
SPEECH TO RECOGNISE GALA DINNER: THE HON. BILL SHORTEN MP

Thursday, 11 December 2014
Sydney

Good evening, everyone. I acknowledge with fresh emphasis tonight the traditional owners of the land on which we meet. I pay my respects to their elders, both past and present.

Prime Minister, it is good to be here with you tonight supporting a cause that we both genuinely believe in. To Tanya Hosch and to Tim Gartrell and all the sponsors, thank you for hosting us here this evening, and thank you for everything that you and 'Recognise' have done to advance this national conversation.

Earlier this year at the Garma Festival in East Arnhem Land, Chloe and I saw our children dance in a circle of people from all over the peninsula. We saw, through the sea of legs and arms and rising dust, our precious four year old daughter on her hands and knees in the red dirt playing with two little Aboriginal girls. As a parent, it was quite a moment.

It reminded me that there is no such thing as instinctive prejudice, that no-one is born in Australia or anywhere else frightened of someone else, disliking someone else because of the colour of their skin.

No person is born that way, no baby of any race. But our country, Australia, was born that way. As Bulgun Warra man Harold Ludwick from Cape York said: 'If the Constitution was the birth certificate of Australia, then we are missing half the family.'

It is an omission, and a deep forgetting that speaks to our oldest national failure, the failure to fully include in our national definition, the First Australians—the people who cared for this continent 40 000 years before the first ghost-white sails navigated through the entrance to Sydney Harbour.

Friends, if we had come here tonight to draft our Constitution anew, the first paragraph would be a respectful acknowledgement of the First Australians.

If we were crafting our Constitution in 2014, we would

not accept the omission of the first 400 centuries of our national history from our national definitive document. Nor tonight would we ignore the dispossession, the tribulations, the discrimination, the various forms of injustice inflicted on the First Australians by those who have followed. As Yorta Yorta woman Sharon Sowter said; our task is to 'put right what has been wrong for too long.'

The exclusion of the Aboriginal and Torres Strait Islander people from our Commonwealth's foundation document is a constitutional fault line we must mend, an historical injustice we must address, a national test that we for too long have failed to pass.

I see tonight, friends, as an opportunity to re-dedicate ourselves to our guiding belief that our Constitution belongs to every Australian and it should hereafter speak to every Australian.

The Prime Minister was right tonight to say that we cannot allow this debate to be run off the rails by extreme views, by a fracturing of national consensus or political games that we have no time for. Recognition is simply too important for that.

That's why tonight I'll be focusing on the process for framing the referendum question, because once we have an agreed process in place, moving towards a concrete proposal, then we can take the politics out of the issue for the benefit of everyone. We can campaign together for a change that we all believe in.

We have an opportunity as leaders here to advocate for the general will of the great, generous, silent majority of Australians who want recognition to succeed as soon as possible.

Your movement Recognise has raised awareness that's helped build the groundswell of support that successful change always depends upon. You've built the community partnerships with the not-for-profits, you've reached out to corporate Australia; to our national sporting codes; the AFL, NRL, cricket.

But more importantly you've taken the message directly to Australians. A quarter of a million Australians have already signed their name to this cause.

The journey of recognition, 28 000 kilometres on foot, on bikes, in four-wheel drives, in kayaks, on surfboards and paddle boards—everywhere. Two hundred and thirty eight events so far, 187 communities. All of this, though, I submit, has been done in a sense, so far, with both hands tied behind your back.

Because I believe that without a form of words to explain, without that arresting, rallying cry, without a specific change to advocate; it is just not possible to raise awareness beyond the abstract.

Without a concrete proposal, we cannot turn the national goodwill into meaningful momentum. We cannot engage diverse organisations and millions of Australians eager for change.

Until we have an agreed question, we cannot confront the other things which are hobbling our progress to recognition. If we allow a vacuum on recognition, the misinformation and misunderstandings will fill that vacuum.

Let's be clear, there will always be in any generation, a tiny minority who will never support constitutional recognition for the First Australians in any form. There are a small number keen to exercise political veto, to re-boot the old rhetorical weapons of the history wars, rather than play a constructive role in our national conversation of the future of our country.

Well, that is people's prerogative, but in advancing the cause of recognition, we cannot afford to submit to the tyranny of low expectations of those who would prefer our Constitution to remain the last bastion of the 'great Australian silence'.

We cannot allow ourselves to be put off our stroke by those who propose nothing and contribute nothing.

