

VOTING IN THE REFERENDUM

SIR—Regarding the Aboriginal question in the referendum, your correspondent from Western Australia (May 18), Mr W. R. B. Hassell, seems to be under the misapprehension that the proposal being put to the people would shift administration of Aborigines to the Federal Government in Canberra.

In fact, the proposal merely empowers Federal Parliament to make laws in relation to Aborigines in the States as well as the State parliaments.

The powers would be concurrent and need not conflict.

The present Federal Government, in fact, has given no indication that it has any such legislation in mind, but has based its case on the proposition that the present singling out of Aborigines for exclusion from Federal law-making appears to discriminate against them.

The Federal Council for the Advancement of Aborigines and Torres Strait Islanders is not advocating a taking over of the role of the States in Aboriginal administration.

However, we do see a definite need for some action by Federal Parliament in relation to Aborigines in the States, which would complement the role of the State governments in this field.

First, Federal power implies Federal responsibility, both moral and financial.

Second, there are some gaps in Aboriginal affairs which can most satisfactorily be filled by Federal action.

An obvious example is the protection and fostering of Aboriginal arts and crafts and their marketing at a national level.

Similarly, there is an obvious need for an Aboriginal Education Foundation along the lines of the very successful Maori Education Foundation in New Zealand.

Third, Federal power and responsibility in relation to Aborigines will bring nearer the day when we will see international standards and world opinion respected in Aboriginal affairs.

In 1957, the International Labor Organisation, of which Australia is a member, adopted Convention 107 relating to the treatment of indigenous peoples such as the Aborigines.

So far, only South Australia has sought to comply with the standards of the convention, and the Federal Government has said that it cannot ratify Convention 107 until all the States seek to comply with it.

We look forward to a new impetus in that direction if Federal Parliament receives a clear mandate in favor of Aboriginal rights and advancement on May 27. — A. B. PITTOCK, executive member, Federal Council for the Advancement of Aborigines and Torres Strait Islanders, Loller Street, Brighton, Victoria.

In support of a No vote

THE BEST interests of the Aborigines will not be served by a Yes vote in the forthcoming referendum, and I venture to suggest that the apparently unanimous support for a Yes vote results from considerations other than the welfare of the Aborigines.

There is not the slightest doubt that the States themselves are the best able to manage their own Aboriginal situations in the same way as the States are best able to manage so many other functions.

If this were not so then the State parliaments should have been found unnecessary long ago.

A No vote will mean that legislation in regard to Aborigines will be tailored to meet the specific situation as it applies in each area, and cannot fail to provide a much more realistic and sympathetic arrangement. — L. K. APPLETON, McGlim Road, Ferny Grove, Queensland.

Why not outlaw discrimination?

IF WE INTERPRET racial discrimination as bad government, provision should be made in the Constitution to prevent it.

The proposed alteration of Section 51 Clause XXVI not only fails to do this, but leans in the opposite direction, by providing constitutional authority for racialist legislation.

Undoubtedly the Aborigines themselves hope that the referendum will be successful, because the change will allow the Government to act against discrimination and also remove the minor discriminatory section 127 of the Constitution excluding the counting of Aborigines in the census.

But discrimination cannot be brought to an end by introducing an ambivalent clause into the Constitution.

The whole clause concerning treatment of racial groups should be replaced by one nullifying any law and outlawing any practice which discriminates against a person on grounds of race or color.

The very difficulty of amending the Constitution

must require careful consideration of its long-term effects.

If amended, Section 51 Clause XXVI will allow Parliament the power to make laws for the peace, order and good Government of the Commonwealth with respect to the people of any race for whom it is deemed necessary to make special laws.

It cannot be emphasised too strongly that no guarantee is written into this section which would prevent misuse of the powers it confers.

Therefore, very reluctantly, we must abstain from voting on the Aboriginal referendum.

It can serve no good purpose to vote into the Constitution a clause which could make perfectly legal the establishment of apartheid in its most extreme form.

—BRIAN AND MARY COTTERELL, Warriewood Road, Warriewood, NSW.

'Piecemeal attack must cease!'

ON SATURDAY, Australian voters will be asked to amend the Constitution to give Federal Parliament power to legislate in regard to Aborigines.

This amendment must be passed and the power really used. It must not be left to lie dormant as a sop to this group.

It has been the policy of the 7000 Australian Jaycees since 1959 to support a referendum and a more positive Federal Government programme for assimilation of Aborigines.

In addition, we have promoted a policy of assistance to Aboriginal welfare committees and a Jaycee chapter has this year been formed at Yarrabah Mission, near Cairns.

We consider that the existing confusion arising from the various State definitions of an Aboriginal and the well-meaning piecemeal attack of State legislation on the Aboriginal problem must cease.

It should be replaced by Federal legislation, supported and actively assisted by citizens generally.

This amendment should not just be a political gesture associated with the nexus question.

It must be the beginning of a Federal programme of assistance to the Aboriginal.

—W. J. ORME, national president, Australian Jaycees, North Sydney NSW.