

Topic 4:

The voice of a vote in a world of change

- **Investigation A:**
How did Indigenous Australians
achieve civic rights? p 93
Middle secondary
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How did Timor-Leste take the first
steps to democracy? p 100
Middle secondary



Topic 4: The voice of a vote in a world of change

During the 20th century vast changes occurred in attitudes towards human rights – the right to equality for all citizens and the right of nations to determine their own futures.

At the turn of the 20th century, Australia regarded itself as a ‘white’ society and ignored the rights of Indigenous people in the development of its Constitution. At the same time in the international arena, many African, Pacific and Asian countries were ruled by European nations that denied citizens’ rights in their colonial possessions.

Over the course of the 20th century, most of these European colonies gained their independence. An example close to Australia was the former Portuguese colony of Timor-Leste. After centuries of colonial rule, the Portuguese government finally left Timor-Leste in 1975.

‘The voice of a vote in a world of change’ explores the importance of the democratic vote.

The topic contains two investigations:

- Investigation A: How did Indigenous Australians achieve civic rights?
- Investigation B: How did Timor-Leste take the first steps to democracy?

Introductory activity

Explain to students that the Universal Declaration of Human Rights was drawn up after the Second World War when there was international horror at the gross abuses of human rights under Nazism as well as concern for the future of former European colonies seeking independence and self-determination. Australia was one of the founding members of the United Nations, and one of the original signatories to the Declaration.

The Declaration is available on the [United Nations website](http://www.un.org/en): www.un.org/en.

Provide students with a copy of the Declaration either in print or online. Have all students read the preamble to the Declaration, then meet in groups to discuss and report on the following questions:

- What are human rights and what is ‘universal’ about them?
- What is the purpose of the Declaration, as outlined in the preamble?

- The preamble introduces the words ‘dignity’, ‘justice’ and ‘equality’. What do these three words signify in your own life?
- What are our responsibilities towards our rights? Is this the same as our responsibilities towards the rights of others?
- How can we make sure our rights are respected?

Divide the listed rights in the Declaration among groups in the class. (There are 30 rights so each group could look at four or five of these.)

Students should prepare a brief presentation for the rest of the class that includes:

- an explanation of the meaning of these rights
- examples of how these rights are upheld (or otherwise) in Australia (for example, through universal suffrage or anti-discrimination laws)
- examples of how these rights are upheld or otherwise in relation to global or international issues that they know about. (This might include global issues such as refugees, as well as issues in particular countries.)

Student groups could use the results of the class discussion to develop a working definition of human rights with an explanation of key examples of these rights.

From the margin

Timor-Leste

Prior to independence, Timor-Leste (Portuguese for ‘East Timor’) was known internationally as ‘East Timor’. The official name for the country is the Democratic Republic of Timor-Leste. Historical sources used in this investigation use the name ‘East Timor’. Early United Nations missions, which supported the transition to independence, also use the English name.



Investigation A

How did Indigenous Australians achieve civic rights?

Recommended level | Middle secondary

The 1967 Referendum is often considered as a symbolic acceptance of Indigenous Australians as equal citizens to non-Indigenous Australians. The Referendum gave the Commonwealth Government power to make laws for Indigenous Australians, and abolished a constitutional provision that said that Indigenous Australians were not to be counted in the census.

However, advances in gaining the right and responsibility to vote for Indigenous Australians were made well before, and after, this historic date. In 1962 the *Commonwealth Electoral Act 1918* was amended so Indigenous Australians could enrol to vote in federal elections if they wished. In 1984 compulsory enrolment and voting for Indigenous Australians came into effect.

In this investigation students engage in research about Indigenous Australians' civic rights. They also explore the importance of referendums in giving Australians a voice in creating political change.

The investigation at a glance

Background briefings for teacher reference

- Australian Electoral Commission; Constitution; democracy; Indigenous Australians' rights; referendum; Universal Declaration of Human Rights

Suggested classroom teaching time

- **Activity 1:** A question of equal citizenship (80 minutes)
- **Activity 2:** How referendums work (80 minutes)
- **Activity 3:** A historic vote (80 minutes)

Indicators of student achievement

- Understand the role of constitutional change in a democracy
- Analyse the importance of equality in a democracy
- Identify and analyse the evolution of political rights for Indigenous Australians
- Explain the way the Australian Constitution can be changed by a referendum



Figure 26: Indigenous Australians gained the right to vote in Commonwealth elections in 1962. Compulsory enrolment and voting for Indigenous Australians came into effect in 1984.

Activity 1

A question of equal citizenship

Focus questions

- What civil and political rights did Indigenous Australians have before 1967?
- What key events served to change opinions about civil and political rights for Indigenous Australians?
- Why did Indigenous Australians seek to change the Australian Constitution?

Resources

- [BLM 1](#) Commonwealth laws against Aborigines
- National Museum of Australia, [Collaborating for Indigenous rights](#): www.nma.gov.au/explore/features/indigenous-rights
- Museum of Australian Democracy, [Yes, the ongoing story of the 1967 Referendum](#): www.moadoph.gov.au/blog/yes-the-ongoing-story-of-the-1967-referendum/
- Australian Electoral Commission (AEC), [Electoral milestones for Indigenous Australians](#): www.aec.gov.au/indigenous/milestones.htm



Gathering information

Provide students with a copy of [BLM 1](#). Explain that this was produced by the Aboriginal–Australian Fellowship to encourage people to sign a petition to present to the Federal Government, requesting it to conduct a referendum. This was one of 94 petitions presented to the Federal Government in the 10 years prior to the 1967 Referendum.



Identifying and analysing

Discuss the following questions with students:

- What action does the writer of the petition want the readers to take?
- What problems does the writer have with sections 51 and 127 of the Australian Constitution?
- Why might there be reference to the United Nations in this document?
- What is meant in this document by the term ‘equal citizenship’?

