

# Uluru Statement from the Heart

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*In conversation with*

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**Ebony Bennett** [00:00:03] Good day, everyone. Ebony Bennett Deputy Director at the Australia Institute and welcome to our webinar series. For those of you joining us for the first time today, the Australia Institute is an independent think tank based in Canberra and we hold webinars regularly to invite the public to hear directly from some of the world's greatest thinkers and activists. And today's speakers are no exception. Days and times for our webinars do vary, so please head on over to Australia Institute dot org dot AEW to find our upcoming webinars and just a few tips before we begin today to help things run smoothly. If you hover over the bottom of your zoom screen, you should be able to see a Q and a box where you can type in questions for our panel. And you should also be able to upvote other people's questions and comments. A reminder to please keep things simple and on topic in the in the chat or will beat you out. And lastly, a reminder that this discussion is being recorded and it will be posted on our website and YouTube channel later today. The audio will also feature on our podcast, Follow the Money. Sir, may I begin by acknowledging that Canberra, the place that I have lived and worked for the past 20 years, is not a wall and memory country and pay my respects to elders past and present. Sovereignty was never stated, and this always was and always will be Aboriginal land. I want to thank you all for joining us today. We have more than 3600 people registered for today's webinar, making it one of the most popular webinars we have hosted. The Uluru Statement from the Heart is the recipient of this year's Sydney Peace prize, accepted by First Nations leaders Pat Anderson AO and Professor Megan Davis, as well as Noel Pearson. It's a matriarchal campaign and I'm absolutely delighted to have Professor Davis and Pat Anderson join us today. And the Australia Institute is delighted to be an impact partner for this year's Sydney peace prize. I'm equally delighted to introduce the chair of the Sydney Peace Foundation, Archie Law, to introduce our wonderful speakers today. Thank you, Archie.

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**Archie Law** [00:02:07] Thanks, Ebony, and good afternoon to you all. From the land of the Gadigal, people of the nation acknowledge the traditional custodians of these lands, elders, past and present, and recognise that knowledge of First Nations peoples attending the webinar today. On the 10th of November this year, the Sydney Peace Foundation is going to have the honour of awarding the Sydney peace prize to the Uluru Statement from the Heart, and we're partnering with the Australia Institute to celebrate this historic event. The Sydney Peace prize has been awarded to peacemakers around the globe for over two decades now. It's Australia's only international prize for peace with justice and human rights at its heart. Deal. The Rose statement from the heart is nothing short of a momentous and historic peace offering to all Australians. It's a chance for all of us to take up that offer and to work with First Nations people into Australia's future. Today you're going to hear from two of the architects of the statement, Professor Megan Davis and Pat Anderson. Pat is an Alabama woman known nationally and internationally as a powerful advocate for the health of Australia's first peoples. She has extensive experience in Aboriginal health, including community development, policy formation and research ethics. She has served as co-chair of the Referendum and Council is the current chairperson of the Remote Area Health Corporation and the Chairperson of the Lowy Institute. Pat is the inaugural patron of the Women's Safety Services of Central Australia and was appointed as an officer of the Order of Australia in 2014 for her distinguished service to the Indigenous community as a social justice advocate. Welcome back. Thank you. Good afternoon, everybody. Thanks, Professor. Megan Davis is a Cobble Cobble woman and pro Vice-Chancellor, Indigenous and Professor of Law at the University of New South Wales. She's Acting Commissioner of the New South Wales Land and Environment Court and was recently appointed, appointed by our nice chair in constitutional law. She was a member of the Referendum Council and the expert panel on the recognition of Aboriginal and Torres Strait Islander peoples in the Constitution. That was an expert member of the United Nations Permanent Forum on Indigenous issues from 2007 to 2016. And is currently a member of the United Nations Human Rights Council's Expert Mechanism on the Rights of Indigenous Peoples. And a warm welcome to you to make an. Just before we have perspective, Vinnie, we just want to invite you all to go beyond just listening today. We're urging you to to play your part and take up the invitation of the Uluru statement from the heart of being part of an Australia that embraces peace with justice. Talk to your friends, talk to your colleagues, take action and join us in person on the 10th of November in Sydney when the Sydney peace prize is awarded in-person at the Sydney Town Hall. You can get your tickets for this historic ceremony at Sydney Peace Foundation. Dot org. Today you. And we're urging you to be a part of this moment in history. So thank you. And back to you, Ebony.

**Ebony Bennett** [00:06:01] Thank you so much, Archie. Pat Anderson I want to begin with you today before we kind of get into that task ahead with the referendum, I wanted to ask you about that, just to get to the Hillary statement from the heart. It's a remarkable invitation, one of the most important documents in Australia's history, but I'm not sure everyone's aware of just how much work went into getting the statement and all the consultation that happened. What was the process that led to the Uluru statement from the heart?

