

The 1967 Referendum:

Will you put it in the Australian 'Human Rights Hall of Fame'?

For an interactive approach to this issue go to www.australianhistorymysteries.info/ahm2/casestudies.html



Audio Visual Archive, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
Copyright: Australian Women's Weekly, <http://www.rma.gov.au/indigenousrights/subscription/426.html?ssID=29>

Caption

1 **LOOK** at this photograph. Photographs provide good evidence for students to use in exploring issues. But they need to be critically analysed. Here is a photograph related to a significant event in Australian history. Discuss these questions:

- Who is in the photograph?
- What are they doing?
- What is the setting?

- What period of time would you say it was?
- What is the mood of the photograph?
- Why do you think it was taken?
- Who was the intended audience?

2 Provide a caption for this photograph in the box provided.

3 The photograph in fact shows members of the New South Wales Vote 'YES' Committee toasting their campaign director, Faith Bandler, after the success of the 1967 Referendum to change the Australian Constitution. **If you had only this photograph as evidence about this event, what would you say about it?**

From this photograph I would say that the 1967 Referendum ...

Fortunately we have a lot more information about the 1967 Referendum campaign, and in this unit you will be able to find out much more about this event, and make your own decision about its importance in Australian history.

Why focus on this event?

2007 is the 40th anniversary of the passing of this Referendum which many people see as a major turning point in the achievement of Indigenous citizenship rights in Australia. Others believe it was more show than substance, and did little to achieve real equality. This is an issue that needs exploring.



During 2007 the National Museum of Australia is providing several ways for teachers and students to do this:

A print and DVD/video classroom unit in <i>Australian History Mysteries 2</i>	Go to: http:// www.australianhistorymysteries.info
An interactive web-based approach that complements this unit	Go to: http://www.australianhistorymysteries.info and go to the 1967 Referendum interactive case study
A small display in the NMA for those who can visit Canberra	The exhibition is titled 'Spin, myths and meanings', and we will look at this exhibition later in this unit
A website Collaborating For Indigenous Rights	Go to: http://www.nma.gov.au/indigenoustrights/

All four approaches are based on **an inquiry approach to learning** — that students learn best when they work things out for themselves from a rich resource base.

This unit is a resource to help teachers use the small National Museum of Australia display and the very substantial website module at <http://www.nma.gov.au/indigenoustrights/> in their classrooms.

The structure of the approach is:

Activity 1	<i>Making rules in my classroom</i> — Understanding the concept of citizenship rights	Page 3
Activity 2	What citizenship rights existed in Australia by 1967?	Page 4
Activity 3	<i>Your petitioners humbly pray</i> — What attempts were made to change the Constitution by petitions?	Page 7
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Activity 5	Changing the Constitution — What was the role of people, groups and ideas in the referendum campaign?	Page 14
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Activity 8	How has the National Museum of Australia represented this event in its display?	Page 22

The National Museum of Australia is one of the nation's most important cultural institutions. The Museum employs a fresh and exciting approach to Australian history, culture and environment. Each Museum unit of work in **STUDIES** asks students to consider the stories and concepts behind Museum themes, objects and images and can be used with students in such curriculum areas as Society and Environment, History, Geography, English and Media Studies.

Making rules in my classroom

Understanding the concept of citizenship rights

The reason for the change to the Australian Constitution in 1967 was to try to promote greater equality of citizenship rights for Indigenous Australians.

What are citizenship rights?

Imagine that you have been asked to create a model set of citizenship rights for classrooms. This set of rights will be adopted in schools around Australia.

- 1 List the main rights you will include. For example, you might decide that every 'citizen' of your classroom has the right to eat lunch in that room rather than go outside. Only citizens of the class can do so in that room. Decide on at least five citizenship rules. Use the table below.

Now put the name of every student in your class in a container, and have one person draw out five names. Read out the names. These people, while still members of your class, are not full 'citizens', so do not have the rights you just created. They cannot do all the things that the rest of you can do.

- 2 How do the 'non-citizens' feel about this situation?
- 3 How do those who have full citizenship feel about it?

Citizenship means that members of a community have equal rights within the community. It also means that all members have a fair opportunity to exercise those rights. In effect the condition you created of having two categories of citizens — full, and excluded or unable to exercise part of some rights — was the situation that existed in Australia before 1967.

The rest of this unit explores the situation in Australia in 1967 where Indigenous Australians were second-class citizens, and the struggle to change that situation through a referendum to change the Australian Constitution. It also asks whether 1967 in fact really changed the situation for Indigenous Australians.

The unit does this by looking at the 40th Anniversary commemorative display at the **National Museum of Australia**, and through the rich document collection on the Museum website: ***Collaborating for Indigenous Rights*** www.nma.gov.au/indigenoustrights.

This unit will guide you in using some of the information on that site in your classroom. At times we will ask you to go to the ***Collaborating for Indigenous Rights*** website to access the documents.

We have indicated this with this symbol:



CLASSROOM CITIZENSHIP RULES

a

b

c

d

e

The next step in the inquiry is to understand what citizenship rights existed for Indigenous and non-Indigenous people before 1967.

ACTIVITY 2

What citizenship rights existed in Australia by 1967?

This activity helps students explore the material in the *Australia in the 1950s* section of the website. <http://www.nma.gov.au/indigenoustrights/>

The tables below will help you summarise the **state of citizenship rights in Australia by 1967**.

- 1 Look at **Table 1**. What rights do you think a citizen of Australia **should have** for each of the areas listed in column 1? Summarise your answers in column 2. One example has been done to help you.

STATE OF CITIZENSHIP RIGHTS IN AUSTRALIA BY 1967

TABLE 1

TABLE 2

1 Area of rights	2 Desired rights: I think that ...	3 Situation Today You	4-10 Situation by 1967							
			4 Non-Indigenous	5-10 Indigenous						
				5 NSW	6 NT	7 QLD	8 SA	9 VIC	10 WA	
State vote	<i>Citizens should be able to vote in State elections.</i>	✓	✓							✗
Federal Vote										
Marriage										
Control of children										
Freedom of movement										
Ownership of property										
Right to fair wages										
Right to drink alcohol										
Right to social Services										

- 2 Now tick or cross if Australian citizens actually have these rights today (Column 3). You may know this, or you may need to undertake some research to find out. One example has been done to help you.
- 3 Now look at the documents below, and use the information to complete **Table 2** above, by ticking or crossing whether non-Indigenous citizens (column 4) and Indigenous citizens in the different States and Northern Territory (columns 5–10) had these rights by 1967. (Note that there is no column for Tasmania as it was believed that there were no Indigenous Australians in Tasmania at the time.) One example has been partly done to help you.

SOURCE 2.1

Aboriginal Australians' rights by 1967

Here is a summary of rights enjoyed by Aboriginal people by 1967. Most aspects of Aboriginal peoples' lives were controlled by State Governments and laws. In some areas, such as old age pensions, the Commonwealth controlled the laws. (The Commonwealth also controlled Aboriginal people's rights in the Northern Territory.)

	NSW	VIC	SA	WA	QLD	*NT (Cwth)
Areas of rights controlled by individual states						
Voting rights (State)	YES	YES	YES	NO	NO	YES
Marry freely	YES	YES	YES	NO	NO	NO
Control own children	YES	YES	NO	NO	NO	NO
Move freely	YES	NO	NO	NO	NO	NO
Own property freely	YES	NO	YES	NO	NO	NO
Receive award wages	YES	NO	NO	NO	NO	NO
Alcohol allowed	NO	NO	NO	NO	NO	NO
Areas of rights controlled by Commonwealth						
Invalid & Old Age Pensions (since 1959)	YES	YES	YES	YES	YES	YES
Australian Citizenship (since 1962)	YES	YES	YES	YES	YES	YES

- 4 Who had the greater control over most Aboriginal people's lives and rights — State Governments or the Commonwealth Government?
- 5 Did Aboriginal people have equal rights to other Australians?
- 6 Laws affecting Aboriginal people could be changed by State Governments (affecting the people who lived in that State), or by the Commonwealth Government (affecting all Aboriginal people in those areas of law-making covered by the Commonwealth). Discuss the advantages and disadvantages of relying on State Governments to make changes, and of relying on the Commonwealth Government to create equality.

It was not only legislation that could affect Aboriginal people's access to rights — it could also depend on the public servants whose job it was to enforce the law.

Look at the following example of West Australian man Norman Bilson and answer the questions that follow.

