

***The persistence of Aboriginal kinship and marriage rules in Australia:  
Adapting traditional ways into modern practices***

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**Abstract:** Aboriginal marriage practices in southeast Queensland have been very much altered over the past 100 years with the impact of colonisation and subsequent historical events. These events dramatically changed the traditional language and practice of marriage and kinship relations that once guided the way Aboriginal people lived their lives. This paper aims to discuss some aspects of the traditional marriage rules and kinship structure from this region that covers a large area from Brisbane north to Hervey Bay and inland to the Aboriginal community of Cherbourg, which was established as a reserve by the Queensland government in 1905.

I also look at some examples of how this traditional knowledge is incorporated into current practices. Much of what I discuss and provide examples for in this paper, are from my own observations as a junior Elder of a large Aboriginal family from southeast Queensland with affiliations either directly or through marriage to two tribal groups. These are the Gubbi Gubbi/Badjala and Wakka Wakka/Duungidjawau tribes/subtribes. Additionally, I will refer to written texts, mostly by non-Aboriginal researchers, and will also provide some analysis to how this collective information has contributed to current cultural practice.

**Keywords:** Aboriginal Australia; Southeast Queensland; marriage rules.

**Rationale and Methodology**

The methodology I use in writing this paper is based on an Aboriginal approach to conducting research that recognises and inhabits the space of existing relationships that I currently have. People, mainly from my own extended family, have given me encouragement and confirmation to allow me to provide the details of real-life examples from a first-person position on this often-sensitive topic. I am able to do this because of the close family connections I have to the unidentified people in the examples I use to support my core arguments. This is in contrast to the writers of the references I have considered for this research who are mainly non-Aboriginal researchers positioned as “outsiders”, who studied and analysed the lifestyle and practices of Aboriginal people in

south east Queensland over the past century. As an Aboriginal researcher I now have an opportunity to critique some of this invaluable earlier work as an “insider” looking at how colonial policies and practices impacted on cultural traditions in the field of Aboriginal kinship and marriage.

This type of approach is referred to by a Maori researcher, Russell Bishop, as “a method of collaboration useful for building relations” (qtd. in Collins 31). Yunkaporta, a younger Australian Aboriginal researcher, talks about positioning oneself as part of “a complex lived reality” within a paradigm he calls “relationally responsive research” through which he states, “relationships to people, Law and place shape (our) obligations, ethics and boundaries” (1).

Yunkaporta’s words in this short paper resonate with me and confirm my responsibility as an Aboriginal researcher to be accountable to my family and community and to keep them informed as much as possible about my research activities. Through their contributions and ongoing contact I can be assured and reminded of the need to be vigilant on this front and strive for outcomes which will ultimately benefit the relevant Aboriginal communities as well as meet the required rigour of the academy.

### **Background**

The work of the two anthropologists, Caroline Kelly and Fred Eggan, come from different points and places in history and each of them would have had a different constituent interest and purpose for their research and/or publication. However, they were both examining the controlled situation of Aboriginal people who at the time of their research were living on either a government reserve in Australia or an American Indian Reservation in the United States.

Kelly stated in her 1944 article that the situation in Cherbourg was that the residents of that reserve were unable to leave without a permit, which meant “he (sic) was thrown more with his own people” (142). My interpretation of what she was inferring is that the harsh restrictions placed on Aboriginal people at that time minimised any possibility of men, women and children being influenced or tempted by white ways, which inadvertently supported the continuance of existing practices, or the “old ways”.

The lack of understanding by the white authorities with respect to marriage practices and the sexual activity of Aboriginal people on the reserve did cause some problems. For example, if either an Aboriginal man or woman did engage in sexual activity with a white person and this relationship was widely known about, it would be strongly condemned and regarded as a punishable offence by the Supervisor of the reserve.

As local historian Tom Blake points out in his comprehensive study of Cherbourg, Aboriginal men and women were living outside of the reserve in the 1930s and 40s, mainly because the authorities sent them out to work for white people for periods of six months to a year. During this time they were in regular contact with non-Aboriginal people they met or worked for and with, as well as other Aboriginal families they were connected to by kin or country (Blake 242-43). It is likely that in this environment mixed relationships did develop and occasionally resulted in children.