**Pat Anderson AO** [00:06:33] Well, I get to this recent process. We've been doing this since before 1840. Every generation of us has had a go at getting us to be acknowledged and accepted and respected as the first peoples of this beautiful continent of ours. We've been here. The latest figure,

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our bridge over 100,000 years. It's commonly said to be 65,000, but of course, that's what the scientists say. But for us, we believe we have always been. We didn't come from anywhere else. This is definitely, absolutely our place over millennia. This current process, though, began with Julia Gillard about 12, 12 years ago. We've had Megan we'll be able to Greg, I think we had like eight committee committees over this period and the final price with the process that we have on the table now. The Uluru Statement from the Heart came from the Referendum Council, which Megan was a part of. It was novel and I co-chaired with Mark Mark Liebler. We went out and asked First Nations people how they wanted to be recognised and what do they need now at this time and through a whole process of thing, what we call regional dialogues all over the country. We had a deliberative process designed and led by was designed by Megan and led by all of us. There was no public servants. It was just us plus the people that were invited. Now, the Referendum Council didn't invite anybody to that do those forms. We selected a coastal organisation, we chose that. We gave them the formula for who should come. Don't forget, we need to have women as well as men and young people. And we wanted 60% to come from the traditional custodians and land owners, 20% from organisations and also Stolen Generations, people that perhaps didn't fit into the categories and also 20% of people who are important to the region and and influential. So every meeting had that same structure, if you like. It was two and a half, nearly three days and we had them in three locations. Each of those meetings the head, the host organisation was to also invite people from, from the region. So it was an educated education process as well. Over three days, it was a it was a deliberative process and required everyone a lot of work and people work really hard sometimes on abstract concepts. Each meeting was. Recorded and then from we've collected all those notes and remarks and everything that people say and the conclusions that they came to after a three day process. And the team that Megan and her team, their analysis of everything that was said, we presented that document at the convention or each meeting was our last duty was to select six or seven people from that meeting to go and be their delegate at the convention. So the referendum council didn't select elect anyone except choose a host organisation. So the delegates that came to Uluru was sent by all of those meetings to be their delegate and to speak on their behalf at the convention. From the convention. And that whole process came the Uluru Statement from the heart. And this was decided by that meeting to give this as a gift, a gift of hope, peace, even love to the Australian people. Because people told us in the dialogues that we are the population, the Australians in 1967 to help us and we're going to ask them again and they'll help us because there was a widely held belief that Australians were basically decent people. So that's why it was very much on purpose, because it's you, everyone out there and everyone else who isn't here. It's you who can change the nature of the country, can change the narrative. You have the power and not the politics. You have to set the machinery up. And it's been a huge ingredient that's been added to this whole process, this latest one of 12, 14 years by the courageous and the courage, rather, of the prime minister, who is the first thing he said as a progressive. He would take that with meaning that he would take the country to a referendum. And the Garma, which was an amazing gathering of all kinds of people, he made the announcement of a draught set of questions. So and the only thing he's got to do, what he's got to do, lots of things all have lots of things to do. But nevertheless, we are definitely, as all Australians, we're going to a referendum and we're going to be asked to vote yes. On a very simple question, if you've read the questions address, have a look at it. There's only two possible answers, yes or no. That's it. So that's where we're at now after this very, very long process. But everybody over 18 in Australia today has the opportunity to this is part of nation building. It will change the narrative for the country and hopefully will change the way that. You all relate to us and we will have some power to make decisions about all the things that affect us and try to fix this torment of our powerlessness. That's where we're at now.

**Ebony Bennett** [00:11:56] Thank you, Pat. Megan Davis coming to you. And congratulations to you both on getting it just to this point where we are on the cusp of having a referendum with this question to be put to the Australian people. But the statement calls for voice treaty and truth. There are those two other elements. Megan, how important is the sequence of those elements? How important is it? That voice comes first.

**Megan Davis** [00:12:25] Yeah. So I'm. The Uluru statement does refer to the constitutional element of a voice to Parliament and then a mechanism of commission to supervise agreement making and truth telling. So the sequence is important in a number of senses, the first being that, you know, the past 12 years. I mean, it really depends on what your starting point for the recognition process is. Some take it as the preamble in the republic referendum. So 1999 and really the multi-party support for a referendum on recognition started then some take this John Howard who who committed to a constitutional referendum on recognition in 2007, about four days before the federal election in 2007. And but most, I think, take it from the point in which Julia Gillard was able to negotiate power in the Lower House through the two independents, Tony Windsor and Rob Oakeshott and the Greens Adam Bandt. In the letter of agreement with Gillard, they said that she needed to move on this multi-party support for constitutional recognition and get the nation closer to a referendum or to a referendum was in the terms of reference and so that that kind of act started in 2011. And so we're in kind second decade of recognition in Australia. A lot of work has gone on seven processes, ten reports is a lot of material for that decade. But the the opportunity on the table Ebony's is for constitutional recognition so treaty and on things that are done at that constitutional level although we took through a treaty out to the process the deliberative dialogues you know the movement is always anticipated that there would be some kind of mechanism at a Commonwealth level for agreement making. But in this instance, the opportunity on the table was bipartisan, multi partisan support for constitutional recognition. And so through that deliberative dialogue process, the form of constitutional recognition that came to the fore as the most prominent was a constitutionally enshrined voice to parliament. So so that is first because that is the opportunity on the table and that is in terms of political imperative, that kind of multi-party support, keeping in mind the complexities of the current situation as we are getting too close to a referendum, that is what is on the table in terms of agreement making and truth telling. It was always envisaged that that would be done through some sort of mechanism that enables those two things to come together. And so they Democratic Commission will be set up. I'm just not sure at what point. I think Linda Burney has discussed setting it up now setting it up after a referendum. I mean, those decisions are made by political support by the government of the day in terms of resources. But the sequence is really important. And I just want to make one point about truth telling. You know, there is no significant there's no treaty in the world that needed to trace process first. Yes, I truth telling is something that has been really prominent post kind of the 1990s when we had this emergence of a transitional justice framework in the international community to try and grapple with the way in which you have regimes move from kind of dictatorship to democracy, and how do you deal with all of those issues so that people can live? You know, who were once, you know, victim and perpetrator can move to the new democratic society and and those issues that occurred in the previous regime would be dealt with. I think the very strong sentiment in all the dialogues is we've done a lot of truth telling in Australia. In fact, it's been used on multiple occasions by the state to avoid standing for recognition of rights. And I take, for example, Bob Hawke not being able to deliver on national or land rights or