SOURCE 2.2

NORMAN BILSON, (Wangkai name Walaru) dictated a letter as follows to be sent to the Native Welfare Officer in Kalgoorlie applying for an Age Pension on 23 November, 1959:

Dear Sir,

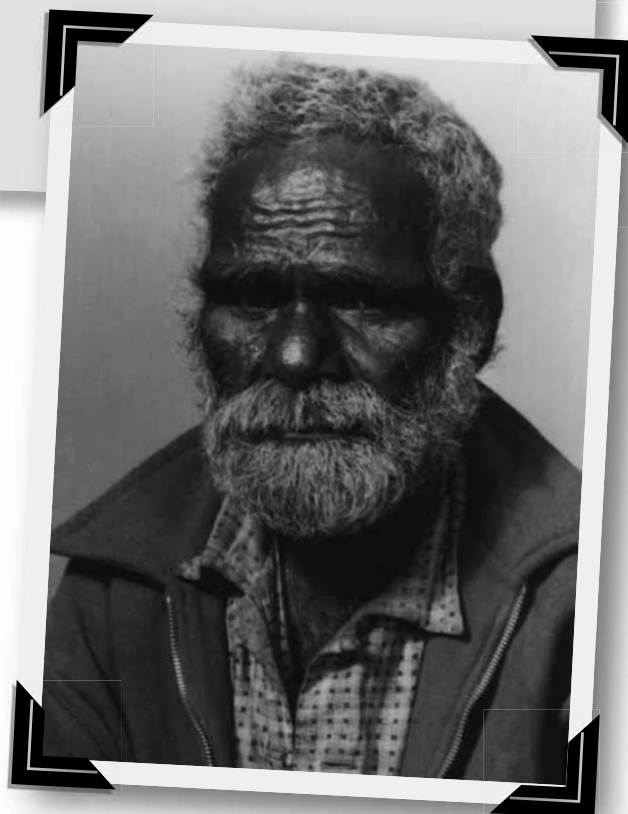
Please will you help me to apply for an Old Age Pension to be paid to me in money at the Post Office in Kalgoorlie.

I feel I am finished now and my eyesight is going. I can't do any more station work and there is no other work for me to do! My first work was at Old McComishes cattle station at Laverton after my brother Alec finished work there. It was all cattle work then, and when cattle were given up I broke in horses that were sent to Perth. I worked for Old McComish till he died. Then I went to work for Billy and Jasper Bright on their Kookynie Station, and I have worked there ever since, they have cattle and sheep and horses. I have always worked on the same station, first for McComish and then for Brights.

But I am not up to the work now. My age is seventy. I believe I am seventy because I was a man when the First War started.

Yours Truly,

Norman Bilson (his mark)



Box 12/6, Council for Aboriginal Rights (Vic.) Papers, MS 12913, State Library of Victoria
<http://www.nma.gov.au/indigenoustrights/subsection211b.html?sslID=73>

The District Officer for Native Welfare wrote in reply on 8 June, 1960 as follows:

NORMAN BILSON – is not seventy years of age as stated by Mrs Bennett and is not yet old enough for the Age Pension. He is engaged at pastoral work.

Norman Bilson still complained of his sight and when he met Mr John McInnes whom he had known in the early days of the goldfields he asked him what age he was. McInnes wrote the following letter:

31/10/1960

Referring to Norman Bilson in 1914 he would have been about twenty years of age, when I first got acquainted with him. He was always a smart industrious boy and as far as I know always led a sober industrious life. Because he appears to have a good constitution should not debar him from getting a pension to which I am sure he is justly entitled ...

Yours Sincerely,

(Signed) John McInnes.

A note on the file reads:

Norman has had trouble with his sight the whole of this year. Dr Illingsworth says Norman Bilson has cataract and wrote a letter for Norman to deliver to the District Officer for Native Welfare. It is understood that Norman will have an invalid pension and treatment.

<http://www.indigenoustrights.net.au/document.asp?ssid=1&isid=78>

- 7 Why did Norman Bilson have a right to a pension?
- 8 Why was he not able to exercise that right initially?
- 9 What had to happen before he could exercise that right?
- 10 What does this tell us about:
 - State and Commonwealth laws about Aboriginal people's citizen rights
 - having a right in theory and in practice?

The National Museum of Australia **Collaborating for Indigenous Rights** website summarises the situation in this way:

SOURCE 2.3

The 'two worlds' of Australia

Australia in the immediate post-war period consisted of two separate worlds. The vast majority of its people lived in a world of houses serviced with water and power, where laws ensured social order, where people on the whole had jobs to do and enough to eat and, if they didn't, the State helped them through hard times. Most people lived in or near cities. They were proud to be subjects of the Queen and believed that they lived in a fair and just democracy, unhindered by problems such as class distinctions in Britain, or racial tensions in the United States or South Africa.

The other world was inhabited by people whose ancestors had lived here for many generations – the Indigenous Australians. By the 1950s most had lost their lands and lived in poverty on the fringes of non-Indigenous society. Many were not eligible for the dole or other State or federal benefits which non-Indigenous people received. State laws controlled where many Indigenous people could live, where they could or couldn't move and whom they could marry. Many Indigenous Australians were not legal guardians of their own children and were not permitted to manage their own earnings.

There was little contact between the inhabitants of these two worlds and the majority were ignorant of or indifferent to the difficulties faced by Indigenous Australians. Some, who were both aware of Indigenous disadvantage and doing what they could to address it, recognised the possibilities of a grass-roots reform movement to bring the rights and protections of Australian citizenship to all Australians.

<http://www.nma.gov.au/indigenoustrights/subsection211b.html?ssid=73>

- 11 Based on all the information in this Activity complete a statement about citizenship rights in Australia in 1967. Your statement should explain why you think this situation was undesirable and unacceptable. Your answer should cover two areas: citizenship rights in theory, and in practice.

Citizenship rights in Australia were ...

- 12 Why do you think the situation existed that not all Australian citizens had equal rights?

One solution proposed for this situation was to give the Commonwealth Parliament power to make laws affecting Aboriginal people. Why might this make a difference? How could the legal situation, and the reality of Aboriginal citizenship rights, be changed? These questions will be the focus of the next Activity.

ACTIVITY 3

'Your petitioners humbly pray . . .' What attempts were made to change the Constitution by petitions?

This activity helps students explore the material in the *Earlier attempts to change the Constitution, Early petitions, National petition campaign 1962-63, and the FCAATSI Legislative Reform Committee* sections of the website <http://www.nma.gov.au/indigenoustrights/>

You will see from the previous Activity that by 1967 not all Australians had equal citizenship rights in practice. In 1967 there was an attempt to change this situation by changing the Australian Constitution.

The rest of this unit shows how you can use the rich resources in the National Museum of Australia's **Collaborating for Indigenous Rights website** to explore this reform.



One way that people tried to bring about a change in the reality of Aboriginal people's lives and rights was by **petitions**.

What is a petition? How and where are petitions used in Australia today?

A petition is a collection of signatures of people who are asking for a change, often to a law.

- Imagine that you were organising petitions to change the situations set out in the table below. Who would you present the petition to? What would determine whether the petition was effective or not? Complete this table.

Change required:	Petition to be presented to:	Key factors that are likely to make it effective:
An aspect of your school		
Parking laws in a local street		
Reduce plastic use in supermarkets		
Increase (or decrease) refugee intake to Australia		
Increase (or decrease) Australia's adoption of international human rights laws		

How did people use petitions to try to bring about this change?

For a Commonwealth matter the petition had to be directed to the Commonwealth Parliament. Petitions are presented to Parliament by the members who represent a particular electorate (for the House of Representatives)

or a State (for the Senate). The MP presents the petition, even if he or she does not personally agree with it. Nothing actually happens with petitions after being presented to Parliament. The point behind them is to try to influence the Government by showing what the people want.

Petitions are regularly presented to Parliaments today. You can find information about them at several sites, including: <http://www.aph.gov.au/Senatepubs/odgers/chap1809.htm> and <http://www.edo.org.au/edovic> and go to Kits, then EDO Petition Kit.

You could also explore petitions presented to Parliament. Do an internet search for State or Commonwealth Hansard and you will find a record of those that have been presented recently. See if any have been presented by your local Member of Parliament.

Understanding the Constitution

Most of the petitions you are about to study called for a change to the Australian Constitution, created in 1901.

The Australian Constitution determines what power the Commonwealth and the States and territories have.

