



Interview: Warren Mundine, Chairman of the Indigenous Advisory Council

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EMMA ALBERICI, PRESENTER: A vote on constitutional recognition for Indigenous Australians is now unlikely to happen in May next year as intended.

The time line had been chosen to coincide with the 50th anniversary of the successful 1967 referendum on Indigenous rights.

But, tonight, one of the co-chairs of the Referendum Council, Mark Liebler has told ABC RN's Drive program a treaty is on the table and will likely have an impact on the process.

He said it was better to get the question right than to rush it and risk failure.

Warren Mundine is the head of the Prime Minister's Indigenous Advisory Council and he joins us now from the Sydney Opera House.

Warren Mundine, thanks for joining us.

WARREN MUNDINE, CHAIRMAN, INDIGENOUS ADVISORY COUNCIL: My pleasure, Emma.

EMMA ALBERICI: The 16-member Referendum Council has now said it is unlikely to get a vote, a referendum vote by the intended date of May next year.

What is your reaction to that news?

WARREN MUNDINE: Well, sadly, my reaction is I am not surprised because the biggest problem we are having at the moment is the aspirations of so many people out there in regard to the referendum question plus treaty and the reality of what's going to be needed in regard to a constitutional change which is about the majority of Australians and a majority of the States must agree to the constitutional change.

And history shows us that is a conservative approach.

I feel very confident lately in regard to the treaty process with the constitutional amendment that it will get over the line eventually. I am damned disappointed that it is going to take us so long to get to that stage.

EMMA ALBERICI: How long do you suspect it might now take?

WARREN MUNDINE: Oh look, my fear is it is going to take a lot longer than the May date. It is going to take a lot longer than probably 2017 because there is so much to work through.

But that is on that stage. We are also, I think, we are spending a lot of money, we're making it as big as Ben Hurr and we are going to have a huge jamboree at the end of the day at Uluru.

My feeling is that we could actually come up with the constitutional question very quickly. It is a simple process and then get on with it, the treaty negotiations after that.

But I can't see that happening soon with regards to the people involved at the moment.

EMMA ALBERICI: Are you feeling a bit of despair at the moment over this?

WARREN MUNDINE: Not despair, it is more of disappointment which I shouldn't do because I knew this would sort of pan out. We are spending a lot of money at the moment, we're spending heaps of money for big meetings, for big jamborees around the country for, I think, a process that should be very simple in regard to coming up with the constitutional amendment.

The constitutional amendment only has three things to it.

And that is one, we need to look at putting indigenous, you know, Aboriginal and Torres Strait Islanders within the constitution.

Two, dealing with the race laws that are within the constitution.

And three, now that the treaty process has come on board, given the constitutional powers to the Commonwealth Government to make agreements or treaties with Indigenous people.

So that is really the only process they need to go through the constitutional change. I think we can sell that to the wider Australian public and we can move forward.

EMMA ALBERICI: Was it important to you that you that we meet the date that would coincide with that 1967 referendum?

WARREN MUNDINE: It is all very much symbolism. It would have been wonderful to make it but I don't think it is critical in the sense that we have to get it right.

It is disappointing that the committee that has been put in place by the Prime Minister, Malcolm Turnbull should have had its review done by now. It is dragging on.

It is costing us millions of dollars at a time that we have got a very much a fiscal tight process going on.

We have had Indigenous organisations have their funding cut. We have had a number of programs that have had their funding cut but we continue with this conversation and look, I attended the meeting in Melbourne a few weeks ago and I come away from that meeting thinking when are these conversations going to stop and we actually are going to do some real work?

EMMA ALBERICI: Because, of course, the May 2017 date was certainly the one preferred by the former prime minister, Tony Abbott.

WARREN MUNDINE: Well, Tony Abbott was very passionate about this. It is one thing I have to say about the former prime minister, Tony Abbott. He had a lot of passion and a lot of regard in regard to this important constitutional amendment.

He believed in it. He wanted it to happen; he wanted it to be very successful.

That is not to say that Malcolm Turnbull is not in the same boat. He is also very much a strong believer and he wants it to happen as well.

The issue that we have is that the aspirations of Indigenous peoples, Indigenous groups across Australia don't quite match up to the political reality that the Australian public actually at the end of the day makes the decision. And no matter what people think or what they want to do, they have to come to an arrangement where that meets the aspirations of the Aboriginal people and also as the political reality, the vote.

I find that very difficult. I have always found that very difficult for a number of years because the Australian people are very conservative in regard to their, and very defensive of their Constitution.

So I think the three step approach - getting Aboriginal and Torres Strait Islanders within recognition of the Constitution, deal with the race laws in regards to that Constitution and also given the powers to the Commonwealth Government to negotiate with Indigenous people over agreements or treaties, I think that is the way to move forward.

I have said this for a number of years now and I am glad to see some of the Aboriginal leadership is starting to come towards that approach as well.

EMMA ALBERICI: Mark Liebler, the co-chair of the Referendum Council tonight mentioned the same sex marriage plebiscite and now the Royal Commission into Juvenile Justice in the Northern Territory as two of many issues that are frustrating the agenda and the political momentum to get this through.

That must be a little disappointing in itself, the fact that this isn't being given quite the priority perhaps it was thought to have had?

WARREN MUNDINE: Well, the problem we have is when we go back to the '67 referendum, it was a global movement.

We had the civil rights movement in the United States, we had the anti-apartheid movement in South Africa across the globe, you had the decolonisations of Africa and Asia. You had all this movement to a really a strong human rights outcome and equality with nations.

So, Australia, in fact I think it was Sir Paul Hasluck who came to the realisation that Australia count not go on with the race laws that it had at the time.

And so the '67 referendum made a lot of sense and that is why it was so successful, because of that background movement.

At the same time, when you look at what the changes made, they were very minimal. They were very conservative but they had a lot of symbolism to it that made the big movements forward within Indigenous affairs.

The problem we have today is we don't have that global movement anymore, we don't have that passion and we don't have those leaders and that out there who are able to sell that message and drive forward the message.

At this stage, I have serious concerns that we probably won't even have a referendum at all if we keep on dragging it out, keep on pushing it out year after year after year and keep on spending the money we are without coming up with the resolution.

EMMA ALBERICI: Very quickly if you can, what do you think needs to happen now to maximise the prospects of a successful referendum?

WARREN MUNDINE: There is a couple of things we have to do. One is the realisation that a treaty process is what the Indigenous people want and that can do

that because if you have a look at an extension of the native title process, we actually are doing treaties at the moment.

And the other process is in regards to the Constitution itself. As I said, it's a three step process. Recognising Aboriginal and Torres Strait Islander people, remove some of these race laws that are archaic and out of date and then put in a clause that gives the Commonwealth Government the power to negotiate agreements and treaties with the First Nations of this country.

EMMA ALBERICI: Warren Mundine, thanks for your time this evening.

WARREN MUNDINE: Thank you.