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on a treaty that he promised, but rather because he couldn't do truth telling, sorry, because he couldn't deliver on substantive rights. He kicked the nation down into a decade long period of truth telling, and we emerged out of that decade long with a Conservative government who rejected it all. So truth telling is important, but the dialogues didn't really use that when you do truth. They used they talked about Australian history, they talked about their place in Australian history and what can be done in terms of education for in primary schools and high schools to educate Australians better on on the place of first nations people in Australian history. So I think it's really important to keep in mind that this is a transitional justice, truth telling process. This is about the original grievance, something that occurred in 1786, and that hasn't been dealt with. And it's really important not to impose really modern day things like that across that original kind of grievance that we're trying to resolve with this first step through the old statement. So the sequence is really important. And and certainly from our discussions with our brothers and sisters in Canada that I've had full truth telling processes and saying it has elicited no substantive change in community attitudes towards First Nations, peoples and rights. And as someone who's worked with the United Nations for 20 years, I think we do need to scrutinise this idea that education is the sole public interest. So way to to to get Australians to a place, you know, where, where they might vote yes for a treaty or they might write yes or something else. I mean I don't think, I think we need to problematise the idea that you need a truth telling process before this, because we've we've got plenty of evidence of the truth in this country. Truth is not what we're short of. So that's the importance of the sequence.

**Ebony Bennett** [00:19:10] Sorry. Had myself on meet there. Megan, I just wanted to stay with you. Thanks for that explanation. I think that was really clear. We do have now kind of some potential draught wording from the prime minister that he announced at the Garma Festival. And I just wondered if you could talk to us a little bit more about the importance of this being enshrined in the Constitution. And also, how important is it that this question is simple and straightforward, that the proposition that people are voting on is a straightforward one?

**Megan Davis** [00:19:44] So, you know, it's as I said, you know, in the kind of clamouring for detailed, detailed detail, which, you know, I think within eight weeks of taking office had done a pretty good job of bringing together some initial detail to, I think, make the curiosity look the voice to Parliament. Let's just start with the notion of recognition. So so this is a recognition project that's been in place for 12 years. Yeah. So in the initial process set up by Gillard, the expert panel on the recognition of Aboriginal and Torres Strait Islander peoples in the Constitution, both major parties push back on a non-discrimination clause. Yeah, they said that no one's going to vote yes for that at a referendum. So a lot of that work between the expert panel and the referendum council was about, well, what what what does recognition actually look like then? If we're looking for something that might get support, political support, to get it across the line, in addition to support from our own people, because there is, of course, a lot of complexity around what a non-discrimination polls may or may not do, including the fact that a non-discrimination clause couldn't, you know, absolutely foolproof the future from having a parliament that might pass discriminatory laws, that still address discriminatory laws that still permitted under a non-discrimination clause, which kind of turned away a lot of our people from that as the solution or as something that they see as constitutional recognition. So we know. So then we move to this referendum process where we needed to actually feature a process where we went out to the communities to talk about what does