Soon you will see that the main aim of reformers was to have the Commonwealth Parliament able to make laws affecting Indigenous people. Before 1967 it could not do this in most areas of life.

2 Look at this table, and:

- summarise what sections 51(xxvi) and 127 as passed in 1901 meant for Aboriginal people;
- decide what effect you think the proposed changes to those two sections would make to Aboriginal people.



Before 1967		After 1967	
1901 Australian Constitution	Meaning and implications for Indigenous people	Proposed change to the 1901 Constitution	Meaning and implications for Indigenous people
51. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: (xxvi) The people of any race, other than the aboriginal people in any State, for whom it is necessary to make special laws.		51. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to: (xxvi) The people of any race, other than the aboriginal people in any State , for whom it is necessary to make special laws.	
127. In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted.		127. In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted.	

CASE STUDY The 1962–63 petition campaign

Several petitions were presented to Parliament (and other authorities) before 1967. These petitions did not achieve their aim of changing the Constitution. Why not? The Group Research Task on page 10 is a good way of exploring this question.

However, we can still learn a lot about the issue and the times by looking at a case study of one of these petitions, the 1962 national petition campaign.

3 Look at the petition on the next page, and answer the questions in boxes around it.

4 Imagine that you are a Member of the House of Representatives in 1962.

You are aware that there is a national petition campaign about to start. You have to decide whether or not it will influence you.

Look at the following documents, and use them to answer these questions:

- What is the problem?
- What does the campaign want you to do?
- Why is it targeting you?
- The target is for 250 000 signatures out of an Australian population of 10 700 000. (In fact it will achieve about 100 000.) Does this influence you?
- Identify the strategies that the campaign is using.
- If the campaign is successful, what will follow?
- What are the main factors that will determine whether or not you are influenced by the campaign?
- What is your response to the campaign?



What effects was it designed to have?

National Petition

TOWARDS EQUAL CITIZENSHIP FOR ABORIGINES

Who is it being presented to?

TO THE HONORABLE THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES IN PARLIAMENT ASSEMBLED:—

Who would present it?

The Petition of the undersigned citizens of the Commonwealth respectfully sheweth:—

What problem is it seeking to overcome?

THAT, in view of the fact that the Commonwealth Constitution discriminates against the Aboriginal people in two Sections (as set out below), it thereby limits their right to "peace, order and good Government under the Commonwealth Parliament", and

THAT such discriminations in effect give support to other laws and regulations which deprive Aborigines of equal wages and employment opportunities and deny them the right to own and develop their remaining tribal lands, and

THAT they have an inferior legal status compared with other citizens of the Commonwealth.

What is it asking this body to do?

Your petitioners humbly pray that the Commonwealth Government remove Section 127 and the discriminatory words in Section 51 (as underlined), by the holding of a referendum at an early date.

And your petitioners, as in duty bound, will ever pray.

Name

Address

Who would sign it?

What new words does it want?

Section 51: "The Parliament shall, subject to this Constitution, have power to make laws for the peace, order and good Government of the Commonwealth with respect to:—

Clause xxvi: "The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws."

Section 127: "In reckoning the number of the people of the Commonwealth or of a State, or other part of the Commonwealth, aboriginal natives shall not be counted."

Who is involved in creating it?

This Petition should be returned to P.O. Box 59, Coburg, Vic. or to person from whom it was received.

Authorised by Mr. Stan Davey, general secretary for the Federal Council for Aboriginal Advancement, on behalf of 34 affiliated organisations from all Australian States and Northern Territory.

GREENSBOROUGH PRESS PTY. LTD., BEEWAR ST., GREENSBOROUGH. JF 2065.

GROUP RESEARCH TASK Attempts to change the Constitution

Many petitions were presented concerning the status and rights of Aboriginal people between the 1840s and the 1960s. Several are included on the National Museum of Australia's **Collaborating on Indigenous Rights** website:

SOURCE 3.2



1846 Petition to Queen Victoria

Bain Attwood and Andrew Markus,
The Struggle for Aboriginal Rights: A Documentary History, Allen & Unwin, Sydney, 1999, pp38-39
<http://www.indigenoustrights.net.au/files/f85.pdf>



SOURCE 3.3



Petition for a Referendum, 1958

Barry Christophers papers,
MS 7992, box 16, National Library of Australia, Canberra
<http://www.nma.gov.au/indigenoustrights/subsectionb538.html?ssID=24>



SOURCE 3.4

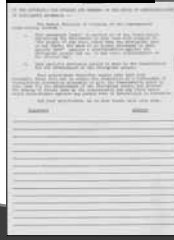


1933 Petition to King George V

Bain Attwood and Andrew Markus,
Thinking Black: William Cooper and the Australian Aborigines' League, Aboriginal Studies Press, Canberra 2004, pp 35–36
<http://www.indigenoustrights.net.au/files/f74.pdf>



SOURCE 3.5



Referendum Petition, FCAATSI 1966

Barrie Pittock personal papers
<http://www.nma.gov.au/indigenoustrights/subsectiond539.html?ssID=72>



SOURCE 3.6



Aboriginal-Australian Fellowship, Petition to amend the Constitution, 1957

Fitzpatrick papers, MS 4965/1/5273,
National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectionb538.html?ssID=24>



As a class, allocate these petitions and demands among groups. Complete this table of questions for each, and report back to the class — summarising the answers for those petitions you did not personally research.

Questions	1846	1933	1957	1958	1966
Who is organising it or involved in creating it?					
When?					
Who has signed it?					
Who is it being presented to?					
Why present it to that person/organisation?					
What problem or situation is it seeking to overcome?					
What change does it want to bring about?					
What effects does it expect this change will have?					

250,000 SIGNATURES TO BE SOUGHT ON NATIVE-RIGHTS PETITION

The Federal Council for Aboriginal Advancement hopes to collect 250,000 signatures for a petition, to be submitted at the opening session of Federal parliament next year, calling for improved rights for Aborigines.

The petition calls for the amendment of two clauses of the Commonwealth Constitution.

The council claims the clauses give support to other laws and regulations depriving aborigines of equal wages and employment opportunities and denying them the right to own and develop their remaining tribal grounds.

It also claims that natives have inferior legal status to other Commonwealth citizens, and that the two clauses limit their right to 'peace, order and good government'.

Aboriginal leaders from every State would speak at the Sydney meeting. Representatives from Brisbane, Perth, Darwin and Cairns will come to the Melbourne meeting. The main speaker in Melbourne would be Mrs Kath Walker, Queensland secretary of the Federal Council for Aboriginal Advancement. The Melbourne campaign committee of eight includes Mr Gordon Bryant, Federal member for Wills, and Pastor Doug Nicholls.

The main line of attack in the campaign would include the trade unions and church bodies.

Petition forms would be returned on February 23.

- 5 Language changes over time. Identify words used in this article that would not now be used. Discuss why such words would no longer be used.



<http://www.nma.gov.au/indigenoustrights/subsectionc58a.html?ssID=25>

SOURCE 3.8

Gordon Bryant,
'Arguments for a Referendum',
1962

by G. M. BRYANT, M.H.R.,

President, Aborigines' Advancement League.



A REFERENDUM

No aborigine can feel absolutely free and equal to other Australians whilst the Commonwealth Constitution contains the two clauses which exclude him from the Census (section 127) and from Commonwealth laws (section 51, placitum 26).

This placitum of section 51 was for a long time the excuse given by the Commonwealth for the exclusion of aborigines from Social Service benefits. It was not until a number of members of the Commonwealth Parliament challenged the logic of this in the House, that a new look was given to the old question, and this discrimination removed. It is, of course, a question of language. A law which excludes aborigines from a benefit is just as much a law about Aborigines as one which includes them.

The demand for the removal of these clauses from the Constitution is not just an academic one—it rests on two grounds. The first—that the implied discrimination is a reflection in fact

an insult to the aboriginal people; the second—that the specific exclusion of the Commonwealth from the right to make special laws about the aboriginal race means that the Commonwealth denies any responsibility (outside the Territories) and the State Governments therefore claim it. And in so claiming, they exercise rights and powers over the aboriginal people, which they would not dare to exercise over the last arrived migrant.

A great deal of the energies and thinking of organisations affiliated with the Aborigines' Advancement League outside Victoria is devoted to trying to have State acts altered.

So we find our friends in N.S.W. mounting campaigns to have the restricted clauses of the State act amended.