During her fieldwork in the late 1930s, Kelly was told about the traditional marriage patterns by Aboriginal people on Cherbourg, and she claimed that in this setting, the people she interviewed and observed during the time she was living on the reserve were still holding onto the “old way” (142). This also included addressing each other with traditional skin names from their own tribal groups, as well as incorporating Aboriginal people from different tribes who had been relocated to Cherbourg into the local kinship system. Kelly claims that this was occurring because at that time no “new way” revealed itself (142).

Kelly’s argument understates forms of resistance to change with respect to cultural practices by the Wakka Wakka and Gubbi Gubbi people, the original traditional custodians of that region, who were in opposition to the pre-determined agenda of government officials and church bodies attempting to force Aboriginal people to give up their traditional knowledge and practices in favour of the so called superior ways of the invading new-comers (Blake 199-201).

American Professor Fred Eggan, in his 1966 publication of the Henry Lewis Morgan lectures, refers to the impact of colonial activity on kinship and marriage practices in the United States. For example, in Oklahoma he describes the situation where “[i]n this process whole tribes have become ‘extinct’ as groups, though their genes are present in the larger population” (159). This example from Eggan reinforces our current investigation into the diminishing use of kinship and section names by tribal groups happening in both countries as a result of colonisation at a similar period of time.

Blake points out that during the era of the 1920s to the 1950s the Aboriginal population across Queensland strongly believed that being sent to a reserve was a form of punishment in spite of government authorities claiming it was for their own protection. This ever-present threat to families was diligently enforced by police and/or public servants for the smallest and often construed misdemeanour. Cherbourg at that time was considered “the place that was a ‘dumping ground for the lame, the halt and the incorrigible’ and also became a place of resistance and survival” (Blake 245).

A part of Kelly’s anthropological study also included carrying out fieldwork on an Aboriginal reserve in New South Wales, where she claimed the people there had more freedom to move outside the reserve because they did not require a permit to leave. Kelly compared their situation to that of the Aboriginal population at Cherbourg, stating that the group in NSW were losing contact with the old ways quicker than what was happening on the Queensland reserve (Kelly 143). The fact that she was able to reach this conclusion over the short period of time she lived on each reserve during her fieldwork could well be challenged. She claimed her work was based on “material personally recorded during sojourns ... from 1930 to 1937” (Kelly 142), but it would undoubtedly have been limited to a restricted number of individuals or families on each reserve who were available to assist her during those visits.

Kelly illustrates in the quote below the persistence of the Cherbourg people generally to retain and apply the use of skin names from the complex social system which once existed among the different tribes resident there. Sustaining this traditional knowledge helped them to support and maintain a level of continuity with marriage choices as they

were practiced in traditional times. These practices appeared to encompass the existing kinship relations between the different family and tribal groups:

On (Cherbourg) there were representatives of more than twenty tribes ... Quite a number of them had the four-section marriage rule, although in each tribe the names for these sections were entirely different. But they decided to wield themselves, no doubt quite unconsciously, into a more corporate whole, and now the section names used are those for a tribe which originally “ran” near to this reserve. In other words, they “closed the ranks.” (Kelly 143).

According to Gaiarbau, the main Aboriginal informant for the work of University of Queensland anthropologist Lindsey Page Winterbotham, marriage in traditional times in southeast Queensland, prior to the onset of colonisation, was arranged between the parents and senior Elders in their tribe with assistance from the maternal uncle, the Mother’s Brother. Other close family members might also be involved. Each stage of the marriage arrangement was determined by a set of rules that guided families through the complex process. The parents knew in advance who their sons and daughters could and could not marry. Exceptions to this would be in the case of elopement which did often happen and could involve punishment and/or forgiveness if the couple returned to their community (Winterbotham 34).

