It is noted that this publication contains historic images of persons now deceased

Jinibara Traditional Inputs
For the Sunshine Coast Heritage Study
For Sunshine Coast Regional Council

AUSTRALIAN HERITAGE SPECIALISTS

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The photograph featured on the front page of this report is of Gaiarbau (also known as Grandfather Willie McKenzie), an important past Elder of the Jinibara People, who was responsible for training some of the current Elders of the group.

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Contents

1 Introduction

Australian Heritage Specialists Pty Ltd (AHS) in partnership with the Jinibara People Aboriginal Corporation (JPAC) have been commissioned by Sunshine Coast Regional Council (SCRC) to assist with cultural heritage matters for the Sunshine Coast Cultural Heritage Study (the study).

1.1 Background

The Sunshine Coast Council is preparing a cultural heritage study for the Sunshine Coast region. The study includes a review of reported and currently listed historic local heritage places, the preparation of a thematic history for the local government area and the production of a revised and updated local heritage register.

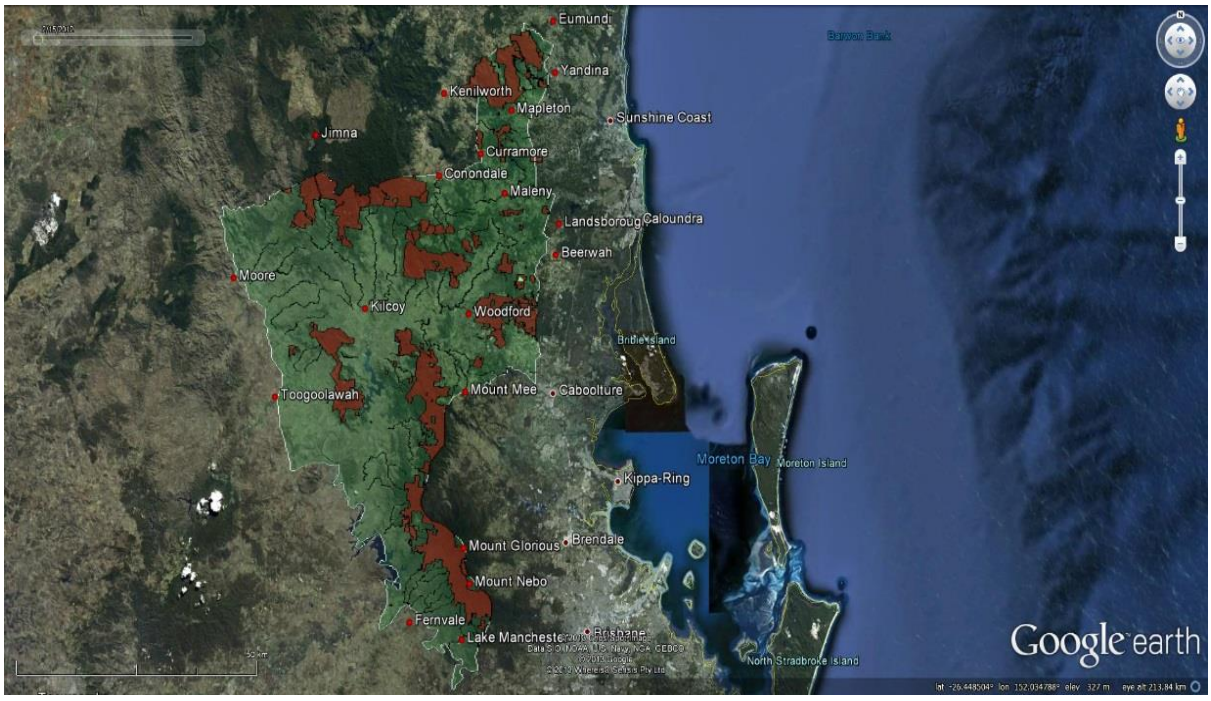
Council are keen to ensure that the Jinibara People have an opportunity to provide their input and guidance regarding the production of the thematic history and local heritage register. The focus of the consultation, like that of the study itself, is the historic, or 'post-contact', period.

Australian Heritage Specialists have been requested by JPAC to assist with the preparation of these outputs for Council for the study.

The project outputs will be made public on completion and will be used in a range of settings, including the assessment of development applications. This must be considered in the provision of information for this particular consultation.

1.2 The Jinibara People

The Jinibara People are the determined native title holders for an area that incorporates the western section of the Sunshine Coast Regional Council and Moreton Regional Council, as well as parts of Brisbane City Council and Somerset Regional Council (see Map 1).



