress in neat uniforms, march in great formations and sing patriotic songs (1967:106).

These journalists, and many others, have raised important points which merit ethnographic investigation to establish their validity. The question of whether or not there is an actual and real counter-culture formed as a reaction to traditional norms rather than by more conventional modes of culture change is an important one in terms of anthropological theory. In some respects, if the shock these groups cause to more typical Americans is any indication, the youth culture is an alien one in terms of some general value orientations toward status, class standing, philosophical and religious orientations. Some aspects of the counter-culture still lend themselves to analysis in traditional terms, such as evidences of alienation, poverty (although it may be voluntary and not circumstantial in origin), and social distance. There is at least a possibility that these groups may be considered in terms of a peasant culture, a culture in transition between traditional norms and new cultural alternatives in life style. Some of the more radical members have actually promoted re-establishment of earlier rural life styles, forming rural
communes on a primitive agricultural base and seeking to sever contact with modern urban life styles completely. This trend, although less significant in terms of numbers, is definitely contrary to the general trends toward urbanization more typical of modern cultural development. At any rate, the indications are that the formation of culturally unique groups of young people who exemplify, at least to some degree, values and behavior patterns not found in traditional assessments of American culture, is a social reality toward which anthropologists should address themselves in order to form a holistic view of contemporary American culture.
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CLAN PROLIFERATION AMONG THE CAUGHNAWAGA MOHAWK:
AN EXAMPLE OF SELECTIVE ACCULTURATION.*

CHARLES R. JENKINS

The subject of acculturative readjustment has become a commonplace in current anthropological literature. However, all too often, the subject of cultural transition is predicated on the idea that such a situation cannot proceed without the gradual dilution of various aspects of the basic culture of one of the participating societies. When confronted with the necessity of change, in the face of rapid and massive adjustment, it is widely believed that, not only the objective but many of the subjective aspects of such a culture will be minimized and dissipated.

However, such a solution fails to take into consideration the enormous flexibility of human adjustment and the equally powerful resistance to subjective alteration. Under normal situations, every culture is adequate to the needs of its people. While the performance of certain elements may not be ideal, they are, at least, acceptable. Subjectively, they may have acquired the "sanctity of antiquity". But,

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culture change demands that these time-tested patterns be revised in the light of newer, untried methods. If we accept the basic patterns of habit, such a situation should be impossible under ordinary circumstances.

But, of the multiplicity of elements which comprise even the simplest culture, there is a vital functional relationship. A single element may function simultaneously in several cultural contexts. In addition, no society is so primitive that each human need is satisfied by a single complex. Therefore, culture change demands, not only the alteration of these basic elements, but their reintegration into the total society.

Since each complex contributes to the satisfaction of several needs, society may simply shift the functioning of a primary trait complex to a secondary function. It may take on a completely new series of meanings and become integrated into a completely new sequence of elements. Contacts with other groups and the resultant application of new stimuli inevitably lead to alterations. Therefore, culture change and the application of new social stimuli have the effect of altering the complete social and cultural environment of the society involved. Conversely, however, it may also be applied to the need for adjustment, when faced by the demand for massive social reorganization.

Under these circumstances, the resultant changes may
develop in a variety of ways. Therefore, there could be the apparent paradox of a seemingly functionless trait undergoing massive expansion in form. But, this would be symptomatic of the drastic need for adjustment to a new social situation and indicative of its cultural importance. Such apparent paradoxes would be especially noticeable in the non-material aspects of the culture.

Such a revision of cultural form and value is uniquely demonstrated by the redevelopment of clan patterns among the modern Caughnawaga Mohawk.

Authorities are in universal agreement on the patterns of Iroquois kinship and the extreme importance of the system in the total social configuration of the people. Indeed, the basic foundation of Iroquois life was the matrilineal family and its various extensions into households and lineages. These households and lineages were further incorporated into the system of clans and phratries which was carried throughout the Six Nations. These clans were matrilineal, exogamous and maintained close relations for the purpose of mutual aid, revenge against personal injury and the settlement of disputes among members. Clans generally derived their names from quasi-totemic birds and animals. The Iroquois, however, felt no sense of kinship toward these clan animals. They were simply regarded as convenient brand names.
The number of clans varied from tribe to tribe, eight being the most common number. However, all writers concur that the Mohawk and the Oneida were unique in possessing only THREE clans.

The particular band of the Mohawk, the Caughnawaga, presently under discussion, has had a rich and eventful history, contributing to a series of unique adjustments to a variety of changing cultural conditions. For example, the band itself, despite the fact that both the Indians and the Dominion of Canada regard the Caughnawaga as a true section of the Mohawk tribe, is "Mohawk" only through the original convenience of language.

Caughnawaga owes its beginning to those members of the Society of Jesus who followed the first French explorers into the new lands of Canada. While they were not received by the Indians with a universally high degree of enthusiasm, they had some limited success and some converts were made among the tribes. However, the Jesuits soon learned that these converts could not be left to themselves and in 1647, they decided to concentrate all of their converts into one village. Within three years, this village had become the refuge of Christian Indians of all tribes. By 1672, twenty-two Indian nations were represented at the settlement. Since unusually, the majority of the converts were Mohawk and the Mohawk language was widely understood both by the other
tribes and the Jesuits, Mohawk became the language of the community.