recognition look like in your community. So the way in which was set up was only a sample of what, but a robust sample. And it was, as Pat said, we auspice the access, the Institute to engage local communities, land councils and local communities to fill an invitation list of about 100 with with 60% of those participants being traditional owners elders in our cultural authority. And in the course of that deliberative process, all of them ranked and enshrined voice number one. Now, your question is why? Why is an enshrined voice so important? So there's a number of answers to that. One of the first things that we noted in every single dialogue around the country was the destruction that was brought in communities when it was abolished, because it was literally abolished overnight without any consultation or discussion with any First Nations people. And although the nation kind of lives under this, will some in the nation might be under this idea that actually it was ineffective? That is certainly not what First Nations people think as a kind of universal view. There is a lot of complexity around the positives and negatives. So why? The review had a lot of really important ideas about devolving power to the regions and abolishing that national board. But of course, the whole thing was abolished instead and it's very difficult. So there's a lot of people that are clamouring for legislation so they can see what the model looks like. But but there's not that many people in Australia who would be able to assess such a model, right? Assess the complexities of a full blown piece of legislation because the bulk of people don't work in that sector. And the people with the experience and the knowledge of the Aboriginal sector and what a model will look like, all those people that live in communities. And what they said in dialogues and what they said before that and this is all recorded, is that they are voiceless and empowered in their own country. They don't think that their organisations represent them properly, but I don't think the national paints speak for them. I don't think anyone speaks for them. They feel like nobody represents their voice. And so the dialogues are designed in a way that we did exclude from participation people who have, you know, these parliamentary passes where your professional lobby is. We have a big falutin, highfalutin CEO job with huge pay running. Aboriginal organisation or politicians. We kept the politicians out. We kept lawyers that we kept out the people who have a voice. Anyone who has a voice. That's not who the dialogues were for. We wanted to hear from people about what they thought was needed in that region, and that's why the voice to Parliament was prominent. People didn't want to sit in the parliament. So there is the kind of yes, we've got a huge number of Aboriginal politicians now, but not everybody wants to be a politician. No, not all Australians aspire to that. But I want to join professional political parties that I want to represent. An electorate that I want to represent. Political party platforms. And so you. So that's why I designated seats and reserve seats weren't regarded highly either. That is not what people want. They want to live in their own community. That's what they do. The community, people who live amongst their people and work for their people and help the people that are want to be politicians. But what they do want is their view represented to the people who are making laws and policies about their lives. So the voice in Parliament is a very common kind of mechanism used by a lot of Western liberal democracies to improve the input and the participation of indigenous peoples in the democratic life of the state. It's very, very common. And part of the problem is that Western liberal democratic governance is predicated on all of the human rights jurisprudence around democratic governance. And the right to vote is all predicated on a ballot box alone. Right. So if you have a ballot box election, that's democracy. But what most countries of the world have found that that's not democracy, because what it does is it means that both parties only speak to the main, to the kind of majority view of Australians. And if you're a vulnerable group who fall outside of the of the majority, then often your views aren't taking into account properly what they're trading. They host traded for other issues. So Bob Hawke said yes to a treaty and then said no to a treaty because he needed to win the West Australian election to retain government. So I think Pat Turner, Pat Anderson said it best when she said the voice is all about



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removing us as a political football. It's about taking us out of the realm of political ideology and places in another spot where we don't have to worry about going cap in hand to Canberra every four years and begging it is about removing us from that politics so we can have a more durable and sustainable and long term view in our communities of what we need to do and what we need to get done. So the voice to Parliament is an enabling provision that sets off into the Constitution, the path for the Commonwealth to pass a law that creates a First Nations voice, and that will be done after the referendum and after a comprehensive process of consultation as occurred. So I would prefer a deliberative dialogue that occurred so that the mob can design the voice themselves. So that's the question will be simple. The amendment is often not debated in Australia and it doesn't normally dominate the debate. But what needs to dominate the debate is that in a recognition exercise is the to be recognised, which are the first nations and there's the recognisable, which is the Australian people, not the politicians, the Australian people, the politicians are there because Australians have put them there. So that's the exercise and the to be recognised have to agree to that form of recognition. We rejected symbolism and we said that or the dialogue participant said and Olaru said the people gathered at that group that a constitutionally enshrined voice to Parliament is what is what we consider recognition.

**Ebony Bennett** [00:28:12] Pat, I want to come back to you now, as Megan has so clearly explained, why the constitutional recognition is important. But after so long now we have a real commitment from the Labour Government to take the voice question to a referendum. We've got some draught words. There's still some work to be done, but what do you think this next period looks like and how can we all get behind a yes vote for this referendum question?

**Pat Anderson AO** [00:28:43] I think Megan is just very eloquently answered part of that question, and I'll just sort of stick with the mechanics of what has to happen now, and it will happen. This is going to be really difficult. There is going to be a difficult conversation. But we're all duty bound morally to do it, to have it once and for all. We will continue doing the education that we've done overall over the last five years. But but now we have something on the table, and that's clearly the referendum. So we will continue with our education campaign going around the country as we as we have been for the last five years and kept the whole question alive, quite frankly. So they will be able to talk go around and talk a little bit more concretely, if you like, about all of the stuff that Megan has just said, so that people probably understand what it is that we're doing here. So we'll have time now to do that. So we will continue to do all they don't address the issues that arise and hopefully give a sort of general overview to the general public of how what it is that we're asking for and why and how some idea of how it will work between now and when the referendum is called. There will be quite a lot of information that will come out. But, you know, there's a responsibility, I think, on all the voters to inform themselves as well. And I would refer you all to our website statement or on there for it is a whole lot of information which will answer some of the questions that might be coming up now. They will the answers are already on our site is a whole lot of information. They have a lot of resources. But more importantly, for the listeners out there, one of the things that we have done, we have the Uluru Statement from the Heart translated into 61 languages as well as English, including about 21/1 Nations languages. So you can read the earlier statement in your own language. It's my job to add more First Nations languages there, and I'm currently working on that. But there's not one place that I have to find the language list, what have you. But there's Flint. The

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point is, there's plenty of information, Native people to inform themselves, to read a bit about it, understand, have discussions about it. It's really it's really important. So try to actively engage engage mind and heart in the in this process. Because, as I said earlier, it's a it is nation building and it will make a huge influence on the outcomes for our families and our communities across Australia. And that's why I do what I do.

