

The 1967 Referendum and the fight for Aboriginal citizenship rights

VOTE YES for Aborigines

A documentary by Frances Peters-Little

Produced by Denise Haslem



A **STUDYGUIDE** BY ROBERT LEWIS

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SYNOPSIS

Vote Yes for Aborigines (Frances Peters-Little, 2007) is a documentary about the 1967 referendum and the fight for citizenship rights for Aboriginal people. It marks the fortieth anniversary of the occasion, celebrating its historical significance and contemporary relevance.

While many people believe that the 1967 referendum gave Aborigines the right to vote, in fact the referendum removed two sections of the constitution that discriminated against, or stopped the Commonwealth Government helping, Aboriginal people.

With the highest YES vote in Australia's referendum history, 90.77% of voters agreed that all Aboriginal people must be counted in the census and that the Commonwealth Government have the power to take charge of Aboriginal affairs.

Vote Yes for Aborigines shows that this achievement did not occur in a vacuum. Aborigines had fought for citizenship rights for over a century but it was the coming together of the many Aboriginal associations and leagues in 1958 to form a national body that finally gave impetus to the struggle. The Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) attracted both Aboriginal and non-Aboriginal membership and support from across all sections of Australian society.

For ten years they campaigned to convince the public and politicians of the need for constitutional change. They capitalized on the global condemnation of Australia's treatment of its indigenous people and the media's growing interest in Aboriginal issues. The Freedom Rides of 1965, the Gurindji strike at Wave Hill in 1966, and the revelations about the appalling conditions faced by Aboriginal people who had been removed from atomic testing areas in Maralinga and moved to Warburton Ranges, all highlighted Aboriginal living and working conditions and helped advance the crusade to set things right for Indigenous Australians.

Vote Yes for Aborigines revisits those involved with the 1967 referendum and the social attitudes and influences that led to the event, featuring former Prime Ministers, politicians, historians and campaigners.

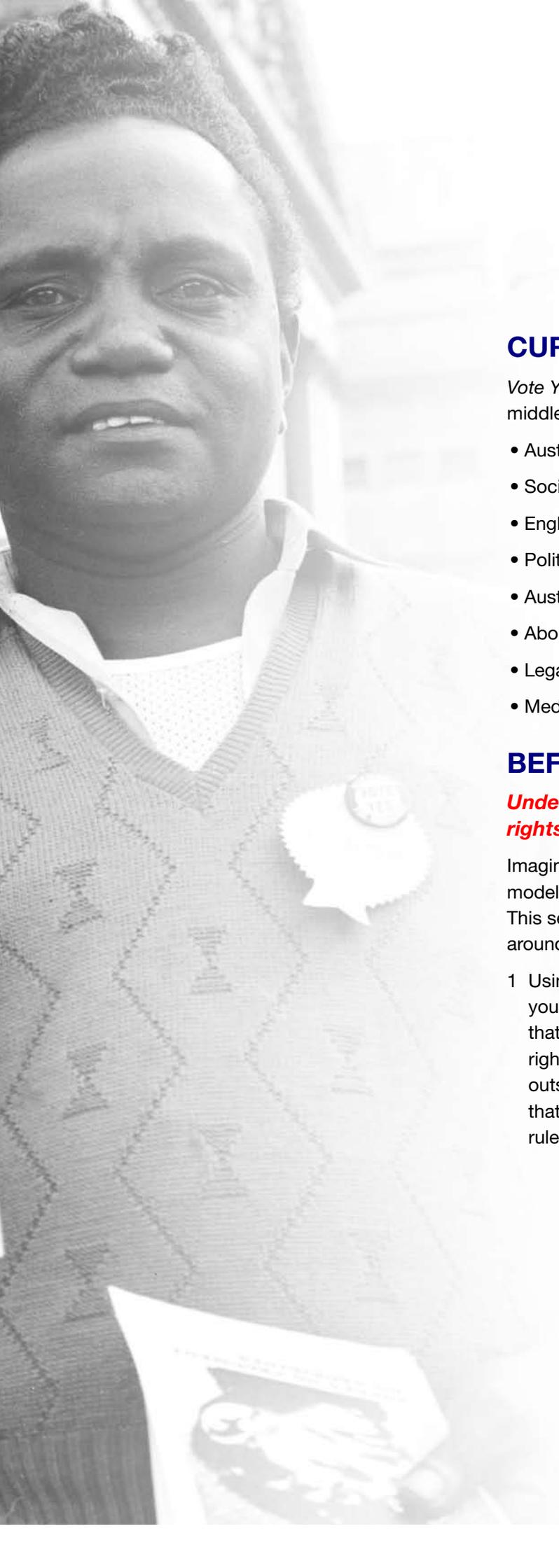
More than just marking a time in history, *Vote Yes for Aborigines* questions the success of the referendum and addresses current debates about what is meant by Australian citizenship and values and how they relate, if at all, to Aboriginal history, identity, and culture.