Fortunately, Jesuit Relations gives us a valuable insight into the family and clan structure of the Caughnawaga during these early years. In 1735, Father Nau reported "We have in the village three families (clans), that of the Bear, that of the Wolf and that of the Turtle. All newcomers become members of one of these three families" (Thwaites 1896 1901: Vol 68:268). It would appear, therefore, that the Caughnawaga considered themselves to be Mohawks and were so considered by the other Iroquois nations. This belief is strengthened by the fact that the other Iroquois tribes made repeated efforts to persuade the Caughnawaga to abandon the village and return to their original people.

Father Nau's statement also poses an interesting problem, as a sidelight. It would seem that all converts were immediately given a clan affiliation upon their entry into the Caughnawaga, regardless of their past family relationships. Was this to insure loyalty to the Caughnawaga or to symbolize a break with the past? This concept was not without precedent in the traditional Iroquois adoption system and may well have been used by the Jesuits for their own purposes.

The balance of Caughnawaga history, dramatic and eventful as it was, does not concern us until the year 1858, when
an event of major importance occurred. The Victoria Tubular Bridge was built across the St. Lawrence River, with one end abutting on the reservation. The Indians demanded employment on the bridge in exchange for their permission to build on the reservation. It was soon discovered that the Caughnawaga possessed qualities that would make them superlative bridge and iron workers.

More and more young men drifted into the professions. Many of the younger steel workers began to look to the United States, where opportunities for employment in their specialized craft were greater. In 1938, the steel workers began a wholesale migration from the reservation to New York, Chicago, Detroit and other industrial cities. The largest group congregated in New York City.

The Caughnawaga concentrated themselves in one particular residential area in Brooklyn, New York. Within a few years, the profession of steel-working had attained the status of a tradition and few Caughnawaga men had not followed the trade at one time or another.

Needless to say, the Caughnawaga family system underwent some changes in this new cultural setting. Complete adherence to a matrilineal system would pose certain difficulties in contemporary American society. In the American social system, the inference is always accepted that the husband is, theoretically at least, the head of the
household. However, the Caughnawaga had already been exposed to this system for a considerable period of time. They quickly recognized the necessity for a family name and the delegation of a person to be representative in family dealings. They also recognized that they must conform to the system in operation in the larger society of which they were a part. The Caughnawaga, therefore, in their overt activities, at least, conformed to popular American usage.

Details, such as the family name, inheritance of property, etc., were swung over to conform to the system in vogue in American society. Other privileges, which were once the exclusive right of the matrilineal line, became equal rights for both sides of the family.

In traditional family matters, however, the Caughnawaga retained other patterns. Every individual held a tribal name, in addition to the family names of European origin, predominantly French. These tribal names were matters of great personal pride and were retained throughout life. Certain families, which possessed the exclusive rights to certain names of traditional or historical significance, were quite jealous of the retention of this prerogative.

This preliminary historical sketch is necessary to set the stage for the major topic of discussion. It would appear obvious, from the foregoing presentation, that the urbanized Caughnawaga were no longer in a situation where
the original family or clan structure would be necessary or even desirable. Therefore, understandably, it should have been one of the first areas of Caughnawaga culture to be discarded. The traditional Mohawk family could no longer function in the urban centers as a viable aspect of culture. Therefore, any extension of such a system would appear to serve no useful purpose.

However, the reverse situation is actually true. In recent years, despite a steady decline in clan functions, the Caughnawaga increased the number of clans to SIX. These clans, in order of their social importance, are TURTLE (Ra-ti-nia-ton), BEAR (Ro-ti-nen-io-tro-nen), WOLF (Ro-ti-swa-ho), SNIPE (Ro-te-ni-si-io), ROCK or BALL (Ro-ti-nen-io-tro-nen) and PIPE (O-sen-na-ke-te).

The first three clans are the traditional ones of the Mohawk and have, by far, the greatest membership among the Caughnawaga. Indeed, the three lesser clans are of markedly limited distribution and social importance. Although nearly every informant could name all six clans, it was difficult to find anyone who was not a Bear, Wolf, or Turtle. Despite extensive questioning, no member of the Pipe Clan could be located.¹

¹The Pipe Clan is an enigma of the first water. No satisfactory translation of the Mohawk name was available, although most informants agreed that "Pipe" was the most logical. It was represented by a pipe on the clan banner of the Caughnawaga. However, no member of the clan could be discovered among the people of the Brooklyn colony. It is the only clan not represented in the clan lists of the other Iroquois tribes. But for the insistence of the informants, one might well doubt its existence.
actions due members of one's clan. Joking relationships or avoidance patterns are completely unknown.

The Caughnawaga still retain a very strong sense of mutual aid in time of emergency but this is an activity in which all Caughnawaga participate. It is not restricted to assisting only members of one's own clan. For example, the cash collections made for an injured or disabled steel worker are made totally without regard to any clan affiliation.

There is a tendency among the Caughnawaga to refer to the clans as "nations" and equate them, therefore, with the Six Nations of the Iroquois. In logical sequence, there were six nations: therefore, there should be six clans. This is, of course, an excellent example of post-facto rationalization.