Map 1: Map showing the determined native title area of the Jinibara People

In the Sunshine Coast Council area, the Jinibara People's traditional country essentially embraces the Blackall Ranges and the area west of Old Gympie Road, including many of the Glasshouse Mountains.

1.3 Approach

In direct collaboration with the Jinibara People, AHS will conduct the following activities:

- Inception Meeting: Attend an inception meeting (previously held on June 01, 2016), to outline proposed measures for the project to commence.
- Thematic History: Desktop review of the current DRAFT thematic history and preparation of suitable Jinibara content (based on the Queensland Thematic Framework used by the Department of Environment and Heritage Protection), with regards to post-contact historical context and the Sunshine Coast region.
- List of Places: Review the 'Draft Field Work List' Excel spreadsheet and additional sources and prepare a list of places that require reference, (jointly or exclusively) to the Jinibara People, based upon the inputs of the Jinibara People.

The project has been conducted on the basis of existing knowledge (i.e. on a 'desktop work' basis) and does not include detailed site inspections or research.

Places identified in the study were assessed according to the heritage criteria established in the *Queensland Heritage Act 1992*. All places considered for the updated local heritage register must conform to this assessment methodology.

1.4 Explanation of Terms

1.4.1 What is a Traditional Owner?

In simple terms, a traditional owner is a person belonging to a group of indigenous people who are: descendants of the people who owned a particular traditional country before non-indigenous settlement; and have specific rights, responsibilities and a common spiritual affiliation in accordance with Aboriginal tradition in this country. As Sutton comments, the concept of traditional ownership is a "term of 'first rank' rights and interests", and normally other Aboriginal people will deny they are traditional owners for an area if they lack primary connection based on identity.[1]

The term "traditional owner" can be daunting to members of the wider community, as they may equate the term "owner" with legal ownership of land. To help the wider community understand the concept of traditional ownership, the easiest ways are to explain that it is about "right people for right country", and that so-called traditional owners are really custodians of traditional land. Personal ownership (as understood by the wider community) is not part of this custodianship; rather it is about some rights but mostly responsibilities through traditional culture and law.

1.4.2 Native Title Determination and Aboriginal Party Status

To become a determined native title holder, the families who comprise the Jinibara People had to comply with the *Native Title Act 1993,* Commonwealth legislation that requires a lengthy process by which a group "proves" their traditional connection. This process consists of: the authorisation by the group of an application for native title, which also involves authorisation of the individuals who collectively will be the application's applicant; assessment and registration of the application (but only if it meets all of the Act's criteria) by the National Native Title Tribunal; a period of mediation with second parties in accordance with directions made by a judge from the Federal Court of Australia;

preparation of a comprehensive connection report by independent anthropologists, who are also responsible for assessing any claims of traditional ownership by families not represented by the application; assessment of the connection report by other independent anthropologists; and finally either determination through negotiation with and acceptance by the State and the Federal Court, or through a trial in the Federal Court.

In the case of the Jinibara People, this process commenced in 1998 and finished in November 2012, when the State of Queensland entered into an agreement with, and the Federal Court found that the Jinibara People are, the determined native title holders for their traditional country.

In accordance with the requirements of the *Native Title Act 1993,* native title rights must be held by a prescribed body corporate that represents the native title holders. In the case of the Jinibara People, the prescribed body corporate is the Jinibara People Aboriginal Corporation, membership of which is in accordance with traditional law.

From the perspective of the protection and management of Aboriginal cultural heritage, in most parts of Sunshine Coast Council area the relevant legislation is the State's *Aboriginal Cultural Heritage Act 2003.* This act is clear in its direction: where the indigenous group holds native title, they are the only group with responsibilities and rights to manage their cultural heritage. The Board of the Jinibara People Aboriginal Corporation has appointed their Elder, Ken Murphy, to be the Jinibara People's spokesperson on cultural heritage.

1.5 Dates and Personnel

The following personnel were involved in the project.

- Ken Murphy (JPAC), Elder and spokesperson for cultural heritage;
- Members of the Board of JPAC (Noel Blair, Edna van Hemmen, Karin Vea Vea, Rebekah Ellis, Ken Murphy);
- Ann Wallin (Jinibara Administrative Assistant)
- Benjamin Gall (AHS Principal)

Fieldwork was completed in March 2017 by Ann Wallin and Ken Murphy. This report was completed in draft in April 2017, with the final report approved y the Board of JPAC in September 2017.