**Ebony Bennett** [00:31:17] Yeah, absolutely. I was just going to say, if I can share with you, some people say this is.

**Pat Anderson AO** [00:31:26] Yeah, yeah, yeah.

**Ebony Bennett** [00:31:28] That's polling that the Australia Institute has done over the last couple of months asking people what they vote yes to an amendment enshrining voice in the Constitution. And between June and July, support for the voice has increased, which is really exciting. But what is your sense? Do you have a sense of optimism? Do you think people are receptive to this at this point? Certainly that polling shows that. I think as people learn more about it, there's definitely some majority support there for that idea.

**Pat Anderson AO** [00:32:03] Yes, we've done some polling ourselves as well and set a figure there that you had of undecided. It's turned out from the polling that we've done. Once I have been spoken to or read something or easily convinced and that undecided vote turns into a yes vote. So there's quite a lot of polling that we've done as well over the years. But, you know, I don't want to be Pollyanna here, but I think there is a shift. There is a shift. There is people are much more optimistic. But I I think that at the last election, I think people voted for hope and to change electorate voted for hope and change. It was a nerve wracking election night as very exciting. But, you know, we have a parliament now that we've never had before, you know, and we've got social media, which we didn't have in 67. So I think the parliament that we have now, I think, is broken or begun to break the stranglehold of the two party system. So it's a completely different parliament, which is also very exciting. We have a Prime Minister who is courageous and in fact also has a heart. So and it's increasing support as people understand more and more about it. I think this is the best chance that we've had for a long time. And I'll stand corrected, but I don't think we've ever had a prime minister this come out so courageously as our current Prime Minister has on any issue to do with blackfellas. So there's a lot of things in our court, but as I say. It's the people of Australia to decide. But I think this is, this is the best chance we've had for four, four decades. So I think we've got we've got a chance here, I believe.

**Ebony Bennett** [00:33:44] Excellent. Before we go to a question from the audience, Megan, I wonder if I could ask you about some of the arguments coming out from that no campaign that we've had so far. And how much traction do you think those types of arguments will get, whether or not it's the idea from Tony Abbott that this is kind of setting apart a particular racial group? I know I've heard some people comment that, you know, it's nothing to do with that. The First Nations voices, the



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original inhabitants have been here for many years. How concerned are you about some of those no campaign arguments coming out? And and do you have anything that you kind of would like to share with the audience to, I guess, illuminate some of those issues?

**Megan Davis** [00:34:34] Oh, look, I mean, you know, it's it's like eight weeks ride into a new government. The people you expect to be anti indigenous voice any referendum other people talking up. Yeah that was they were riding in the first couple of weeks of government before we even have detail. And it doesn't matter how much they tell you and how little they tell you that they're still going to be singing from a book because it's a business model. So, you know, it's really important as people who support the voice to understand that most Australians aren't paying attention right now. And and those Australians who who are need to be informed of was the Uluru statement from the heart is somewhat this recognition process was right it's not trickery it's not something that's just been made up. It's it's been 11 years and every single thing has been done transparently. It's been published by the Parliament, you know, the prime ministerial bodies that have led this work. It's all been done in plain sight. It's just, you know, the mainstream media haven't paid attention. And that's not dissimilar to the last federal election. Right. If you read the Australian and Fairfax and many of the mainstream media outlets leading up to the election, you would never have known that the election results were what they were. Yeah. So with the big green vote, the independent voters, the low primary votes, both major parties, that is the Australian people saying we have had enough of this adversarial, acrimonious stuff and we want solutions, we want better policy, we want we want you to talk about climate change in a kind of non childish way, but in a serious way because all of us Australians can feel it and see it. The same with the Integrity Commission. And Australians like just had it up to the roof with corruption and the same with respect and from the heart. That's a really important thing to keep in mind when we watch the ways in which this debate is being driven and manufactured by mainstream media right now. And so we expect those kinds of arguments to come out. We expect there to be pushback. But I think one thing we need to keep in mind is that this is not the republic referendum. There's a lot of people just you know, you use the language of no campaign. They might not be in that campaign. Right. I know you're using it in a metaphorical sense, but this doesn't have to be adversarial. It doesn't have to be racist. It doesn't have to be acrimonious. It can just be a decent, respectful conversation with Australians about why we seek constitutional recognition. And that's what the policy statement from the Hollies. It is a letter, it is an invitation to the Australian people. We lay out the logic of the statement and then we ask them to come meet us at the rock and walk on this journey of the Australian people for a better future. And that's not Pollyanna, right? This is decades and decades of our people having to cop really crappy policy and really crappy laws and have no input. And most Australians can look at the Closing the Gap failures and say, look, we put all this money at this, this framework and it's not working. And why is it working? Because we're never at the table when they make decisions about us. So, you know, I don't right now I'm not so worried about the political pundits and the political elites who spend more time in kind of jets and hanging out with politicians than they do on the ground with ordinary Aussies. And that's where we need to be. So I so there's many, many kind of, you know, answers to. Things like rice culture, formal equality, substantial equality that will, you know, prosecute over the course of the journey to the referendum. I would in terms of answering those some of those things like Tony Abbott, who has I mean, I'm not even sure, you know, I think I need to separate, disingenuous, you know, obits from the ones that are actually genuinely asking, you know, Australians to vote as an informed group. It needs to be an informed