Ask students to record their impressions of the document, as well as any questions they might have. These will be consulted at the conclusion of this activity.

Divide students into pairs or small groups to research the following historical circumstances and events:

- Indigenous Australians’ voting rights pre-1901
- the *Commonwealth Franchise Act 1902*
- state and territory control of Indigenous Australians 1901–1967
- the Day of Mourning 1938
- Indigenous Australians’ service the Second World War and voting rights 1949
- the right to vote 1962
- the Freedom Rides 1965
- the Wave Hill strike 1966
- compulsory enrolment and voting 1984

The resources listed above can be supplemented by online and library resources. Ask students to consider the following questions in their research:

- What was the nature of the inequalities suffered by Indigenous people?
- How are these compatible with students’ understandings of human rights and citizenship rights?
- How would these inequalities be affected by the changes to the Constitution proposed in the 1967 Referendum?

Presenting findings

Have students share their research findings with the class and discuss the rights that Indigenous Australians sought in the period before the 1967 Referendum and the ways that Indigenous Australians' rights differed from those of other Australians.

Ask students to refer again to **BLM 1**.

Using the information gathered through their research, as well as their impressions of the petition, ask students to write an explanation that would help an uninformed Australian decide whether to sign this petition.

From the margin

Direct democracy

In ancient Athens the power to make laws was given to citizens (native-born, free men, which excluded women, slaves and migrants) who directly decided on the laws governing their city state.



Figure 27: Campaigning for Indigenous Australians' rights; the Freedom Rides, 1965

Activity 2

How referendums work

Focus questions

- How does the Australian Constitution provide for altering the words of the Constitution?
- What role does the Commonwealth Parliament play in altering the Australian Constitution?
- What role does the Australian Electoral Commission (AEC) perform?
- Who votes in referendums?

Resources

- [BLM 2](#) The Australian Constitution – alteration process
- AEC, [Referendums](http://www.aec.gov.au/Elections/referendums/index.htm): www.aec.gov.au/Elections/referendums/index.htm
- [Animation: Changing the Constitution](#)
- [Interactive quiz 1: Referendums – do you get it?](#)

From the margin

Voting days

A House of Representatives election must be held every three years. By law, elections for the Commonwealth Parliament are held on a Saturday, while in the United States and the United Kingdom elections are held on weekdays and voting is not compulsory.

Gathering information

Discuss with students why the Australian Constitution (written before 1900) might need to be altered. What changes have occurred in Australian society that could not have been foreseen by those who wrote the Constitution?

View the animation '[Changing the Constitution](#)' with students.

Discuss the following with students:

- the Australian Constitution provisions in section 128 (which include the role of parliament and the requirement of a double majority for change to occur)
- the role of the AEC in conducting referendums
- voter requirements
- the significance of referendums in changing the Australian Constitution
- the success of the referendum process in changing the Constitution

Have students investigate other examples of referendums from online resources.

Identifying and analysing

Ask students in groups to discuss and record:

- the reasons why constitutional change appears difficult
- the nature of the questions in referendums that have been passed
- the sorts of changes to the Constitution and powers of government that have resulted from successful referendums
- the ways in which the 1967 Referendum was different from other referendums held since Federation.

Presenting findings

Instruct the student groups to prepare an artefact entitled 'The referendum process: A voter's guide' in a format of their choice. Remind the groups to include qualifications for voting in referendums.

Alternative or additional presentations could consider the following topics:

- Changing the Australian Constitution: Some examples of success stories
- Changing the Australian Constitution: What issues have been most important?

Have students complete the [interactive quiz 'Referendums – do you get it?'](#) in order to consolidate their understanding.

Activity 3

A historic vote

Focus questions

- How was the 1967 Referendum 'Yes' case put to voters?
- Why did the results of the Referendum differ across states?
- What was the significance of the Referendum to Indigenous leaders?

Resources

- [BLM 3](#) The case in favour
- AEC, [Referendums](#): www.aec.gov.au/Elections/referendums/index.htm
- [Australian Biography](#), biographies of activists for Indigenous Australians' rights including Charles Perkins, Neville Bonner, Faith Bandler: www.australianbiography.gov.au
- [Human Rights Commission](#): www.humanrights.gov.au
- Parliament Australia, [Referendum results](#): www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2017/May/The_1967_Referendum



Figure 28: Aboriginal and Torres Strait Islander rights activist, Faith Bandler

Gathering information

Why vote 'Yes'?

Provide students with a copy of [BLM 3](#).

Divide students into groups to analyse the impact of each of the sources in [BLM 3](#) on Australian voters. The following questions will direct their discussion:

- How might people have responded to sources 1, 2 and 3?
- What messages are contained in the song and the poster? How might they have appealed to voters?

Ask students to consider the arguments used in the official 'Yes' case. How might these have appealed to voters?

Unlike in other referendums, there was no official 'No' case. How might this have influenced voters?

What were the results?

Groups should use the Parliament of Australia website to look at the results of the 1967 Referendum. Ask students to graph the results by state and territory.

Ask them to identify electorates or states and territories where there were high 'Yes' votes and high 'No' votes, and to offer explanations for these differences.

What was the significance to the campaign's leaders?

Next have student groups analyse the significance of the Referendum to those who led the campaign. Use online resources to view interviews with Chicka Dixon, Charles Perkins and Faith Bandler, as well as print sources.



Identifying and analysing

Have student groups examine their findings.

In relation to **BLM 3**, ask students to consider the arguments used in the official 'Yes' case. How do these compare with their research in Activity 1, and their 'advice to uninformed Australians'?

- What sorts of appeals were made to the Australian voters and how might Australians respond to them today?
- What would have been the impact on voters of the absence of an official 'No' case?

