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'Right wrongs, write Yes': what was the 1967 referendum all about?

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At a demonstration, Faith Bandler (right) and her daughter Lilon (2R) appeal to national unity as grounds for constitutional amendment. Aboriginal Studies Press

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On May 27, 1967, campaigners for Aboriginal rights and status won the most-decisive referendum victory in Australian history.

The referendum attracted more than 90% of voters in favour of deleting the two references to Aborigines in Australia's Constitution. Campaigners for a "Yes" vote successfully argued those references were discriminatory and debarred Aboriginal people from citizenship.

Ever since, and as we approach the 1967 referendum's 50th anniversary, it has been popularly remembered as the moment when Aboriginal people won equal rights – even the right to vote. In fact, the referendum did not secure those outcomes.

By 1967, all Aboriginal adults already held the right to vote in federal, state and territory elections. Racial discriminations had been removed from the statute books at the federal level and in all states and territories except Queensland, Western Australia and the Northern Territory. And even those three laggards were moving toward legal equality.

So what was achieved?

Constitutionally, the 1967 referendum secured the amendment of Section 51 (xxvi) and the deletion of Section 127.

The former section specified the federal parliament could make laws with respect to the:

... people of any race, other than the Aboriginal race in any state, for whom it is deemed necessary to make special laws.

The words “other than the Aboriginal race in any state” were deleted.

The latter section stipulated that in:

... reckoning the numbers of the people of the Commonwealth, or of a state or other part of the Commonwealth, Aboriginal natives shall not be counted.

Neither section prevented Aboriginal people from exercising the same legal rights as other Australians. The rights of Aborigines were abridged not by the Constitution, but by laws enacted by federal and state parliaments.

How was the campaign run?

Campaigners for a “Yes” vote, however, told a different story. They insisted constitutional change was a necessary precondition for Aboriginal equality.

Yet the campaigners’ ambitions went beyond legal equality. They sought the inclusion of Aboriginal people as respected members of the national community. This had been a principal goal of Aboriginal and pro-Aboriginal activists since the early 20th century.

The 1967 referendum was the culmination of a long struggle for rights and respect, for social esteem as well as equality before the law.

Accordingly, publicity material for the “Yes” campaign did not focus narrowly on the legal implications of constitutional change. More often, it exhorted Australians to welcome Aboriginal people into the fellowship of the nation. As the opening line of a popular campaign song ran:

Vote “Yes” for Aborigines, they want to be Australians too.

Effectively, the proponents of a Yes vote transformed what could have been a dry, legalistic tinkering with the Constitution into a plebiscite on Australian nationhood.

In achieving this transformation, the campaigners held an unusual advantage. Uniquely among Australian referendums, for the 1967 question on Aborigines there was no campaign for a “No” vote. And even the government broke with convention by providing, in the official advice to voters, only the



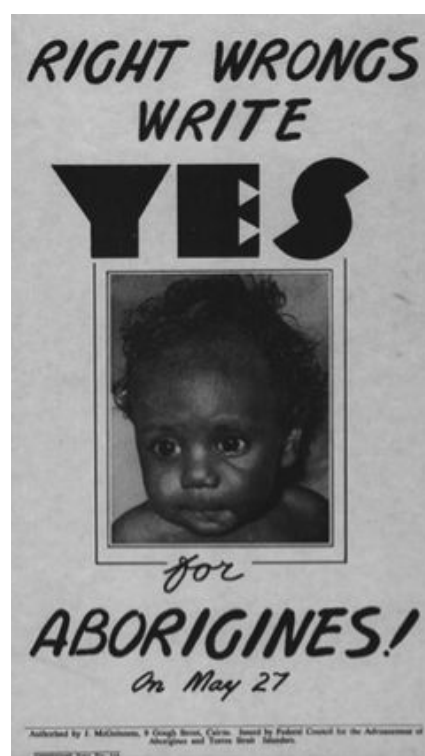
Two days before the referendum, the Sydney Morning Herald published this photograph. above the caption: ‘Racial discrimination – what’s that?’ Sydney Morning Herald

case for “Yes”. Consequently, campaigners could talk up the importance of the changes they advocated virtually unrestrained.

New South Wales campaign director Faith Bandler told voters:

When you write Yes in the lower square of your ballot paper you are holding out the hand of friendship and wiping out nearly 200 years of injustice and inhumanity.

Hyperbole of this kind is not unusual in political campaigns. What was unusual is that there was no organised opposition to contest the claims of the Yes campaigners, or to counter them with equally extravagant rhetoric for the negative.



The lack of a “No” campaign undoubtedly boosted the “Yes” vote. It was equally important in shaping remembrance of the referendum.

Lacking an opposition, the “Yes” campaigners had a virtual monopoly on the narratives about what the referendum meant. Their expansive conception of the referendum as a plebiscite on nationhood prevailed.

A symbolic win

The triumph of the “Yes” vote was primarily a symbolic victory. It did not win rights for Aborigines, and the government of the day did not utilise the extension of Commonwealth powers secured by amendment of Section 51 (xxvi). Nor did Gough Whitlam’s government after it came to power in 1972.

Much of the publicity material for a Yes vote was couched in broad terms of rectifying past wrongs. Gordon Bryant Papers/NLA

Whitlam did, however, invoke the resounding “Yes” vote of 1967 as a moral mandate for change in Aboriginal affairs.

Symbolic victories are important. Shortly after hearing of the massive “Yes” majority, veteran Aboriginal activist Pastor Doug Nicholls proclaimed it was:

... evidence that Australians recognise Aborigines are part of the nation.

As Nicholls knew from three decades of involvement in Aboriginal politics, recognition of his people as part of the nation was a hard-fought achievement.

Regardless of its slight legal consequences, the 1967 referendum was an important event in Australian history. It was a symbolic affirmation of Aboriginal people’s acceptance into the community of the nation.

Yet the referendum affirmed only the broad principle of national inclusion. On how that principle should be translated into practice – on the terms of inclusion – the referendum was silent.

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