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vote and that is what we want to get them to do. So on the restatement website, there's a lot of resources around this. In addition, there's a link to an Indigenous Constitutional Law blog where a lot of these questions are talked about and answered. It's called the Indeed Common Law Blog. Really original. I know. But really, I think the most important thing to start with before we get to those important questions of alignment with Australian democratic culture, is for Australians to understand what the recognition processes, where, where does it come from and why people wanting to seek recognition of our voice. So the statement from the heart know you can go to the Hillary statement on a website and it's actually like 18 pages. The older statement people only read the first, but after the first page is about full pages that explain why voice was chosen and not a non-discrimination clause. So I saw one question in the in the chat by someone saying the empty preferred or non-discrimination clause, but the initial Northern Territory response was done under the plenary powers. So the biggest problem for the territories is their plenary power and not a state. No Section 1168 is going to fix that for you. So so this document types people through the reasoning, the legal reasoning that mob went through to get to the voice to Parliament. Why was the non-discrimination clause put to one side for voice to parliament? And partly it was so that we would have upfront political empowerment as opposed to just the right that sits in the Constitution that you take to the High Court. Maybe if the if the Federal Parliament does something. But this documents amazing the Hillary statement. It's the first documents, the other statement, then you've got the legals and then the end part is what we call our story. So it's actually the Aboriginal and Torres Strait Islander story of Australia. It's beautiful and I think when you read that story it gives me goosebumps to read it. You'll understand what it was that these incredible 13 dialogues did. And what is the what's the impetus, what's the motivation behind the Uluru Statement and Voice Treaty terms? And then from that, from an informed basis about recognition, you know, we can have those discussions about whether or not, you know, a voice to Parliament is embedding culture in the courts. Tony Abbott is right in the Constitution. He must have realised that Section 5126 exists. Rice already exists in the Constitution. Yeah. So, you know, I'm not so concerned about his because he was never going to support but I, I, I think it's important to have the recognition discussion. What is that about? Because that's an important question. And then the second being like let's have a conversation about why this is in alignment with Australian political and legal culture. And at the end of the day it's the Australian people standing alongside Aboriginal and Torres Strait Islander people that change the Constitution. And so I think it's really important that when this does get out that we see it as a reflection of the fact that yeah, it does align. Most Australians think it's fair that when you pass laws and policies that are bad at communities that were at the table and as the most magnificent Florence artist, including the chest, you know, we don't seek a green voice. We don't seek the right voice. We don't seek a voice. We seek a black voice. And that's a really important I think that's a really important motto to keep in mind.

**Ebony Bennett** [00:42:52] I've got a question here from Natalie Bryant. Natalie, I'm not sure if you're the Nat that I went to next with and my high, but Natalie asks, There's been a lot of discussions around the need to talk to mob in regional and remote Australia as an urban Indigenous person with no significant links to an Ia, LC or Indigenous organisation. How will I be engaged going forward? Pat, would you like to take that 1/1?

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**Pat Anderson AO** [00:43:19] We'll be talking to you as well as we get around. It's not like we picked that specifically because that's what everybody seems to complain about. We've done quite a lot of work, lots of them. Remote communities where in fact. At the convention and during the course of the regional dialogues, as we did in the cities and the urban areas, as sorry, rural areas as well. So this time round we'll have a few more resources and we will know where we're going. So yes, I'll speak to as many people as we possibly can, but we need for you to not to be passive. If it's not happening, you get onto our Web page. Send us an email, bring us up or whatever. We'll do whatever we need to do to get this over the line. And Megan's explained it all so eloquently and beautifully. How can you not take regard and inform yourselves about what's actually happening here? Please read the documents that Megan have spoken about it on our website. They're very touching, very moving, but also a good explanation.

**Ebony Bennett** [00:44:21] Thank you. I've got another question here from Kirsten Anker and quite a few questions that are interested in the process, I guess. And Kirsten asks, can you please speak a little bit more about the role of women in this process and how that works?

**Pat Anderson AO** [00:44:38] Women are leading this process, there's no doubt about that. It's like it was in 67. It's women. It's Aboriginal women and Torres Strait Islander women who are leading this campaign and we have done from day one. That's another reason why we suggested to the organisers of the Regional Dialogues that they have an equal number of women, men, young people as well. So and there was that mix and all of those meetings. So I can honestly say this is absolutely this campaign. Any criticism I get, it is definitely led by women in all all of the jurisdictions. It's the women who are the main spokesperson. We do have lots of supporting men, of course, but the majority of the leadership is all women, but aided by some very generous, loving men.