In relation to the Referendum results, discuss the following with students:

- What was the pattern of results across Australia?
- Which electorates had high levels of 'Yes' votes? What are the characteristics of these electorates?
- Which electorates had high levels of 'No' votes? What might account for this?

In relation to the views of the leaders of the campaign, discuss the following with students:

- What were the key issues for the leaders in the 1967 Referendum?
- How was the 1967 Referendum significant?
- What other issues do they identify as being important for Indigenous Australians to achieve equality in Australia?



Presenting findings

Have students write an informative feature article for a general audience that analyses the significance of the 1967 Referendum.

Their article should include:

- an appropriate heading
- background information on Indigenous Australians' civil and political rights before the 1960s
- information on the referendum process
- analysis of the results
- Indigenous Australians' perspectives including some key quotes
- appropriate charts, diagrams, illustrations and photographs
- a personal reflection on the issues
- a bibliography of sources used.



Going further

Citizenship rights and the electoral process

Ask students to research one or more significant issues concerning Indigenous Australians' civil and political rights since 1967. These could include:

- Land rights issues (Mabo and Wik and contemporary cases)
- Stolen Generations
- Aboriginal deaths in custody
- reconciliation
- Prime Minister Rudd's 'Sorry' speech
- Uluru Statement from the Heart
- AEC activities to support informed voting among Indigenous Australians – post 1984.

Have students focus on:

- the ways that elected parliaments have responded to these issues
- the extent to which these issues have been resolved.

As a starting point, students could look at the Human Rights and Equal Opportunity [website](http://www.hreoc.gov.au): www.hreoc.gov.au.

Successful referendums

Ask students to research another referendum, using the material available on the AEC website and the Parliament of Australia website as well as online and library materials. (The most contentious recent referendum is the Republic referendum.)

The following questions could frame their research:

- What changes were being sought to the Constitution?
- What were the key arguments in the 'Yes' and 'No' cases?
- What do you think of these arguments?
- What were the views of the media at the time (if appropriate)?
- What were the patterns of voting contained in the results – Australia-wide, by state and territory, and in individual electorates?



Figure 29: Australian citizens have an obligation to vote – wherever they may be.

From the margin

Mobile polling

Geographic remoteness is no barrier to helping electors cast their vote in a federal election. In the 2019 federal election, the AEC created 557 mobile polling teams who visited over 3,000 locations by road, air and sea. They visited Indigenous communities, remote outstations, pastoral properties, small towns, hospitals, nursing homes, tourist resorts and mining camps across Australia. A number of local Indigenous people were recruited to identify, interpret for and assist electors.



Investigation B

How did Timor-Leste take the first steps to democracy?

Recommended level | Middle secondary

Timor-Leste is one of Australia's nearest neighbours but its experience of democracy could not be more different. After centuries of Portuguese colonial rule and 25 years of Indonesian occupation, the people of Timor-Leste were finally granted the opportunity to decide their own future through a democratic vote in a 'popular consultation'. In subsequent elections in 2001 and 2002 they voted for a representative assembly and president.

In this investigation students will focus on the significance of the vote in achieving momentous change – the status of an independent sovereign nation in Timor-Leste, the first democratic nation of the 21st century. Students will research the background to the independence of Timor-Leste and consider the roles undertaken by Australians through the United Nations. In particular, they will consider the role of the Australian Electoral Commission in assisting Timor-Leste's progress towards democratic government.

The investigation at a glance

Background briefings for teacher reference

- Australian Electoral Commission; democracy; international assistance – Timor-Leste; Universal Declaration of Human Rights

Suggested classroom teaching time

- **Activity 1:** A promise of democracy (80 minutes)
- **Activity 2:** International response (120 minutes)
- **Activity 3:** Introducing democracy: The role of the AEC (80 minutes)

Indicators of student achievement

- Explain the situation in Timor-Leste under Portuguese and Indonesian rule
- Analyse the reasons for Australian and United Nations involvement in Timor-Leste after 1975
- Examine Timor-Leste's progress towards democratic government and the AEC's role in that process



Figure 30: Location of Timor-Leste

Activity 1

A promise of democracy

Focus questions

- What was Timor-Leste like under Portuguese and Indonesian rule?
- What roles did the Timor-Leste resistance play in drawing world attention to the plight of the people of Timor-Leste?
- How have Australians been involved in Timor-Leste?

Resources

- [BLM 4](#) Timor-Leste under Portuguese and Indonesian rule
- BBC News, [East Timor country profile](http://www.bbc.com/news/world-asia-pacific-14919009): www.bbc.com/news/world-asia-pacific-14919009
- US Department of State, [Timor-Leste](http://www.state.gov/countries-areas/timor-leste/): www.state.gov/countries-areas/timor-leste/
- [Government of Timor-Leste](http://timor-leste.gov.tl): timor-leste.gov.tl
- [Nobel Prize](http://www.nobelprize.org): www.nobelprize.org
- [Australian War Memorial](http://www.awm.gov.au): www.awm.gov.au (In Collections, enter keywords such as 'Sparrow Force' or 'Balibo Five')



Gathering information

Read through [BLM 4](#) with students. Explain that they will work in groups to further research one of the aspects of Timor-Leste history under the headings: Portuguese rule, Indonesian occupation, Timor-Leste resistance, Australian contact with Timor-Leste.

Divide the class into small groups to research one of the key events, then bring the results back to the class for explanation and discussion. Each group must provide one or more images from their research for this discussion. The resource list is a basic list of websites that can be used. Encourage students to use search engines and library resources to find further material.

Emphasise that students must maintain a bibliography of resources while they are completing this research.