Some informants were quite insistent in claiming that the six clans had always been present but that the minority status of the latter clans or careless observation prevented them from coming to the attention of any previous field workers.

Although Caughnawaga families are much smaller than in the past, there is still evidence of great family solidarity. The marked difference in family size is undoubtedly an accommodation to the present urban situation, where housing for a large family would be difficult to obtain.
It was suggested by one informant that these lesser clans might have originally been composed of aliens adopted into the tribe, but such a suggestion was quickly discounted by other informants. The Caughnawaga, in general have no idea when the other clans were added and universally insist that all six have existed "from the beginning".

The clans themselves retain absolutely no regulatory functions over the people today. Some of the Caughnawaga might be a trifle hazy over the exact number of clans or their specific names, but all could name their own clan with considerable precision. Strict clan exogamy has long since ceased to exist and intra-clan marriage is common. One informant jokingly remarked that she was absolutely certain of her clan affiliation, since she was a "double wolf".

The clans do not own or control any of the property on the reservation or in Brooklyn. There is no delineation of the reservation into clan areas, restricted to members of a specific clan and clan members make no effort to live in close association with each other in New York.

Clan members experience no special feelings toward each other. The clan "brother-sister" relationship has, obviously, been disregarded and there are no special
No known culture has ever sprung, full blown, onto the stage of history; no known culture has ever remained in an absolutely static condition. Alteration is a constant and unending process, whether it deals with the trivial details of everyday life or, in a wild, sweeping gesture, subjects the entire body of cultural knowledge to intensive modification. Cultural change is as certain and inexorable a process as biological evolution.

As all persons differ, so do all cultures differ. This is not a question of superiority or inferiority, of good or evil, of utility or futility. It is simply that the divergences of human personality make it impossible for two identical cultures to exist. Even in the case of inter-cultural diffusion, the habits, customs and patterns, which pass from one group to another, are accepted fragmentarily or given a new and sometimes radical interpretation.

With all of the influence of cultural change and its concomitants, there remains, in each social group, a residual continuity of the basic culture. In all societies, regardless of their apparent acquiescence to introduced forms, there is retained a breath of the old. Within the bounds set by the conventions of his society, the individual is free to make his own adjustments to the traditional framework. Yet, no one will dare to venture too far from the time honored patterns of conformity. Within the area fenced
about by convention, are sown the seeds of change.

The Caughnawaga Mohawk began their first experiment in cultural adjustment with the founding of the band. The mixture of diverse tribes, which fled to the refuge of the Jesuit fathers, slowly realized that they must learn to live with each other before they could begin to function as a social unit. Ultimately, despite conflict and disorganization, there developed a way of life acceptable to all.

However, the boundaries, fixed by the new society, were forced to remain flexible, for the scope of the dissimilar cultures that had entered among them offered far more than any of their previous individual limits could assume. Each choice brought the Caughnawaga closer to the inevitable time when they must make the final decision to enter upon this strange new world on its own terms.

The transition was neither sudden nor the result of external force. It ultimately required only the final stimulus of an adequate urban vocation to make the transition complete.

In this final cosmopolitan environment, any existing barriers to cultural readjustment went down completely. As the new culture proposed other alternatives, the range of custom became so much wider that the opportunities for innovation were practically without limit. In the anonymity of the metropolis, the ancient ways could be discarded without reticence. Exposed to a practically unlimited choice of
custom, the Caughnawaga could develop, if they wished a completely new mode of life in tune with their surroundings.

If such had been the case, there would be no point to this discussion. The fact remains that, in their acceptance of the new, the Caughnawaga could not entirely relinquish the old. For a combination of sentimental and practical reasons, much of the culture that they had known was transported to the new area, to be fitted in where it could in the new situation. The Caughnawaga did not simply abandon the old ways; they adjusted them to the new.

To those persons ignorant of the dynamics of culture, it might seem highly probably that the more "primitive" aspects of Caughnawaga culture would be quickly thrown off and that, given the opportunity, the Caughnawaga would be eager to assume the facets of a more "progressive" society. The student of acculturation is not surprised to find that some of the features of an earlier situation will persist, despite any apparent anachronism. For "progress" is simply that subjective evaluation that man has used to account for change.

The reasons underlying the retention or discontinuance of cultural characteristics are not the result of conscious reflection. It is simply that, in all cultures, there are certain forms of behavior which transcend minor individual
differences. These basic structures of culture are considered important enough to remain intact, against the impact of diverse cultural settings. In such areas of human existence, the competition between conformity and innovation is strictly "no contest". The innovation MUST conform.

In the case of the Caughnawaga clans, one must first reckon with the homogeneous character of Caughnawaga community and family life, as a major factor. Although the Caughnawaga have readily joined in many of the activities of the larger urban group, they have retained certain aspects of their traditional culture, as a means of maintaining their identity. These factors are covert and not readily expressed; they are unrecognized by the casual observer. But this does not minimize their importance.

The Caughnawaga hold enormous pride in their Indian ancestry. It is not something to be minimized or forgotten. Rather, it is a quality to be consciously held as a standard. Connection with the band makes them a unique people with their own traditions of a glorious past. As lineal descendants of the great league of the Iroquois (although, from a strict standpoint of historical fact, the Caughnawaga were never members of the League), it is a heritage of dignity.

