# The Art of Inclusion Diversity Council Australia logoTranscript

## Season 2 - Episode 6 Unfinished Business

## *The case for constitutional recognition*

### Aunty Georgina Nicholson

My name is Georgina Nicholson and I am a proud Wurundjeri woman Elder. I would like to acknowledge my ancestors who walked this country as free spirits. I would also like to acknowledge all Aboriginal, non-Aboriginal and Torres Strait Islander peoples. [Speaks Woiwurrung language]. So I would just like to share with you what I have said in our Woiwurrung language and that is welcome to the land of the Wurundjeri people. I would also like to acknowledge the listeners who are listening from your homelands, [Speaks Woiwurrung language]. I welcome you to this episode and I wish you a safe journey. I hope you all enjoy it.

### Andrew Maxwell

Thank you to Aunty Georgina Nicholson for her moving Welcome to Country and introduction to our topic: the ongoing struggle to get constitutional recognition for Aboriginal and Torres Strait Islander Australians. In 2017, Aboriginal and Torres Strait Island leaders gathered in Uluru and made an appeal for constitutional recognition known as the Uluru Statement From The Heart. This proposal stalled with the then Prime Minister Malcolm Turnbull, but the conversation has not stopped, and it won't. In this episode, we explore exactly what constitutional recognition means to Australia's First People, and what role wider Australia workplaces play in making recognition a reality. Because until we work together towards a revised and inclusive constitution, Australia will remain a country with some seriously unfinished business.

I'm Andrew Maxwell and I too would like to acknowledge and pay my respects to the traditional custodians of this land, to elders past, present, and emerging, on whose country this recording is taking place. This is the Art of Inclusion, a podcast from Diversity Council Australia, or DCA. In our second series, we peer into the lives of fascinating people whose individual stories create the tapestry of diversity that make up Australia and its workplaces. One such individual is Thomas Mayor, he's a Torres Strait Islander man from the Larrakia country in Darwin, Branch Secretary for the Northern Territory branch of the Maritime Union of Australia, and a signatory to the Uluru Statement From The Heart. Thomas helps us understand the complexity of the issue at hand.

### Thomas Mayor

The constitutional recognition that we are calling for, since the Uluru Statement, is a constitutionally enshrined First Nations voice. So a representative body that is permanent in that it is a mandated by the Australian people through a referendum, and that has the strength or the power of that, and is able to affect decisions before they are made about our people. So that is what constitutional recognition is. The former style of constitutional recognition that was discussed previous to the Uluru Statement was mere symbolic constitutional recognition. So people like John Howard suggested that we could have a preamble to the constitution with some flowery words, basically that would recognise. But that was dismissed in the only national process that has happened where our people have had a say about constitutional recognition. We said we don't want merely symbolic recognition. We actually want recognition that gives us a seat at the table, which is what the voice is. The First Nations voice

### Andrew Maxwell

Much has changed in Australia since the Howard proposals that Thomas mentioned. And the differences between the past and the present have, for many, resulted in a changed national mindset.

### Thomas Mayor

You know, we've moved a long way in this time that we've been discussing this. Now we have had a national meeting, you know, a national consensus where there were 13 regional dialogues covering all parts of the continent, and adjacent islands, that culminated at Uluru in the heart of the country. One big meeting where delegates from those regions came together, and they said, "This is what we want." And the response from the Australian people has been, we are ready for this. The Reconciliation Council had a barometer test this year that said 95% of Australians want Aboriginal and Torres Strait Islander people to have more of a say. So it's time. It's simply time.

### Andrew Maxwell

So with Aboriginal and Torres Strait Islander communities have outlined a path to constitutional recognition and most of us support them. What's the problem?

### Thomas Mayor

Well, great challenge is the referendum. It's a really high bar to jump over to achieve this and the first step in referendum is that the parliament must pass a referendum bill, and therefore we rely on our politicians to set us on this course. So we need that public groundswell of support to give them the confidence to take this to referendum. And that's why it's not just rhetoric when I'm saying, you know, everybody, the individual in a business, the department in a business, the business itself, unions, religious groups, sporting clubs, this is a really high bar to jump over and we need everybody to be lifting with us.

### Andrew Maxwell

In addition to campaigning for a referendum, Thomas says if allies are willing and able to do more to show their support, then the best idea is to jump right in and to go for it.

### Thomas Mayor

I think the main point with that is, don't feel like you're doing something that's too small an action, you know? It could simply be printing things out at the printer that says "We support a First Nations voice referendum," and that's a small thing that you can do in a workplace. That is a great start, and a great help as well. That's a good first step. Going to the website, www.onevoiceuluru.org, register all of your fellow workers on that website, so that when we are ready to take the next steps, there'll be a week of action soon. We're able to communicate with you and inform you on how to take another step.

### Andrew Maxwell

Workplaces are also key in winning the battle for constitutional recognition, and for many Reconciliation Action Plans are often a good starting point.

### Thomas Mayor

It's the first steps for many organisations in this space and they are commitments whether they binding or not. And so what I would say is, make the commitment in those Reconciliation Action Plans to this movement, to a campaign, and to win a referendum on this, but follow through with it.

### Andrew Maxwell

It certainly can be a challenge to mobilise the wider Australian public, and to make them aware of the issues and needs surrounding constitutional recognition. But we must understand that educating ourselves and others in our workplaces is a key to moving forward.

