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A guide for constructive conversations about the "Voice to Parliament" Referendum

GUIDE

YES, AND...

Kosta Lucas Founder & Practice Lead, Counterbrace kosta@drawhistory.com

Acknowledgement of Country

Counterbrace wishes to acknowledge and pay respect to the traditional custodians of the lands this Guide was made on.

From the Whadjuk Boodja of the Noongar people in Boorloo and Walyalup where this resource originates, to the lands of the many First Nations from which our collaborators contribute from.

We express our deepest gratitude and appreciation to all those who have, and will continue to, look after and nurture this land, as part of one of the world's oldest continuing cultures.

Always was, always will be, Aboriginal land.

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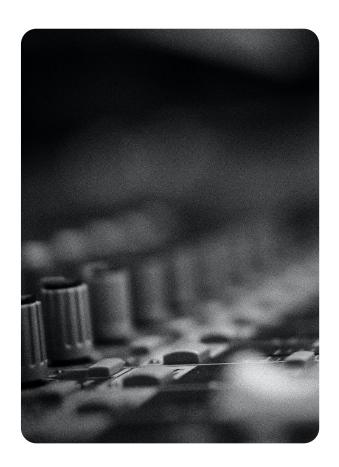
Companion Audio

We have a supplementary audio commentary by our author, Kosta Lucas, to accompany this resource.

Click the play button to listen.



Having tech issues? You can download the MP3 here.



Introduction

Words from the Author



Kosta Lucas
Founder & Practice Lead, Counterbrace
Head of Community Practice, DrawHistory

Even before a date was set, the Voice to Parliament Referendum ignited passionate debates, views, and, unfortunately, considerable confusion and fatigue. Discussing emotionally charged, politically sensitive topics can lead us to take sides prematurely before delving into the crux of the matter.

There are numerous resources that discuss how to tackle this subject. However, this Guide serves a unique purpose. Rather than merely convincing readers of a specific viewpoint, our aim is to ensure people remain connected amid disagreements, misunderstandings, and contentious debates.

"Why 'Yes and?" you might ask. Borrowed from improv theatre, "Yes and?" isn't just about the present debate on the Voice to Parliament. It challenges us to look beyond. Instead of seeing doubts as a reason to disconnect, this Guide is about helping turn doubts into opportunities for dialogue and discovery.

While the referendum is a pivotal moment, it's just a chapter in Australia's ongoing narrative. "Yes and?" pushes us to keep the dialogue alive and envision what's next, irrespective of outcome.

How to Use This Guide

As you delve into each section of this guide, there are overarching principles that tie everything together. If you're pondering which sections are most relevant to you, here are some guideposts to assist.



Define the Common Ground

Dive into this section to lay a foundational understanding. It serves dual purposes: to ensure that you and your conversational partner are ready for a meaningful dialogue, and to provide a shared reference point you can both return to if discussions veer off course.



Dance with the Doubts

This section is designed to maintain the productivity of conversations, ensuring they remain fruitful and enlightening. Navigate through insights, prompts, and resources tailored to guide dialogues around prevalent themes.



Discover with Empathy

This section is a reminder of the deeply personal stories and emotions entwined with these significant topics. As you engage, let it be a gentle push towards understanding and acknowledging the sometimes challenging realities that frame our discussions.

Principles of this Guide

As you delve into each section of this guide, there are overarching principles that tie everything together.

Unity over division

At the heart of this guide is a genuine desire to bridge gaps. The goal isn't to "win" a debate but to foster understanding. As you navigate through each section, remember we aim to connect, understand, and embrace various perspectives.

Good information

While the insights and resources are robust and thoughtfully chosen, it's essential to trust your own discernment. Dive deeper, seek more, and find what genuinely resonates with your understanding.

We're open about our views

While the guide's inclination is towards a 'Yes', it's imperative to know that we respect and value all viewpoints. The essence of this guide is promoting open and honest connection, no matter where you stand on the issue.

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A note to our Aboriginal and Torres Strait Islander readers

If you've picked up this guide and started reading: thank you. It genuinely means a lot to us.

First and foremost, we want to acknowledge the vast and intricate tapestry of stories, lived experiences, and the deeply rooted history of the Aboriginal and Torres Strait Islander communities in Australia. Often, the depth and richness of this history and present-day reality are overlooked or underestimated.

Moreover, within Aboriginal and Torres Strait Islander communities, we know that there's a diverse range of views and perspectives - like any other - that deserve recognition and respect, and this is especially true for anything relating to issues of self-determination.