The clan organization persists, therefore, as an important cultural link. Although it has lost all of its former regulatory functions, it has developed other functions
of equal importance. Although logically one might have predicted the early disappearance of the clan structure, the fact remains that it has expanded in size and, to a different degree, in scope. This fact alone underscores its importance.

Since the pattern itself is implicit, Indian informants can provide no solution to the reasons for its reorganization and remain under the erroneous impression that the clan system has remained unchanged throughout the centuries.

But, possibly, the primary reason for its continuity is the fact that the clan organization provides a connective with the earlier patterns of matrilineality, extended families and community structure. The Caughnawaga were forced, by the exigencies of a new culture, to switch to a pattern of patrilineal families. The clans remained as a last bridging of the old and the new, in one of the most vital areas of social life.

Among the people, the facts of clan structure might not always be clearly remembered as a totality, but the personal clan affiliation of each member of the Caughnawaga was never in doubt. In brief, one must have a clan to be a Mohawk and any such lack of family connection puts the individual beyond the bounds of Caughnawaga society.¹

¹This was demonstrated in several cases of Mohawk-non Mohawk intermarriage. If the mother was Mohawk, the children were so considered. If the father was Mohawk, the children were not.
The governments of the United States and Canada, with their amorphous delineation of Indian nationality, are free to designate almost any person as "Indian", provided that he meets certain minimal standards. The Caughnawaga are more specific.

It cannot be definitely established when the additional clans were incorporated into the Caughnawaga social system. But, as a point of fact, it is unimportant, except for a certain limited historical interest. Certainly, it would appear, from Father Nau's statement, previously cited, that there was a certain flexibility in clan structure, even in the early years of the 19th century. The fact remains that the Caughnawaga felt this outmoded system to be of sufficient value to retain.

It would appear, therefore, that the proliferation of the Caughnawaga clans is one of the ways in which the Caughnawaga have reached a satisfactory equalization between the traditions of their Indian heritage and the demands of modern urban existence. By its use, and other associated patterns, they have managed the perpetuation of their identity as a buffer against the modern world. They have entered into the complexities of modern living without the loss of those basic concepts of existence which make them unique.

But, of equal importance, the Caughnawaga clan pattern illustrates the importance of the dynamics of persistence in
cultural change. Even when the situation presents itself and the opportunity for new experiences and readjustment of values is open, man cannot fully free himself from the demands of convention. When he must change his patterns, he does so within the comfortable confines of accustomed behavior and creates rationales for his own approval. Innovation can only occur within the framework of conformity.
THEFT IN PRIMITIVE SOCIETIES

LORING SMITH

To Webster, theft is simply "the act of stealing", and he defines this act as "to take and carry away feloniously and usually unobserved; to take or appropriate without leave or right, and with intent to make use of wrongfully".

This act is not unknown within our society. In fact, we have fragmented the act into several discrete parts the more easily to define precisely how the act was accomplished. The terms we use show whether the stolen article was just taken (larceny), whether the victim's gullibility or cupidity was employed (confidence game), whether threat or force was used (robbery), or whether some other technique was utilized. In addition to separating the spectrum of theft into several component parts our society has also established courts, jails, and selected enforcement officials. These constitute that section of the social fabric charged with apprehending and punishing those who transgress the laws which society has established for its protection. This care for the welfare of the individual members of our society has even reached the point of suggesting a standardization of packaging for the goods we buy in order to preclude the least hint of 'false pretence' in the transaction.

When we examine the legal aspect of theft within a

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primitive culture, however, two generalized statements on
primitive legal systems should be remembered:

What is clear is that one has no business
expecting of any primitive culture that its
law shall have achieved the official and doc-
trinal unity allegedly found in the modern
state (Llewellyn and Hoebel 1941:60).

Generally there seems to be little doubt
that the degree of sophistication attained by
the judicial organs of a given community is
directly related to the stage and form of its
social organization (Elias 1956:30).

These allow us to recognize law in more rudimentary, less
polished forms than we are accustomed to seeing in our own
social structure. Throughout this paper laws will be con-
sidered as those rules having the threat of socially ap-
proved and specified force to insure their observance.

On the basis of man's past and present performance it
seems reasonable to assume that avarice and greed are pre-
sent, to some measure, in nearly every human on earth. When
these are channeled into better herdsmanship, more skillful
hunting, or more effective farming they are social assets,
tending to strengthen the total social fabric through in-
creased knowledge and productivity. These same drives, how-
ever, can also lead a man to steal. An individual's resist-
ance to the temptation is based on several factors. Probably
the most important ones are the customs of his social group.
and the firmness with which they have been instilled in him
during his formative years. If his social group has devel-
oped a legal recourse against theft then the threat of pun-
ishment can be an effective deterrent. Another factor, not
often mentioned, is whether the thief can freely use that which he has stolen. The concept of possessions for the sake of possessions does not seem to be characteristic of most primitive societies. If material wealth is important, it is important for what it can do rather than as a thing in itself. Thus it can bring renown and importance through 'potlatching', or, if food in a chief's granary, it can be a barrier against tribal famine in times of bad crops.