### Thomas Mayor

As I said, it's been an unresourced campaign. So understand that information is going to be important to Aboriginal and Torres Strait Islander members as much as it is to the rest of the workforce, about what constitutional recognition means, particularly a First Nations voice, what the Uluru Statement is about, where it came from, the well-informed and democratic way that that came about. You know, all of that information is going to be important and then listening to your employees. All organisations should be genuinely consulting and acting in a way that is conscious of Aboriginal and Torres Strait Islander people’s needs, especially employees.

### Andrew Maxwell

One ally who's been vocal about workplace involvement in achieving constitutional recognition is Ann Sherry, the Chairman of Carnival Australia, the largest cruise ship operator in Australasia.

### Ann Sherry

Well, I've been involved in indigenous issues for over 20 years and I've worked with Noel Pearson for a long time, and I've watched the iteration of this issue over such a long period of time. So part of it's personal for me, and a personal commitment I've had to creating a different sort of Australia and including Indigenous Australians in that Australia.

### Andrew Maxwell

Ann outlines why exactly this is an issue that should play out in the context of the workplace.

### Ann Sherry

So at a macro level, business has a responsibility, I think, as well as a role in being part of the social discourse, the dialogue, the debates, that are happening in our community to articulate the sort of, again, the sort of community norms we think make Australia a great place. We want an Australia that is not divided by a point of time in history. We want an Australia where people's voices are heard in ways they want. And in the case of constitutional recognition for Indigenous Australians, that's the pathway Indigenous Australians themselves have identified that works for them.

So rather than debate the merits of the path they have chosen, which we quite frankly wouldn't do for any other group in society, people would say this is what we want and we would listen to that. I think business needs to get behind Indigenous Australians and get this issue resolved, so that united we move forward rather than moving forward with the, you know, the pall of history still sitting over us.

### Andrew Maxwell

Ann agrees with Thomas, that there are limits to what can happen until a solid supported campaign strategy is built around constitutional recognition. And she says that this lack of strategy is a factor that even holds back the organisation she leads.

### Ann Sherry

While we've got the Uluru Statement, while we've got a set of principles that have broadly been agreed, we don't have a campaign strategy yet. And I think that needs to be put in place, and I know there's work happening on that at the moment, so that we can all line up behind it. Because if we all start making it up, it'll be all over the shop.

### Andrew Maxwell

Ann believes continuing to stay the course, and to agitate for change, will be worth it.

### Ann Sherry

The power of this potentially, and if we do it well, is that people will be able to tell their own stories in their own way, in their own workplaces. And many Aboriginal and Torres Strait Island people would say the most negative thing about lack of recognition is that nobody has been willing to hear them. So workplaces can become an environment that help with healing, as opposed to open wounds, by giving people a platform to tell their stories. And for their colleagues to hear them properly. Because I think understanding other people's lived experience is a really important part of any reconciliation process, so we can be creating that in every single workplace in Australia.

### Andrew Maxwell

For those who doubt constitutional recognition is a workplace issue, Ann has a message.

### Ann Sherry

I'd say to workplaces who are stepping back, not forward, nobody ever changed the world stepping back. Also, your employees are trying to work out their own pathway. Rather than sticking your head in the sand, why not be part of the discussion and be the sort of workplace, and perhaps the sort of employer, that works with your own people to engage with what's happening in the world around them, and to be the sort of business that is part of the future, not the past. Because I think there'll be a point in where people will look back and go, who was for the future and who was for the past? I'd want to be on the side of future myself.

### Andrew Maxwell

As for Thomas Mayor, he agrees constitutional recognition is bigger than any business or individual. It goes straight to Australia's future, but it also has a strange relationship with its past.

### Thomas Mayor

Truth telling is important to healing, you know. To be able to come together as one country and celebrate not only 60,000 years of our history that we don't celebrate right now, but also... I mean that can't be done until you acknowledge what happened 240 years ago, or whatever it was. The other thing is the voice is extremely important to truth telling, because unless there is a national representative voice to be able to do something with the truth, to start closing the gap, and have those negotiations and achieve things, and start having policy that isn't destructive, but is really beneficial. That voice is important to truth telling and seeing that something comes out of it

### Andrew Maxwell

As an end point, Thomas says that constitutional recognition offers a chance to re-imagine a more honest, more culturally rich Australia.

### Thomas Mayor

Well, in 1901, when the constitution was enacted, it came from a discussion of old white men. There were no women, that was in the context that our people would die out, we were a dying race. Our people were excluded, as were women from those discussions. The outcome was the sharing of power between the colonies of Australia. If we were to do that again today, the First Nations would be at the table. So be aware this is about completing our country, basically. It's about undoing a wrong that was in 1901, where we should have been included. And it's a simple ask, you know, just give us a voice to be able to affect the decisions that are made about us. That will save money, it'll save lives and it'll give us... there's nothing to lose for the Australian people here, and there's everything to gain. An unbroken culture of many millennia. The oldest culture in the world is something to embrace and accept by being in the ruling document on this country, the constitution.

### Andrew Maxwell

The Art of Inclusion is a podcast from Diversity Council Australia. Andrea Maltman Rivera, and Sam Loy are the producers, and Lisa Annese is the executive producer. This episode included contributions from Simone Empacher Earl. You can keep the conversation going by reaching out on our Facebook, LinkedIn, and Twitter pages. If like what you heard, check out the first season of the Art of Inclusion, either from the DCA website, dca.org.au, or from your favourite podcast player. On our website you can access related DCA research and training, including our Reconciliation Action Plan, our inclusion at work index, the Closing The Work Gap in Corporate Australia report, and our Engaging Aboriginal Australians in the Private Sector report. I am Andrew Maxwell. Thanks for listening.