

and encouraged them to set up their own complaints offices. If they became aware of any major shortcoming in government administration, they could start their own enquiry.

The ombudsmen worked so well that governments gave them more responsibilities, for example examining complaints against police. The number of people working in the office of the ombudsman grew. The danger was that, with success, the office of the ombudsman would grow too large and become another bureaucracy.

## **Aborigines become citizens**

In the 1960s the Council for Civil Liberties in New South Wales was chiefly concerned with police corruption and the banning of films and books. In 1963 it was asked to support the protest of the Aborigines at Mapoon in Queensland, who were being compulsorily moved to another site to make way for mining. The council had not considered that Aboriginal affairs were part of its business. It started to take an interest in the position of Aborigines in its own state. A body concerned with civil liberties had overlooked the worst abuse of civil liberties: a whole people had been denied their liberty on the grounds of race.

In colonial times, after the frontier violence was over, Aborigines were not subject to any special control. They possessed the civil and political rights of British subjects, except that their right to drink alcohol was removed. There were reserves and missions, but Aborigines were not made to stay on them. They came and went, taking work in the countryside and then returning to their homes.

The attack on their civil liberties occurred in the late nineteenth and early twentieth centuries when Australia was defining itself as a white society. This was when the ideas of breeding out the Aboriginal blood and keeping Aborigines separate from the rest of society took hold. Under state laws, Aborigines could be told where they were to live; they had to seek permission to marry; and their children could be taken away from them. The managers of Aboriginal reserves became like mini-dictators.

After World War II state governments changed their Aboriginal policy. Instead of Aborigines living separately, governments wanted them to move into the rest of the community and become assimilated. It was now clear that the Aborigines were not going to die out. But it was also clear that they could not be treated forever as



*Aboriginal workers in the southwest of Western Australia, before closer settlement and before the loss of civil rights*

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second-class citizens. Since racism in Nazi Germany had led to the destruction of seven million Jews, racism was now recognised as a terrible evil. The new world body, the United Nations, had declared against it and had published its declaration of human rights. Australia's treatment of Aborigines was beginning to be noticed overseas.

Slowly governments began to restore civil rights to the Aborigines. Some restrictions were dropped, but not others. In some states full rights were given to Aborigines who could show that they were not mixing with tribal people and that they were 'respectable' individuals living in the European way. They received what was called an 'exemption certificate' to show that the special laws controlling Aborigines did not apply to them. Aborigines called the certificates 'dog licences'.

In the 1950s and 60s new organisations were formed to campaign for the return of rights to Aborigines. They were made up of Aborigines and white Australians, with the white Australians at first usually being the leaders. Help for the Aboriginal cause

came from church people, women's groups and trade unions, especially radical and communist unions. Because communists wanted to unite all working people round the world, they had always been opposed to racism and in favour of Aborigines being treated as equals.

Some of those helping the Aborigines thought that they would eventually blend in with the wider population and disappear. This was the plan of the governments. It was not how most Aborigines thought of their future. They wanted equality and government assistance, but they wanted to remain Aboriginal.

By the end of the 1960s most Aborigines had regained their civil rights. Only in Queensland did the government still keep a tight control on Aboriginal reserves. Aborigines also regained their political rights—for Commonwealth elections in 1962, Western Australia in 1962, Queensland in 1965. In the other states they had not lost their political rights, though it had not been easy to exercise them. Because their names did not appear on the Commonwealth roll, officials assumed they did not have the vote for state elections.

When Aborigines regained their civil and political rights it did not mean that they were treated equally. In some outback towns in New South Wales they still could not sit upstairs in the best seats at the cinema or swim in the council pool. In 1965 a group of students at Sydney University, including the future Aboriginal leader Charles Perkins, decided to highlight these injustices. They were inspired by the civil rights movement in America, which was working to bring equality to black people. The students travelled west in a 'Freedom Ride' bus.