In examining theft, and its punishment, in primitive societies, the concept of restitution to the one wronged seems to be one of the principal penalties imposed on the thief. The degree to which restitution is exacted, and the number and variety of added penalties which may be imposed vary widely from society to society, and often seem to increase with an increase in the sophistication of the political structure. The simpler and more elemental the social and political organization, the simpler and more direct seem the punishments for crime.

A key factor in the development of a body of criminal law is the recognition by the social body that certain actions are dangerously anti-social. The society must display a willingness to create judging and enforcing mechanisms to control the frequency of occurrence of these anti-social actions. If a society creates no formal political or governing structures yet possesses certain well-defined
penalties and enforcement techniques for specific offences, it can be said that such a society recognizes crime, and has a legal structure to combat it.

The Nuer

The Nuer of the Sudan are a society that had no regular institutions for the enforcement of customary law in the past (Howell 1954:22). They had, however, established recognized standards for the control of human relationships, established categories of property, set scales of compensation, and had formulas for compromise (Howell 1954:27).

Since the Nuer are, and were basically herdsmen, the theft of cattle brought down the quickest and severest punishment. Stealing another's cattle for any reason other than eating was rare. As Evans-Pritchard points out, the Nuer social idiom was, and is, a bovine idiom, (Evans-Pritchard 1955:19) and cattle were as easily identified as human members of the family. The chance of hiding stolen cattle from their owner, therefore, became rather remote. When a cow or steer was stolen and eaten, and the thief discovered, compensation was ten head of cattle. The Nuer did not believe that restitution on a one-for-one basis was a sufficient deterrent to the thief. When a sheep or goat was stolen and eaten the compensation was six head of cattle (Howell 1954:201).

Although Nuer material culture, and wealth, was simple
they did assign personal property to one of the following four categories and applied scales of compensation against these:

1. Those articles made from local material, easily available, which required no special skill to make, had no traditional scale of compensation. In fact the question of ownership was rarely raised. Cattle ropes, sandals, spear-shafts, etc. were examples of property in this category.

2. Articles which were made locally, but required some knowledge and skill constituted another category. The clubs, shields, leather ornaments, pottery, etc. which comprised this group were given freely to relatives and freely exchanged with others. Removal by a stranger, however, brought strong objections (presented the combative Nuer with an excellent excuse for a fight).

3. Those articles of local manufacture which could only be created by a skilled craftsman (canoes, ivory bangles, etc.) had a definite value and there was a scale of compensation for their theft.

4. Imported articles such as iron hoes, fish-spears, spear-heads, etc. which had been obtained from other tribes in exchange for cattle had a definite compensation value (Howell 1954:179-80).

The scale of compensation was based on two factors. One was the rarity of the item taken or the difficulty of replacing it. Thus to a tribe right on the trade routes an iron
fish-spear might be worth one cow. That same spear to a tribe far from the trade routes might be worth six cows. The other basis for compensation was the value of the item to the subsistence economy. Thus fish-spears, hoes, canoes, etc., which had a direct and important relationship to the subsistence economy of the family had a high compensation value (Howell 1954:201-202).

Although they had recognized sanctions and scales of compensation the Nuer had no enforcing mechanism as such. The collection of compensation, recognized as due, depended on the willingness of the injured party to act (take his compensation by force). His success or failure usually hinged on the extent of support his kinsmen would provide against the resistance of the offender and his kin group (Howell 1954:23).

Plains Tribes

The Indian tribes of the Great Plains, like the Nuer, were a semi-nomadic people. Both possessed recognized tribal areas, and roamed within these as conditions dictated. Where the Nuer followed the grass, the Indian followed the buffalo. Unlike the Nuer, however, most of the Plains Indians, as tribal units possessed recognizable governmental organizations (Llewellyn and Hoebel 1941:67). The governmental organizations usually consisted of two functionary orders. One of these acted as the executive/legislative/
judicial branch; the other functioned as the policing unit. The first branch was made up of the tribal chiefs while the second group included the military societies or Plains Police.

Punishment among these people was inflicted not as an act of social vengeance but rather as a technique to insure the preservation of order. In consonance with this concept the severity of the punishment and the rigidity of enforcement varied with the seriousness of the effect of the offence on the welfare of the tribe (Provine 1937:350).

If we take the Cheyenne as an example we find a strange ambivalence in their attitude towards stealing. Since they believed gift-giving to be a high virtue, and did not put a great value on material possessions, they tended to shame the thief by publicly declaring "If I had known you wanted it I would have given it to you" (Hoebel 1964:169). Despite this high-minded attitude towards misappropriation of property, they did feel that when one took something at night, "that is stealing and not liked" (Llewellyn and Hoebel 1941: 226).

The development of Cheyenne law with reference to unauthorized borrowing is exemplified by the following:

A man borrowed a horse from a friend while the latter was away. To show who had taken the animal he left his bow and arrow at the horse owner's lodge. The latter was not upset since he knew who had the horse, and expected its return shortly. However, a
year passed and the horse had not yet been returned. The owner talked to the Elk Soldier chiefs. They went to the village of the man who had borrowed the horse and brought him and two horses to the lodge of the one whose horse had been borrowed. The borrower offered both horses to the man whose horse he had taken. The offer was refused, only the one horse was returned to its rightful owner and the two men remained friends.