In most of the tribal groups of southeast Queensland marriages were arranged between different moieties of the same tribe often involving a union between cross-cousins. This could only happen if the man and woman were from a different section or totem group. Exogamous marriage was also practised and this involved both men and women marrying outside of their moiety, again depending on the specific rules that operated for their group (Winterbotham 30-33).

In a report to the Board of Missions in the year 1900, following a visit to the Aboriginal Reserve on the southern part of Fraser Island in southeast Queensland, the traditional country of the Butchulla and Dulingbara people, the Rev. G. H. Frodsham wrote about an Aboriginal man’s request for a church marriage ceremony. He also noted how interested others on the reserve, which at that time comprised of Aboriginal people from many different tribes, were to participate in such a ceremony:

There seemed to be well over a hundred aboriginals on the settlement. ... Apparently all the men and women in the camp are mated. Those who believe themselves to have been “properly married” are said as a rule to be faithful to one another. I was tremendously astonished ... to be asked by a black ... to marry him to a young girl with who he was living. I was still more astonished to find when the news of marriage got abroad that a very large number of others came asking for the ceremony (Frodsham 25).

Frodsham was, however, cautious about marrying the others as he needed to be sure that they understood “the necessity of purity and constancy” (25).

On my reading of this report 100 years later, it is interesting to note that descendants today who still claim a connection to the people who lived on this Island reserve so long

ago, are today also keen to foster and mimic, in a somewhat changed environment and style, the religious marriage ceremony, which took place in the surreal circumstances at that time on Fraser Island, when their ancestors experienced the collision of Christianity and the ancient cultural practices. Frodsham also spoke of other Aboriginal couples who stayed away from the make-shift church because they did not intend to “stick to” their women or men (25). This “staying away” could have been their way of demonstrating a rejection or resistance to the Christian practices he was offering them, and an expression on their part to show a determination to abide by the old cultural ways which involved a complex set of rules and ceremony which was normally drawn out over many weeks or even years (Winterbotham 33-36).

Young women were often promised to a “right direction” older man from a very early age and men were normally allowed to have more than one wife. Often the women in a polygamous marriage were all from the same class or family group from within their tribe or clan that provided, in some ways, a more supportive environment for the wives to share the responsibilities to their husband and family as well as the wider group.

All marriages involved the principle of reciprocity, whether immediate or delayed, and whether or not a return in kind was expected. ... In most areas a man was permitted to have more than one spouse at the same time. A woman was not. But a woman might be married to more than one man in the course of a lifetime. ... if she was left a widow, another man in the right kin relationship was expected to take her into his household and be responsible for protecting her and supplying her with meat.

“Getting married” was not a separate event in itself, not in traditional terms. It was part of a wider constellation of actions and beliefs, part of the system of social planning for the future (Berndt and Berndt 44-45).

Each marriage or partnership was at the core of the family and kinship structure within any tribe or clan as it added to the strength of the family group and ensured their continued survival.

### **Persistence of Marriage Practices in South East Queensland**

The arrival of colonisation in Australia undoubtedly had an immediate impact on the marriage and kinship system of the tribal groups in southeast Queensland and other places along the East Coast where ensuing waves of invasion hit the earliest. In spite of this effect families from different groups maintained their kinship ties through ongoing contact whether they were living on a reserve or in the urban spread of larger towns and cities (Blake 215).

Based on personal experience and knowledge I am aware that many Aboriginal people in south east Queensland today continue to choose marriage partners from the same or a neighbouring tribal group which does partially fit and reflect the traditional marriage rules. You would also find that some families are also passing on adaptations of traditional knowledge they hold to their children and grandchildren in order to remind them of the importance of their relationships within the wider family kinship system and their place in it. While I am not aware of published material that would support this claim, this paper is a first attempt by me to begin the dialogue from a modern

contemporary perspective which will form the basis of my upcoming PhD research in this field.