This Guide is our attempt to provide a platform for better dialogue about the Voice, especially for those who might not be too familiar with it. However, we recognize that this Guide is a small part of a much bigger, more intricate picture.

We've made as much effort as possible to approach this with respect and accuracy, and we hope that no point you feel that you have been spoken for or your experiences rewritten. With that said, we'd love to extend an open invitation to you. Whether it's to discuss the contents of this guide, share your personal thoughts, or have a conversation – we're here. Please get in touch if you have any desire to connect.

We recognise that the enduring fight for rights, recognition, and self-determination by Aboriginal and Torres Strait Islander communities, is a fight that transcends any single initiative or vote, including the one on the Voice to Parliament.

It's part of a journey that began long ago and will continue well into the future.

Introduction

Define the Common Ground

Make sure you're on the same field.





Before diving into the complexities, it's always crucial to start from a place of shared understanding. Think of it as setting the stage for a productive discussion.

By defining the common ground, you lay a foundation that you can always return to, ensuring that everyone is aligned on the basic premises. Sometimes, it's about offering clarity, shedding light, or sharing information. At other times, understanding that the common ground isn't there might mean choosing to step back.

If you sense disagreement or hesitation at any point, take it as a signal. Before progressing into the Voice to Parliament's more detailed aspects, your focus might need to shift to one of these foundational pieces of information.

The actual subject

Before you even begin talking, there is no harm in being clear on the exact topic bringing you together.



The Referendum Question

We will be asked to vote "Yes" or "No" on the following question:



"A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?"

The actual subject

Before you even begin talking, there is no harm in being clear on the exact topic bringing you together.



The Referendum Question

We will be asked to vote "Yes" or "No" on the following question:



"A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?"

The Proposed Change

[If successful] the following would be added to the Constitution:

"Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples 129 Aboriginal and Torres Strait Islander Voice

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

there shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;

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;

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."

The baseline assumptions

Imagine building a house on shifting sand. No matter how impressive the architecture or the quality of materials, the instability of the foundation compromises the entire structure.

Similarly, when engaging in a discussion, if there isn't a shared understanding or agreement on the basic facts or premises, the conversation can quickly devolve into confusion, frustration, or unproductive arguments. It's worth noting that while establishing baseline assumptions is essential, it's about agreeing on the 'what' so you can freely explore the 'why', 'how', and 'what if'.

Try these prompts:

One baseline assumption we should agree on is...

. . . ♥

This assumption is important to this conversation because...



However, we should also keep in mind that...

Application to the Voice

One baseline assumption we should agree on is	This assumption is important to this conversation because	However, we should also keep in mind that
The quest for self-determination is a basic human right Aboriginal and Torres Strait Islander peoples are entitled to.	In the context of the Aboriginal and Torres Strait Islander people's right to self-determination, the principles and declarations of the United Nations offer a global standard and guideline. Recognizing their status as Australia's First People and acknowledging their right to self-determination aligns with these international standards.	This form of recognition is a basic human right, something many nations have already provided for their indigenous populations. It should not be seen as a favour but a rectification of past oversights.
The status of Aboriginal and Torres Strait Islander people as Australia's First People should be acknowledged.	Recognition isn't about granting a new status; it's about acknowledging an existing and timeless truth.	Recognizing Aboriginal and Torres Strait Islander people as Australia's First People respects their enduring connection to this land, acknowledges their rich heritage, and upholds their rightful place in our national story.

Application to the Voice

One baseline assumption we should agree on is	This assumption is important to this conversation because	However, we should also keep in mind that
While important, the Voice is one of many measures that attempt to address and restore Aboriginal and Torres Strait Islander people.	The Voice is a potential platform for Indigenous Australians to have a say in decisions that affect their communities and lives, reinforcing the principle of self-determination.	The Voice alone cannot address all the challenges and issues faced by Aboriginal and Torres Strait Islander communities. It should be part of a broader set of initiatives and reforms that work towards justice, equity, and reconciliation. The quest for self- determination will continue with or without it.
The current status quo has not adequately served Aboriginal and Torres Strait Islander people in Australia.	Accepting that the existing systems and approaches haven't sufficiently addressed the needs and aspirations of Aboriginal and Torres Strait Islander communities paves the way for meaningful change and pushes for solutions that genuinely cater to the needs of these communities.	As mentioned above, while not the basis for the Voice, the disparities in health, education, and socio-economic outcomes that persist between Indigenous and non-Indigenous Australians, underscore the need for a reevaluation of current methods and strategies.

