

# Recognising Aboriginal Australians in constitution 'perverse racism': Senator David Leyonhjelm

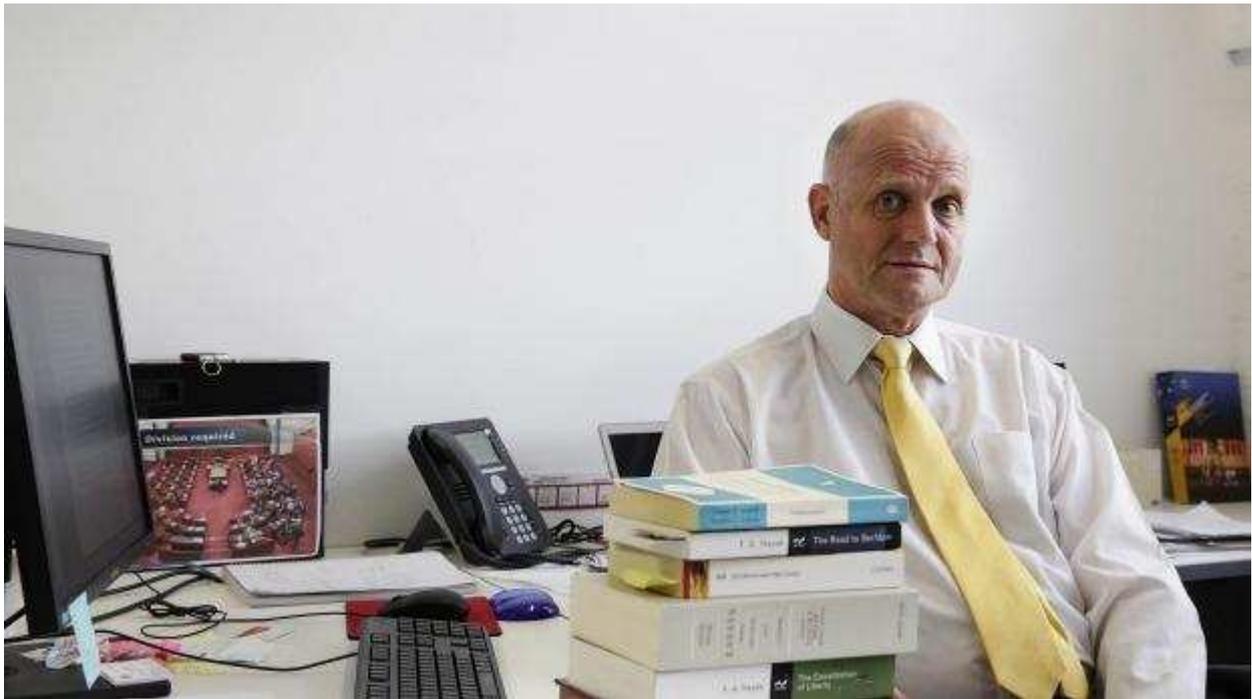
Date: March 5, 2015 - 3:17PM

Brisbane Times



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Senator David Leyonhjelm. Photo: Jessica Hromas

Senator David Leyonhjelm has become the first Australian politician to break with the bipartisan push for constitutional recognition for Indigenous Australians, saying their identification in the nation's foundation document would represent a "perverse sort of racism".

He also described as "conjecture" that the Aboriginal people were the first to occupy the Australian continent and said describing their traditional link with land and water was "stereotyping".

His comments were immediately dismissed as "pathetic" by Reconciliation Australia co-chair Tom Calma, while Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda said it was too early for anyone to be so trenchantly opposed to the process.

"Everyone is entitled to their view but he just needs a bit of education," Mr Calma said.

Senator Leyonhjelm's remarks were made during a speech in the Senate on the the Aboriginal and Torres Strait Islander Peoples Recognition (Sunset Extension) Bill 2015, a legislative stepping stone to recognition.

"Each of us can feel that our ancestry is important, and each of us can celebrate this ancestry in our own way. Some celebrate ancestors who were here millennia ago, some celebrate ancestors who were on the First Fleet, and some celebrate ancestors who came on a more recent leaky boat. But no one person's ancestry is more important than another person's," said Senator Leyonhjelm.

"Every human being in Australia is a person, equal before the law. Giving legal recognition to characteristics held by certain persons – particularly when those characteristics are inherent, like ancestry – represents a perverse sort of racism. Although it appears positive, it still singles some people out on the basis of race."

Prime Minister Tony Abbott and Opposition Leader Bill Shorten have committed their parties to work together to make recognition a reality.

The bill states that "The Parliament, on behalf of the people of Australia, acknowledges and respects the continuing cultures, languages and heritage of Aboriginal and Torres Strait Islander peoples".

Senator Leyonhjelm, who spoke in opposition to the bill and said he opposes a referendum on recognition, described the declaration as "divisive".

"It is likely that some Australians do not respect the cultures, languages or heritage of Aboriginal and Torres Strait Islander peoples. What is the Parliament doing to these people when it asserts that the people of Australia respect Aboriginal cultures? It is casting them as 'un-Australian'," he said.

Archaeologists might prove that another people lived in Australia before the Aborigines, he said.

Senator Leyonhjelm also argued that some Aboriginals do not have a relationship with traditional lands and water.

"Statements like this belong in scholarly research, not legislation. Ever since the Enlightenment we have accepted that questions of fact are resolved by evidence, not by decree. You can't legislate a fact."

Mr Gooda said recognition was not divisive but rather "an opportunity to bring Australians together".

"This is about ending the historical exclusion of the first tens of thousands of years of Australia's history and removing the existing race discrimination from the constitution," he said.

"If you support race equality, it's important to understand that the constitution doesn't currently reflect that. It allows for race discrimination today.

"It's too early for anyone to be so trenchantly opposed to this. Let's remember this is an opportunity to make progress in the relationships between Indigenous and non-Indigenous Australians."