There does appear to be an increasing number of relationships and partnerships between Aboriginal couples as well as mixed couples which have survived over a lengthy period of time. Many people refer to this type of relationship as being married blackfella way. This means the couple, either heterosexual or homosexual, have not received an official church blessing or any other type of legal confirmation of their relationship together. In my own relationship with my Aboriginal husband (blackfella way), who has tribal connections from North Queensland, which is a long way from southeast Queensland, we often compare the differences in the way our respective kinship and marriage systems work today, and how some aspects of each are similar while others are significantly different. The continuity of the use and understanding of particular kinship terms and relationship filiations are often discussed between us and other couples in similar situations as well as our wider family groups. Often the topic of discussion would be if a couple is in a “right” or “wrong” marriage or partnership which is determined by how closely their families are related to each other.

An example of this is that a close female relative of my husband was married to a male relative of mine whose mother was my matrilineal parallel cousin, meaning our mother’s mothers shared a common grandmother. This arrangement could appear in some ways to be a mixing up of once allowable marriage partners which has also led me to question if my own relationship is right or wrong. However, my husband explained to me that in his tribal way our so-called marriage is acceptable because I am a “clean skin”, meaning that we are only related to each other as in-laws through marriage.

Mixed marriages or partnerships between Aboriginal and white people, in the early years of colonisation, were strongly disapproved of by government officials and the wider community in Queensland, especially if the woman was considered to be under the “Act” (Blake 104). A situation I know of in my own extended family involved a young Aboriginal woman, who I will call Mary, who was sent out to work as a domestic for a white station family and during her time of employment formed a relationship with a white man, who I will call John, who worked on the same station property. I often heard this story while growing up, and the irony of it was that John wanted to marry Mary but was told by government officials in Cherbourg that marriage between black and white people was not permitted under government by-laws at that time (Blake 65-68). Although some mixed couples were able to escape the eye of authority and live together and have children during the colonial era (Nannup, Marsh and Kinnane 42), if there were any problems in their relationship which came to the attention of the local police or other government authorities, it was likely the woman and her children would be removed back to the reserve (Blake 65-68).

Mary went on to become the second wife of an Aboriginal man, who had an Aboriginal mother and a white father from a well-off family who owned a station in southeast Queensland. The man’s mother Jenny had been sent to work on this station in the 1890s and because of her liaison with the white man, she was forced into a marriage with a full-blood Aboriginal man on a neighbouring property. This marriage arrangement appears to have been organised by Jenny’s former employer, and according to oral history, Jenny never really accepted this arrangement and managed to escape from the

situation when an opportunity presented itself. Jenny was eventually removed to Cherbourg with her children and many other Aboriginal people from a holding camp where they were all situated, not long after the reserve was opened in the early 1900s.

Some young men who grew up in Cherbourg in the first half of the twentieth century, witnessed older men still practicing polygamous type marriage arrangements both on and off the reserve, and consequently many of these young men also carried on this practice in a modified way, which in some cases involved a legal marriage with one wife while at the same time having another de-facto wife. If the wives got on well then the two families, who lived in separate locations, would share resources and responsibilities while caring collectively for the children who regularly moved between the two family homes. The children would usually call the second wife of their Father, the “Mother” of their (half) brothers and sisters, “Aunty”.

As traditional ways and practices were partially sustained during the period from the 1930s to the 1960s (Kelly 146), it was also a time when many Aboriginal people from southeast Queensland were being encouraged to relocate away from the government reserve into mainstream communities. Many people from Cherbourg ended up in the city of Brisbane seeking better work and education opportunities for themselves and their children, following the depression of the 1930s and subsequently the economic downturn at the end of the Second World War (Bell 17; Huggins and Huggins 65-69). They took with them the ways of the past, which many of them learnt while living on the reserve.

During this time of the so-called integration when many families moved off the reserve, mixed marriages involving white partners became more common, in this neo-colonial environment where Aboriginal women and men were still being watched closely by Government authorities (Blake 215). However, Aboriginal people now had the freedom to choose a husband or wife from outside their own community, and relationships and marriages were formed between Aboriginal people and those of South Seas Islander or Asian descent. This happened a lot in the first half of the twentieth century with many Aboriginal children having one parent or grandparent of Chinese, Filipino, Indonesian, or Sinhalese descent.