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Aboriginal and Torres Strait Islander viewers are warned that the program contains images of deceased persons.





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CURRICULUM APPLICABILITY

Vote Yes for Aborigines is a useful resource for middle-senior secondary students in:

- Australian History
- Society and Environment
- English
- Politics
- Australian Studies
- Aboriginal Studies
- Legal Studies
- Media Studies

BEFORE WATCHING THE FILM

Understanding the concept of 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 Using Table 1 (on page 4), 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.

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Table 1: Classroom Citizenship Rules

A	
B	
C	
D	
E	

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, and which you will soon explore in *Vote Yes for Aborigines*.

What citizenship rights existed in Australia by 1967?

- 4 Look at Table 2 (on page 5). What rights do you think a citizen of Australia should have for each of the areas listed in column 1? Summarize your answers in column 2. One example has been done to help you.

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Table 2: State of Citizenship Rights in Australia by 1967

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

5 Now tick or cross if Australian citizens actually have these rights today (Column 3). You may know this, or you may need to carry out some research to find out. One example has been done to help you.

You will be asked to complete columns 4-10 later in this study guide.

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EXPLORING IDEAS AND ISSUES IN THE FILM

Vote Yes For Aborigines has a clear and logical structure in tracing the history of moves towards the 1967 referendum, and on to the present.

The best way to make sure you can address the ideas and issues raised in the film is to work through a series of Comprehension and Reflection Questions (on the following pages) in the order in which the film's narrative story progresses. You can answer the Comprehension Questions (in the left column) and then the Reflection Questions (in the right column) for each separate section, or you might prefer to work through all the Comprehension Questions first, and then tackle the Reflection Questions as a set.

Understanding the 1967 referendum

The 1967 referendum authorized two changes to the Australian Constitution. One was to section 51 (xxvi), which said that the Commonwealth Parliament could not make laws that applied specifically to Aboriginal people. Once that was changed, the Commonwealth could take responsibility for the welfare of Aboriginal people.

The other was section 127, which said that Aboriginal people were not to be included in the periodical census of Australia. Once that section was abolished, Aboriginal people were to be counted in the same way that any other people were – and this meant that they now had an electoral presence that they did not have before.

Neither change affected Aborigines' right to vote (they had that after 1962), or their formal status as Australian citizens (they had that after 1949).

So what did the referendum mean?

This is the big question that *Vote Yes for Aborigines* explores.



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Introduction	<ol style="list-style-type: none">1 What is the point about national identity, what it means to be an Australian, that this edited extract of Prime Minister Howard's Australia Day address makes?2 What does he see as the 'dominant pattern'?3 What impression do you have about what the non-Indigenous interviewees say about their Australian identity?4 What do the Indigenous Australians say?5 One interviewee says, 'I'm not an Australian citizen, I'm a citizen of the Wiradjuri nation'. What does he mean by this?	<p>The comment by the Aboriginal man about being a member of the 'Wiradjuri nation' is a challenging one.</p> <p>Is he in fact a member of the Australian nation whether he wants to be or not?</p> <p>Is there a 'Wiradjuri nation' anywhere other than in his mind?</p> <p>Discuss these questions.</p>
Historical Background	<p>The makers of the Australian Constitution did not believe that the Aboriginal people of Australia would ever become equal citizens.</p> <ol style="list-style-type: none">6 Aboriginal people were under the control of the various colonial (later State) governments. These laws were implemented by protection boards. How did protection boards limit Aboriginal people's rights?7 Why did Federation in 1901 not change this situation?	<p>Laws made to protect Aboriginal people have been criticized as 'patronizing' as well as discriminatory.</p> <p>Yet a modern Aboriginal leader, Noel Pearson, is suggesting something very similar to help dysfunctional Aboriginal communities in northern Queensland.</p> <p>Do some communities need to be treated differently to others for them to stabilize and progress?</p> <p>Go to the Cape York Institute website and follow this debate in the news.</p>