I understand that there are some who believe recognition doesn't go far enough if it doesn't discuss a treaty. And to those we must make clear that the past injustices of settlement and occupation and dispossession are not thwarted or extinguished by the recognition process.

Recognition is not the end of the road, but one step in the ongoing journey of reconciliation and closing the gap. We cannot, however, deal with any of the legitimate big questions if we are to work in a vacuum and have no positive, clearly defined proposal to articulate and to advocate.

It is time for Australia to be debating what sort, what form of referendum to support—not whether or not we support recognition, but what form of recognition to support.

I do agree with Catherine Tanna that setting a date for a referendum is a positive step, and of course it is. But I also believe that deciding, and we must not shirk the hard questions, deciding what we will ask Australians to vote for is the tougher part of the equation.

Recognition cannot be a fact of our nation until we have crafted a process, a machinery for change. Change that is genuine, meaningful and born of Aboriginal and Torres Strait Islander voices, silent no longer. Change that is substantive, not a nod to symbolism or the lazy paternalism that says that something is better than nothing—there has been too much of this.

Recognition is an opportunity for real reform. An opportunity to help and empower Australia's First People to be better off than they are now. It is an opportunity to empower our Parliament to do better and be better, at making fair and just laws for the traditional owners of the land which we all now enjoy. Laws underpinned by the free, prior and informed consent of Indigenous people—and their free and full participation and advice. This means addressing the First People's lack of voice, their enforced silence no longer, to shape the strategies and policies that affect people.

I know that many including Pat Dodson through to Noel Pearson and many others here have ideas on how we can achieve this. I believe that recognition must include acknowledgement of Aboriginal and Torres Strait Islanders:

- continuing relationship with the lands and waters
- their enduring cultures, their languages, their heritage
- and their ancient ownership of this land, their foremost place in our national history.

And the other consistent message from the Expert Panel, the good work of the interim and progress reports of the Wyatt-Peris Committee, reporting finally in the first part of next year – and I also learn from the consistent conversations with Aboriginal and Torres Strait Islander people, be they Elders, leaders, powerful women, is that we must ensure that there is no place, no refuge for discrimination in our founding document.

I believe that the view of the great and generous silent majority of Australians is there is no home for discrimination in our Constitution, and we should not be rejecting this ambition out of hand. In particular, if we acquiesce to the ongoing presence of the so-called race powers, we risk rendering recognition

meaningless, as the Prime Minister has said, for the very people to whom it should mean most.

And whatever form that recognition takes, we can all affirm, we can all declare there is no place for discrimination in our laws, and in our democracy. I believe we can find a way forward by building consensus, by bringing justice home, not by drifting down the path of least resistance, because change that challenges no-one is unlikely to inspire anyone.

Above all, the referendum question must involve the complete representative and empowered participation of our Aboriginal and Torres Strait Islander brothers and sisters. And this is where the idea of a constitutional convention offers one important, constructive way to ensure that more voices are heard.

And perhaps building upon what we've heard, I can suggest the establishment of a formal referendum council to help guide the convention's important deliberations, to make sure that the convention isn't captured by one interest or another and provide that broader community level leadership.

A council of Elders, if you like, that will ensure that the recognition question is one that all Australians can proudly own and advocate.

Friends it was here in Redfern 22 years ago that Prime Minister Paul Keating said that with some noble exceptions in their treatment of Aboriginal people, white Australians failed to make the most 'basic human response'. We failed to ask 'How would I feel if this was done to me?'

As our generation prepares for our one chance to get constitutional recognition correct, we cannot risk repeating our forebears' lack of imagination, their lack of sympathy. We cannot simply sweep injustice aside. We cannot presume that we know best. We must have faith in the ability of the Australian people, that generous and great goodwill of the silent majority, to appreciate the strength of the argument of recognition.

We should not presume failure. We must be guided by the people to whom this means the most. Labor will work with the Government every step of the way.

Let us settle the question before the next election. Let us have the referendum following that. Let us have the constitutional convention guided by a referendum council. Let us assume and believe in Australians that we are capable at last of rectifying this national failure.

I believe then we will be ready and I do most certainly believe, then, we will succeed.

'Recognise This' Paste Up project

'My dream is for Indigenous Australians to be recognised for who are as a people. We survived when all odds were against us. As much as we're a part of Australia's history, we will certainly be a part of its future.'

*Kaiden, 20
Wagin, WA.*