Many of these mixed heritage marriages and relationships would have been effected by the “White Australia Policy”, which meant that many Asian and Pacific Islander men who came to work in Australia at that time were generally here on their own without other family members, and would have been more comfortable in the social company of Aboriginal people as they were likely made to feel less welcome in the wider white dominated social environment (Blake 242-43).

In the urbanised context today where most Aboriginal people from southeast Queensland either live or regularly participate in, there are an even wider range of choices available to them in how and with whom they choose to marry. The choice of selecting a partner with guidance from their parents or other Elders in their community, i.e. respecting traditional practices, does still happen in some cases where the family is living a neo-traditional lifestyle on homeland country outside of the cities and large rural towns. Such a choice could be motivated by a number of factors, involving the parents or grandparents with influence from one or both families who are still in tune

with past traditions and have ongoing cultural connections. In their current cultural practices they might be involved in performance of new versions of the traditional songs and dances, or it might be the revival of traditional language from their homeland region. I maintain ongoing contacts with some Aboriginal and mixed families who have chosen this lifestyle, and it is often hard for them to sustain this lifestyle, particularly as younger members of the family decide or are pressured, mainly for economic reasons, to move away from this environment.

In other situations Aboriginal men and women who have been influenced by Christianity, often as far back as the early days of colonisation and the establishment by government authorities of the missions and reserves, choose to have their marriage blessed by a priest or pastor from one of the church denominations which many Aboriginal people are members of or attend on a regular basis.

Many Aboriginal couples who choose to live in “non-legal” relationships today would regard their choices as being a way of confirming to themselves and others their sovereign right as traditional owners and custodians of land and language in Australia, rather than following other ways determined by churches and white government law. These practices continue to “offer some resistance to the hegemony of the state and civil society too” (Blake 201).

Other couples I know of choose to include in a Christian marriage ceremony certain cultural elements, such as having a blessing from a respected Elder from within their family or community and also including some traditional song and dance. I know this now happens on regular occasions in our communities and I regard this as a strong indicator of the persistence of life and hope in neo-colonial contexts.

In arranging marriages, they [Aboriginal people] set a high value on security, emotional as well as economic. Long-term security meant the continuation of interconnecting social relationships ... keeping the marriage going ... was not just a personal issue between husband and wife. ... it was a matter of public concern because marriage and family were fundamental elements in the social structure of any Aboriginal community. (Berndt and Berndt 45).

While this would have been how it worked historically when marriages were arranged in southeast Queensland, today it is somewhat different as the significant details of the former marriage system are no longer known by many of the Aboriginal people living in urban situations both in the city and the country areas. The ongoing loss of language and cultural practices in Aboriginal language groups is also having an impact on those living in the more remote communities of Central and Northern Australia.

### **Current Trends**

Some Elders still hold traditional knowledge but, due to a colonising process that continues to this day, it is not regularly used or practiced in its original form. In some situations, such as the Barkly region of the Northern Territory, aspects of this knowledge, particularly “skin or section names”, appear to be still widely known and used, even with younger people in the community, while at the same time this linguistic and cultural knowledge is also considered highly endangered.

Kinship terms and skin names are used as a way of addressing each other and placing members of their group and other groups, including non-Aboriginal people they know and relate to, in the right relationship. In this way, elements of the old system are being retained, but are constantly changing and adapted to suit their lives in a modern world.

Elders often grieve the impending loss of this knowledge, because they regard it as the underlying web of connection between people both inside and outside of their own group which was the framework which kept their society strong and prevented wrong marriages or procreation of children who do not always know their place in the tribal or clan group structure.

While marriage arrangements and kinship are in some ways less complex today as more Aboriginal people mix it with the English terms, using colloquial words such as “cuz”, “bro” and “sis”, both inside and outside of their family groups, it sometimes becomes difficult to work out who is actually related to whom. The terms used to name these relationships in places like Central Australia, where there are still large numbers of traditional Aboriginal people living on bush communities outside of the major rural towns where the traditional terms are mostly still used.

