The right-wing origins of Australia's indigenous Voice

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The Labor government's plan for a referendum this year to entrench a new institution, a proposed Aboriginal and Torres Strait Islander Voice, in the Australian Constitution, is being presented as the product of a grassroots demand for representation and action to address the appalling social conditions confronting most indigenous people.

However, a book by two central advocates of the Labor government's Voice scheme reveals a very different story. Written by Megan Davis, an Aboriginal law professor who was instrumental in developing the Voice plan, and fellow constitutional law professor George Williams, the book shows that the proposal derived from a partnership with the former Liberal-National Coalition Prime Minister Tony Abbott in 2015.

Their account shows that, far from being a movement from below, the Voice project originated as, and remains, a bid by members of an indigenous elite, including Davis and lawyer Noel Pearson, to head off anger and disaffection among ordinary indigenous people. Above all, the Voice plan seeks to prevent that discontent from linking up to the growing unrest throughout the working class as a whole, as workers and their families suffer the greatest cuts to their real wages and living conditions since World War II.

As part of its wider brutal, and deeply unpopular, agenda of cutting social spending at the expense of the working class, Abbott's government of 2013-15 slashed more than $600 million from indigenous services, including health, legal and language support programs. It also sought to shut down remote communities by cutting off basic services to them. Abbott contemptuously accused residents of these communities, deprived of employment, proper housing and essential services, of making an unaffordable "lifestyle choice" that governments could not pay for.

These cuts, launched via the 2014 austerity federal budget, particularly targeted working-class areas. As the WSWS investigated and reported: "The Abbott government cut off funding for the Aboriginal Medical Service at Mount Druitt in western Sydney, cutting adrift its 11,000 active patients and 96 doctors, nurses and other staff. The over-worked medical service had tried to meet the many health needs of Australia's largest single Aboriginal community—the more than 32,000 indigenous people living throughout the working-class suburbs of western Sydney."

In their volume, *Everything You Need to Know About the Uluru Statement from the Heart*, Davis and Williams explain that the Abbott government's decisions further discredited efforts, going back decades, to divert the discontent of most indigenous people and the wider opposition to their shocking social conditions into a "Recognise" campaign to insert some form of acknowledgement of the indigenous population into the Australian Constitution:

"The notion of constitutional recognition became repugnant to those communities and organisations whose funding was cut or depleted under this new policy. The outrage accelerated a growing backlash in the community against the well-funded 'Recognise' organisation."

This backlash "became so significant" that Davis, Pearson, Patrick Dodson (now a Labor Senator and the government's Special Envoy for Reconciliation) and Kirstie Parker, then the co-chair of the National Congress of Australia's First Peoples, visited Abbott to request a new approach to constitutional recognition.

Abbott agreed to convene a meeting with 39 selected indigenous figures and the then Labor opposition leader Bill Shorten at Kirribilli House, the prime minister's official Sydney harbourside residence, in July 2015. That gathering issued a statement, named the Kirribilli Statement, calling for a new type of "recognition."

The Kirribilli participants included Pearson, Professor Marcia Langton and Abbott's prime ministerial adviser and former Labor Party president Warren Mundine. These three had been prominent advocates for years of "quarantining" or cutting welfare payments to indigenous people. They also supported projects by mining conglomerates on indigenous land holdings as a supposed vehicle for "economic empowerment" and police-military interventions into Aboriginal communities in the name of combating social problems.

Their policies dovetailed with those of Abbott's Coalition government, which had adopted an Indigenous Advancement Strategy, which reallocated spending on Aboriginal programs to organisations that contracted to deliver "outcomes" that would cut people off welfare and push them into low-paid work, including at the hands of indigenous business operators, especially in the mining, pastoral and tourism industries.

At the Kirribilli get-together, Pearson advocated the establishment, inserted into the colonial-era 1901 Australian Constitution, of an indigenous council to advise governments on all parliamentary legislation. This proposal, one of several listed in the Kirribilli Statement, became the basis for the Voice.