Identifying and analysing

After students have had an opportunity to conduct some research, bring them together to report their findings to the class, show images they have found and build a timeline of events. This could be done as a digital presentation, constructed on the board or display.

Conduct a class discussion on the following:

- What was the nature of Portuguese colonial rule?
- What impact did Australian experiences with the people of Timor-Leste in the Second World War have on Australian attitudes to Timor-Leste?
- Why did Indonesia invade Timor-Leste in 1975?
- How significant was the Balibo Five incident in Indonesian–Australian relationships?
- Why do you think Australia was the only country to recognise the Indonesian occupation?
- What roles did key Timor-Leste leaders play in drawing attention to the plight of the people of Timor-Leste?



Presenting findings

Have student groups use their research findings to produce three or four slides or screens that will become part of the timeline. Each group should use key images and brief explanations of events.

Have a class presentation where each group explains their slides.

Activity 2

International response

Focus questions

- What was the purpose of the United Nations missions in Timor-Leste?
- How were Australians involved in the United Nations operations in Timor-Leste?
- What were the results of the Timor-Leste elections?
- How did the people of Timor-Leste respond?

Resources

- [BLM 5](#) The United Nations in Timor-Leste
- [Australian War Memorial](#): www.awm.gov.au (In Collections, enter keywords such as 'INTERFET')
- East and Southeast Asia: An annotated directory of internet resources:
 - [United Nations](#): www.un.org
 - [Inside Indonesia](#): www.insideindonesia.org (Under Editions, look for Edition 61, Jan–March 2000 (East Timor special))
 - YouTube, [East Timor – Birth of a Nation](#): www.youtube.com/watch?v=4hxfoVYK6no&app=desktop

Gathering information

Read through [BLM 5](#) with students. Discuss the following with students:

- Why might Timor-Leste need a high level of international support?
- What particular needs might the people of Timor-Leste have?
- Why might Australia be involved in these United Nations missions?

Divide the class into groups to represent the United Nations missions outlined: UNAMET, INTERFET, UNTAET, UNMISSET and UNMIT.

Within their groups students will be responsible for:

- outlining the aims of this mission
- analysing Australian contributions to each of these missions
- explaining the results of these missions, including election results where appropriate.

Select one or two key primary or secondary sources that explain the mission from the point of view of the Timor-Leste or Australian participants. These could be in the form of photographs (such as INTERFET photographs from the Australian War Memorial website), online newspaper articles or reports from Timor-Leste leaders.

Explain to students that they can find a range of materials, including lists of countries involved in these missions, photographs and media reports, from the United Nations website. Have students contribute to a media display of articles about current issues and events. Use listed resources to provide further information to students.



Figure 31: Australian soldiers as part of INTERFET, about to patrol an area between Suai and Matai, Timor-Leste

Identifying and analysing

Allow students two or three lessons to research. Then have each group report on their findings. Use student reports to discuss effective ways of presenting information.

Discuss the focus questions at the beginning of this activity, as well as the following questions:

- How important was democracy to the people of Timor-Leste?
- What difficulties are they encountering on the path to democracy?
- What kinds of support do countries with no experience of democracy need?
- What light can the experience of democracy in Timor-Leste throw on Australian democracy?

Presenting findings

Have students present their findings to the class in the form of a press conference. (This could be preceded by a short video of a press conference as an example.)

Set up the classroom to represent a press conference: each group takes turns in presenting reports and the rest of the class members are the reporters. A volunteer should mediate the session and allocate questions from the reporters to the panel members.

Each group could decide on a particular angle for their press conference, such as the announcement of election results or the deployment of Australian troops. Other group members could present other aspects based on their research findings – including visual resources or a digital presentation.

The reporters should use the research questions to ask the panel questions and take notes on their answers.

Have students use the material gained in this session to write a media article about one of the issues discussed in the press conference.

Activity 3

Introducing democracy: The role of the AEC

Focus questions

- What was the AEC's role in Timor-Leste?
- What are the challenges involved in establishing democratic institutions in a country that has had no experience with democracy?
- What government and electoral systems did the people of Timor-Leste adopt?
- What were the results of the first Timor-Leste elections?

Resources

- [BLM 6](#) Introducing democracy – The role of the AEC in Timor-Leste
- [Department of Foreign Affairs and Trade, Timor-Leste: www.dfat.gov.au/geo/timor-leste/timor-leste](http://www.dfat.gov.au/geo/timor-leste/timor-leste)
- [Government of Timor-Leste: timor-leste.gov.tl](http://timor-leste.gov.tl)
- AEC, Learn about elections, [Delivering an election: www.aec.gov.au/](http://www.aec.gov.au/Delivering%20an%20election)



Figure 32: Administering an election according to democratic ideals is crucial to elector confidence

Gathering information

Provide students with a copy of [BLM 6](#).

Divide the class into groups and ask them to research the following:

- What processes do people need to understand to conduct elections?
- What skills and resources would people need to conduct democratic elections from scratch?
- What information would be needed by Timor-Leste citizens to participate in democratic elections?
- What institutions and procedures would need to be put into place to implement the requirements as outlined in the Timor-Leste Constitution?

Identifying and analysing

Discuss with students the notion of 'sustainable government':

- What does this mean and what role did the AEC play in supporting it?
- In what ways are elections a 'complex logistical exercise'?
- What knowledge, skills and resources should an Electoral Administrators Course contain?
- What sort of education program is needed to inform the public of their rights and responsibilities as outlined in the Timor-Leste Constitution?

Presenting findings

Have students complete one of the following scenarios:

Imagine you were developing a public education campaign to inform the people of Timor-Leste about democratic electoral processes and their rights and responsibilities in elections. Establish a series of brief key messages that would become the focus of your education campaign. Produce a poster or the text for a radio or television advertisement that will explain the key messages.