A trend which appears to be happening across other Australian Aboriginal communities is where the semantics of certain traditional kinship terms are mixed up with the English kin names in relating to extended family members. I provide some examples of this practice below from southeast Queensland which comprises a mix of different traditional language groups and people with affiliation to more than one group or other from that general area, or in some cases Aboriginal people from other parts of Queensland or further afield who have intermarried into the local descent groups and bring their own kinship terms and ways of relating.

One example of the common practice happening across many Aboriginal communities is with the following examples of “cousin” and “grandmother or grandfather”. The use of the term “cousin” in the English system refers to both male and female cousins, or the sons and daughters of both your Mother’s and your Father’s brothers and sisters, which today in Aboriginal English have been separated and renamed as “Cousin Sister” and “Cousin Brother”. While this may seem fairly basic in terms of the addition of “brother” and “sister” to the kin term “cousin”, it isn’t that simple. In fact, when Aboriginal women say “cousin sister”, they are referring to female cousins who are the daughters of their Mother’s sisters, that is they are parallel cousins in anthropological terms. The person addressing their “cousin sister” could also call the Mother of the “cousin sister”, that is their Mother’s sister, Mum or Mother. However, it is probably more common for daughters to call the Mother’s sister “aunty” or sometimes “mum”, while being aware that in traditional way they are actually more like Mothers. The daughter of one of my cousin sisters on my Father’s side, meaning our Fathers are brothers, for example always refers to me as “Mum Jeanie”. In traditional kinship way my niece would have referred to me as Aunt and not Mother.

The same applies to sons of the Father calling their Father’s brother’s sons “cousin brother” and being aware that their Father’s brothers were once regarded as their “Father” rather than “Uncle”. It is more likely to hear Aboriginal men in southeast Queensland today call their Father’s Brother “Uncle” rather than “Father” as it does not

seem to have become as common with men to make this shift when addressing their Father's brothers, as it is with the women in regard to their Mother's line (Winterbotham 33).

Related to this same situation is the term used widely across Aboriginal communities in Australia whereby women particularly refer to their grandchildren, i.e. the sons and daughters belonging to their own sons and daughters, as well as those of the sons and daughters of their sisters, as their "grannies" and the grandchildren in return refer to their grandmothers as either their "granny" or "nanna". This practice has also been extended in some situations to the grandmother's sister-cousins, not only from their Mother's Sister's daughters but also from their Father's Brother's daughters. I have also noticed this trend is happening in the wider community also.

An example of this is from a family situation where a cousin sister's daughter is in a long-term relationship with another cousin sister's son. This marriage would traditionally be taboo as they would be classified as parallel cousins as the Mothers of the two cousin sisters, who are the Mothers of the two people in the marriage type relationship, share the same grandparents. However, some older people in the extended family have expressed concern at what they see as an unacceptable or "wrong" relationship. Some also believe it is wrong according to Christian principles. Due to the influence of Christianity over the past 100 years or more, different views have emerged within the Aboriginal community of south east Queensland as to whether this marriage arrangement is now acceptable. While Christian churches do not have a ban on first or second cousin marriage, when it does occur today in Aboriginal families it is in theory unacceptable when it is too close, but due to the number of generations between the original Elders and the couple mentioned above, many in the wider family are becoming comfortable with the situation. The couple themselves refer to both their respective Mother and their Mother-in-law as Mum J or Mum A.

The limited understanding of the workings of the traditional kinship system and marriage rules which applied in this particular group from southeast Queensland also means that some of the doubting Elders in the community are still not convinced that this "blackfella" type marriage is acceptable and they continue to have concerns.

This paper has attempted to show that the persistence of traditional ways regularly occurs within a modern context with constant and continual adaptation being evidence that new generations of Aboriginal people in Australia continue to combine the old with the new. This is a way of showing an allegiance and commitment to reviving and maintaining aspects of the traditional ways in which we conduct the social organisation of our communities on country which our Ancestors walked before us. The practice of old traditions and the new modern ways of doing and being remain embedded within large family and tribal groups, which continue to provide us with rules and boundaries that guide and regulate important parts of our daily lives.

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