1.6 Intellectual Property

This report has been prepared through input from, and consultation with the Elders of the Jinibara People and the Board of JPAC, the prescribed body corporate for the determined Jinibara native title holders. Its contents remain the intellectual property of the Jinibara People.

The statement is the result of a collaborative relationship between the Jinibara People and Australian Heritage Specialists Pty Ltd (AHS), which is based on appropriate professional standards whereby Australian Heritage Specialists has been nominated by the Jinibara People, and work for, and to the instructions of the Jinibara People. AHS fully recognises the intellectual property rights of the Jinibara People to their traditional knowledge and this statement.

2 The Jinibara People and Our Neighbours

2.1 Background

In traditional times, Southeast Queensland was a patchwork of traditional countries, each with their own traditional owner group. However, these groups were and still are melded together by some cultural commonalities. The Jinibara People are one group within this wider regional cultural bloc in which combinations of cultural traits, social categories and customary laws are held in common across the wider demographic and geographic area of Southeast Queensland. These concepts of local traditional country versus inclusion in a wider regional cultural bloc require discussion as they explain why the Jinibara People, and indeed all traditional owner groups of Southeast Queensland speak of their local traditional country, but also respect and acknowledge their neighbours and the other traditional groups of the wider area.

In southeast Queensland, the similarities and differences that make up a larger cultural bloc versus local groups include the following:

Aboriginal people who lived traditionally in Southeast Queensland were all characterised by:

- Moieties[2] and totems[3] that are inherited matrilineally (from the mother);
- Large linguistic blocs involving several thousand, not just a few hundred people;
- A bora or sacred ceremonial type of initiation system for both males and females held in earthen rings;
- Emphasis on site-bound increase rites;
- The prominent religious and social role of *gundir* or "medicine" men and women;
- Other men who had risen to high levels of cultural power through being part of the Bora Council;
- A belief in an "All-father" figure located in the heavens; and
- A belief that the ancestors continue to live in certain parts of the heavens.

Local groups were characterised by:

- Connection to traditional country through birth and patrilineal inheritance (from the father);
- Responsibilities to and knowledge about their traditional country;
- Local dialects that may be part of the wider language bloc of the area, but also contained local words and phrases that pertained to that individual group's world;
- Local men who were highly respected by the local group who became head men making final decisions;
- Site or tract responsibility, e.g., lifetime responsibility to "look after" or monitor the well-being of fish in a particular creek, given to the individual by their head man.

The shared laws and customs of the regional bloc facilitated social interactions and cultural exchanges of various kinds by supporting inter-group trade, inter-group marriages, shared beliefs and ceremonies, and travel through other traditional countries. An excellent example of how these shared laws and customs of the regional bloc facilitated social interactions can be seen in the way people travelled through traditional countries. Southeast Queensland was the setting for numerous festivals and ceremonies attended by groups from throughout the area. People travelled in relatively large numbers along established pathways. Shared laws and customs of the regional bloc meant that each

of these travellers, regardless of where their traditional country was situated or what dialects they spoke, knew the protocols by which they could ask permission to pass through other people's traditional country.

To illustrate this point, here is a description of the protocols a Jinibara person followed when travelling through another tribal country:

- Before entering the other tribal country, they would give the Jinibara cry *Jinibara gari garunbai douwunu ngaringu*, which means "I am giving a call from my home".
- When camping at night, they would sleep about two kilometres away from any camping place used by the local group or in camping areas nominated as suitable for strangers and visitors.
- As soon as the traveller met members of the tribal country, they would talk with someone of their own totem, and ask to be taken across that country to the next boundary, or to the place within the country that they wished to visit.
- If they could not be accompanied because no one was available, then the traveller must stay on a designated pathway that goes to the next tribal country or to that specific place.
- Generally hunting was not allowed in another tribal country, and food for the journey had to be carried. Exceptions were made when an invitation to hunt was given by the local land-owning group. This exception was often the case for groups travelling along designated pathways and/or participating in various ceremonies.
- Groups of travellers had to be small, say no more than six to ten people, especially if the group was being accompanied through another traditional country by someone of the same totem. Generally families and larger groups were only allowed on pathways and for good reasons, such as travelling to a large ceremony.

It is important to understand that local groupings also included what anthropologists call "one-step matrifiliation", a term effectively describing the limited set of rights in so-called matri-countries, i.e., the country of a person's spouse. A man's wife and her close kin were afforded use rights in her husband's country after the husband had lived for some time in his wife's country in the early years of marriage. This demonstrates the multiple layering of traditional society, and the responsibilities and rights individuals had on a number of levels.

