



THE JOURNEY TO CONSTITUTIONAL RECOGNITION

Over the past 26 years Reconciliation Australia and its forebear, the Council for Aboriginal Reconciliation, have worked to promote greater understanding, equality and unity between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians.

During this time, Reconciliation Australia developed a five-dimensional framework for reconciliation. The framework is informed by a review of reconciliation in Australia and internationally. It provides a contemporary definition of 'reconciliation' that serves to guide our work, and a measure by which we can assess our progress towards a just and equitable Australia.

SEEKING RECOGNITION:
Recognise supporters watch on as Yolngu dancers perform at the Garma festival in 2013.



The five inter-related dimensions that contribute equally to national reconciliation are:

- **Race relations:** All Australians understand and value Aboriginal and Torres Strait Islander cultures, creating stronger relationships based on trust and respect.
- **Equality and equity:** Aboriginal and Torres Strait Islander peoples participate equally in a range of life opportunities and enjoy the same wellbeing as other Australians.
- **Institutional integrity:** The active support of reconciliation by the nation's political, business and community structures.
- **Unity:** An Australian society that values and recognises Aboriginal and Torres Strait Islander cultures as a proud part of our shared national identity.
- **Historical acceptance:** All Australians understand our nation's history and accept the enduring impact of past events and policies on the First Peoples of Australia.

Recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution, our nation's founding document, is an action that will contribute to progress across the five dimensions of reconciliation. It is an action Reconciliation Australia is compelled to support. The importance of recognition was described poignantly by Indigenous leader and 1978 Australian of the Year Galarrwuy Yunupingu:

“Recognise us for who we are, and not who you want us to be. Let us be who we are – Aboriginal people in a modern world – and be proud of us. Acknowledge that we have survived the worst that the past had thrown at us, and we are here with our songs, our ceremonies, our land, our language and our people – our full identity. What a gift this is that we can give you, if you choose to accept us in a meaningful way.”

For the past five years, Reconciliation Australia has overseen the Recognise campaign in advocating for meaningful constitutional recognition of Australia's First Peoples. The five-year government-funded campaign aimed to highlight the absence of any reference to First Peoples in the constitution, and raise awareness of the need for change.

In this time, the campaign attracted support from more than 300,000 Australians, held more than 365 events and travelled more than 39,000 kilometres. It was backed by more than 180 partner organisations, including some of the largest sporting and business groups in the country, and increased awareness of advocacy for constitutional reform from 30 per cent to 76 per cent of Australians. None of this would have been achieved without the dedication and effort of Recognise supporters.

While the campaign has made a significant contribution to the journey towards constitutional recognition, it was not the first to do so – nor will it be the last. Aboriginal and Torres Strait Islander peoples have long struggled for constitutional recognition. As far back as Yorta Yorta elder William Cooper's letter to King George VI (1937), the Yirrkala Bark Petitions (1963), the Larrakia Petition (1972) and the Barunga Statement (1988), First Peoples have sought a fair place in our country. * Our recent political leaders have also consistently expressed a desire for constitutional reform and to correct the original omission of First Peoples from our constitution. From Prime Minister Gough Whitlam in 1972, who spoke of

the need for Aboriginal and Torres Strait Islander peoples to take “their rightful place in this nation”, to Prime Minister John Howard in 2007, who promised a referendum seeking to amend the constitution to “recognise the special status of Aboriginal and Torres Strait Islanders as the first peoples of our nation”; our recent political leaders have all have advocated change and redress. These promising intentions never came to pass. They nevertheless confirm that constitutional recognition is longstanding and unfinished business for the nation. **

More recently, the journey was taken up again with the appointment of the 2012 Expert Panel on Constitutional Recognition of Indigenous Australians (on whose recommendation the Recognise campaign was created), the 2014 Aboriginal and Torres Strait Islander Peoples Act of Recognition Review Panel, and the 2015 Parliamentary Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples. Then, in December 2015, Prime Minister Malcolm Turnbull and Opposition Leader Bill Shorten established the Referendum Council to consult specifically with Aboriginal and Torres Strait Islander peoples about their views on meaningful recognition. The council embarked on

* ‘Rom Watangu – The Law of the Land’, *The Monthly*, July 2016.

** *Referendum Council Final Report*, 30 June 2017.



POLITICAL RESPONSE:

Opposition Leader Bill Shorten and Prime Minister Malcolm Turnbull walk to stage at Garma Festival 2017 to give their responses to the Referendum Council's report. Copyright of the Yothu Yindi Foundation.

a series of 12 dialogues across the country, culminating in the National Constitutional Convention at Uluru in May 2017.

The dialogues engaged 1200 Aboriginal and Torres Strait Islander delegates – an average of 100 delegates from each regional dialogue – in order to reach a consensus as to the views and priorities of Indigenous peoples. This is the most proportionately significant consultation process that has ever been undertaken with First Peoples regarding constitutional reform, and this is why their voices must be heard. On 30 June 2017, the council handed its report to the Prime Minister and the Leader of the Opposition. It carried just two recommendations: 1. That a referendum be held to provide in the Australian Constitution for a representative body that gives Aboriginal and Torres Strait Islander First Nations a voice to the Commonwealth Parliament. 2. That an extra-constitutional Declaration of Recognition be enacted by legislation passed by all Australian parliaments, ideally on the same day, to articulate a symbolic statement of recognition to unify Australians.

The dialogues also revealed that there are two additional matters of great importance to Aboriginal and Torres Strait Islander peoples. These are unrelated to constitutional reform, but fundamental to national reconciliation. They are: a process for agreement-making, or treaty, and the facilitation of local and regional truth-telling. Reconciliation Australia strongly supports the recommendations of the council and will continue to support meaningful constitutional recognition of Australia's First Peoples in the years ahead, building on the great work of the Recognise campaigners and all those who preceded them. We also support truth-telling as a means of truly understanding and accepting our history, and healing the hurt that remains for many Aboriginal and Torres Strait Islander people.

Without undertaking this work, we cannot achieve national reconciliation, nor realise our aspiration for a just and equitable Australia. At the same time, the movement for constitutional recognition will continue.

To our Recognise supporters: we are deeply grateful for your time, energy, donations and efforts, which have been integral to changing attitudes across the country and advancing reconciliation to

where it's at today. At the same time, we ask you to stay with us because your support will also be vital on the next part of the reconciliation journey. Our focus right now is on creating a concrete plan of action for this next stage, together with Aboriginal and Torres Strait Islander organisations and leadership, and we will keep you informed of these developments as they evolve. The government is yet to respond to the Referendum Council's report – and we will be steadfast in holding them to account.

As Mr W Wanungmurra, signatory to the Yirrkala Petition, so clearly expressed on its 50th anniversary in 2013: "If there's no place for Aboriginal rights in the constitution, there's no place for our rights outside of it. We are the first people of this continent and we need to be recognised in the body of the constitution." *** It is now up to this generation to make it happen.

*** 'Yirrkala bark petitions: A turning point in recognition of Indigenous rights', ABC News, 10 July 2013. Mr Wanungmurra passed away in August 2015.