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<p>Movements for Change</p>	<p>The film explores the earliest attempts by Aboriginal people to change this situation.</p> <p>8 What was the Australian Aboriginal Progressive Association? Why did it start on the wharves of Sydney in the 1920s?</p> <p>9 The next major movement was headed by William Cooper in 1935. How did his background help develop his organizational skills?</p> <p>10 How did Aboriginal people mark the 150th anniversary of European colonization in 1788?</p>	<p>There are always extraordinary people who sacrifice personal situation to pursue a belief or to work for others.</p> <p>Why do you think some people do this?</p> <p>Research a modern or past hero who has done this.</p>
<p>Post-World War Two</p>	<p>11 Many Indigenous Australians fought for their country in World War Two, but they did not receive land under the Soldier Settlement Scheme. Why not?</p> <p>12 Post-war migration was based on integration. What does this mean?</p> <p>13 How is it different from assimilation, which was the policy towards Aboriginal Australians?</p> <p>14 The narrator says that this policy was 'sold to Aborigines tainted with promises of equality'. What does this mean?</p>	<p>What impacts did service in the Australian Military Force have on Aboriginal Australians, and on those non-Indigenous men and women who served with them?</p> <p>To explore this further see <i>Studies</i> magazine (sent free of charge three times a year to every secondary school in Australia) issue 3/2006 or go to http://www.ryebuck.com.au for the unit.</p>
<p>Development of Urban Communities</p>	<p>15 Aboriginal people who came to the city often went to small and close-knit communities. Why would they do this?</p> <p>16 How would this help the development of people to assert their rights?</p>	<p>There is a debate about Redfern. It has become an impoverished and dysfunctional place, yet many people want to maintain it.</p> <p>Follow this debate in the news.</p>

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<p>The Formation of FCAATSI</p>	<p>17 What was FCAATSI? 18 What did it want? 19 What extra difficulties did FCAATSI organizers and leaders face? 20 Why was FCAATSI an important development in the achievement of Indigenous civil rights in Australia? 21 How did it suit international developments at the time?</p>	<p>You might research some of the international civil rights struggles in the 1950s, especially in the USA.</p>
<p>Developing Action</p>	<p>22 What was the 'Freedom Ride'? Why was it important? 23 What was the Gurindji strike? Why was it important? 24 What was the equal wage case? Why was it important? 25 What was the Warburton Ranges controversy? Why was it important?</p>	<p>Distribute these among four groups in class, with each group to research a different one. Each group then reports back to the whole class on their findings.</p>

It's time now to check again on what the problem was that people were trying to address.

Look at Table 3 (on page 10). It 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.) Use the information to complete Table 2 (on page 5). Tick or cross 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.

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Table 3: Aboriginal Australians' Rights by 1967

AREAS OF RIGHTS CONTROLLED BY INDIVIDUAL STATES	NSW	VIC	SA	WA	QLD	NT (Cwth)
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 THE COMMONWEALTH						
Invalid & old age pensions (since 1959)	YES	YES	YES	YES	YES	YES
Australian citizenship (since 1962)	YES	YES	YES	YES	YES	YES