Using the extract from the Timor-Leste Constitution, write a report to the Timor-Leste minister responsible for elections. Include recommendations about:

- the role of an electoral administration body
- the knowledge and skills needed by people to be employed by this body
- the public education that needs to be implemented.



Going further

Timor-Leste today

Using the Timor-Leste [government website](http://timor-leste.gov.tl): timor-leste.gov.tl and other online sources, explain:

- the composition and leadership of the Timor-Leste government after the last democratic elections
- challenges faced by the Timor-Leste government today.

Supporting democratic elections: the role of the AEC

The Department of Foreign Affairs and Trade (DFAT) funds the AEC to lead a number of bilateral electoral capacity-building efforts, particularly in the Pacific region.

Coordinating an election is the largest logistics exercise a nation undertakes in peace time and can present challenges for emerging democracies. Elections require:

- accurate records of eligible voters used to ensure everyone is fairly provided the opportunity to participate
- methods to check everyone votes only once
- appropriate legislation and procedures
- staff to count votes
- voters and candidates that trust the result of an election to be a fair representation of the wishes of the people.

Trust in the election processes, the people working on the election and the result is important in maintaining a peaceful democracy.

The AEC has used the funding from DFAT to provide activities of support to many international electoral management bodies. Electoral management bodies that have received support include Bougainville, Fiji, Papua New Guinea, Solomon Islands, Tonga, Tokelau, Vanuatu, Sri Lanka, Nepal, Indonesia and Myanmar.

The AEC also facilitates the Pacific Islands, Australia and New Zealand Electoral Administrators (PIANZEA) network. PIANZEA provides important support for electoral management bodies throughout the Pacific. International assistance provided by the AEC has a focus on capacity building, and activities might include peer support for electoral administrators, training and technical assistance or support to deliver the election.

One of the major programs that the AEC provides is BRIDGE. BRIDGE stands for Building Resources in Democracy, Governance and Elections. BRIDGE is a program designed to assist election delivery by training stakeholders (election delivery staff, media, politicians and others) in electoral processes. BRIDGE is a partnership between the AEC and the following international organisations:

- International Foundation for Electoral Systems (IFES)
- International Institute for Democracy and Electoral Assistance (International IDEA)
- United Nations Electoral Assistance Division (UNEAD)
- United Nations Development Programme (UNDP).

Discuss with students reasons why the Australian Government would wish to promote and support democratic elections in the Pacific.

Have students in groups research the Australian Government support (see DFAT website) and the organisation of the current government of one of these countries: Fiji, Papua New Guinea, Solomon Islands or Tonga.

Discuss why international organisations support elections in emerging countries. Why is trusted election delivery important for a society?

Commonwealth laws against Aborigines

Petitioning for constitutional change

COMMONWEALTH LAWS AGAINST ABORIGINES

The Commonwealth Constitution says the Federal Parliament can make laws for

"the people of any race

OTHER THAN THE ABORIGINAL RACE in any State"

(Section 51, Clause xxvi)

and

"in reckoning the numbers of people . . .

ABORIGINAL NATIVES SHALL NOT BE COUNTED".

(Section 127).

EVERY STATE HAS DIFFERENT LAWS FOR ABORIGINES

- Federal Parliament has to justify these laws to public opinion at home and abroad, and to the United Nations.
- Since N.S.W. this year ended discrimination in our State Laws, Aborigines have equal rights here but not if they travel interstate.
- CENSUS (Section 127) implies that Aborigines are not worth counting, and this is an insult to the original Australians.