At Walgett and Moree the students stood beside local Aborigines and demanded they all be let into the pool and into the good seats at the cinema. There were angry confrontations as the townspeople resisted this outside interference in their colour bar. The media were present to carry the story all round Australia. The colour bars were dropped, but white townspeople became more hostile to the Aborigines.

The greatest victory for the Aboriginal cause in the 1960s was the changes made in the Commonwealth constitution. Aboriginal people and their supporters had thought for a long time that only the Commonwealth government could establish a new deal for Aborigines. The constitution gave the Commonwealth power to pass laws for a particular race—except for Aborigines. The Aborigines

were left as a state matter. The reason for this was that New Zealand, which was involved in the early discussions on federation, did not want Australia to take control of the Maoris. New Zealanders were proud of treating the Maoris much better than Australians treated the Aborigines. The only other reference to the Aborigines in the constitution was that they should not be counted in the census. This was to exclude them from calculations about state finances, but it suggested that Aborigines were not real people.

### WHY VOTE YES, 1967

#### **The official Yes case supported by all political parties**

The purposes of these proposed amendments to the Commonwealth Constitution are to remove any ground for the belief that, as at present worded, the Constitution discriminates in some ways against the people of the Aboriginal race.

The changes will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Commonwealth Parliament considers this desirable or necessary.

They will also remove the prohibition on Aborigines being counted in the census. Our personal sense of justice, our common-sense, and our international reputation in a world in which racial issues are being highlighted every day, require that we get rid of this out-moded provision.

#### **Chicka Dixon's case for Yes**

There's a simple reason why I want a huge 'Yes' vote. *I want to be accepted by white Australians as a person.*

I have not thought through what would be my reaction—and the reaction of my people—to a No vote. It would be a crushing rejection. It would create disastrous bitterness. And it could mean bad blood between black and white for the foreseeable future.

But I find it difficult to believe that Australians would do this. Yet we fear this result. We fear that apathy, ignorance, a complicated ballot paper\* and racial hatred—in that order—could defeat us.

\* There was another referendum on the number of politicians being held on the same day.

*Referendums  
to be held on  
Saturday, 27th  
May 1967,  
Canberra, 1967*

*Sun Herald,  
Sydney,  
21 May, 1967*



*Advertisement for the Yes case 1967*

The Aboriginal organisations wanted the constitution changed so that the Commonwealth could make laws for the Aborigines and so that they would be officially counted in the census.

In the early 1960s a group of Aborigines and their supporters went to Canberra to ask Prime Minister Menzies to put these changes to the people. He listened sympathetically. After the meeting he offered the Aborigines a drink. One of them told him that if they were in Queensland he would be breaking the law. He was taken aback for a moment—he probably did not know about the Queensland laws—but then he said ‘I’m the boss here’.

Menzies did not want the Commonwealth to become involved in Aboriginal affairs. Nor did Harold Holt, the Liberal prime minister who took over from him in 1966. But Holt was more concerned about Australia’s image in the world and he wanted to show that he was sympathetic to the Aboriginal cause. As these were the changes Aborigines and their supporters wanted, he would put them to the people. He thought that even if the Commonwealth got the power to make laws for Aborigines, it did not have to use it.

Please refer to the book for this image

*Black and white campaigners celebrate the success of the 1967 referendum*

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In 1967 the constitutional referendum on Aborigines was easily carried. The Yes vote was nearly 90 per cent, by far the highest ever for constitutional change. Many people think that Aborigines became citizens and acquired the vote as a result of this referendum. They did not. For most Aborigines those changes had already happened.

But the referendum stood for much more than the changes it made to the constitution. Aboriginal people were looking to the Australian people to vote Yes to show that after years of cruelty and discrimination they were now fully accepted in the nation and were truly to be equal citizens. The Australian people did not let them down. Later, when Aborigines asked to be treated differently because they were Aborigines, the Australian people were not so ready to agree.

## **Protests in the streets**

The issues at an election were never clearer than at the Commonwealth election of 1966. The Holt Liberal government was a