26 What was the state of Indigenous Australians' civil rights by 1967?



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<p>Focusing on the Commonwealth Government</p>	<p>27 How did the involvement of Jessie Street now push the movement towards the Commonwealth rather than State governments?</p> <p>28 What was the petition campaign of the 1960s?</p> <p>29 What tactics did FCAATSI use during its campaign for change?</p>	<p>Jessie Street was an extraordinary woman. There is a fascinating unit on her on the National Archives of Australia website.</p> <p>You could also research the role of women of the referendum – see http://www.reconciliation.org.au</p>
<p>Putting forward a referendum for constitutional change</p>	<p>30 What was Prime Minister Menzies' attitude to the legal and constitutional situation?</p> <p>31 Why did the new Prime Minister Harold Holt agree to put forward a referendum?</p> <p>32 How was this also connected with another proposed change to the Constitution – to break the 'nexus' or link between numbers in the House of Representatives and the Senate?</p>	<p>Research to create a list of referenda that have passed since 1901.</p>
<p>The referendum</p>	<p>33 What did people seem to think the referendum was doing?</p> <p>34 What was the result?</p> <p>35 Why is that significant?</p>	<p>How did your electorate vote? Go to http://www.australianhistorymysteries.info and look at the 1967 referendum case study to see.</p>
<p>After the referendum</p>	<p>36 The referendum passed, but did it achieve anything? Here is some evidence from the film, as well as some other evidence. Read it, and discuss your conclusions.</p>	<p>Why did people vote Yes? Interview people who were old enough to vote (at least twenty-one years old in 1967) and see if you can build up a collection of memories and reasons.</p>

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Source 1

Dr John Maynard:

I would agree that the referendum was a point that gives incredible uplift and joy to Aboriginal people right across this country. I think if you look at it in that sense we did gain something from it, it give us incredible uplift and man, we've made it, we've finally made change. But if you looked at it from that point on, I just say we never took another step forward now in many respects.

Source 2

Professor Ann Curthoys:

I think those who say the referendum had no real effect are probably looking at the more long term and some of the disappointments, some of the policies of the early 1970s that didn't work out or have seemed to have failed and the continuing sort of nature of – I mean the continuing issues are to do with poverty and ill health and all those things. So they kind of say, well the referendum didn't solve that. Well I don't – the referendum didn't solve those issues but I don't think it ever could have.

Source 3

Dulcie Flower, FCAATSI Executive Member:

It didn't promise, it didn't make any promise. It just didn't. It was just that there was an opportunity for Aboriginal people to start being recognized as citizens of the country.

Source 4

Dr Jackie Huggins (right):

What it means to be an Australian citizen to me is that I can attain the same opportunities, that my children can go to school and have the same rights as non-Aboriginal children, to feel safe in my own country, and as an Australian citizen I would want my grandchildren to know that they come from a very ancient culture, a very ancient land. And to share equally of course in the wealth of this nation.

Source 5

The vote authorized the Commonwealth to now make laws affecting Indigenous Australians. Here are five of the main implications of this change:

- *The change enabled the Commonwealth Government to introduce positive programs in employment, education, health, housing, and the administration of justice.*
- *It enabled the Commonwealth to create bodies to help Indigenous people.*
- *The Commonwealth was easily able to introduce a fresh, more practical, definition of 'Aboriginality' based on community and self-identification. This made it easier for Indigenous people to get access to help.*
- *The Commonwealth began programs that emphasised 'self-management', 'self-sufficiency', 'self-determination' and, most recently, 'self empowerment'.*
- *The Commonwealth was able to pass legislation establishing Indigenous people's rights.*

(Australian Parliamentary Library Background Paper 11 1996–1997)

37 Was the 1967 referendum a significant moment in Indigenous Australians' history? Was it a significant moment for non-Indigenous Australians? Explain your conclusions.