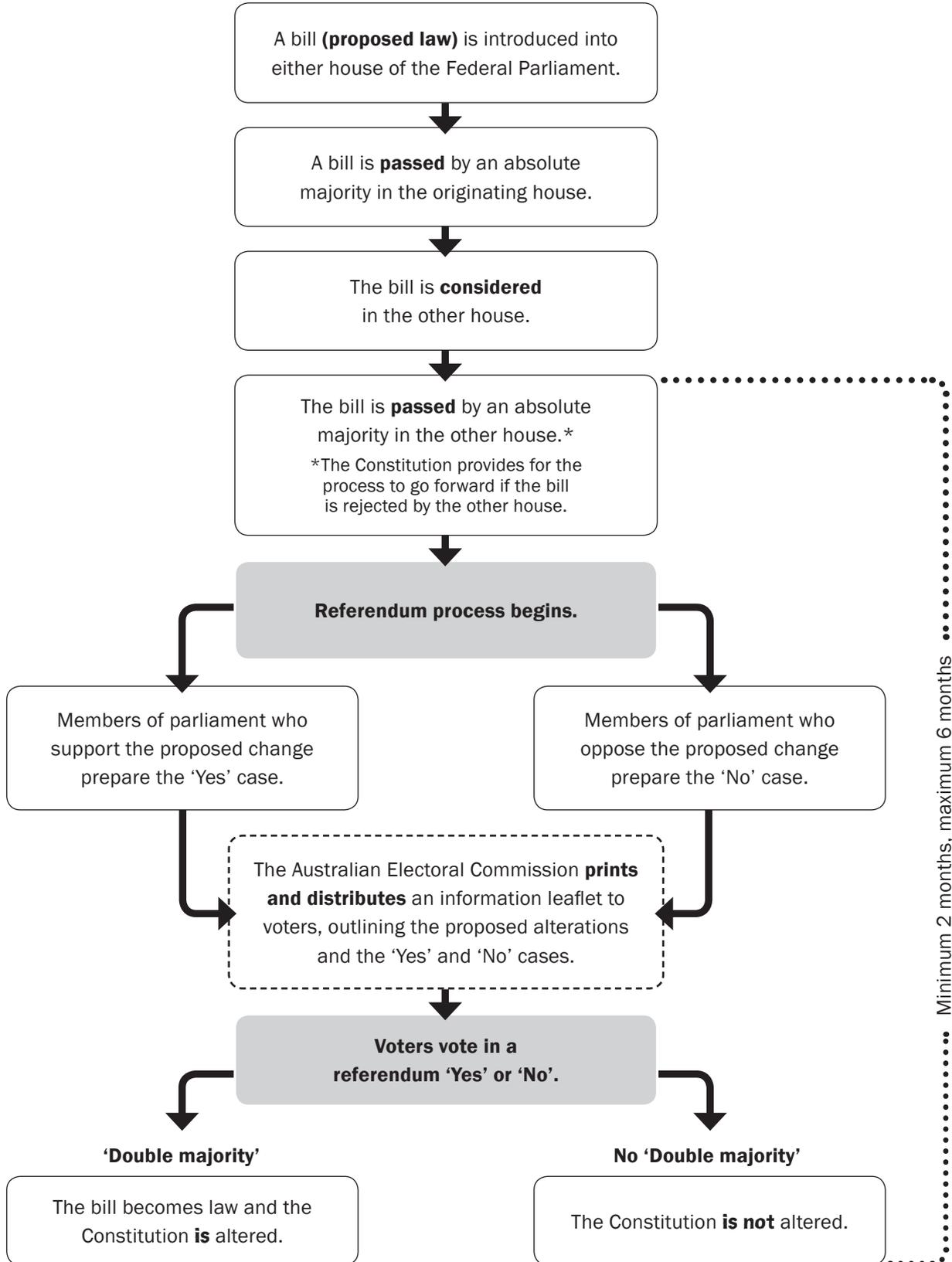
Please Sign the National Petition

for Equal Citizenship for Aborigines

Authorised by the Aboriginal-Australian Fellowship, G.P.O. Box 2672, Sydney

Witton Press, 12 Little Regent Street, Sydney

The Australian Constitution – alteration process



BLM 3

How did Indigenous Australians achieve civic rights?

The case in favour

Source 1

Vote 'Yes'

Vote 'Yes' for Aborigines, they want to be Australians too

Vote 'Yes' to give them rights and freedoms like me and you

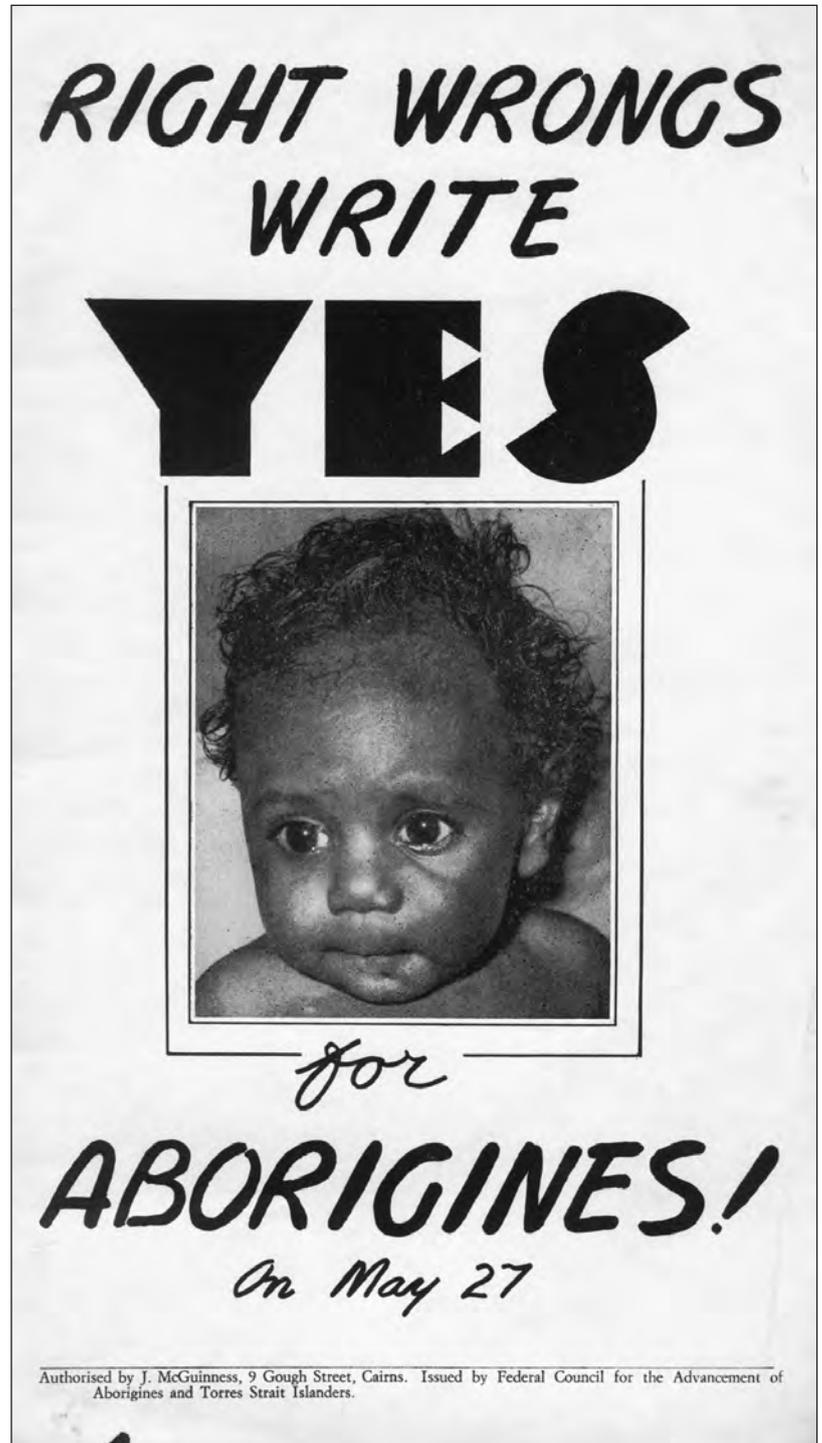
Vote 'Yes' for Aborigines, all parties say they think you should

Vote 'Yes' and show the world the true Australian brotherhood.