In this context, however, it must be emphasised that no one Aboriginal group can speak for the area covered by the regional bloc, or indeed for traditional country outside of their own traditional country, even a matri-country. Only traditional owners can speak for their traditional country, i.e., that country to which they inherit their traditional rights and responsibilities. Even within the Aboriginal group, the matter of who speaks for that group will be the subject of internal cultural protocols.

2.2 Who are the Jinibara People?

Within this context, collectively the Jinibara People are considered by other tribal groups in Southeast Queensland as "mountain people", as our traditional country includes the D'Aguilar Ranges, much of Brisbane Forest Park, the Blackall Ranges, many of the Glasshouse Mountains, and the southern side of the Jimna Ranges. The coastal groups of the Sunshine Coast also called the Jinibara People "Jarbu", which means "the inlanders". The word "Jinibara" means "people of the lawyer vine" (*jinni* = lawyer vine; *bara* = people), thus referring to the mountainous nature of our country where the lawyer vine grows in riparian areas and rain forests.

During the early phase of non-indigenous settlement in Southeast Queensland, newspapers and local observers often called the Jinibara People the "bonyi-bonyi" people. This was because the bunya tree

(*Araucaria bidwelli*) was a dominant species growing in the hills and mountains, and many of the bunya festivals were held in Jinibara traditional country.

The Jinibara People consist of four sub-groups or clans, being the Dungidau centred on Kilcoy, Villeneuve and Mt Archer area, the Nalbo of the Blackall Range and much of the Glasshouse Mountains area, the Dala between Woodford and the Blackall Range, and the Garumngar of the rolling country between the Brisbane River and Mt Crosby and what today is the southern edge of Brisbane Forest Park. Today, the Jinibara families represent all four sub-groups, and work together cohesively through our prescribed body corporate, the Jinibara People Aboriginal Corporation.

3 Early Contact History

The introduction of the historical era into the traditional world of the Jinibara People started in the early 1840s when the first land selections by non-indigenous people occurred. In 1841, Kilcoy Station near present-day Kilcoy was taken up by the McKenzie brothers, Durundur near present-day Woodford by the Archer brothers, and the Balfours and Bigges brothers took up land around the upper Brisbane River near present-day Esk and Coominya (including land on the eastern side of the Brisbane River in Jinibara traditional country). Local clans whose traditional land was being usurped by these new land owners responded with force. For example, John Balfour provided a graphic description of the physical and psychological stresses caused by these attacks:

> … I took possession on the 19th of August with my drays and stock of the run on the upper Brisbane River …. I continued to remain on friendly terms with the native blacks. But on the 27th one of my stations was attacked by a large body of blacks from about 3,500, who not only attempted my men's lives but succeeded before their eyes in carrying off a flock of 1100 ewes….[4]

Of course, it would be naïve to believe that the new settlers did not react with equal or more force, as illustrated, in February 1842, by the so-called Kilcoy massacre. James Davis, an escaped convict who had lived with Aboriginal people in the Wide Bay area, reported that about 60 members of the Giggabara clan of the Mt. Bauple area were killed when given mutton laced with arsenic. This horrible event occurred near a lagoon on Kilcoy Creek, not far from the main homestead on Kilcoy Station. The massacre has been discussed in various articles and books.[5] What has never been explored is the Jinibara perspective about this incident.

As mentioned above, the Jinibara People were known as the bonyi-bonyi people to early non-indigenous settlers. While bunya scrubs also grew outside of Jinibara traditional country, e.g., in the Bunya Mountains north of Dalby, in the hills of the Mary Valley and around the headwaters of local creeks in the North Pine and Sunshine Coast areas, a substantial proportion of these scrubs were located in Jinibara country. Festivals or large group meetings were held on a triennial basis when bunya nuts were fruiting. Non-indigenous ethnographic observations were made of two bunya festival areas, namely at Baroon Pocket in the Blackall Ranges and in the Bunya Mountains, as both of these gatherings were attended or witnessed by non-indigenous people. What is not appreciated is that a third equally important bunya festival site was held in what is today called Villeneuve, at the base of Mt Archer.

