

## The 1967 referendum

On 27 May 1967 a Federal referendum was held. The first question, referred to as the 'nexus question' was an attempt to alter the balance of numbers in the Senate and the House of Representatives. The second question was to determine whether two references in the Australian Constitution, which discriminated against Aboriginal people, should be removed. This fact sheet addresses the second question.

The sections of the Constitution under scrutiny were:

*51. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:-*

*...(xxvi) The people of any race, other than the aboriginal people in any State, for whom it is necessary to make special laws.*

*127. In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives should not be counted.*

The removal of the words '*... other than the aboriginal people in any State...*' in section 51(xxvi) and the whole of section 127 were considered by many to be representative of the prevailing movement for political change within Indigenous affairs. As a result of the political climate, this referendum saw the highest YES vote ever recorded in a Federal referendum, with 90.77 per cent voting for change.

It is interesting to note that because the majority of parliamentarians supported the proposed amendment, a NO case was never formulated for presentation as part of the referendum campaign. Copies of the YES case can be located on files identified below.

The Constitution was changed, giving formal effect to the referendum result, by the *Constitution Alteration (Aboriginals) 1967* (Act No 55 of 1967), which received assent on 10 August 1967.

### **The right to vote**

The 1967 referendum did not give Aboriginal and Torres Strait Islander peoples the right to vote. This right had been legislated for Commonwealth elections in 1962, with the last State to provide Indigenous enfranchisement being Queensland in 1965.

## Records relating to the referendum

The National Archives in Canberra holds a range of records relating to the 1967 Referendum created by the government agencies that played key roles in events surrounding the referendum. These include records documenting Cabinet's discussion of the so-called 'Aboriginal question' from as early as 1962 and its inclusion in a referendum question; records of the Prime Minister's Department and Attorney-General's Department, which detail the legislative and policy considerations arising from the government decision to put the referendum, and then to implement the result; and records of the Chief Electoral Office, which document the conduct of the referendum. Examples of the types of records held are listed in the table below.

## Examples of records relating to the 1967 referendum

### Cabinet Secretariat (CA 3)

Title or description of record	Date range	Series, item number
<u>Voting rights for Aborigines – policy</u>	1961–62	A4940, C3496
<u>Constitutional amendments 1965 – Referendum</u>	1965–67	A4940, C4257
<u>Aborigines – Commonwealth policy and administration</u>	1967–69	A4940, C4604

### Prime Minister's Department (CA 12)

Title or description of record	Date range	Series, item number
<u>Constitution alteration bills – procedure in parliament and referendum</u>	1965–67	A463, 1965/5445

### Attorney-General's Department (CA 5)

Title or description of record	Date range	Series number
<u>Requests for submission to referendum – question of treatment of Aborigines</u>	1945–51	A432, 1953/2029
<u>Aboriginal affairs: suggested referendum to transfer responsibility to federal government</u>	1963	A432, 1961/3189
<u>Assent copy of Act – Constitutional Alteration (Aboriginals) 1967 – Act No. 55 of 1967</u>	1967	A1559, 1967/55

### Chief Electoral Office (CA 558)

Title or description of record	Date range	Series, item number
<u>1967 Referendum constitution alteration – main file</u>	1967	A406, E1967/30
<u>1967 Referendum – results and general returns</u>	1967–69	A406, E1967/30 part K
<u>1967 Referendum – report on conduct of referendum</u>	1967	A406, E1967/30 part P

## Using the records

Searching the subject indexes to series of the Prime Minister's Department, the Attorney General's Department and the Chief Electoral Office may identify additional records. Our reference staff will assist you in ordering and using the indexes.

## Other information on records relating to Indigenous peoples

Additional information on records relating to Indigenous peoples is available in the following fact sheets:

- *Fact sheet 108 - Pastoral industry in the Northern Territory*
- *Fact sheet 112 - Royal Commission into Aboriginal Deaths in Custody*
- *Fact sheet 113 - Aboriginal and Torres Strait Islander people*
- *Fact sheet 129 - British nuclear tests at Maralinga*
- *Fact sheet 145 - Albert Namatjira*
- *Fact sheet 151 - Bishop Francis Xavier Gsell MSC*
- *Fact sheet 175 - Bringing Them Home name index*
- *Fact sheet 224 - The Wave Hill 'walk off'*
- *Fact sheet 225 - Charles Nelson Perkins*
- *Fact sheet 231 - Neville Bonner*

Information on Memorandums of Understanding between Indigenous peoples and the National Archives relating to access to records held in the Archives collection may be found on the following fact sheets:

- *Fact sheet 114 - Memorandum of Understanding with Northern Territory Aboriginal people*
- *Fact sheet 205 - Memorandum of Understanding with the Victorian Aboriginal Child Care Agency*
- *Fact sheet 129 - Memorandum of Understanding with South Australian Aboriginal people*

The following research guides may also be helpful:

- [Aboriginal Deaths in Custody: A Guide to the Records of the Royal Commission, 1987–1991](#), compiled by Peter Nagle and Richard Summerrell, revised 1997, 92pp
- [walata tyamateetj: A guide to government records about Aboriginal people in Victoria](#), by Richard Broome, Public Record Office Victoria and National Archives of Australia, Melbourne, 2014, 87pp