In Queensland, Western Australia and South Australia, the position is much the same. In Western Australia and Queensland, for instance, despite the grant of votes for aborigines at

2

SMOKE SIGNALS

OCT 1962

Continued on next page >>

Federal elections, aborigines are still excluded from State elections.

ABORIGINES STILL HAVE NO VOTE for State elections in Queensland and Western Australia.

So all over Australia — outside Victoria — the Aborigine is beset with a more complicated set of laws than any other Australian.

The quickest and the most logical way to amend this position is to change the Constitution by Referendum.

Remove from the States the right to make special laws for the aboriginal people, and the State acts which deprive Aborigines of fundamental rights and freedom must surely be invalid.

This does not mean, of course, that the Commonwealth has been full of sweetness and light on the Aboriginal question, but the Commonwealth carries out its activities under much closer public national scrutiny than any State Government or the totality of them.

At present, those of us concerned with the plight of the Aboriginal people have to fight six State Governments and the Commonwealth — seven legislatures and seven administrations — an enormous organisational task. (I include Tasmania here, because there is a handful of mixed race people on Cape Barron Island, for whom little is being done.)

Transfer the responsibilities to the Commonwealth and immediately every Federal parliamentarian and every Federal department has to accept its share of responsibility. And this must be said, "that whether one agrees with it politics or not, when the Commonwealth acts — it acts in grand manner".

Compared with the resources at the disposal of the States, when applied to a particular field, the resources of the Commonwealth are relatively limitless. (Compare the schools of Canberra, for

example, with those of Melbourne.)

Both the Federal Council and the Victorian Aborigines' Advancement League have adopted such an amendment of the Constitution as urgent policy.

We should therefore commence campaigning immediately — the task is in two stages:

- To convince the Commonwealth to conduct the Referendum, and
- Secure a majority of votes in a majority of the States when the Referendum is submitted to the people.

Of the two I think the first may be the more difficult task, but nothing must be left to chance — we should set up campaign committees in every Federal electorate now, and take the following steps:

- Approach prominent and active citizens for support;
- Send informed delegatories to explain the position to every member of the Federal Parliament, and ask for support in the Parliament;
- Commence stimulation of public interest by the circulation of petitions to be presented to the Parliament; and
- Form interim campaign committees.

It is important that we understand the nature of the task if we organise along normal election campaigning lines.

We will need 5,000,000 "how to vote" cards — costing perhaps £7,000.

We will need thousands of supporters at the polling booths on Referendum day. No stone must be left unturned — a vote approaching national unanimity on this question would give notice to all Governments that the conscience of Australia is stirred, and the public will brook no delay in tackling the other disabilities of the aboriginal people.

COME THEN, LET US TO THE TASK.



Smoke Signals, October 1962
<http://www.nma.gov.au/indigenoustrights/subsection58a.html?ssid=25>

SOURCE 3.9 Alick Jackomos, FCAA state secretary for Victoria, recalls his street campaigning in the 1960s

We were given petitions and it was our job to get names on 'em. And Doug [Nicholls — a prominent Aboriginal ex-athlete, footballer and eventually Governor of South Australia] and I . . . used to go up to Smith Street, Collingwood with a little card table outside of old Foy and Gibson's . . . And Doug'd be yelling out 'give Aborigines citizenship rights!' And he'd be dragging people. And Doug was like chewing gum to anyone because if he put his hand on them they'd come right to the table, you know? He could mesmerise them, Doug and get them there. And it was Doug's job to lead 'em to the table, and there's me sitting at the table getting people to sign.

We signed those petitions there but we also had a good spot outside the Collingwood football ground on home matches — outside the Collingwood members' stand. Now Collingwood supporters are black and white one-eyed. Normally they'd just rush into the grandstand to get their seat. But this particular day Doug Nicholls, again as they were walking in — and everybody knew Doug, I mean Doug was a household name. He was better known than Henry Bolte who was the Premier at the time. Soon as they see Doug, they couldn't resist Doug. So he leads 'em to the table and we'd get these petitions. And we got a lot of petitions signed and so did all the other workers in Victoria.

Alick Jackomos, Federal Council for the Advancement of Aborigines and Torres Strait Islanders Oral History Project, 12 December 1996, Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
<http://www.nma.gov.au/indigenoustrights/subsection58a.html?ssid=25>

The campaign did not achieve its aim of having Federal Parliament introduce a bill to authorise a referendum to change sections of the Constitution.

6 Why do you think it did not succeed?
List the reasons.

For the petition to succeed it needed to have a bill introduced into Parliament. Most bills are introduced into Parliament by the Government of the day. It is rare for Opposition or Private Members to introduce bills. For a Government bill to be introduced it needs the approval of Cabinet — a group of Senior Ministers.

So to understand what happened we need to focus on Cabinet and Parliament in the next Activity.

ACTIVITY 4

Changing the law — what was the role of Cabinet and Parliament?

This activity helps students explore the material in the *Parliamentary and Cabinet debates 1964–66* and *Cabinet Decision 1967* sections of the website <http://www.nma.gov.au/indigenoustrights/>

As you have now seen the main aim of the Aboriginal reform organisations and their supporters was to bring about a change to two parts of the Constitution — s.127, which stopped Aboriginal people from being included in the census, and s.51 (xxvi) which stopped the Commonwealth Parliament from passing legislation specifically relating to Aboriginal people.

These changes to the Constitution could only be made after a referendum — a popular vote — showed that a majority of total voters in Australia, and voters in a majority of States (four out of six, ACT and NT residents did not have a vote at this stage), voted in favour of the changes.

Parliament had to pass an Act to authorise the referendum; and Cabinet had to authorise the Government to introduce and pass the legislation.

So, let's see how this process was achieved. The **Collaborating for Indigenous Rights** website includes much material from Commonwealth Parliament and Cabinet. Much of it will be difficult for students to work through. Here we have suggested a way of minimising the reading of the sometimes difficult and dense material so that you get the best information in the easiest way.



SOURCE 4.1

1964 Hansard pages 1902–17

<http://www.nma.gov.au/indigenoustrights/subsection0ff1.html?ssID=26>

The 1964 legislation

Several Bills were introduced into Commonwealth Parliament — in 1964, 1965 and 1966 — before one was passed in 1967 authorising the referendum.

The debates that reveal most about parliamentarians' attitudes on the issue are those during the 1964 Bill. That bill was introduced by the ALP Opposition (O), and included the two changes that were eventually voted on in 1967. At this time, however, the Government (G) opposed them.

- 1 Go to the Bill on the **Collaborating for Indigenous Rights** website, and allocate each of the references in the table below to a small group. That group should then summarise and report on the politicians' arguments, ideas and attitudes. The reports should follow the sequence in the table. Where several politicians made comments on the one issue or question, then the groups should report in that order. This will help the whole class to appreciate the differences of opinion that existed in some cases.

Aspects – what the politicians said about:	Calwell (O) Pages:	Snedden (G) Pages:	Bryant (O) Pages:	Barnes (G) Pages:	Beazley (O) Pages:
Why s.127 was included in the 1901 Constitution.	1902				
Why it was no longer appropriate.	1903				
But did it cause problems? Was it having any harmful effect?		1905		1913	
Why s.51(xxvi) was introduced. Consider the role of Queensland and Pacific Islands labour.	1903-4				
Was it causing any problem now? Was it appropriate or not? Was it even a positive benefit?	1904	1906			
What was meant by positive and negative discrimination.		1907			1916-17
Attitudes to what was happening to Aboriginal people – assimilation. How would changes affect this?	1904-5	1905	1910-11	1915	
International considerations.	1904				
Public opinion.		1906	1909-10		
Attitudes to role of the Commonwealth and its resources.			1912		
Problems caused by trying to create a uniform law.		1907-8			

- 2 When all groups have reported on their individual elements you should be able to complete the following summary sheet:

A SUMMARY OF THE IDEAS AND ATTITUDES IN THE 1964 COMMONWEALTH PARLIAMENTARY DEBATES

1	The legislation of 1964 was introduced by _____
2	His role in Parliament was _____
3	The aim of the legislation was to hold a _____ to change the _____
4	The two parts to be changed were section _____ which _____ And section _____ which _____
5	Mr Calwell explained that the reason for the existence of s.127 in the 1901 Constitution was to do with Queensland and Pacific Islanders, that is: _____
6	His attitude to this section was that it was no longer appropriate because _____
7	He believed that it was important to get rid of it because _____
8	Calwell also explained that the reason for the existence of s.51 (xxvi) in the original Constitution of 1901 was _____
9	His attitude to this section now was that it was not necessary because _____
10	He believed it was important to get rid of it now because _____
11	He also felt that there was an international element – that because Australia was a member of the United Nations Organisation other countries could say that Australia was _____
12	Calwell also believed that Australians had to examine their consciences because _____
13	His attitude to the issue of assimilation, that is the inclusion of Aboriginal people into white society, was _____
14	Mr Calwell was followed by Mr Snedden. His position was _____ which means that he was in charge of _____
15	He agreed with Calwell that s.127 was _____
16	But he believed that the effect of s.127 in practice was _____ and therefore it did not need to be removed.
17	His attitude to s.51 (xxvi) was, not that it was dangerous to Aboriginal people, but that it was in fact a safeguard to make sure that laws could not be passed that _____
18	Snedden believed that the assimilation of Aborigines meant that any law should affect all races _____
19	His attitude to discrimination, whether positive and helpful or negative and hurtful was _____
20	He also argued that since the Aboriginal people of one State were likely to have very different needs to those in another State, it was not possible for the Commonwealth to pass a law that _____
21	The next speaker was Mr Bryant. His attitude was _____
22	He argued that in terms of freedom, Aboriginal people, in comparison to other citizens, were _____
23	He made his point about the complexity and unfairness of laws by saying that any Aboriginal person needed a staff of three people, whose job was: one to _____ another to _____ and a third to _____
24	He said that a main reason to pass over the power to make laws about Aboriginal people to the Commonwealth was financial: that the resources of the Commonwealth to deal with problems, compared to the resources of the States, was _____

The process of introducing a referendum

While our main concern is a study of the legislation as passed and put to a referendum in 1967, that legislation had to be authorised by a process of Cabinet.

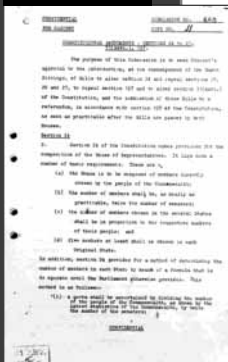
You can follow the Cabinet process through the documents on the ***Collaborating for Indigenous Rights*** website.

Cabinet is the meeting of senior Ministers of the Government who make various decisions, including what legislation to allow to be introduced into Parliament.

In 1964 the Opposition, the Australian Labor Party, introduced legislation to authorise a referendum to change the Constitution by repealing s127, and amending s 51 (xxvi). That legislation was not passed.

In February 1965 Attorney-General Billy Snedden put a proposal to Cabinet that the Government should introduce similar legislation, together with a proposal to break the 'nexus' — that rule in the Constitution that the numbers of members in the House of Representatives should always be as near as practicable double the number of members in the Senate. The Government wanted to be able to change the numbers of members in the House as required as the population grew and population distribution shifted, without always having to adjust the number of Senators as a consequence.

SOURCE 4.2



CABINET: February 1965

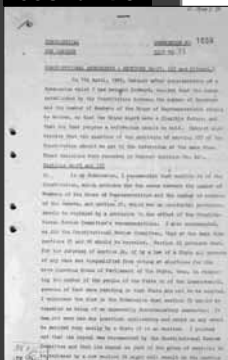
National Archives of Australia, A5827/1, vol. 20
<http://www.nma.gov.au/indigenoustrights/subsection0ff1.html?ssID=26>



- 1 Look at pages 11–12 paragraphs 24–26, 28–30:
 - What was Snedden's attitude to public opinion on changing the constitution?
 - What does this suggest about the results of the petition campaigns of the early 1960s?
 - What was the reason for the existence of s.127?
 - How had its reasons for existence been changed by a) modern conditions, and b) the 1962 legislation giving Indigenous people the right to vote in Commonwealth elections, and c) international developments?
- 2 Look at pages 13–14, paragraphs 37–38:
 - What does Snedden see as the attitude of the public towards issues of discrimination?
 - What is Snedden's own attitude towards the effect of s.51 (xxvi) as discrimination?
 - What are his reasons for supporting its amendment?
- 3 Look at page 14 paragraph 39:
 - What did Snedden see as the likely practical effect of the change on the balance of power between the Commonwealth and the States?

Snedden recommended that changes to s.127 and s.51(xxvi) be put, but Cabinet only agreed to s.127.

SOURCE 4.3



CABINET: August 1965

National Archives of Australia, A5827/1, vol. 31
<http://www.nma.gov.au/indigenoustrights/subsection0ff1.html?ssID=26>



- 4 Look at page 5 paragraph 13:

Snedden again argued to include s.51(xxvi) in proposed constitutional changes. Summarise his main arguments about a) public opinion, and b) the attitude of the Opposition.
- 5 Look at pages 6–8 paragraphs 15–19:
 - What are Snedden's arguments about discrimination, and about the use of Commonwealth powers?
 - What does Snedden see happening with Commonwealth involvement in Indigenous matters if the Constitution is amended?
- 6 Look at page 11 paragraph 30:
 - What argument does Snedden stress now to Cabinet to have them accept the changes?
- 7 Look at pages 11–13 paragraphs 30–34:
 - Snedden outlines three different possible approaches. Which does he recommend, and why?

SOURCE 4.4



PARLIAMENT: November 1965

Hansard, Parliamentary Debates, House of Representatives, 11 November 1965, pp. 2635-2640
<http://www.nma.gov.au/indigenoustrights/subsectionOff1.html?ssid=26>



Cabinet again rejected Snedden's proposals. To see the reasons Prime Minister Robert Menzies gave for this, look at pages 2638–2640 of the debates on the 1965 Bill.

SOURCE 4.5



PARLIAMENT: March 1966

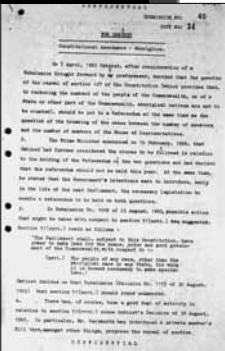
Hansard, Parliamentary Debates, House of Representatives, 10 March 1966
<http://www.nma.gov.au/indigenoustrights/subsectionOff1.html?ssid=26>



Government backbencher William Wentworth introduced a bill to include the change to s.51(xxvi) in the proposed set of referendums to be held. He did so for two main reasons: because he believed the Commonwealth should have the freedom and power to act in the area and legislate against existing State discrimination, and to prevent further racial discrimination. Look at pages 121–125 to see Wentworth's explanation of these ideas.

Look also at pages 125–136 and the speeches of Beazley, Erwin, Bryant, Robinson, Cross and Cleaver to see liberal attitudes at the time, and for many anecdotes that help us understand people's behaviour, opinions and values at that time.

SOURCE 4.6



CABINET: January 1967

National Archives of Australia, A5842/2, vol. 1, submission 46, decision 1979
<http://www.nma.gov.au/indigenoustrights/subsection9bad.html?ssid=27>



The issue was raised again, this time by the new Attorney-General, Nigel Bowen.

Look at pages 1–5 paragraphs 1–12 for a good summary of events between 1965 and 1967.

- 8 Look at pages 5–7 paragraphs 13–16:
 - Why does he reject this idea?
- 9 Look at pages 7–8 paragraphs 18–19:
 - What is the importance of public opinion in Bowen's recommendation?

Cabinet now agreed to put the changes to both s127 and s51(xxvi) in a Bill authorising a referendum, and this was passed.

- 10 What does this process tell you about:
 - The role of Cabinet in the process to bring about change through a referendum on the Constitution?
 - The role of Parliament in this process?
 - The role of individual members of parliament in it?
 - The role of parties?
- 11 Why do you think the Government finally decided to allow a proposed change to the Constitution to be put to the people?

Would the voters now accept the proposed changes? To explore the campaign to convince voters to support the proposed change look at the next Activity.

ACTIVITY 5

Changing the Constitution — what were the roles of people, groups and ideas in the referendum campaign?

This activity helps students explore the material in the *Campaigning for a YES vote* section of the website <http://www.nma.gov.au/indigenoustrights/>

Cabinet had authorised the legislation for a referendum, and it had been passed in Parliament.

How would the electors now vote on it?

- Imagine that you have been put in charge of planning the referendum campaign. Create a list of strategies that you would use to persuade voters to support it. Remember that in 1967:
 - there were no digital phones
 - there were no personal computers and email
 - there was no internet
 - pamphlets had to be commercially printed or typed and reproduced on small hand printing machines
 - a minority of homes had TV, but nearly all had radios.