Bunya trees fruit in December through to February. Every third year, the trees will produce an exceptional crop. Bunya festivals were timed to take advantage of this triennial event. December 1841 to February 1842 was such a year for the bunya scrub at Villeneuve, and the festival attracted many visitors from other tribes throughout Southeast Queensland. In common with the other large bunya festivals, people took part for some weeks, during which time important meetings of the Bora Council, family marriage arrangements and dispute resolutions occurred. Traditional games and sport tournaments were held. Evening corroboris provided entertainment. Various ceremonies took place. The festival was an important opportunity to bring specialist goods and trade with other people of the region. People camped in discrete places reserved for their particular group. They used the opportunity to catch up with relatives, totemic relations, and friends from other groups. When the festival wound down, some of the visitors chose to head towards the coast, to take part in the mullet fish runs of April through to July and their associated ceremonies. Other visitors started their trek homewards.

In February 1842, a Giggabara contingent were heading homewards to their traditional country north of the Gunalda Range around Mt. Bauple. They were following a pathway that took them along Kilcoy Creek, eventually past Mt. Kilcoy, over the Jimna Ranges, and then into the Mary Valley.

They stopped at a camping place where visitors had permission to camp, near a large lagoon. This is the spot at which the massacre occurred. It is conjecture, but a reasonable hypothesis from the non-indigenous perspective is that the appearance of a large number of traditional people relatively close to Kilcoy homestead would have been a disturbing event to the new non-indigenous landowners and their team of workers, given that there had been recent cases of people being speared and stock stolen, and a new group of Scottish workers were soon to arrive on Kilcoy Station. Mackenzie-Smith contends that "the deaths of up to 60 Aborigines by poisoning, a desperate attempt to disperse a threatening and immovable indigenous multitude, was the horrendous price exacted to ensure that this apprehensive but valuable addition to the Scottish labour force would remain at Kilcoy…."[6] The value of these new workers for their non-indigenous landowner should not be underestimated. The *Brisbane Centenary Official Historical Souvenir* commented that "many difficulties had been meeting the settlers [near] the…town of Brisbane. The labour problem was one of the first, and this quickly began to call for some solution, unless the progress of industry in Moreton Bay was to be retarded or destroyed."[7]

However, from the Jinibara perspective, this terrible event, combined with the settlement of swathes of our traditional country by non-indigenous settlers and numerous other occasions when local traditional owners were killed or driven away had a massive impact. The rapid discontinuation of the bunya festival of Villeneuve was only one outcome. Traditional owners of Southeast Queensland were most fortunate that the two festivals that entered the ethnographic record (in the Bunya Mountains near Dalby and at Baroon Pocket near Montville in the Blackall Ranges) were in areas not settled for some further decades, so people were able to continue their traditional custom of visiting these places for some time to come. In the case of Baroon Pocket, which is also in Jinibara traditional country, the festival continued on until the late 1890s.

At the bunya gathering at Baroon Pocket in December 1842-February 1843, representatives from many clan and tribal groups gathered to discuss the effects of non-indigenous settlement. Traditional laws of connection and traditional rights were being flouted by the new settlers (who of course had little or no awareness of them). Traditional people had been killed and wounded. Important headmen, such as the Dala warrior the Europeans called "Commandant" because of his position of leadership, had been killed. People found it difficult to live in parts of their traditional country because of new homesteads and out-stations. The outcome of discussions was the decision by the Bora Council to actively resist settlers' activities, and to respond to their abuse of traditional laws.[8]

The resulting period of active resistance between traditional owners and settlers has now been dubbed the Black Wars of the 1840s and 1850s. For traditional owners, the heroes of this period are the warriors who led this response, such as Dundalli from the Dala clan of the Jinibara People, Mundrobin and Moggy of the Yuggera People, and Billy Barlow from the Kabi Kabi People. Although our warriors fought strongly and with strategic dexterity, causing considerable fear amongst the non-indigenous settlers, the overwhelming impact of superior firepower, the use of non-indigenous "justice" through hangings of leaders, e.g., Dundalli in 1855, unscrupulous acts such as poisoning and camp raiding, and finally the introduction of the native police to their base in Sandgate accumulatively resulted in massive dislocation, in some places decimation.

Added to these impacts was the appearance of a range of diseases such as smallpox, tuberculosis, influenza, and many others, introduced by non-indigenous settlers, to which the traditional owners of Southeast Queensland (and indeed throughout Australia) had little or no resistance. While the impact of disease was substantial, few, if any observations were made in the ethnographic material of the period directly about the Jinibara People.

