



## **A Pastoral Letter to the Parish of Chatswood On the National Referendum of 14 October 2023**

**Fr David Ranson PP**

In several weeks' time, on 14 October 2023, we will participate in a national Referendum to determine a change, or otherwise, to the Constitution that underpins our national life. As with any proposal for constitutional change, this is an opportunity for us all to reflect on our national identity, and the type of democracy we wish. As we appreciate, there have been 44 Referenda over the course of our 123-year history as a nation, the last being in 1999. Only eight of them have introduced change. The Australian people have most often chosen to preserve the status quo in constitutional affairs.

Given that the forthcoming Referendum concerns First Peoples – those who first had sovereignty of the land, who were dispossessed by colonisation, and who continue to be burdened in diverse ways by its implications – it is an especially important plebiscite. The last Referendum that directly involved those with Aboriginal and Torres Strait Islander heritage was in 1967. Over 90% of voters chose to amend the Constitution in such a way, effectively, to include Aboriginal people in a 'reckoning of the population.'

On 14 October, we are again presented with a proposal that directly affects Aboriginal and Torres Strait Islander peoples. The passing of the Referendum would result in the insertion of Section 129 in the Constitution:

In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:

- i. there shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;
- ii. the Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples;
- iii. the Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.

Essentially, the Referendum question asks of the Australian people to vote on the **principle** of a constitutional Voice; it will be for the Parliament, subsequently, to consider the details and to change the principle into form.

Emerging out of the long journey of Reconciliation with First Peoples, the concept of 'The Voice' was presented the *Uluru Statement of the Heart* developed in 2017 by the consensus of 250 Aboriginal leaders. It was a vision for recognition of indigenous peoples. It is important that we are aware of this Statement, that we have read it, and that we have deeply reflected upon it. It can be found at <https://ulurustatement.org>. The Australian Government is now seeking to respond to its request by

enshrining the aspiration in the Constitution. The people of Australia are being asked is this the means by which they wish to acknowledge First Peoples in the Constitution.

Given the often-tortuous history of Aboriginal Reconciliation, this Referendum presents with special significance. Reconciliation with First Peoples of our nation is not a single event or even a destination: it is a way of living in this land in acknowledgement of its first inhabitants, their rich spiritual legacy, and the challenges in health, education, and social wellbeing faced by our Aboriginal and Torres Strait Islander communities from injustices of the past and present. The Referendum is a new step along this journey. By the Referendum, the journey of Reconciliation will be affected in one way or another. This is not to say that the Referendum presents as the end of the journey, one way or another. It will, however, certainly inform how the journey unfolds from this point. Either way, the national discourse of our country will not be the same after 14 October.

As Christians we cannot be passive in the face of a moment of national significance. As followers of the Risen Christ, we are also disciples of the Kingdom of God. The Kingdom of God, as inaugurated and preached by Jesus, is a new social order in which exclusion is transformed into embrace, to borrow a phrase of the Croatian theologian, Miroslav Volf, and in which we are called to recognise ourselves as brothers and sisters under the one Father, a new community reflecting the communion of God's very life as Trinity. Christian life is, therefore, inherently political – not in a partisan sense – but by its very advocacy of a new society that reflects the divine life. As another writer, Leonardo Boff would observe, the Trinity is not simply a doctrine; it is a social strategy.

Therefore, it is incumbent upon each of us to engage the Referendum before us with seriousness and with commitment. The Catholic Church in Australia has long advocated Aboriginal Reconciliation. This has been demonstrated in numerous ways from papal statements (for example, the speech by St Pope John Paul II in Alice Springs in 1986), through to local parish social justice initiatives (such as our regular Acknowledgement of Country) with a wealth of endeavours and public statements in between. Now, each of us is being asked to determine if a constitutional concept of 'The Voice' is the most effective way to progress Reconciliation. And each of us must make our decision through an informed conscience.