**Ebony Bennett** [00:45:30] Anything you want to add to that, Megan?

**Megan Davis** [00:45:34] No. It's just been a pleasure to have hooked up with an iPad in 2015 when she became the co-chair. And I've learnt a lot under her leadership and you know, it is a very large child of women that, you know, got together every Friday night for Zoom for five years and getting this across the line. And then our older youth led by women as well. And yeah, it is it is very much it's been it's a pretty incredible process.

**Ebony Bennett** [00:46:03] I think the next question I've got is for came she asks, what do you think is the most important step people can take to support the referendum at this point in time? Megan, I might ask that one to you for now.

**Megan Davis** [00:46:18] Sorry. The comments coming up in I of myself. What was the question, sir?

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**Ebony Bennett** [00:46:27] It was, what's the most important step people can take right now to support the referendum?

**Megan Davis** [00:46:31] Yes, sir. I mean, I think so. So, of course, we we appreciate we're well down the road in terms of knowledge and understanding of the route and that a lot of people are just coming into the space. So I think the point I might off by, I think visiting the Hilary Simon website, I think taking a bit of a look around the referendum council support of people or that way inclined they might not want to. There's a lot of resources available, but especially I think our story is a good start because the way in which the dialogue started was we had to build in the kind of early part of the dialogue at on an extra day to deal with a mob wanting to talk about Australian history and expressing a very earnest lament. Don't they want to know who we are? Why don't they want to know our experience in our own country? And that drove us to then why? To go back through all of the records and meetings, because every single dialogue was, as I said, it was recorded and every single dialogue had a record of meeting at the end that every single participant signed off on. And we did not leave that room unless they signed off on it. And that's really key because as you know, I'm on the key United Nations body that implements the Declaration on the Rights of Indigenous Peoples. And it was really important for me as a UN Indigenous human rights lawyer, that free and informed consent underpinning underpins the work that we did in the dialogues. So that record of meeting, when you went through it, there was this rich story of Australia in every dialogue region about stories. Australians don't know what has happened to our people. And so reading our story I think is a really important way of getting into the space and then reading the statement from the heart and then taking a look at those three pages. I think they're really useful to say, why did we suggest amending the racist power? Why didn't we choose a non-discrimination clause? Why did every dialogue reject symbolism? And it's very simply written. It's not deep legal text, and I think that's a good way to get into this. And so so from that, the number one thing I think had an hour was say go and talk to five people that, you know, some might know about earlier and some might not. And you can start that conversation by saying ALBANESE in his victory speech, you know, in a week ago he decided X, Y and Z and start having those conversations and beyond with just people, your family, you know, your friends. And that's that's how this is going to happen is through word of mouth, because Pat and I are going to try and get around. Someone's asked about urban communities. We're going to try and get around to as many places as possible face to face, Don, with masks on. But just to have properties with people and have those yards, as Pat said, come to our website. We've got an email address where we are running copies, zooms, where Pat and I will host just zooms with properties where we can. And that's how we that's how it was done in 67 and that's how it can be done now. You know, we don't want this to be highfalutin kind of elitist campaigning, but it's actually on the ground in communities with people we know, with people they know. We've teamed up with Vector and all the multicultural ethnic organisations of Australia who want to want a yarn about this, want to vote yes. And we, we hope to partner really closely with our multicultural brothers and sisters because, you know, together with the, you know, as the census stats say, with the future of Australia, Australia as a new country in ten years, it's not what it was, you know, during the Howard era. And I think that the last election speaks to that the nation is changing. So that's yarning, you know, if you support it, that's what we think. And if you've got big questions that you really worried about, that you really would like some help to answer. You can email the I'll say, you know, the Indigenous Law Centre at Eunice W dot dot IU and we try to help and answer as many community questions that come in. So that's just us wages why we this is not our day. We've got

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jobs. This is best to women, you know, helping to lead the people that were involved in older people. We want to support recognition on the smell of an oily rag. We're not like a big, you know, Albanese just announced that. I don't know what campaigns will look like. We're just doing our little bit in our footprint to get this across the line and so feel free to reach out and we will endeavour to do what we can to help Australians be informed to make this work.

**Ebony Bennett** [00:51:13] Pat Anderson This next question I think I want to put to you, and it's about winning the Sydney peace prize. What? How did you feel when you heard that news and how important has that been for amplifying the voice of the Uluru statement from the heart? I know we're in quite a different political situation now than prior to the election, but what was that like hearing that the peace prize had been awarded to the Uluru statement from the heart that worked so hard on?

**Pat Anderson AO** [00:51:42] It's really, really amazing. We had a whole host of different emotions racing through all of us at that very announcement. But once we recovered from that, we couldn't believe it, of course. But once we recovered from that, we realised that this was really, really important to the campaign and the work of the restatement and the work that the nation now has to do now that we have the earlier statement from the heart on the table. So it's a huge boost, you know, for the whole thing. So it was it was just it came very timely and I would sort of put everything back a bit. But it was really it was perfect timing and it was a great a great honour. But also to it was a tribute, a tribute to all of those voiceless people who are not as are being pulled yesterday. They're not they were just people out there doing what they do and not they're not the sort of people that are going to go on the drum or go on cue. And I they're just doing about their business. So the Sydney peace prize in my view was a tribute to all of those people that turned out for three days to wrestle with the complexities of this whole question. And they did. And now we have the Prime Minister supporting it, and we will now take the country to a referendum on the issue. So the Sydney peace prize was hugely significant and important, but a tribute to all of those voices, people out there who who attended.