4 The "Survival" Years to Today

Once relative peace had been achieved in the 1860s from the perspective of non-indigenous settlers, the Jinibara People had to cope with the outcomes of resistance. Our clan numbers had been decimated. Our surviving people were restricted in where they could live, often having to retreat into mountains fringing our traditional country which were still seen by non-indigenous settlers as having less economic value. Alternatively, people chose to stay on properties owned by settlers who allowed such occupation, usually because our people were a source of labour. Despite its earlier connection with the Kilcoy massacre, Kilcoy Station was one of these "safe properties".

Durundur Station near Woodford was also considered by the Jinibara People as a "safe property", its first owners, the Archer brothers, generally taking a benevolent attitude towards the local Dala clan group. When brothers John and David McConnel took over Durundur from the Archers in 1861, this situation continued. A. J. McConnel, John McConnel's son, noted that "there was always a large number of Blacks about Durundur which they considered their home and these Blacks never gave trouble".[9]

On 10 March 1877, 2500 acres of the old Durundur Station around Monkeybong Creek were gazetted as a "temporary reserve", the Reverend Duncan McNab noting that this site was actually chosen by the Aboriginal people living there at the time.[10] When McNab asked the group what the reserve should be called, they offered its traditional name of Binambi. McNab's mission became a safer alternative for Jinibara People, and shortly after its commencement about 100 people were living there.

However, the Jinibara perspective must be emphasised at this point. Between the first non-indigenous settlement of the Durundur area, and the final closing of Durundur as a reserve in 1905, people's reasons for remaining there were a combination of the level of benevolence they received and the importance of the area in traditional terms. What the Archers, McConnels and McNab did not realise is that Durundur's homestead is located relatively close to Monkeybong Creek ceremonial grounds, and that in the proximity are important camping grounds, ceremony areas and other significant places. This area had always been a central place for the Dala clan group and was always known as Binambi. Today, Jinibara People still visit the Durundur area to practice traditional "business". Effectively, the benevolence of successive landowners and reserve superintendents meant that the Jinibara People living at Durundur were able to continue their traditional practices without constraint – a situation of which the Archers, McConnels and McNab probably would not have approved.

Experiences were patchy across our traditional country, with individuals and small groups having different survival outcomes. During this period, our clan groups suffered depopulation, some people surviving in camps close to towns (often called fringe camps). Our traditional inter-group interactions such as bunya festivals and ceremonies were disrupted in many places. Ceremonies such as initiation still occurred, but these had to be more restrained in numbers attending, and held in places that did not attract non-indigenous attention. During the 1870s and 1880s, numbers of Aboriginal people in Southeast Queensland gradually reduced, the majority of the non-indigenous population believing that they were a "doomed race" that would soon die out.

The political response to this situation was to bring in the *Aboriginal Protection and Restrictions of the Sale of Opium Act 1897.* An aspect of this Act allowed for the formation of Aboriginal protectorates (Archibald Meston being the southern Protector) and the construction of so-called missions, which were effectively large government-run camps where Aboriginal people could be congregated. By this stage, individual members of the Jinibara People faced a range of new difficulties. In 1905, some were forced to be part of the movement of people to the new mission called Barambah (later Cherbourg) in the southern Burnett Valley. People were literally marched from around Durundur to Barambah, through the steep and heavily forested Jimna Ranges, an exercise that took nearly three months.

In some cases, children were removed from their parents and sent to the Deebing Creek mission south of Ipswich. Others were removed from the stations where they had been living traditionally and working. An example of the pain this caused can be seen in this except:

> Born in February 1892 I remember very clearly the family on Kilcoy Cattle Station which was owned by the Hon Louis Hope and managed by my father, "William Butler" from 1870 to 1908 when the property was resumed for closer settlement…. The family lived in their quarters about 400 yards from the homestead…. I can't pinpoint the exact year when Mr A. Meston removed them to a settlement much to their grief; the day they left their "home" stands out crystal clear in my memory and I would have been about five years old at that time.[11]

Living "under the Act" meant that many of our families were divided between the missions – Barambah (later Cherbourg), Deebing Creek and Stradbroke. The ability to leave these places required permission from superintendents and leave tickets, a practice that remained in place until the mid-1960s. Some Jinibara People were able to get jobs on stations or worked on railway construction and maintenance in or near our traditional country, but these people had to carry exemptions at all times. Our lives were bound up in layers of bureaucracy, with government officials knowing our every move. The constant stream of paperwork about so many aspects of our lives remains as testament to the level of control and regimentation that was imposed. Every family has its own story.