How the Voice was devised

By September 2015, the Coalition government's deep cuts to welfare, health, education and other social programs, affecting millions of working-class people, had made Abbott so hated that he was deposed by Liberal Party members of parliament and replaced by Malcolm Turnbull. Nevertheless, Turnbull continued the Kirribilli process by jointly appointing, with Shorten, a 15-member Referendum Council and funding it to conduct "consultations and community engagement" on the Kirribilli proposals.

That carefully-selected council included Pearson, Davis, Dodson and Patricia Anderson, chair of the Lowitja Institute, an indigenous health research body, as well as Aboriginal media personality, Stan Grant. They sat alongside former High Court Chief Justice Murray Gleeson, ex-Coalition cabinet minister Amanda Vanstone and one-time Australian Democrats leader Natasha Stott Despoja.

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An indigenous sub-committee of this body, comprised of its indigenous members, then orchestrated 13 government-funded “regional dialogues” that were asked to endorse one of five options for constitutional recognition, with the Voice clearly designated as the favourite.

As the book by Davis and Williams explains, the participants in these dialogues were selected, not elected. To ensure the “authority” of the process, the sub-committee members rejected a democratic process, which the authors dismiss as a “Western liberal model of election and representation.” On the pretext of upholding the cultural “authority of elders,” the sub-committee “structured each dialogue so as to require 60 percent of invitations to the dialogue as traditional owners and elders, 20 percent local Aboriginal organisations, and 20 percent Aboriginal individuals such as Stolen Generations, youth or grandmothers.”

This “invitation formula” was thus heavily weighted to holders or claimants of native title—capitalist property rights created by federal governments after the 1991 Mabo High Court ruling—and to existing organisations, mostly government-funded. Elections, a fundamental democratic principle, were rejected because they could lead to the election of some of the working-class indigenous people whose “backlash” the handpicked elites were so concerned about.

Even for these carefully-selected regional dialogues, the agenda was strictly structured. Each was “conducted in precisely the same way.” After watching documentaries on “advocacy for structural reform” and “civics” on how the “legal and political system works,” the dialogue members were asked to select their priorities for recognition. As intended, the Voice was nominated uppermost, followed closely by treaty-making.

Ten delegates were then chosen from each dialogue, also on the basis of “cultural authority,” to attend a National Constitutional Convention at Uluru in central Australia. Seven convenors and working group leaders from each region were added to the contingents, and the Referendum Council invited other people, such as the federal government’s Social Justice Commissioner. That took the Uluru assembly to around 250 people.

Despite this highly-orchestrated process, some delegates walked out of the Uluru convention, advocating a “sovereign treaty” with “appropriate” funding. This is essentially a bid for even greater power, privileges and resources for the indigenous elites along the lines of the Treaty of Waitangi process in New Zealand. There hundreds of millions of dollars have been distributed to M?ori tribal corporations and fostered a wealthy layer of M?ori entrepreneurs, politicians, lawyers, academics and bureaucrats.

Brushing aside this walkout, Davis and Williams declare that the remaining 200 or so delegates adopted the Voice by “consensus.” They insist that this was the result of a “ground-up” decision-making process. Yet their own account of the process shows that it was choreographed from the top down, right from Kirribilli House.

The myth of national unity

The 2017 gathering endorsed the Uluru Statement from the Heart, which encompassed the Voice scheme. That document invoked Aboriginal and Torres Strait Islander “sovereignty” but said this “co-exists with the sovereignty of the Crown” and would “shine through as a fuller expression of Australia’s nationhood.”

This conception dovetails with the efforts of the Albanese government to use the Voice referendum to fashion a new version of national identity, along with the myth of national unity. That serves several political purposes.

One is to conceal the increasingly yawning social inequality and try to divert the resulting class tensions domestically by presenting a false picture of a unified nation. Its aim is to harness members of the indigenous elite to project a fig leaf of national harmony in the face of mounting working-class discontent over the worsening economic, social and cost-of-living crisis.