Words of a song sent by the Aboriginal Rights 'Vote Yes' Committee to radio stations and the *Sydney Morning Herald*, 19 May 1967.

(Source: The 1967 Aborigines Referendum, Australian Bureau of Statistics, *Year Book Australia* 2004)

Source 2



Campaigning for constitutional change in the 1967 referendum

The case in favour

Source 3

CONSTITUTION ALTERATION (ABORIGINALS) 1967

Argument in favour of the proposed law

The case for YES

The proposed alteration of this section will do two things. **First, it will remove words from our Constitution that many people think are discriminatory against the Aboriginal people.**

Second, it will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Parliament considers it necessary.

This cannot be done at present because, as the Constitution stands, the Commonwealth Parliament has no power, except in the Territories, to make laws with respect to people of the Aboriginal race as such.

...The Commonwealth's object will be to cooperate with the States to **ensure that together we act in the best interests of the Aboriginal people of Australia.**

The second proposed alteration is the **repeal** of section 127 of the Constitution.

That section reads:

'In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives shall not be counted.'

Why was this provision included in the Constitution in 1900? Well, there were serious practical difficulties in counting the Aboriginals in those days. They were dispersed, and nomadic. Communications in inland Australia were poor, and frequently non-existent. Today the situation is very different and counting is practicable.

Our personal sense of justice, our commonsense, and our international reputation in a world in which racial issues are being highlighted every day, require that we get rid of this outmoded provision.

Its modern absurdity is made clear when we point out that for some years now Aboriginals have been entitled to enrol for, and vote at, federal elections. Yet section 127 prevents them from being reckoned as 'people' for the purpose of calculating our population, even for electoral purposes!

The simple truth is that section 127 is completely out of harmony with our national attitudes and modern thinking. It has no place in our Constitution in this age.

All political parties represented in the Commonwealth Parliament support these proposals ...

We urge you to vote YES to both our proposals as to Aboriginals by writing the word YES in the square on the ballot paper.

Timor-Leste under Portuguese and Indonesian rule

1. Portuguese rule

The Portuguese presence in Timor began in the 16th century. It became a colony in 1702 with the arrival of the first governor from Lisbon. In the 18th century, the Netherlands gained a foothold in the western half of the island, and was formally granted West Timor in 1859 through the Treaty of Lisbon. After the Second World War, the Dutch granted independence to its former colonies and West Timor became part of Indonesia.

In 1974, after a coup that overthrew its fascist dictatorship, Portugal granted Timor-Leste the right to self-determination. Elections were held in March 1975. While the APODETI Party (Timorese Popular Democratic Association) in Timor-Leste supported integration with Indonesia, it was the Fretilin (Revolutionary Front for an Independent East Timor) that won the election. As the Portuguese withdrew, Indonesia made no secret of its plan to invade Timor-Leste. Francisco Xavier do Amaral, the first president of Timor-Leste and president of Fretilin, declared independence on 28 November 1975, hoping that Indonesia would not invade a sovereign state.



Location of Timor-Leste

2. Indonesian occupation

Nine days later, on 7 December 1975, Indonesia launched a combined military, naval and airborne invasion of Timor-Leste. President Suharto of Indonesia subsequently claimed Timor-Leste as Indonesia's 27th province in 1976.

Over the next 24 years Timor-Leste was under military occupation. A report presented to the United Nations in 2006 estimated that from a population of 750,000, about 183,000 people of Timor-Leste were killed or died as a result of deliberate starvation between 1975 and 1999. In 1991, the massacre of 200 unarmed civilians at the Santa Cruz Cemetery in Dili and the killings and repression that followed focused international attention on Timor-Leste.



East Timorese refugees arrive in Australia in 1975

In 1998 President Suharto was forced to resign. His successor, Dr BJ Habibie, in the midst of an economic crisis and in need of international support, proposed limited autonomy for Timor-Leste within Indonesia. This resulted in a set of agreements between Indonesia and Portugal, signed in New York on 5 May 1999, entrusting the Secretary-General of the United Nations with organising and conducting a 'popular consultation' in order to determine whether the people of Timor-Leste accepted or rejected a special autonomy for Timor-Leste within the Republic of Indonesia.

How did Timor-Leste take the first steps to democracy?

Timor-Leste under Portuguese and Indonesian rule

3. Timor-Leste resistance

Fretilin and the resistance army Falintil (Armed Forces for the National Liberation of East Timor) opposed Indonesian occupation and engaged in an ongoing guerrilla war.

Fretilin leader Xanana Gusmão was arrested in 1992 and sentenced to life imprisonment in Indonesia.

The Timor-Leste Catholic Church, under Bishop Carlos Filipe Belo, after 1983 spoke out against human rights abuses.

José Ramos-Horta left Timor-Leste shortly before the Indonesian invasion to bring the country's plight to the rest of the world.

He was involved in the passing of a dozen United Nations resolutions on Timor-Leste.

In 1996, the Nobel Peace Prize was awarded jointly to José Ramos-Horta and Bishop Belo.



Nobel Laureate Bishop Carlos Belo with his congregation on Christmas Eve, 1999

4. Australian contact with Timor-Leste

Australian troops known as 'Sparrow Force' fought the Japanese in Timor-Leste during the Second World War, from 1942 to 1945. Sparrow Force was supported by the Timorese population – around 70,000 of whom were killed.