Though there are some, passionately committed to Aboriginal Reconciliation, who believe that the leadership of the Church should publicly promote one option or other of the Referendum. However, the Church also recognises that people have diverse opinions and perspectives about the most effective way forward in this national enterprise. 'The Voice' is a legal consideration, and more specifically a constitutional matter. Therefore, it is complex, I believe, for the leadership of the Church to champion one side or other of the debate – even whilst it continues to work unashamedly to advance the recognition and progress of First Nations people out of its commitment to truth and justice, enshrined as this now is in the Acts of the Fifth Plenary Council of Australia and which, once promulgated, will become binding on all through the Church in Australia. **It is, however, for the leadership of our Church to encourage us to engage the issue before us, to consider it carefully, and to exercise our civic responsibility in a way that is deeply informed by our interpretation of the Gospel.** And, most importantly, to urge us to pray that, by the outcome of the Referendum, our civic life together grows.

Recently, I chanced across a helpful article by Joe McIntyre, Associate Professor of Law at the University of South Australia which sought to put forward protocols for the manner in which we might best engage the process.<sup>1</sup> As he wrote, "Unfortunately, we're out of practice in how to conduct ourselves in a referendum. This process is supposed to promote dialogue about the fundamental rules

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<sup>1</sup> See <https://apple.news/AlYZ5ueIgRKSbY7-WkizqdQ>

and identity of our nation. Yet passions can run hot, and misinformation is rife. How can we make sure our discussions with friends and family are respectful? How can we find reliable sources to ensure we make an informed choice?" McIntyre presented seven 'rules' to assist us in the process. Drawing from these, paraphrasing but extending them, I put four principles that might guide us at this time, each with a question.

1. A referendum is not an election in which we support one party or another. Instead, we come to the plebiscite mindful of three parts: what is being proposed; the case for reform; the case against reform. We need to make our determination not simply on partisan political lines but on the merits or otherwise of the case. **Do I believe a change to the Constitution in the manner being proposed takes us forward in the journey of Reconciliation and as a nation?**
2. The issues are complex, and the referendum deals with issues that are technical and specialised. Unfortunately, both disinformation and misinformation are rife in the current public debate. Much campaigning on either side seeks to manipulate people's feelings. This referendum demands we critically reflect on the source, authority and ambitions underlying all information we see, hear and share. Neither poetry nor fear are helpful. For this reason, the literature we have received from the Australian Electoral Commission is very important. <https://www.aec.gov.au/referendums/learn/your-official-referendum-booklet.html> **Have I sought to be as informed as possible, seeking out answers to my questions from relevant sources or am I relying on populist jargon and cliches?**
3. There are valid concerns and arguments on both sides. As we know, though it would seem that the majority of aboriginal people are in favour of the change to the Constitution, there are strong Aboriginal voices to the contrary. Not all Aboriginal people agree that a constitutional mechanism of a 'Voice' is the best way forward. Both options contain uncertainty as to the implications of a constitutional change. **Do I believe that the outcome of my determination outweighs what risks may be inherent?**
4. Constitutions create the basic political and legal institutions of a society, and regulate how they operate, interact. They are also a potent symbol of national identity and a means of refining and crafting a defining national narrative. Yet, Constitutions are also limited. They are designed to evolve and change. **Do I take seriously my obligation as a citizen to contribute to the continuing creation of our Constitution?**
5. In the end, the over-riding question I am being invited to consider is, **What outcome will best serve the interests of the continuing and unfolding journey of Reconciliation with our Aboriginal and Torres Strait Islander peoples to which we are obligated as a Church?**

As I have considered all the factors as reflectively as possible, I have arrived at my own decision as to how I will vote in the Referendum on 14 October. It is my hope that each of us will do the same, and not be simply swayed by the last sound bite we have heard, or by the prejudice or shrillness of voices on either side of the argument, but by our own deeply felt conviction of what we, too, believe to be in the best interests of our nation, Australia, and its First Peoples.

As the day of the vote approaches, might we act always towards each other with respect and courtesy, considering as carefully we can what might create the nation's future for which we wish.

Our Lady of the Southern Cross, pray for us.

**Fr David Ranson PP**