Another goal is to lay the foundations for attempting to mobilise the whole population, including indigenous people, for the “all of nation” war effort demanded by the government’s recently-released Defence Strategic Review, which outlined massive military spending directed against China.

At the same time, the Voice is aimed at burying the brutal origins and record on Australian capitalism against indigenous peoples and project a supposedly inclusive and progressive image for the government’s foreign policy agenda. This features bullying and cajoling Pacific island and southeast Asian countries into lining up behind the war preparations being made against China by US and Australian imperialism.

Efforts to refashion Australian nationalism along these lines are not entirely new. They have long been a central theme of the official “recognition” and “reconciliation” programs. It was certainly at the core of Abbott’s support for the 2015 initiative of Pearson and Davis. In his 2014 prime ministerial Australia Day address, Abbott described constitutional recognition of Aboriginal people as “another unifying moment in the history of our country.”

Davis and Williams, in the introduction to their book, likewise say that the Voice referendum could “unite Australians around a sense of their shared history.” This refrain has become central to the Albanese government’s planned presentation of the Voice, in the final stage of the “yes” campaign, as an act of patriotism, necessary to unite the nation.

Concerns voiced in Uluru process

Despite the “consensus” achieved at Uluru, the Davis-Williams book reports that some participants in the process had revealing concerns. Each dialogue said indigenous peak bodies that are responsible for service delivery—which will be heavily represented in the Voice—are “not representative.”

Many dialogues also said the native title process “has torn communities apart and inflamed intracultural disputes and tensions.” Dialogue participants voiced concern that the native title system forced them to “incorporate” their affairs by creating company structures, yet these will also be central to the Voice.

By inventing a new form of capitalist property, labelled native title, the courts and governments have sought to divide Aboriginal people from the rest of the working class along the lines of identity politics and property rights. Native title has also fomented conflicts among indigenous elites over the control of these potentially profitable land claims.

Some dialogue groups called for the holding of “ballot box elections” to the Voice, but Davis and Williams insist there was “little appetite for generalist elections” during the Uluru process. That corresponds with their own denigration of elections as a “numbers game.”

The book goes on to outline the anti-democratic proposals for the structure of the Voice. Its 24 members would be selected, not elected, to four-year posts by local and regional bodies based on similar “cultural authority.” As the WSWS has pointed out, the proposed selection process is designed to entrench the existing indigenous power structures and elites, and exclude ordinary working-class indigenous people.

The reasons that the 2021 government-commissioned Indigenous Voice Co-design Process Final Report by Langton and ex-Social Justice Commissioner Tom Calma gave for rejecting elections included fears of

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“low voter turnout.” That anxiety pointed to the lack of support among most indigenous people for the Voice project.

The Albanese government has said this model sets out the detail of the Voice. However, the government and the big business backers of the Voice “yes” campaign have buried any mention of the Langton-Calma report since earlier this year, precisely because of its anti-democratic character.

To put a supposed progressive gloss on this plan and its entire anti-working class and pro-business program, the Albanese government is seeking to exploit the deep and genuine revulsion throughout the working class toward the massacres, dispossession, separations and other crimes committed for more than 225 years against the country’s indigenous people.

These crimes are not the result of “white society,” but of British and Australian capitalism, which required the seizure and clearing of the continent in order to establish the conditions for a capitalist economy based on the exploitation of the natural resources and the labour power of a newly-created working class.

The essence of the Voice is to further integrate a privileged layer of indigenous CEOs, business operators and senior academics, personified by Davis, Pearson, Langton and Calma, into the capitalist establishment and strengthen, with their help, the same state apparatus that has been responsible for this brutal process, under conditions of deepening working-class disaffection.

The historic and ongoing crimes of this social order can be rectified and overcome only through the unified struggle of the working class, indigenous and non-indigenous, in Australia and internationally, to overthrow the capitalist profit system as a whole, and replace it with a socialist society, based on genuine equality and democracy.

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