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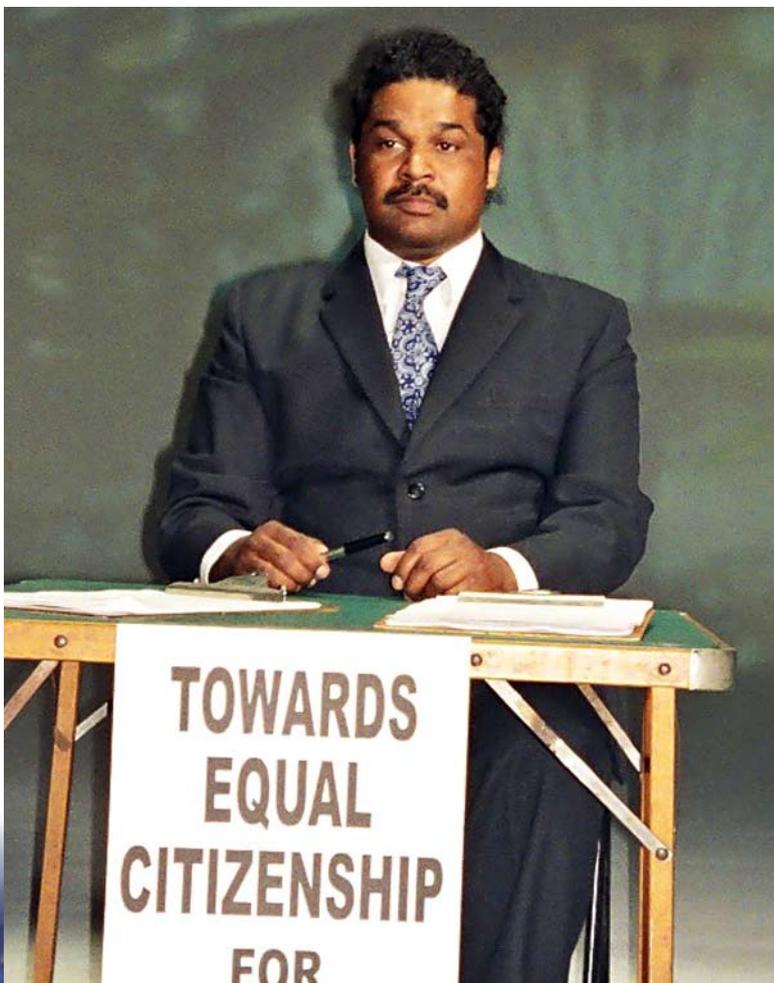
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What the referendum did not do

There is much confusion about what the referendum did and did not do. See if you now understand it by answering these questions. You can check your answers on page 14.

Table 4: The 1967 Referendum

1	Established a set of rights for Aboriginal people	TRUE	FALSE
2	Granted Aboriginal people citizenship	TRUE	FALSE
3	Granted Aboriginal people equality	TRUE	FALSE
4	Gave Aboriginal people the vote	TRUE	FALSE
5	Ended discrimination against Aboriginal people in state laws	TRUE	FALSE
6	Gave control over Aboriginal affairs to the Commonwealth and not the states	TRUE	FALSE



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Answers for Table 4 (on page 13)

1	False	The referendum did not establish any rights for Aboriginal people except the right to be counted in a census like every other person in Australia.
2	False	Aboriginal people had gained Australian citizenship in 1949, like all other Australians, although they were not in fact able to exercise it freely. The referendum did not make any change to citizenship.
3	False	The referendum did not establish equality for Aboriginal people other than enabling Indigenous people to be counted in a census like every other person in Australia. Therefore it did not change their status or the reality of their lives in any way.
4	False	Aboriginal people already had the vote in Commonwealth elections since 1962. The referendum did not change this situation.
5	False	The referendum did not change any existing state laws but it gave the Commonwealth Parliament the power to make laws that would override those state laws that discriminated against Aboriginal people.
6	False	The Commonwealth Parliament could now make laws that specifically benefited Aboriginal people, but it did not give them exclusive power.

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ASSESSING THE FILM AS DOCUMENTARY

1 List the main elements that are included in this film, and discuss the way they contribute to the film. For example, one feature is interviews with participants. How do they help create authority and authenticity in the film?

Elements	Contribution

2 Frances Peters-Little has written about the experience of making this film. Her comments (in the right column on the following pages) tell us much about the filmmaker's approach. Look at these and consider the questions about each element (in the left column).



