

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 proposal would be concurrent and not in conflict.

The present Federal Government, in fact, has given no indication that it has any similar legislation in mind, but has based its case on the proposition that the States are not singling out of Aborigines for exclusion from Federal protection, making it appear 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 Federal legislation 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 the Aboriginal Education Foundation along the lines of the very successful Maori Aborigines 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 matters.

In 1907, the International Labor Organization, of which Australia is a member, adopted Convention 18 relating to the treatment of indigenous peoples such as the Aboriginals.

So far, only South Australia has sought to comply with the standards of the convention, and the Federal Government has said it can not ratify Convention 18 until all the States seek to comply with it.

We look forward to a new impetus that this need for Federal assistance from the States may receive.

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 of a Yes vote results from considerations other than the welfare of the Aborigines.

This 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 their own labour laws and 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, McIlmo Road, Ferny Grove, Queensland.

Why not outlaw discrimination?

IF WE INTERPRET racial discrimination as bad and support a prohibition, provision should be made in the Constitution to prevent it.

The proposed alteration of Section 51 Clause XXVI only fails to do this, but leaves the onus of direct discrimination p roviding constitutional authority for racist 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 threat of discriminatory section 127 of the Constitution, excluding the counting of Aboriginals.

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 the States 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 Parliament from using its full powers it confers.

For these reasons, the Editorial Board of The Bulletin urges the non-committal 'No' vote on the referendum. It can serve no good purpose to vote into the Constitution a clause which would make perfectly legal the existing practices, some of which are in its most extreme form.

—REPLY TO MARY COTTERELL, Warragul Road, Warragul, NSW.

Piecemall eaten must cease!

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

This amendment must be rejected and the power really used to end the discriminatory practices.

It has been the policy of the Torres Strait and Malay Aborigines since 1907 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 communities, and the 1957 Papunya chapter has been followed by the Farrarab Mission, near Cairns.

We consider that the existing constitutional framework from the various State definitions of an Aboriginal and the well-meaning piece-mall 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 piecemeal gesture associated with the nexus question.

It must be the beginning of a Federal programme of assimilation of the Aboriginals.

W. J. ORME, national president, Australian Aborigines, North Sydney NSW.