When this affair was brought to the attention of the chiefs they realized that such unrestricted borrowing could lead to social disruption. To prevent this they made a new law wherein it was stated that there would be no more borrowing of horses without asking. In addition if one man were to take another man's goods without asking, the soldier societies would get them back. If he who took them objected, the members of the soldier society would beat him and take them by force (Llewellyn and Hoebel 1941:127-128).

Grinnell recognizes the problem raised by unrestricted, unauthorized borrowing. Though he claims there is no theft among the Cheyenne he admits there is a certain amount of borrowing without permission. He continues by pointing out that continued conduct of this nature on the part of an individual could result in whipping, destruction of the culprit's personal property, or the slaughter of his horses by the members of a soldier society (Llewellyn and Hoebel 1941: 349-350). The punishments of whipping, or destruction of personal property seem to be quite uniform throughout the Plains area (Provinse 1937:349).
Kalmuks

Although the Kalmuks are true, cattle-breeding, nomads they are also a remnant of the Mongol Horde that centuries ago ruled or terrorized half the known world. As such they are the inheritors of that body of customary Mongol law which Jenghiz-Khan codified as the 'Yassa' in 1206 A.D. This law was modified in 1320 (Yuan Dynasty), and again in 1640 (Oirat Regulations) (Riasanovsky 1929:20-21).

The Kalmuks based their law essentially on the Oirat Regulations but included some complementing additions of their own (Riasanovsky 1929:264). In the 1820's these Regulations were further modified by the Digest which reflected the impact of Russian law on the legal system (Riasanovsky 1929:285-286).

All Mongol codes, from the Yassa of Jenghiz-Khan to the present Digest of the Kalmuks recognizes theft as a crime. From the few existing fragments of the Yassa two references to theft, and the punishment therefore, remain:

Whoever takes goods on credit and becomes bankrupt, and then repeats the offence, and then repeats it again, shall be put to death.

The man with whom a stolen horse is found is bound to return it to its owner and add nine horses of the same kind. If he is unable to provide the horses his children are to be taken in lieu of the horses. If he has no children he is slaughtered like a sheep (Riasanovsky 1929:57-59).
The Yuan Dynasty Code of 1320 defined several types of theft. It recognized robbery, robbery with murder, looting, and such other kinds of theft as simple stealing, swindling, etc. (Riasanovsky 1929:24-25).

The Oirat Regulations which formed the basis of Kalmuk law were even more explicit in their definition of theft, and the varieties of appropriate punishments and restitutions. Thus, they differentiated between stealing from a guest, theft from the treasury of the khaghan, theft by a noble through an intermediary, failure to assist a man who has been robbed, concealing a thief, stealing either cattle or coal from a monastery, etc. (Riasanovsky 1929:41-51).

These Regulations reserved the severest punishment for the theft of the fundamental property which provided the nomad with a means of livelihood. Each element of fundamental property had a specified restitution value. This value varied with the importance of the object stolen, but, in all cases, was extremely high. An indication of how high can be obtained from the following partial list of restitutions:

| Theft of camel | repaid by 15 x 9 animals |
| Theft of Gelding | 10 x 9 |
| Theft of armour, bow, etc. | 3 x 9 |
| Theft of sheepskin coat | 1 x 9 |

(Riasanovsky 1929:91)

The basic Kalmuk punishment for theft was a distinct modification of the Régulations of 1640. It was not so
severe yet it was still sufficiently costly to make a would-be thief think twice before acting. It stated:

If a thing worth more than a rouble is stolen the thief is punished, the head-man of the village is fined, and a fine is levied for the benefit of the prince. The thief is bound to restore to the owner of the stolen property twice as much, and give in addition, a ram to sacrifice to the deity of the fire. He must also make the following gifts: to the informer a 3 year old horse to be sacrificed to Buddha; to the camp of the prince a camel; to each of the judges a 4-year old cow; to the witness a 4-year old horse; to the executioner a 3-year old animal. The headman of the thief's village is fined one camel (Riasanovsky 1929:91).

To the penalties established by the basic law, stealing from a foreign envoy resulted in additional fines which were paid to the camp of the prince. Robbery, also, was considered more serious than simple theft. In addition to the fines and punishments specified in the basic law, as many serfs were taken from the thief as there were men robbed (Riasanovsky 1929:269).

The present Kalmuk laws as contained in the Digest retain the fundamental concepts of Mongol customary law, which was based on common nomad culture. The punishments, however, have undergone a considerable change. Fines in cattle have been reduced, and are also payable in money as well as cattle. Corporal punishment with whip or stick has become a principal form of punishment (Riasanovsky 1929:285-286).
Agricultural Societies

In considering the agriculturists we find, once again, a wide range of political sophistication. From the 'government sine government' of the Hopi to the tightly structured political societies of Nigeria and South Africa the problem of theft exists to a widely varying degree.

