

STUDENT HANDOUT
YEAR 10 HISTORY – RIGHTS AND FREEDOMS
(1945 – THE PRESENT)

The aims, tactics and outcomes of the 1967 Referendum

GLOSSARY

assimilation: the act of absorbing other people, cultures and ideas into a more dominant culture or society – to be made 'similar'.

cabinet: the senior ministers in a government who together make the most important decisions about running the country.

civil rights: the rights and freedoms that any member of a free society is entitled to, such as freedom of assembly and the right to vote, regardless of their background or characteristics.

Commonwealth Government: the government for the whole of Australia, based in Canberra.

Federation: the event where Australia stopped being a set of colonies governed separately by Britain and formed a Commonwealth Government (in 1901).

Labor: the political party in Australia that represents the views and interests of working-class people and trade unions.

Liberal–National government: the two political parties that shared power in Australia between 1949 and 1971.

mixed-race: relating to a person whose parents each come from a different race.

petition: a letter or document to a government or ruling body that a large number of people are asked to sign to show their support for something.

policy: a course of action adopted by a government (or another organisation).

Protection: the government policies brought in to try to reduce the impacts of colonial violence. Aboriginal and Torres Strait Islander people were under control of the 'Protector' in their area, who had the responsibility for their welfare and control over their lives.

redress: to set right and repair wrongs.

referendum: a vote for all enrolled voters asking a question about whether the rules the government should be changed.

renounce: to give up.



The Wound

Many Aboriginal and Torres Strait Islander people at the time of the 1967 **Referendum** felt that it had little to do with them or the problems encountered in everyday life. Some felt that it was more significant for non-Aboriginal people (Attwood et al, p. 53). Activist and Indigenous man, Charles Perkins said at the time that he felt it was more useful as a test to see if non-Indigenous people were really interested in Aboriginal and Torres Strait Islander people's welfare and rights (Attwood et al, p. 52).

In the aftermath of the vote, many Aboriginal and Torres Strait Islander people acknowledged that it created a shift in opinion about the situation and rights of Aboriginal and Torres Strait Islander people in Australia. However, it didn't materially improve conditions or **redress** the problems stemming from the past. For example, leading referendum activist Faith Bandler said afterwards that "change following the Referendum was disappointingly slow" (Attwood et al. 1997).

Today, many Aboriginal and Torres Strait Islander people believe that the Australian Constitution should be further amended to acknowledge their rights as Traditional Custodians and original inhabitants of Australia.



Our History

Background

The Australian Constitution is a document that lays out the rules the **Commonwealth Government** must follow while running the country democratically and fairly.

One of the rules, known as Section 128, is that the government must not change any wording in the Constitution without a **referendum**. A referendum is when all voters are asked whether they agree to the change. A majority of states must have a majority 'yes' vote in order to approve the proposed change.

Since 1901, there have been 44 referendums. Only eight have approved the proposed changes. The most overwhelming approval of a proposed change was the 1967 Referendum concerning Aboriginal and Torres Strait Islander Peoples, with 90.77 per cent of Australians voting 'yes'.

At the time the Constitution was written, in the late 1800s, the existence of Aboriginal and Torres Strait Islander people conflicted with the identity of 'white Australia' and European racial superiority. The idea that the Indigenous population was shrinking, and would eventually disappear, was widely accepted. In the early 20th century, a **policy of assimilation** was carried out, which meant **mixed-race** Aboriginal and Torres Strait Islander children were separated from their families and taught only non-Indigenous cultures, practices and language.

Consequently, the Constitution originally stated in Section 51 that the parliament may make laws for everyone except "the aboriginal race in any State, for whom it is deemed necessary to make special laws". Section 127 stated that "aboriginal natives shall not be counted" when the national census is carried out.

In the first couple of decades following **Federation**, there were some limited calls for the Constitution to be changed in the interests of welfare for Aboriginal and Torres Strait Islander people. Groups such as the Association for the **Protection** of Native Races played an influential role.

In the 1930s, Aboriginal and Torres Strait Islander people began to form groups to advocate for change across Australia, rather than just at a local level. Activist William Cooper wrote to the prime minister in 1936, asking him to discuss with the state premiers: "We do plead for one controlling authority, the Commonwealth, and request that all aboriginal interests be absolutely federalised" (Attwood et al. 1997 p. 9). The Day of Mourning held in January 1938, during the 150th anniversary of the arrival of the First Fleet, included a call for Commonwealth Government control of all Aboriginal affairs, and the granting of full citizen status to all Aboriginal and Torres Strait Islander people.

In 1944, the Commonwealth Government proposed 14 changes to the Constitution in one vote. One of the proposals was for the ability to make laws concerning Aboriginal and Torres Strait Islander people. The people of Australia didn't support this proposal.

Post-war campaigning

Gradually over the post-war years, **civil rights increased**. Aboriginal and Torres Strait Islander people were able to apply to become citizens, but only if they **renounced** their Aboriginality. In 1957, Victoria allowed Aboriginal people to purchase alcohol and removed the offence of white people socialising with Aboriginal people.