The history of our families is not widely known. Historical and ethnographic documents were written only by non-indigenous people and were influenced by non-indigenous attitudes of the times. As Larissa Behrendt notes:

> The constructions of 'Empire' and 'savage', of 'Christian' and 'heathen', of 'civilised' and 'barbaric' that appear … created distinctions between European and Aboriginal Australians. They reinforced an 'us' and 'them' dichotomy and, by making this distinction, treated Aboriginal people as different – as 'other' – but also asserted that they were culturally and biologically inferior…. The 'savagery' of Aboriginal people … helped to propagate the idea that Aboriginal people needed to be tamed. When this wasn't achieved through 'retaliatory' lethal violence or atrocities against Aboriginal women, it was done through the implementation of the policies of assimilation and dispossession or by controlling Aboriginal people within their segregated communities on reserves and missions. These stereotypes legitimised the existence of the government's regulations and policies. In turn, the law worked to legitimise and entrench those beliefs, whether by ignoring genocidal acts, the theft of Aboriginal land or [later] the regulation of Aboriginal life through the Aboriginal Protection Board.12

In this quotation, Behrendt eruditely describes the background that influenced observers of Aboriginal culture during the "survival years". A perfect example is found in observations about the Nalbo group of the Jinibara People who lived around the Glasshouse Mountains. While the actual history of what happened to the local Nalbo people of the Glasshouse Mountains after non-indigenous settlement barely appears in the ethnographic or historical literature of the period, one statement is found in Ellis's much later book[13]:

> After European settlement around 1823, the local aboriginal people were rounded up and displaced. Most had disappeared by 1900. Dicky Nalbo[14] was the last local aboriginal to be removed and transferred to Barambah (Cherbourg).

This emotionless summing up of what was a dreadful period of death, dissipation, dislocation, disease, social disruption and despair for the local Nalbo clan group is in keeping with Behrendt's comments above.

Even more telling is this comment about the Glasshouse Mountains by Archibald Meston, the Protector of Aboriginals in 1895:

> Sheer to the lowest gulf each peak is hurled
> The last sad wreck of a devoted world.

> The wild savages who roamed the pathless forests and sang their peace songs and war songs beneath the shadows of those grey trachyte rocks, cores of the old volcanoes, have vanished forever, bequeathing to us, as their last legacy, only those immortal rock sculptures from the studio of mighty Nature.

In essence, Meston's perspective (possibly justification) is that the noble savages, the Aboriginal people of the Glasshouse Mountains had disappeared (almost it would seem by their own decision), but they have bequeathed the mountains to those who remain - the non-indigenous landholders and those who appreciate the natural beauty of these mountains.

Despite the huge impact of these government policies, the ancestors of the Jinibara People managed to maintain their connection to their claim area. This had to be done with the permission of the Protector and/or the Superintendent of the relevant mission. Individuals managed to gain work permits to live and work in their traditional country. Secretly, traditional knowledge and rites of passage, such as initiation, continued.

In addition, the elders and knowledge-holders of each family also stayed in touch with other elders and knowledge-holders of the Jinibara People, and, on a regional basis with other tribal groups of Southeast Queensland, maintaining intra- and inter-tribal links.

> Throughout this period, Gaiarbau constantly visited members of his family and the other Jinibara families, moving from one household to the other, to maintain his traditional role as song-maker and storyteller of law and creation stories. Gaiarbau continued with his responsibility of teaching younger generations of Jinibara people about their traditional laws and customs virtually until his death.[15]

The "survival period" (as it is known to the Jinibara People) has many tremendously sad stories. But it is also a time when the Jinibara People not only survived but worked very hard to keep our traditional knowledge and connection. Despite the pervasive influence of the State in controlling so many aspects of the lives of Aboriginal people in Queensland, some degree of autonomy could be extracted from the oppressive conditions even at institutions such as Cherbourg. Apart from the avenue of seeking exemption from the *Aboriginal Protection and Restrictions of the Sale of Opium Act*, Jinibara People sought to gain some control over their own and their families' lives through living and working outside the mission.

Some of the Jinibara families went to considerable lengths to maintain their families in small townships in and around the edge of Jinibara traditional country, including Linville, Moore, Gympie, Cooroy, Nambour and Harlin. A central focus was on living and working in their kin groupings, and especially with the elderly people who constituted the authoritative core of peoples' social world. It is this focus on the elders that points towards the enduring connections to country which are so highly valued by the Jinibara People. This connection with traditional country and with the elders who could teach younger members of the group their traditional culture, rights and responsibilities also gave the Jinibara People the ability to retain their traditional knowledge through continuing ceremony, passing on of knowledge, observation of important aspects of traditional law and custom, maintaining beliefs, and teaching basics such as hunting, fishing, camping, and making traditional artefacts.[16]

The fact that the Jinibara People have achieved native title determination demonstrates that our traditional knowledge is intact and connection to our country is unbroken.