To the Hopi, with their interlocking kinship, religious, and secret society structure, stealing is looked upon as bad, and does not seem to present much of a social problem. One of the most pungent comments any informant ever made on the subject of theft was that by a Hopi who said, simply, "The Navajo steal" (Thompson and Joseph 1945:106).

In considering the question of theft among the Papago we find that here too it is a rare occurrence. There is a simple reason for this. All the people have about the same amount of material possessions, and there is a cultural pattern of sharing within the family as well. In those few cases where theft does occur the Keeper asks the offender to make restitution. If the thief does not comply he loses his status in the community. Persistent stealing results in banishment, and among the Papago this penalty is inflicted not only on the culprit but also on his entire family (Underhill 1939:118).

Among the people of Ontong Java there is only one crime in a specific legal sense (i.e. a specific act punished by
society either collectively or through its officers). This crime is theft, either of coconuts from the land or taro from the swamp (Hogbin 1961:210). Joint families own, in common, the land on which the palm trees grow and the product of these trees belongs to the joint family. Each woman owns her own taro garden in the swamp and the product is hers. In order to reduce temptation, as well as to catch those who would thieve, lookouts are established to keep watch over the common land and the bush in which the taro gardens lie. Not only is permission required to go onto the common land or into the bush beyond the village, but specific days are designated for cultivating the taro patches. When a person is found on the common land without permission he is taken before a koko'a (a member of one of the major joint families) for sentencing. For the first offence the culprit escapes with nothing worse than a head shaving. Should he repeat the offence he is either exposed in the sun for some time without food or water, or he can be killed. A woman found in the taro patches or on the common ground without permission suffers the same punishment as a man (Hogbin 1961:211).

**African States**

The African societies with strongly centralized political systems tend invariably to have a more advanced body of legal principles and judicial techniques
than have those with more or less rudimentary political organizations. (Elias 1956:30).

The validity of this observation is borne out by the legal techniques of the Nigerian tribes, and, to an even greater extent by the law-ways of the South African Bantu.

Among the Yoruba theft is considered a crime rather than just a civil action. As such it is judged, not by the local or compound courts, but is a matter for the Council of State. The punishment levied by the Council is quick and certain. The first offence results in flogging. The second and third offences call for mutilation, while he who proves himself an habitual thief may be sold into slavery (Forde 1951:24).

Among the Bini theft does not often occur but when it does punishment, as with the Yoruba, is swift and certain. The thief makes restitution to the man he has robbed, and pays a fine as well. If the thief is too poor to pay the fine he is beaten. If, however, he has robbed an official of the government, or a stranger in the land, the penalty is death (Roth 1963:85-86). Among the Bini the old men act as judges, and the accused has the right to choose someone to defend him before them. The accuser makes his own charge before the court, but if he does not bring sufficient proof to convince the court of the truth of his charge he undergoes the punishment that would have been meted out
to the accused (Roth 1903:85). One might expect that this eliminates false accusations, and reduces those of questionable validity to a mere trickle. Meek points out that as regards criminal law in Nigeria it is directed towards redress of individual wrongs rather than the maintenance of public order as is the case with European law (Meek 1925:270).

Among the Bantu there are no written laws; however, laws are, to a considerable extent, inherent in the social system of the people. The great bulk of the law is derived from the authority of tradition and precedent in social behaviour (Schapera 1937:197). The enforcement of the laws is accomplished in two ways. One is the group pressure which gives respect and approval to those who obey laws, and withdraws social esteem and treats with ridicule and contempt those who break the laws. The other method is through the power of compulsion vested in the courts (Schapera 1937:197-198). In the sophistication of its court structure the Bantu differ markedly from most primitive societies. The lowest court is the headman's court. A person who is dissatisfied with a judgement given by this court may appeal to the sub-chief's court, and appeals may be made from this court to the chief's court. This last is the supreme court of the Bantu (Schapera 1937:213).
To the Bantu the proper remedy for a civil wrong consists of restitution and compensation. Theft is considered a civil wrong, and the thief, when caught, must restore the stolen property or its equivalent and then pay an additional compensation equal to the value of the property stolen. This restoration and added compensation is often made without recourse to the courts. There is a simple economic reason for this. Whenever the case comes before a court the thief not only has to make restitution and pay the added compensation but is often fined an additional sum equal to the value of the item that he stole. This fine goes to the chief, or some other designated tribal authority (Schapera 1937:199-209).

If we create a composite picture of theft, its definition and punishment as it occurs in these primitive societies, several marked deviations from our Western concepts appear. These deviations include the relative importance given to what was stolen; the way in which theft is subdivided by method; the punishments imposed and their relationship to the social economy; the basic purposes on which the punishments are based.

Within our legal system the seriousness of a simple theft is established on a purely monetary basis. If what is stolen is less than a specified amount, the crime is termed 'petty' larceny. If the value of the goods stolen
exceeds the specified amount the crime then becomes 'grand' larceny. Within those primitive cultures which do recognize that material items can have varying worth the basis for valuation is simpler. The value of an object depends either on the difficulty of replacing it, or its importance to the economic well-being of the person, family or larger kin-group, or the tribe. Thus it is only logical to the Nuer that the theft of an iron fish-spear or hoe represented a greater loss than the theft of an ivory bangle. The loss of a particularly skillful hunting or war horse could seriously affect the ability of a Cheyenne warrior to feed and clothe his family, or effectively support his tribe in war. The primitive recognition of this value standard was a logical and necessary development from the simple problem of survival which they faced.