In 1975, five reporters working for Channel 9 and Channel 7 in Australia were killed during Indonesian military incursions into the town of Balibo in Timor-Leste. They came to be known as the Balibo Five.

Australia recognised the Indonesian claim to Timor-Leste in 1978, the only country in the world to do so.

Many people from Timor-Leste sought asylum in Australia during the period of Indonesian rule.



Australian Troops in East Timor during the Second World War

The United Nations in Timor-Leste



A hard-won right: East Timorese waiting to vote in the 2001 elections

The United Nations (UN) set up UNAMET (United Nations Mission in East Timor) to organise and conduct the 'popular consultation' in 1999. The Australian Electoral Commission (AEC) provided significant support to this operation, both in the planning and implementation. Timorese residents in Australia also voted. The result of the 'popular consultation' was overwhelming rejection of the proposed status of autonomy in favour of beginning a process of transition towards independence. Although voting was not compulsory, there was a very high voter turnout and 78.5% voted in favour of independence.



Australian soldiers try to stop the violence that erupted after the 'popular consultation'.

During and after the vote, a period of great unrest occurred, including widespread murder, violence, arson and looting by pro-integration militias, at times with the support of elements of the Indonesian security forces. UN personnel were evacuated during the violence that followed the vote.

In view of the urgent situation, the UN authorised an international peacekeeping force, led by Australia. INTERFET (International Force East Timor) comprised 11,000 troops, 5,000 of them from Australia. The force, commanded by Major-General Peter Cosgrove, arrived in Dili on 20 September 1999 and oversaw the withdrawal of Indonesian troops, the disarming of pro-Indonesian militia and the return of refugees from West Timor.

In October the United Nations authorised the UNTAET (United Nations Transitional Authority in East Timor). This became the virtual administration of Timor-Leste and guided Timor-Leste to independent nationhood. The AEC, in collaboration with the UN, undertook a major program of capacity building to enhance the ability of the people of Timor-Leste to organise their own elections after independence.

The UN recognised at an early stage that an independent electoral management body was required in Timor-Leste in order to conduct elections. At the same time UNTAET also announced the establishment of an Independent Electoral Commission (IEC), which would have exclusive electoral authority. The IEC aimed to ensure that the 2001 and 2002 elections were conducted fairly and democratically. The Australian Electoral Commission worked as part of the IEC.

In 2002 a further mission was set up by the United Nations. Called UNMISSET (United Nations Mission of Support in East Timor), it was established to provide assistance to core administrative structures critical to the viability and political stability of Timor-Leste, to provide interim law enforcement and public security and to assist in developing the Timor-Leste Police Service, and to contribute to the maintenance of the new country's external and internal security. Australia contributed civilian and military police to this mission.

In 2006, as a result of continued civil unrest, the United Nations established UNMIT (United Nations Integrated Mission in Timor-Leste), which completed its mandate in 2012. UNMIT supported organised elections, and capacity building in governance, justice and security. Free and peaceful democratic elections occurred in 2012.

How did Timor-Leste take the first steps to democracy?

Introducing democracy – the role of the AEC in Timor-Leste

‘An election is actually the most complex logistical operation which a country ever faces in peacetime because you are taking the entire adult population in the country and putting them through the process (of voting) in a single day.’

Michael Maley, AEC and also UN-appointed Commissioner of the Independent Electoral Commission, Timor-Leste, established by UNTAET.



Voter information, Timor-Leste elections

In Timor-Leste, the Australian Electoral Commission (AEC) provided massive support for the United Nations (UN) organisation of the 1999 ‘popular consultation’, including facilitating the vote for Timorese residents in Australia and organising participation in elections in Melbourne, Sydney, Perth and Darwin. In 2001 and 2002, they supported the elections held for the new national assembly and the presidential election.

A significant challenge for Timor-Leste, a country with no experience of democracy, was addressed by the AEC – that of providing local people with the knowledge, skills and resources in the area of electoral administration. This would allow the people of Timor-Leste to organise and conduct free and fair elections so that democracy could be sustained in the absence of international assistance.

As part of its role in the Independent Electoral Commission, the AEC developed and delivered electoral education including the East Timor Electoral Administrators Course in the weeks leading up to the 30 August 2001 Constituent Assembly elections. The course provided a comprehensive introduction to every aspect of the electoral process that Timor-Leste would be involved in and was instrumental in ensuring the success of those elections.

In 2002 the people of Timor-Leste adopted a Constitution for the new government, mandating the importance of democratic elections.



Michael Maley, UN-appointed Commissioner of the Independent Electoral Commission, Timor-Leste, 2001



People of Timor-Leste being trained to administer elections

Introducing democracy – the role of the AEC in Timor-Leste

Extract from Timor-Leste Constitution

Section 65

(Elections)

- 1 Elected organs of sovereignty and of local government shall be chosen by free, direct, secret, personal and regular universal suffrage.
- 2 Registration of voters shall be compulsory and officially initiated, single and universal, to be updated for each election.
- 3 Electoral campaigns shall be governed in accordance with the following principles:
 - a Freedom to canvass
 - b Equality of opportunity and treatment for all candidacies
 - c Impartiality towards candidacies on the part of public bodies
 - d Transparency and supervision of electoral expenses.
- 4 Conversion of the votes into mandates shall observe the principle of proportional representation.
- 5 The electoral process shall be regulated by law.
- 6 Supervision of voters' registration and electoral acts shall be incumbent upon an independent organ, the competences, composition, organisation and functioning of which shall be established by law.

(Source: Constitution of the Democratic Republic of Timor-Leste, decreed 22 March 2002)



Singing the registration song. Participants in the Electoral Administrators Course, in Timor-Leste, demonstrate their learning through song.



Timor-Leste election posters