List your strategies. For example, would you have a slogan? Which organisations would you approach for help? How do you get your message around the whole nation?

- Below is some material from the 1967 campaign, with some questions to help you focus on some main elements. Study it to decide what a study of referendum material helps you understand about:
 - who supported/opposed it
 - the strategies used
 - the main arguments or reasons stressed
 - the nature and type of appeals made to voters.

Distribute the documents among groups in class to complete a summary and report back.

SOURCE 5.1 The Government case for YES



National Archives of Australia, A463, 1965/5443
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssid=28>



- What are the two main reasons given for supporting the change to s51(xxvi)?
- What impact would this have on the States' power in the area?
- What is the main argument about why s127 should be removed?
- Who has produced this pamphlet?
- Is it likely to be influential?

SOURCE 5.2 Australian bishops say Yes



Gordon Bryant papers, MS 8256, National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssid=28>



- Why are churches being stressed?
- What strategies are being used?
- What messages are being given to readers through these two images?
- Is it likely to be influential?

SOURCE 5.3 'What a "No" vote would mean'



by Bruce Grant

The Age, 7 April 1967
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssid=28>



- What are the main arguments used?
- What message might readers get from the photograph?
- Is it likely to be influential?

Courtesy *The Age*

SOURCE 5.4 Letters to the editor



Letters to the Editor from B Pittock, LK Appleton, Brian and Mary Cotterell and WJ Orme.
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssid=28>



- Do these letters support or oppose the referendum?
- Whose opinions do they represent?
- Are they likely to be influential?

SOURCE 5.5 Letter to the Prime Minister,
10 May 1967



National Archives of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- Who was Harold Blair?
- What is the date of the letter?
- Why might the writer make this offer? Does it suggest that the Government was not campaigning hard enough for the referendum?
- Is it likely to be influential?

SOURCE 5.6 Official leaflet setting out the arguments
for amending section 51 (xxvi) and deleting section 127



Council for Aboriginal Rights, MS 12913/11/3, State Library of Victoria
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- Why did the Parliament only produce a 'YES' case?
- Is it likely to be influential?
- Even if nobody agreed with it do you think the parliament should have provided a pamphlet giving the views of those who opposed the Referendum?

SOURCE 5.7 'The rights of the Australian Aborigines
AND YOU'



Christophers papers, MS 7992, National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- What are the main arguments in this poster?
- What is the message of the image?
- Who has produced this poster?
- Is it likely to be influential?

SOURCE 5.8 Vote YES poster, 1967



Gordon Bryant papers, 1917-1991, MS 8256/11,
 Box 175, National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- What is the message of this poster?
- Why is it so brief?
- Is it likely to be influential?

SOURCE 5.9 Pamphlet, 'Right Wrongs Write YES
for Aborigines on May 27



Box 175, Gordon Bryant papers, 1917-1991,
 MS8256/11, National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- What is the message of this poster?
- Why is it so brief?
- What is the message of the photograph?
- Is it likely to be influential?

SOURCE 5.10 Vote 'YES' for Aborigines



Gordon Bryant papers, 1917-1991, MS8256/11,
 Box 175, in folder 'Campaign material - referendum regarding
 Aboriginal affairs 27.5.67', National Library of Australia
<http://www.nma.gov.au/indigenoustrights/subsectioneb1e.html?ssID=28>



- What are the arguments of this poster?
- What is the message of the images?
- Who has produced it?
- Is it likely to be influential?

- Do you think the referendum vote on the two issues was likely to succeed?
- One of the 1967 strategies was the creation of slogans. Suggest possible slogans that you think would be effective. You can compare yours with those actually suggested and reproduced on page 21.
- Another suggestion was to approach folk-singer Gary Shearston to record a song for the campaign. Suggest the words and ideas that you would include in such a song.

- Many people and organisations had worked for years to bring about the referendum, and to change the status of Indigenous people's rights. Why do you think some people are ready to work so hard for a cause? Is this good citizenship?

You can research many significant individuals and organizations in the campaign for Indigenous Australians' equal citizenship rights at:



www.nma.gov.au/indigenoustrights/people.html?aID=4
 (people)



www.nma.gov.au/indigenoustrights/organisations.html?aID=6
 (organisations)

What was the result of the Referendum vote?

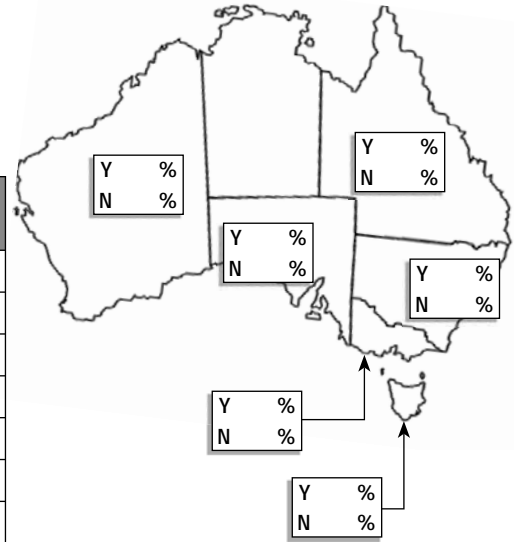
This activity helps students explore the material in the Victory section of the website <http://www.nma.gov.au/indigenoustrights/>

Here are the national voting figures for the 1967 Referendum to change s.127 and s.51(xxvi).

- 1 Work out the approximate percentage of Yes and No votes, and write them in the appropriate box for the State in the map opposite. (Note that ACT and NT residents did not have a vote in referenda at this stage.)

SOURCE 6.1 Voting results in the 1967 Referendum

State	On rolls	Ballots issued	For	Against	Informal
NSW	2,315,828	2,166,507	1,949,036	182,010	35,461
Vic	1,734,476	1,630,594	1,525,026	85,611	19,957
Qld	904,808	848,728	748,612	90,587	9,529
SA	590,275	560,844	473,440	75,383	12,021
WA	437,609	405,666	319,823	75,282	10,561
Tas	199,589	189,245	167,176	18,134	3,935
Total (Aust)	6,182,585	5,801,584	5,183,113	527,007	91,464



- 2 Suggest reasons for:
 - the overwhelming support for the change
 - the differences that existed in States' voting patterns.

- 3 Suggest how you could test these answers.

To see how your own electorate voted go to <http://www.australianhistorymysteries.info> and go to the 1967 Referendum interactive case study.

- 4 In the table opposite are some comments made by people about the 1967 referendum nearly 30 years later. From your knowledge, decide whether the underlined claims about the Referendum are true or false.
- 5 Why do you think so many people make such mistakes about what the 1967 Referendum actually did?
- 6 How would you describe the outcome of the 1967 Referendum?

SOURCE 6.2 Some comments on the meaning of the 1967 Referendum

TRUE or FALSE		Comments
<input type="checkbox"/>	<input type="checkbox"/>	[1997] marks just 30 years since a 1967 referendum <u>acknowledged Aboriginal citizenship, allowed Aborigines to vote and participate in the political process, and entitled them to pursue access to crucial services such as education.</u> <i>Patrick Dodson and Roberta Sykes, Sydney Morning Herald, 1996</i>
<input type="checkbox"/>	<input type="checkbox"/>	The referendum victory was a watershed, <u>giving black Australians basic human rights</u> and laying the foundations for the land rights movement of the '70s. <i>Gary Hughes, The Australian, 1992</i>
<input type="checkbox"/>	<input type="checkbox"/>	1997 marks only the 30th anniversary of the 1967 referendum, when <u>Aborigines finally won the right to vote.</u> <i>Socialist Alternative, 1996</i>
<input type="checkbox"/>	<input type="checkbox"/>	Surely 27 May should be Australia's national day. On that date in 1967 by referendum, <u>all Australian citizens, indigenous or otherwise, became equal under the Constitution with the same rights and responsibilities.</u> True nationhood-was born on that day. <i>The Age, 1996</i>
<input type="checkbox"/>	<input type="checkbox"/>	Since the 1967 referendum, when a Coalition Government <u>established the long overdue citizenship rights of Indigenous people,</u> there has been an increasing involvement of the Commonwealth Government in Indigenous Affairs. <i>Liberal Party, 1996</i>
<input type="checkbox"/>	<input type="checkbox"/>	The Malaysian Prime Minister, Dr Mahathir ... alluded to the racism debate in Australia, saying: 'The Aborigines of Australia were granted <u>citizenship, the right to vote and full recognition as human beings</u> only in 1967'. <i>The Australian, 1996</i>

Sources quoted in B. Attwood and A. Markus, *The 1967 Referendum, or When Aborigines Didn't Get the Vote*, Aboriginal Studies Press, Canberra, 1997

What have been the impacts of this result?