**Ebony Bennett** [00:53:10] And Megan, did you want to add anything to that?

**Megan Davis** [00:53:13] Oh, yeah. I just wanted to add a part of what I've already said. We do have a right here and a thing on our website. And I think it's important to you know, I really keep the pressure on them, even though there's been the announcement. I think it's really important just for Labour to say that and be encouraged. But also, if you're in a state or any other state, writing to you is really important because that's what's kept us alive since Turnbull said no. And the last thing I just want to say, you know, all the was all about imagining that the world could be a better place. When we went into those dialogues, people were in really difficult situations that were grappling with the Tony Abbott Indigenous Advancement Strategy. People are really, I've got to say, on many struggling and felt really voiceless and powerless. And I think we used to go in and say we're sorry and talk about the Constitution for three guys. But, you know, you need to suspend disbelief that the nation can't change. You need to suspend disbelief that Australians won't understand what you're trying to

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say. And we we need you to imagine that the world can be a better place. And I did get angry on the first day, but on the second day they rocked up on iPads to the to the morning sleeves rolled up. And they were incredible. And they came up with a solution that no other constitutional lawyer had come up with prior to this process. And I think it's an important challenge to Australians, too. They've got to imagine a better future and what that this means for our nation and what opportunity that it presents for us to realise this now in our lifetime in a way that may never, ever come again. You know, the stars are in alignment. We have a leader that is supportive. That is the most important thing for a constitutional moment. So like we did in the election, you know, we said, you know what, we want to strive to be a better place. And that was that result. And that's what we need to do in this referendum. And that will honour all of our people who fought for the past eight years and sacrificed so much, our old people, our elders who this will be honouring their work if we can get this across the line.

**Pat Anderson AO** [00:55:21] Yeah.

**Ebony Bennett** [00:55:22] Well, we might have to wrap it up there. Thank you to our guests, Pat Anderson and Professor Megan Davis, as well as Archie Law. Congratulations on the Sydney peace prize and on all your hard work to get things to this point. It's an amazing achievement. Thanks also to the Sydney Peace Foundation. Don't forget to check out their website to get you tickets to all those Peace Week events and to head on over to Megan. What was that name again for the O'Leary statement was it not O'Leary statement or.

**Megan Davis** [00:55:50] [Ulurustatement.org](http://Ulurustatement.org)

**Ebony Bennett** [00:55:52] Excellent. Thank you all for tuning in. Stay safe out there. Vote yes at the referendum and we'll see you next time. We've had such an overwhelming response to the webinar today, I'm sure we'll do more of these and continue to keep you updated on the campaign as it progresses. And if I can manage to make this work, we're going to go out with audio of Megan herself reading the Uluru statement from the heart. Thank you so much, everyone, for coming today.

**Megan Davis** [00:56:21] Thank you.

**Ebony Bennett** [00:56:22] Bye.

**Pat Anderson AO** [00:56:27] Well.

**Ebony Bennett** [00:56:28] Now I can't make it work. I know technological problems. Here we go.



**Megan Davis** [00:56:34] Uluru statement from the House we gathered here at the 2017 National Constitutional Convention, coming from all points of the southern sky. Make this statement from the heart. Our Aboriginal and Torres Strait Islander tribes were the first sovereign nations of the Australian continent and its adjacent islands and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the creation. According to the common law from time immemorial. And according to science, more than 60,000 years ago. This sovereignty is a spiritual notion. The ancestral tie between the land or Mother Nature and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto and must one day return viva to be united with our ancestors. If this link is the basis of the ownership of the soil or better of sovereignty. It has never been ceded or extinguished. And coexists with the sovereignty of the Crown. How could it be otherwise that peoples possessed a land for sixty millennia.

**Megan Davis** [00:58:08] And this sacred link disappears from world history in merely the last 200 years? With substantive constitutional change and structural reform. We believe this ancient source of sovereignty can shine through as a fuller expression of Australia's nationhood. Proportionally, we are the most incarcerated people on the planet. We are not in a nightly criminal people. Our children are alien from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly, plainly the structural nature of our problem. This is the torment of our powerlessness. We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny, our children will flourish. They will walk into worlds. And their culture will be a gift to their country. We call for the establishment of a First Nations voice enshrined in the Constitution. Mac Arata is the culmination of our agenda. The coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a mecca erotic commission to supervise a process of agreement making between governments and First Nations and truth telling about our history. In 1967. We were counted in 2017. We seek to be heard. We leave base camp and start our trek across this vast country. And we invite you to walk with us in a movement of the Australian people for a better future.

**Ebony Bennett** [01:00:42] Thanks so much, everyone. We'll see you next time. Bye bye.