Restitution and compensation seems to be the basis on which many primitive peoples build their punishments for theft. When the thief is caught he returns to his victim the goods he stole (or items of equivalent value) and then gives something extra to assuage the anguish his roguery has caused. The amount of this "something extra" varies from people to people but it seems to range from an amount equal to the original theft to a sum many times its equal. This great interest in seeing that the victim not only receives that which is his, but usually a sizable bonus as
well, is not present in our western societies. Our idea, it seems, is to catch the thief and put him away. If in the process the proceeds of his knavery (in an identifiable form) are recovered, those from whom he took them may recoup all, or part, of their losses. Otherwise officialdom expresses its regrets but assures the public that a proper jail sentence will insure that 'he' will not, for a fixed period of time, pose any threat to the social body.

Unlike our society which considers jail the proper place for a felon, most primitive societies never use this method of punishment. One can easily guess the rationale behind this position. A man in jail must be fed, yet does not have to work. Therefore he is completely non-productive, in fact he is a drag on the economy because every other member of the group has to work just a little bit harder to support him. In addition, were men to realize that by simply stealing something and then refusing to make restitution and pay the compensation they could lie in a shady hut all day long and be fed without working, it would not be long before there would be several in "jail" and the burden of their support would weigh heavier on the rest of the group. So instead of jail the simple primitives made the act of stealing so costly in restitution and compensation that it really didn't pay, and the chronic thief they kill, banish, or sell into slavery.
Throughout the literature, however, one constantly comes across statements that theft is rare in this society, almost unheard of in that society. Admitting that restitution and compensation are deterrents, we have deterrents in our society also and we still experience considerable theft. Despite our jails, and our "four-time loser" laws we still have thieves, and repeaters too. It might be that there are two areas in which our western cultures differ markedly from the primitive cultures examined. These differences may represent the most effective deterrents to primitive theft.

One area is the very nature of the material culture itself. Our Western culture is characterized by its great outpouring of machine-made goods. These goods are, essentially identical to all others of the same kind from the same factory. Thus a green Chevy coupe is, except for its serial number, quite the same as any other green Chevy coupe of the same grade. One Big Ben alarm clock cannot, normally, be differentiated from another Big Ben of the same color. So it goes with our material goods, factory produced, as like as peas in a pod. The other element of our wide-spread use of coined money. This, too, bears no distinguishing marks, is carried, in varying amounts, by almost everyone, is collected in stores and banks, and can be easily carried away. Thus the thief in our society
is faced with a host of temptations, and the knowledge that the tracing and identification of stolen property frequently presents an extremely difficult problem.

When we turn to the primitive society however, the material culture presents a startlingly different picture. Most items are hand made, and those few machine-made trade goods are so well known within the group that they are effectively labelled. Hand made goods, even if made by the same artisan, are never quite identical, and the little differences marking each single item enable quick and sure identification. So our primitive thief is not only faced with the probability of restitution and compensation, but is also saddled with an item he hardly dares use. He has no crooked pawnbroker or 'fence' who will take it off his hands and provide him with something else that is both useful and safe. Nor does he have access to unidentifiable money which he can steal and use to buy some item he desires. Money, as we know it, is not a common item in primitive societies. Certainly stealing the storied pot-latch coppers of the Kwakiutl would result in little but ill-fortune attending the robber, and the stone coinage of Yap is not the type of currency that lends itself to being tucked in the hand or pocket. Thus, the primitive who would steal is faced with the fact that there is very little he can steal,
that he can rarely use what he does steal, and that in the end he will not only be faced with restoring what he took, but also quite probably paying a ruinous compensation as well.

If the problems created by the primitive material culture were not enough to deter the would-be thief there exists a psychological barrier that is not present in our culture, and which reinforces the strong economic reasons to ignore the attractions of crime.

A thief, in the United States, has a great geographical area in which he can move freely. From coast to coast and border to border all the people are 'Americans'. They speak a common language, have common customs, wear common dress, use common currency, etc. A man who steals something in New York need have no fear about going to Chicago, or Los Angeles, or New Orleans. Though he may be assailed by homesickness he is no stranger to, nor in physical danger from, the natives of Omaha, Denver, or Boston.

If we consider the world of primitive man, however, we find that it is far from the great, wide, wonderful world we know. His geographical knowledge is usually restricted to the tribal boundaries. He feels that to pass beyond these boundaries is an open invitation to trouble. The tribes surrounding his may be neutral or hostile, but they are usually not too friendly. The forests, rivers,
and ranges may have strange gods and powerful spirits against which he has no medicine. His strength is drawn from the strength of the tribe. Without this strength supporting him he becomes weak. The only way a primitive thief could be sure of enjoying the fruits of his theft would be to take the stolen articles away from the tribal area. This would require flight, flight into the strange and terrible unknown beyond the boundaries of his tribal lands and away from the tribal support.

When one considers the magnitude of the problem which the material and psychological areas combine to create, it is no wonder that observer after observer comments on the low incidence of theft among so many primitive tribes.
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