This activity helps students explore the material in the Aftermath section of the website <http://www.nma.gov.au/indigenoustrights/>

Once the Constitution was changed — what then? Would there be many real changes made to laws and policies affecting Aboriginal people? Some people thought that there would be no real change; others thought that the State Governments would now start meeting and plan uniform changes; some people thought that the Commonwealth would start to exercise its powers independently of the States and override their laws and policies.













There are several documents on the **Collaborating on Indigenous History** website showing different people's expectations of what would happen next.

1 Look at these, distribute them among groups in your class, and have each group report back on these questions:

- What did this person/group want to happen now?
- How were these changes to be managed — who was to control what happened?

In each case try to summarise your answer by completing the following sentences for each statement:

- The person/group wanted ...
- This would be carried out by ...

Document	Reference	This person/group wanted ...	This would be carried out by ...
	<p>SOURCE 7.1 Cabinet Submission, post referendum</p> <p>National Archives of Australia, A1209, 1967/1512 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		
	<p>SOURCE 7.2 Coombs to head Aboriginal council</p> <p><i>The Australian</i>, 3 November 1967 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		
	<p>SOURCE 7.3 Charles Perkins to Harold Holt, June 1967</p> <p>National Archives of Australia, A1209, 19671512 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		
	<p>SOURCE 7.4 Charles Barnes to Acting Prime Minister</p> <p>National Archives of Australia, A1209/1512 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		
	<p>SOURCE 7.5 Wentworth to Holt June 1967</p> <p>National Archives of Australia, A1209, 1967/1512 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		
	<p>SOURCE 7.6 Queensland MPs to the Prime Minister, September 1967</p> <p>National Archives of Australia, A1209, 1967/1512 http://www.nma.gov.au/indigenoustrights/subsectione44b.html?ssID=30</p>		

Now look at this document summarising what has happened.

SOURCE 7.7 An assessment of the consequences of the Referendum

Firstly, the changes enabled the introduction of 'benign discrimination'. Despite resistance from parts of the Government, [there were] several Federal programs specifically aimed at satisfying desperate Aboriginal needs ... in the area of employment, education, health, housing, and the administration of justice.

Secondly, the newly worded s.51 offered a head of power on which the Government was able to draw ... for enacting the Aboriginal Land Fund Act 1974, the Aboriginal Loans Commission Act 1974, the Aboriginal and Torres Strait Islanders (Queensland Discriminatory Laws) Act 1975, Aboriginal Councils and Associations Act 1976, Aboriginal Land Rights (Northern Territory) Act 1976, Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-Management) Act 1978, Aboriginal Development Commission Act 1980, Aboriginal and Torres Strait Islander Heritage (Interim Protection) Act 1984, Aboriginal and Torres Strait Islanders Commission Act 1989 and the Council for Aboriginal Reconciliation Act 1991.

Thirdly, a new administrative definition of Aboriginal was introduced. [T]he Australian State Governments had ... created a raft of restrictive, technical or bureaucratic definitions of what constituted an Aboriginal person ... Definitions such as these were never accepted as meaningful by Aboriginal communities and the Commonwealth was easily able to introduce for its administrative purposes a fresh, more practical, definition based on community and self-identification.

Fourthly, the changes in the late 1960s heralded in a period characterised by the search for ways to facilitate 'self-management', 'self-sufficiency', 'self-determination' and, most recently, 'self empowerment'.

Fifthly, the changes offered the Federal Government a head of power (the so-called 'race power') to enact, in response to the 1992 Mabo High Court decision, the Native Title Act 1993 and Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995 and to defend the former from a High Court challenge by Western Australia in 1995.

(Australian Parliamentary Library Background Paper 11 1996/1997)

2 In your own words how would you describe what has happened as a result of the 1967 Referendum?

YOUR ASSESSMENT

Will you put the 1967 Referendum in the Australian 'Human Rights Hall of Fame'?

You now have a great deal of information on aspects of the 1967 Referendum.

But one major question remains: was it a great triumph for Indigenous citizenship and human rights, or was it much less than that?

To decide this you need to look at the opinions of a range of people, and you need to have a set of criteria to apply to see if the Referendum met these.

To make your decision in an interactive way go to www.australianhistorymysteries.info

... and see if you will place the Referendum in the 'Human Rights Hall of Fame' with the other Human Rights documents you will find there.

WWW Further references

<http://www.nma.gov.au/indigenoustrights/sectionb92d.html?SID=39> (Reading)

<http://www.nma.gov.au/indigenoustrights/section7e7b.html?SID=41> (Web links)

From page 18:

The slogans suggested for the 1967 Referendum campaign were:

Towards an Australia free and equal

Vote yes

Vote 'Yes' for Aborigines

LET'S BE COUNTED - VOTE 'YES'

Vote 'yes' for equality

Remove discrimination - Vote 'yes'

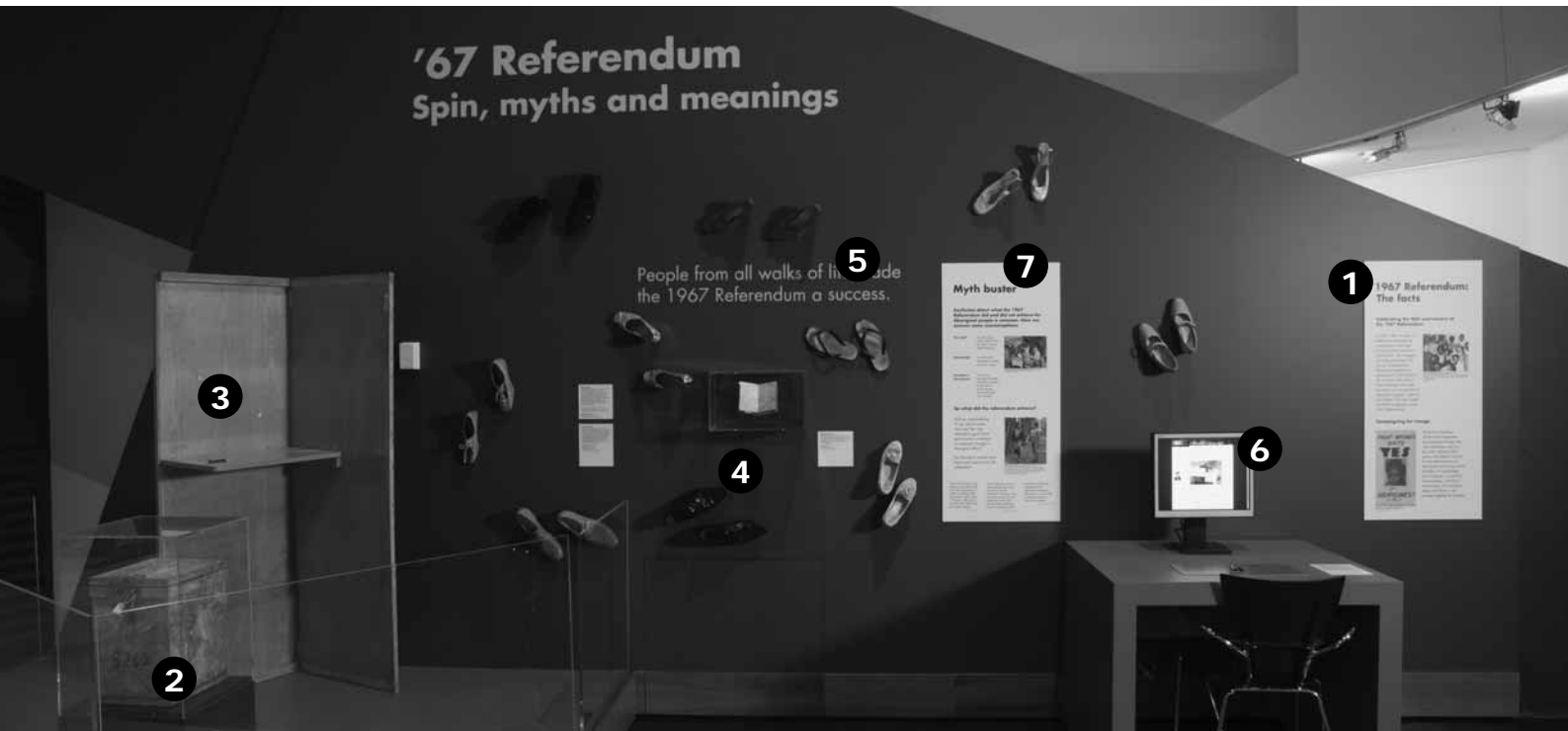
How does the National Museum of Australia represent the 1967 Referendum? Site Study

For the 40th anniversary of the Referendum the National Museum of Australia set up a small display, entitled *'67 Referendum Spin, myths and meanings*.

