

The constitutional recognition debate is nothing like 1967

Opinion

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By Celeste Liddle for [Away!](#)

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[Photo: The 1967 referendum result was the result of 10 long years of campaigning. \(Supplied\)](#)

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When it comes to the 1967 referendum finally counting Aboriginal people in the national census, there is one thing that strikes me about the process.

It was the most successful referendum outcome since Federation — because it came from the grassroots, following a series of political and community actions undertaken by Aboriginal people and the ally networks they set up.

The documentary film made by [Franny Peters-Little](#) entitled [Vote Yes for Aborigines](#) outlines this process extensively.

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From the formation of the Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) in the 1950s, running on nothing but volunteer labour, ration books and food donations, to then bringing unions, students, churches, et cetera on board to

support the cause, and use their international clout to raise the profile of Indigenous discrimination globally.

Awareness was also raised via political activism such as the Freedom Rides and the Wave Hill Walk Off.

And after 10 long years of campaigning and lobbying politicians, the referendum questions finally went to vote — and even then, it was under a prime minister who wasn't convinced of the necessity of these changes.

Little delivered in 50 years

Fifty years on, the current push for the constitutional recognition of Aboriginal and Torres Strait Islander people feels like it couldn't be more different from the 1967 referendum campaign if it tried.

Community response has ranged from support, to suspicion and questioning, to downright dissent.

This dissent reflects a frustration with a system that has delivered so little in 50 years.



[Photo: Celeste Liddle wants recognition of sovereignty, by treaties or other means. \(ABC Radio Melbourne: Simon Leo Brown \)](#)

It was during the prime ministership of Julia Gillard (following the Howard government's initial attempt to include recognition in a preamble during the [1999 republic referendum](#)) that the Expert Panel on Constitutional Recognition of Aboriginal and Torres Strait Islander peoples was formed.

[Their extensive report was tabled in 2012](#) and while examining many aspects of constitutional recognition, it showed that though there was goodwill in both the mainstream and the Indigenous communities; Aboriginal and Torres Strait Islander people wanted substantive change.

In particular, questions around sovereignty and the prospects for treaty formed part of the expert panel's report.

The findings were that any mention of these concepts within a referendum would cause the referendum to fail, because there was no will for this change from the Australian public.

This caused a lot of Indigenous people to question "why not"?

If all constitutional recognition is going to do is name us in a document specifically written in the first place by colonisers to exclude us, then what is the real point of this push?

Australian public still resistant

The complex Indigenous oppositional reaction goes deeper than that though.



[Photo: 25 years after Eddie Mabo's death, and the quashing of terra nullius, change is slow.](#)
[\(Supplied: Gail Mabo\)](#)

Why is it that in 2017, 25 years after the false doctrine of terra nullius (or land belonging to no-one) as declared by Captain Cook in 1770 was quashed in the High Court of this country, there is still such a resistance from the Australian public and particularly the governing bodies to come to the table?

To recognise the land and cultural rights of Aboriginal and Torres Strait Islander people?

To develop some sort of framework for reparations, service provision and proper consultation?

To undo the generations of white-washed history and come to an agreement on how this country is going to move forward?

Why is Australia the only Commonwealth country not to have negotiated treaties with the Indigenous peoples?

Constitutional recognition a Government agenda

This disquiet has been exacerbated, rather than subdued, by the [Recognise campaign](#).

While Recognise was continually touted as a "grassroots campaign" designed to educate the Australian public on the issue of constitutional recognition, the fact that it was government-funded and was pushing a very pro-yes line was troubling.

When Indigenous people saw gigantic corporate endorsements for Recognise such as the AFL and NRL, Qantas and various mining companies, it appeared little more than an advertising campaign for government policy.

Yet despite this, it has been difficult for Indigenous opposition to constitutional recognition to gain mainstream traction.

Mostly, this has been because the Government and Opposition have continually stated that constitutional recognition is what Indigenous people want.

For a time, it meant that the only oppositional voices getting heard in the media were those of [conservative, white, wealthy men](#); some notable examples being [Cory Bernardi](#), Gary Johns, and [Andrew Bolt](#).

These men would have us believe that any recognition of Aboriginal and Torres Strait Islander people as the Original Peoples would amount to "racism", because it would separate us when we are all supposed to be Australians — never mind that some within the Indigenous community reject being called an "Australian" in the first place and see it as an imposition.

IndigenousX survey contradicts Recognise report

This white male dominance has been chipped away at with two tactics: on the ground activism and clever Indigenous use of social media.

On social media we have been able to network and share information free from mainstream media constraints.

Sovereignty campaigns such as Tent Embassies, the assertion of tribal lands and applying for UN recognition (for example, the [Murrawarri Republic](#) and the [Yidindji nation](#)) have used social media to keep people up to date on developments.

Pages such as [Sovereign Union](#) and [Vote No to Constitutional Change](#) have argued on the threats to the recognition of Indigenous sovereignty if we are written into the Constitution.

Invasion Day protests have also been staunch spaces for the assertion of sovereignty and due to the power of social media, [crowd sizes have been growing every year](#).



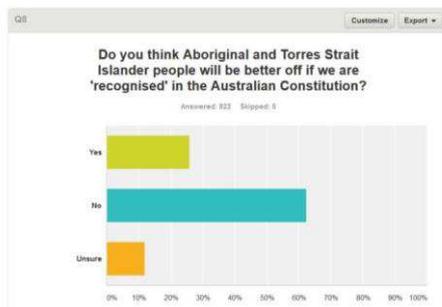
[Gallery: Invasion Day marches around Australia](#)

I believe a crucial moment was reached when Recognise, having released a report stating that 87 per cent of Indigenous people would vote yes for constitutional change, were challenged by [online media hub IndigenousX](#), run by Gamilaroi man Luke Pearson.

IndigenousX launched [their own survey](#), as many online activists expressed it was impossible for there to be such broad Indigenous consensus when the referendum questions themselves had not even been defined at that point.

The results were unsurprising.

Not only was there little support for Recognise in the first place, but apart from rejecting symbolic measures only, respondents mainly supported the formation of actual Indigenous legislative bodies — a proposal which has been greatly ignored by successive governments.



[Photo: The IndigenousX survey highlighted a lack of support for Constitutional Recognition among Indigenous people. \(IndigenousX: Luke Pearson\)](#)

What does recognition within a colonial document achieve?

I believe that some of the spirit of the grassroots activists of the 1967 campaign has been reflected by these dissenting community voices who have educated via binary coding rather than leaflets, and who have re-embraced the power of protest.

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This was demonstrated when Victorian traditional owners rejected constitutional recognition outright at a state government forum in preference for the recognition of sovereignty (via treaties or other means) and the installation of a representative elders' council.

I believe that this grassroots action has been further reflected by the [treaty process currently being investigated in South Australia](#).

Finally though, I believe the need for governments to come to the table, rather than assuming Aboriginal and Torres Strait Islander people will happily assimilate into their visions of "Australia" without a framework for justice, was what the 1967 campaigners were driving toward.

Their fight for recognition carried the hope that we would be seen not just as equals, but as people who have a distinct connection in this country, which needs to be properly respected.

And to properly respect this, the government must consult, negotiate, make reparations and educate the public — so the atrocities of yesteryear are not doomed to repeat themselves time and time again.

This is something mere recognition within a colonial document, written on the false basis of terra nullius, is never going to achieve.

Celeste Liddle is an Arrernte woman and the NTEU's national Indigenous organiser. She also blogs at [Rantings of an Aboriginal Feminist](#).