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<p>a) Is it a filmmaker's responsibility to be objective? Or is it appropriate that the filmmaker be a partisan voice?</p> <p>Which approach do you think Frances Peters-Little has taken in this film?</p>	<p><i>Vote Yes</i> was in many ways a difficult film to make inasmuch as it is about a time in 'living' history, which I think is the most awkward period to represent because we are unable to stand back and view it from an objective perspective.</p>
<p>b) This refers to a warning that you see at the start of many videos about Indigenous Australians.</p> <p>Do you think the filmmaker is making the right decision here?</p>	<p>It has also been a highly rewarding and emotional film to make, taking me back to the faces of Aboriginal people who I have admired from childhood, but who have since passed on, such as Clive Williams, Leila Rankin, Doug Nicholls, Kath Walker, Charles Perkins, my Uncle Candy Williams and my Auntie Bertha Murray. Instead of wanting to conceal their image for fear of 'offending cultural protocols' (which I think mostly only applies to Aborigines in the far remote regions of Australia), I wanted to acknowledge them, even if only briefly, as the witnesses and participants of such an important time in history.</p>
<p>c) Do you think the film is uplifting? Does it stress positives, or negative, or a good balance between the two?</p>	<p>On an uplifting note, <i>Vote Yes</i> is a film about a hopeful time in Australian history; a time when it seemed Australians were yet to discover themselves and learn about Aborigines for the first time. And when Aborigines were still able to shock whites into recognition and compassion. However, I was bleakly reminded of how much we have now reverted back to the Menzies era – when it has become easier to be racist than it is to call someone racist, when one is made to feel unpatriotic if one objects to war and when archaic allegiances to the Union Jack have re-emerged.</p>
<p>d) How does the filmmaker do this?</p> <p>e) Does she provide any answer?</p>	<p>Although an historical documentary about the times and events that surrounded the 1967 referendum, during the making of <i>Vote Yes</i>, the question of 'what it means to be an Australian citizen' became a major topic of debate in parliamentary circles and raised the question about the implication for the future of Aboriginal citizenship – a subject too hard to ignore in the documentary.</p>

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<p>f) Many of the original campaigners are no longer alive. How has the filmmaker overcome this problem? Has it been successful?</p> <p>g) The film also employs the use of stylized dramatic sequences. Do you think they successfully embody the mood and temper of the times?</p>	<p>Politicians who participated were the former prime ministers of Australia, Rt Hon Paul Keating and Rt Hon Malcolm Fraser, former Minister for Aboriginal Affairs and now Director of Reconciliation Australia, Hon Fred Chaney and former president of the Australian Labor Party, Warren Mundine.</p> <p>The documentary features leading historians on the subject Dr. Bain Attwood, Dr. Sue Taffe and Dr. Jennifer Clark, as well as indigenous historians Dr. Gordon Briscoe, Dr. John Maynard and Co-Director of Reconciliation Australia Dr. Jackie Huggins. Other interviewees to appear in the film are Aboriginal leaders who were involved directly and indirectly with the referendum movement such as Dulcie Flower, Joyce Clague and Jimmy Little.</p> <p>Because of the absence of main players involved with the 1967 referendum, much of the film relies upon archival footage drawing on previous interviews with main characters like Faith Bandler, Doug Nicholls, Clive Williams, Don Dunstan, Stan Davey and Sir Zelman Cowan.</p>
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3 Do you think *Vote Yes For Aborigines* is a good and successful documentary film? Explain your views.

FURTHER INFORMATION

For more information and some activities on the 1967 referendum go to:

National Museum of Australia <http://www.nma.gov.au/indigenoustrights/>

Reconciliation Australia <http://reconciliation.org.au>

<http://www.abc.net.au/civics/democracy/struggle.htm>

For an interactive exercise on whether the 1967 referendum should be placed in the [imaginary] Australian Civil Rights Hall of Fame go to <http://www.australianhistorymysteries.info> and go to the 1967 referendum interactive case study.

REFERENCES AND FURTHER READING

The best book on the subject is:

Bain Attwood and Andrew Markus, *The 1967 Referendum: Race, Power and the Australian Constitution*, AIATSIS, Canberra, 2007.

Jennifer Clark, 'Vote yes for Aborigines', *National Library of Australia News*, Vol. 16, no. 5, February 2006, p.11.

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A. Curthoys, *Freedom Ride: A Freedom Rider Remembers*, Allen & Unwin, Sydney, 2002.

Horner, Jack, *Seeking Racial Justice*, Aboriginal Studies Press, 2004.

M. Lake, *Faith: Faith Bandler, Gentle Activist*, Allen & Unwin, Sydney, 2002.

L. Lippmann, *Generations of Resistance: the Aboriginal Struggle for Justice*, Longman Cheshire, Melbourne, 1981.

J. McGinness, *Son of Alyandabu: My Fight for Aboriginal Rights*, Queensland University Press, St Lucia, 1991.

T. Rowse, *Contesting Assimilation*, API Network, Perth, 2005.

Sue Taffe, *Black and White together*, University of Queensland Press, 2005.

Victorian Aborigines Advancement League, *Victims or Victors?*, Hyland House, Melbourne, 1985.

Vote Yes for Aborigines

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