Endnotes

[1] For a fulsome discussion about the layers of meaning of the concept of traditional ownership, see Peter Sutton, *Kinds of Rights in Country: Recognising Customary Rights as Incidents of Native Title* (National Native Title Tribunal, 2001).

[2] Moieties are systems of social and ritual groupings in which people are divided into four classes or sections.

[3] The term "totem" has been applied by non-indigenous people, using a Native American term that is foreign to Aboriginal Australians. However, it is used in this report as it holds meaning for many non-indigenous readers. In the Jinibara tribal area (and indeed all tribal areas in Southeast Queensland), each person traditionally inherited from their mother their association with an animal, a different and additional concept to the inherited four-part "class" or moiety system. In Jinibara country, the totems are as follows:

Group 1: Native bee; possum; emu

Group 2: Kangaroo; brown snake; eagle

Group 3: Glider possum; kangaroo rat; mopoke

[4] John Balfour, letter to Lt. Owen Gorman, commandant, Moreton Bay, *Brisbane River Valley, 1841-50: Pioneer Observations and Reminiscences* (Brisbane History Group, Sources No. 5, 1991).

[5] For example, John Mackenzie-Smith, "The Kilcoy Poisonings: the official factor 1841-43" in Rod Fisher, ed., *Brisbane: The Aboriginal Presence 1824-1860* (Brisbane History Group, 1992); Gerry Langevad, "The Kilcoy Massacre: an ethnohistorical exercise", unpublished honours thesis, School of Social Science, University of Queensland, 1980; John Mackenzie-Smith, "Moreton Bay Scots, 1841-95: a Black Isle contingent", *Journal of the Royal Historical Society of Queensland,* XIV(August), 1998, pp. 493-514; John Mackenzie-Smith, "Kilcoy, The First Six Months – Sir Evan Mackenzie's Albatross", *Journal of the Royal Historical Society of Queensland,* XIII(2), 1989, pp. 429-443.

[6] Mackenzie, "Moreton Bay Scots", p. 498.

[7] "First Settlement in Brisbane", *The Brisbane Centenary Official Historical Souvenir* (Brisbane, Watson Ferguson & Co., 1924), p. 65.

[8] Libby Connors, in her recent book *Warrior: A Legendary Leader's Dramatic Life and Violent Death on the Colonial Frontier* (Crows Nest, Allen & Unwin, 2015) recognises the importance of traditional law in her assessment of this period. Please note the Jinibara concerns about Connors' book, which have been published in: Ken Murphy and Ann Crook, "Reconciliation? – A Traditional Owner's View about *Warrior* by Libby Connors", *Queensland History Journal*, 23(1) 2015, pp. 56-65.

[9] Quoted in *From Durundur to Woodford 1882-1982* (Brisbane, Klan Genealogical Supplies, 1982), p. 4; also Mark Cryle, "Duncan McNab's Mission to the Queensland Aborigines 1875-1880", unpublished BA Hons thesis, University of Queensland, p. 49.

[10] Cryle, "Duncan McNab's Mission", p. 50.

[11] Letter from H. Butler on 27 June 1968 in response to inquiries from Native Affairs Department about Willie McKenzie, coinciding with his death in June 1968.

[12] L. Behrendt, *Finding Eliza: power and colonial storytelling* (Brisbane, University of Queensland Press, 2016), p. 75.

[13] W. Ellis, *Silent Sentinels: a guide to the Glass House Mountains* (Glasshouse Mountains, Glasshouse Kinesiology, 2002), p. 14.

[14] The Jinibara People acknowledge Dicky Nalbo as a Jinibara person.

[15] Jinibara People Native Title Determination Application Further Amended Claimant Application (QUD6128/98), Attachment F, p. 4.

[16] The history of the "survival" period is researched in detail in: Dr. Anthony Redmond, "Jinibara Anthropological Report: Part 2 The traditional laws and customs of contemporary Jinibara People", and W. Qalotaki, "Anthropological Report: Part 1 The traditional laws and customs of Jinibara people at sovereignty". Unpublished connection reports for the Jinibara People native title application (QUD6128/98).