Welfare benefits were extended to most Aboriginal and Torres Strait Islander people in 1959. In 1962, all Aboriginal and Torres Strait Islander adults could vote in Commonwealth elections. But, unlike non-Indigenous people, their vote wasn't compulsory. During the early-to-mid 1960s, states removed discriminatory laws.

Internationally, laws that discriminated based on race were becoming increasingly unacceptable. The *Universal Declaration of Human Rights* by the United Nations in 1948 was an important landmark that helped activists argue for racial equality.

After World War II, the number of Indigenous activists campaigning for civil rights increased. The Aborigines Progressive Association and the Australian Aborigines' League were two important groups. In the 1950s, organisations and conferences met and argued for federal control, Aboriginal and Torres Strait Islander representation in parliament, and against legal discrimination.

Non-Indigenous feminist and human rights campaigner Jessie Street believed that constitutional reform must be a central part of campaigns for Aboriginal and Torres Strait Islander people's equality. She instigated a **petition** with Indigenous activists. In 1957, the campaign to change the Constitution through a referendum was launched at the Sydney Town Hall and 1,500 people attended.

Building the referendum campaign

In 1958, the Federal Council for Aboriginal Advancement (FCAA, later FCAATSI) was established. It organised a petition for a 'yes' vote in a referendum to change Sections 51 and 127 of the Constitution.

Over the next few years, committees for organising petitions were set up. Speaking tours were held, coordinated by poet Oodgeroo Noonuccal (known then as Kath Walker), who also gave speeches at the events. FCAA officials attempted to influence the government through direct meetings with politicians. They wanted the states to dismantle their 'special laws' and felt that the Commonwealth Government would be better placed to cater for specific needs of Aboriginal and Torres Strait Islander people. They also believed that the campaign for constitutional change would raise awareness of the impoverished social conditions that many Aboriginal and Torres Strait Islander people lived under.

In February 1965, at the same time the **Freedom Ride** was occurring, the **Cabinet** discussed repealing Section 51, the clause that forbade the Commonwealth Government from making laws concerning Aboriginal and Torres Strait Islander people. In November that year, the **Liberal-National government** began to seek parliamentary approval for a referendum on repealing Section 127, the clause that concerned the census. Aboriginal protesters travelled to Canberra to demand that Section 51 be included. A silent vigil was held outside Parliament House.

The referendum approved

In early 1966, the government finally approved holding a referendum, but only to repeal Section 127, not the section referring to the census. Protests continued throughout the year, particularly on Census Day, 30 June 1966. Leaflets were distributed which appealed to people to write to their local member of parliament. Only after another FCAATSI petition was presented, early in 1967, did the government move to include Section 51.

The date of the referendum was set for 27 May 1967. FCAATSI was the main body campaigning for the 'yes' vote. Aboriginal leaders of FCAATSI included Joe McGinness, Bill Onus, Doug Nicholls and Oodgeroo Noonuccal (Kath Walker). Leaflets were put in letterboxes, 'yes' badges were sold, meetings organised, street rallies held, and major media outlets supported it. Voters were urged to support the 1967 Referendum in order to narrow the gap in living conditions. Images of children were frequently used for emotional appeal in the campaign material. The 'yes' campaign pitched for human rights, fairness and justice, and for Australia's self-image and international standing.

The 1967 Referendum aftermath

The 'yes' vote was overwhelming with just over 90 per cent of Australian voters supporting the change. In areas with visible Indigenous populations, the 'no' vote was higher. The electorate with the highest 'no' vote was Kalgoorlie in Western Australia, with almost 30 per cent voting against the proposed reforms. FCAATSI used the results to call for the government to take immediate action to improve the situation of Aboriginal and Torres Strait Islander people. However, the government was reluctant to make significant changes. Many Aboriginal and Torres Strait Islander activists became angry at the limited, symbolic efforts in the 1967 Referendum's aftermath. It was only in 1972, when **Labor** was elected, for the first time in over two decades, that more practical changes were made.

Today, the 1967 Referendum is remembered as a significant moment in Australia where racism, as it was embedded into laws, was rejected by the population. However, it did little to alter the everyday racism and discrimination experienced by Aboriginal and Torres Strait Islander people. An interesting point to note is that the 1967 Referendum is frequently referred to as giving Aboriginal and Torres Strait Islander people the vote. This is incorrect as the right to vote in Commonwealth elections had been gained five years earlier.

References

Attwood, B, Markus, A, Edwards, D, Schilling, K & Australian Institute of Aboriginal and Torres Strait Islander Studies 1997. *The 1967 referendum, or, When Aborigines didn't get the vote*, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.

Australian Constitution content sourced from the Federal Register of Legislation at December 2019. For the latest information on Australian Government law please go to <https://www.legislation.gov.au>. CC-BY-4.0. https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/Constitution.aspx