

TIME FOR CHANGE

ITS ABOUT TIME ABORIGINALS AND TORRES STRAIT ISLANDERS GET SOME RECOGNITION IN THE CONSTITUTION!



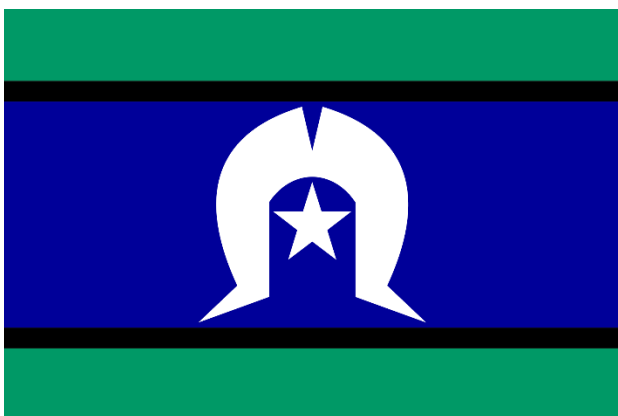
The constitution of Australia.



The aboriginal flag

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Before I begin this article, I would like to acknowledge the traditional custodians of country throughout Australia and their connections to land, sea and community. I pay my respect to their elders past and present and extend that respect to all aboriginals and Torres strait islander people. The constitution of Australia came into effect on the 1st of January 1901. It is the most powerful set of laws in the nation. When the constitution came into effect, it did not recognise aboriginal and Torres strait islander Australians but did contain many references that discriminated against indigenous Australians. Although a referendum vote in 1967 fortunately got the sections of discrimination abolished from the constitution, there is still many more actions Australia needs to take before indigenous Australians can feel at peace and included.



Torres strait island flag.

Why aren't aboriginals and Torres strait islanders already included in the constitution?

Even though the constitution deleted sections that were the main issue, the constitution still contains references in sections 25 and 51 that allow the commonwealth or state governments to discriminate against people based on race.

Section 25 of the constitution states "for the purposes of the last section, if by the law of any state all persons of any race are disqualified from voting at elections for the more numerous house of the parliament of the state, then, in reckoning the number of people of the state or of the commonwealth, persons of that race resident of that state shall not be counted."

Section 51 of the constitution provides the head of power for the commonwealth to make laws for people of racial groups.

It is deeply appalling to see that they are not being properly recognised in the constitution. They were the first people of our land. Why can't Australians and the constitution recognize it? Not including them in the constitution is simply violating human rights. Shouldn't everyone be treated equally? Then tell me why Australia as a nation has FAILED to give aboriginals and Torres strait islander peoples the respect and human decency they deserve.

Why is it important for aboriginal and Torres strait islander people to get constitutional recognition?

The constitution might not really seem to matter in our daily lives, but it will always be there, it informs the work of parliaments, governments and courts. It has a long term, profound effect on Australia politics and laws. As the constitution is classified as the 'rule book' of our country, this means these rules can determine who can do what with who, establish relationships between, people and institutions, and recognise national values and goals.

This includes how aboriginal and Torres Strait islander peoples are affected in ways of them wondering where their place is in this community. A lack of acknowledgement can have serious affects on peoples health, as the royal Australian and new Zealand college of psychiatrists has found; "the lack of recognition of aboriginal and Torres strait islander peoples as the traditional owners of the land and waters of Australia in the constitution impacts on identity and sense of belonging within the communities, perpetuating discrimination and eroding mental health and social and emotional wellbeing."

Rachel Perkins, an aboriginal film maker, believes that constitutional recognition could "lift the historical burden that sits like a heavy skin across our nation", causing resentment across aboriginal people. "there is a deep subterranean feeling of burning resentment, carried within my people, that has been handed down from parent to child across six generations since 1788, this is the inheritance passed on to me. I do not want to resent my own country any longer." Rachel is speaking on behalf of most, if not all aboriginals and Torres strait islanders in this statement. Especially when she says, "I do not want to resent my own country any longer." Her own country meaning Australia.



Aboriginal, Torres strait island and Australia flag.

What needs to be improved?

An expert panel, that included indigenous and community leaders, constitutional experts and parliamentarians- consulted across the nation and reported to the government in January 2012. It recommended that Australians should vote in a referendum to remove section 25 out of the constitution which says the states can ban people from voting based on their race.

We need to add a new section 51A: to recognize aboriginal and Torres strait islander people and to preserve the governments ability to pass laws for the benefit of aboriginal and Torres strait islander peoples.

Another new section, 116A needs to be welcomed into the constitution to specifically prohibit racial discrimination for all Australians. It would forbid any government from discriminating against a person based on race, colour, ethnicity or national origin.

There also needs to be a new section 127A: recognising aboriginal and Torres strait islander languages were this country's first, while confirming that English is Australia's national language.

In the 1967 referendum, over 90% of Australian voters agreed to

change our constitution to give the federal parliament the power to make laws in relation to aboriginal and Torres strait islander people and to allow for aboriginal and Torres strait islander people to be included in the census. But this referendum did not recognise aboriginal and Torres strait islander peoples as first peoples.

As a next generation Australian, I think this is particularly important for Australia, as a nation to do, to allow aboriginal and Torres strait islander peoples to finally get some peace. They have been pleading to be equal and to be recognised for many years and have been forced to go through things that violate simple human rights, which is not right at all. Although they are not being as mistreated as they used to be before the referendum vote removed the constitution, there is still countless things they are being excluded from, and they're still not being treated equally as any other Australian. As the traditional owners of the land, don't you think its fair for them to get the recognition they deserve? Its simply not much to ask to let aboriginals and Torres strait islander peoples be recognised as the first people of the land.

In conclusion to this article, recognizing aboriginal and Torres strait islander peoples in the constitution and ensuring that the constitution does not discriminate against anyone will not give any Australians more rights than others, in fact, these changes will bring stronger relationships of trust and mutual respect between aboriginals and Torres strait islander peoples and other Australians. As a nation, Australia needs to seriously shape up and improve for the better!