- 1 From your study of the 1967 Referendum in this unit what would you say were the:
- spin
 - myth
 - meanings
- of the Referendum?

Below is a photograph of the National Museum of Australia display.

Any display is a representation of history — that is, it is somebody's version of what happened, and is created as a result of what they choose to include, and what they choose to exclude. Your task is to analyse this representation of the 1967 Referendum and make your own judgement about it. You will find enlargements of the numbered elements in the following pages.



Photograph George Serras

Use this set of questions to help you make your assessment of the site.

KEY CRITERIA for judging a museum display

- What does the display show?
- Is the historical context explained clearly?
- Is the significance of this display clearly explained?
- Are the objects displayed authentic for that event or period?
- Are these objects the best possible ones to be displayed?
- Are the text descriptions clear and informative?
- Do the surroundings influence my impression of the display?
- How is the display arranged?
- Is there a particular message being conveyed?
- Is the nature of the event clearly identified (e.g. am I told if it is controversial or contested)?
- If so, is a variety of viewpoints clearly and fairly put?
- Do I know where the evidence has come from and what sort of evidence it is?
- Is it giving me a particular message?
- Is its purpose to present objects (neutral), or to explain (impartial), or to argue a particular view (partisan)?
- At the end, do I feel that I really understand the situation?

1

1967 Referendum: The facts

Celebrating the 40th anniversary of the 1967 Referendum

In 1967, after 10 years of dedicated campaigning, a referendum was held to change the Australian Constitution. The changes gave the government the power to legislate for Aboriginal people as a group and to allow them to be counted in the census. These changes were seen by many as a recognition of Aboriginal people's rights as full citizens. This year marks the 40th anniversary of the 1967 Referendum.



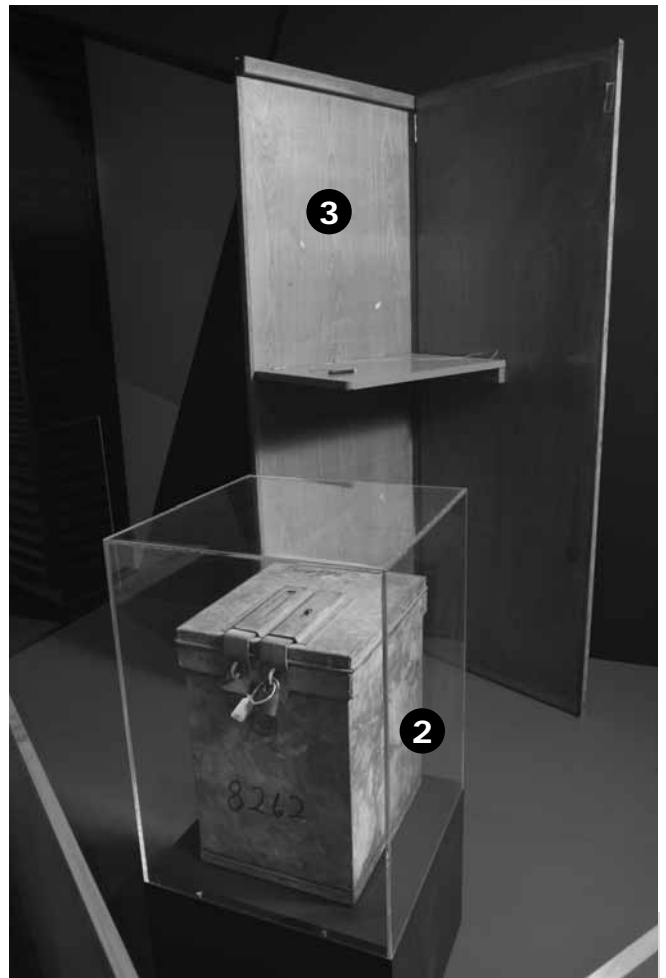
Victory celebration, Tranby College June 1967
Members of the New South Wales 'Yes' committee toast their campaign director, Faith Bandler (centre), after the success of the 1967 Referendum.
AAT702

Campaigning for change



Referendum campaign pamphlet 1967
National Library of Australia

While the Australian Government supported the proposed change, the 'Yes' campaign was run by a key national lobby group, the Federal Council for the Advancement of Aborigines and Torres Strait Islanders. A remarkable mix of people — unionists, conservatives, Christians, communists, rich and poor, black and white — all worked together for change.

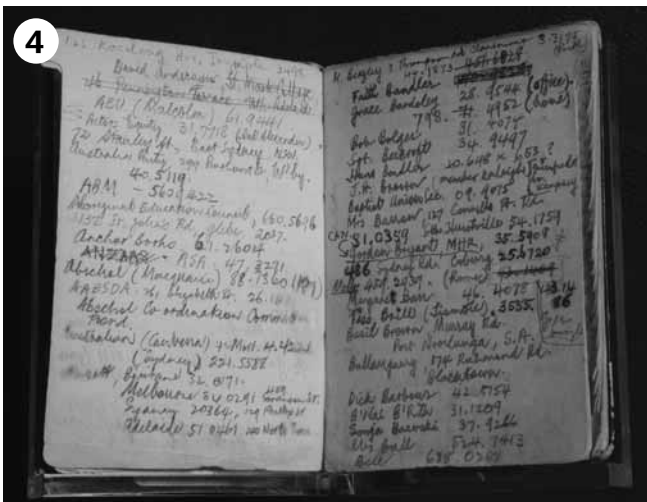


Voting booth about 1960s (3)

Voting box about 1960s (2)

Looking at the voting booth and voting box used in the 1967 Referendum, it is interesting to consider what the referendum meant to many people. Some thought the referendum gave Aboriginal people the right to vote, but legislation passed in 1962 provided all Aboriginal adults with voting rights for Commonwealth elections.

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Calling all activists

This 1967 address book belongs to activist Jack Horner. It lists some of the many people and organizations that supported the 'Yes' campaign.

Address book 1967

On loan from Jack Horner
Collaborating for Indigenous Rights
<http://www.nma.gov.au/indigenousrights/>
Photograph George Serras



Whose shoes?

These 1960s shoes are a reminder of the diversity of people who took part in the 'Yes' campaign. People from churches, unions, universities, small businesses, political parties and the general community all dedicated their time. Who do you think might have worn the silver evening shoes or the thongs?

Unlike the other objects in this exhibit it is fine to touch the shoes in front of you.

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Shoes about 1960s



National Museum of Australia
Photographs George Serras

Myth buster

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Confusion about what the 1967 Referendum did and did not achieve for Aboriginal people is common. Here we answer some misconceptions.

- The vote?** No. Aboriginal adults already had the right to vote in federal elections.
- Citizenship?** No. Aboriginal people were already Australian citizens.
- Counted in the census?** Yes and no. Aboriginal people had been counted in the census, but the figures were subtracted from the total.



Census collection, Ernabella Mission 30 June 1966
photograph by Michael Hefford

So what did the referendum achieve?

With an overwhelming 91 per cent of voters choosing 'Yes', the referendum gave future governments a mandate to implement change in Aboriginal affairs.

But Aboriginal people have had mixed responses to the referendum.



Racial discrimination, what's that? 25 May 1967
The campaign for the 1967 Referendum was widely covered in the media. Two days before the referendum, the Sydney Morning Herald included this staged photograph on its front cover.
photograph by George Lammie, Fotofest/Art

For most Aborigines [the referendum] is basically and most importantly a matter of seeing white Australians finally, after 179 years, affirming at last that they believe we are human beings.

Chicko Dixon, 1997

If the referendum hadn't been passed, we would have been further advanced, because white Australia would not have fooled the world into thinking that something positive was being done.

Kevin Gilbert, 1992

At the time I definitely thought that the referendum achieved something — personally, it made me lose my inferiority complex.

Burton Burton, 1997

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