The source of truth

What are the sources of truth that set the stage for this conversation? Being familiar with these fundamental documents will provide the necessary background, ensuring that conversations about the Voice are grounded.

The Voice Official Government Site →

Your primary source for all official information, developments, and current stages of the Voice initiative.

The Voice Co-Design Report →

A comprehensive look into the design and vision of the Voice proposal, crafted through extensive consultations and dialogues.

The Uluru Statement from the Heart →

A seminal declaration from Aboriginal and Torres Strait Islander peoples, encapsulating a consensus view on Indigenous recognition and aspirations.

The Uluru Dialogues →

The history behind the proposal for constitutional recognition.

The Bringing Them Home Report →

An indispensable account detailing the experiences and narratives about the forced separation of Aboriginal and Torres Strait Islander children from their families.

Closing the Gap →

An initiative focusing on enhancing the quality of life of Aboriginal and Torres Strait Islander peoples, with emphasis on health, education, and employment sectors.

Productivity Commission's Overcoming Indigenous Disadvantage ->

An authoritative report that sheds light on the challenges faced by Indigenous communities, offering insights on aspects of well-being, and suggesting pathways for positive change.

YES, AND...

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Introduction

Define the Common Ground

Dance with the Doubts

Dance with, not around, or on top of.





Now that you've set the stage, it's time to explore the uncertainties that often cloud such complex topics.

"Dancing" suggests that we approach doubts with agility and openness rather than rigidity.

This section guides you through acknowledging and understanding those doubts to enrich the conversation.

The "dance" steps

Decide on the doubt

What is the concern being expressed?

The first step in our dance is to pinpoint what the doubt or concern actually is.

By identifying it clearly, you're better equipped to address it.

Distil the issue

What is the issue underneath the concern?

Once you've named the doubt, go deeper. What's the underlying issue that's really at play here? Getting to the core of it helps you tailor your conversation to what really matters.

Discern with facts

What are some important pieces of information to consider in this line of conversation?

Understanding the core issue requires context and evidence. This isn't about winning an argument but rather illuminating the discussion with well-rounded views. Facts and context can act as your torchlights in this exploration.

Discover together

What helpful resource or piece of literature may provide the basis for a shared exploration of that specific issue?

The dance doesn't end with identifying issues and considering facts. Involve your conversational partner in seeking out additional resources or perspectives that can help both of you better understand the issue. This is a shared journey, after all.

Decide on the doubt	Distil the issue	Discern with facts	Discover together
Not enough consensus "I keep hearing that Aboriginal and Torres Strait Islander peoples don't even support it."	"Do all Aboriginal and Torres Strait peoples have to agree on the proposed Voice to Parliament?"	Conservatively, there are over 250 different language groups spread across Aboriginal and Torres Strait Islander groups in Australia. What does consensus even look like?	To delve deeper into the topic of consensus among Aboriginal and Torres Strait Islander communities, this article by UNSW, Ten Questions about the Voice to Parliament - Answered by the Experts. Two polls from 2023 confirm that more than 80% of Indigenous people support the Voice. Engage with this resource to better understand the nuances and breadth of support for the initiative.
More divisive "I think it will divide us more because it gives Aboriginal and Torres Strait Islander peoples special treatment."	"In what ways could acknowledging our history actually help facilitate healing and promote unity?"	There is a common misunderstanding that amendments to the Constitution in 1967 were about the removal of provisions that prevented the Government from making laws about Aboriginal and Torres Strait Islander people. I.e. they are still not specifically mentioned.	This piece by Chin Tan, Race Discrimination Commissioner at the Australian Human Rights Commission's piece, The voice to parliament will lead to less inequality. That's not racist Racism. It Stops With Me, explores what the difference between restorative and preferential measures actually are.

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Decide on the doubt	Distil the issue	Discern with facts	Discover together
Too vague "I don't think there is enough detail in the proposed Voice so I am concerned it is too open-ended."	"Alternatively, what would the consequences of an overly detailed proposed Voice in the Constitution be?"	The Voice will only be able to make "representations", which are statements that carry the lowest legal weight in a court of law. This means there is no obligation on Parliament to accepts any of these representations.	For a comprehensive understanding of the legal ramifications and specifics of the Voice proposal, delve into The Voice Legal Literacy Project's Understanding the Legal Context piece. This document sheds light on the nuanced legalities and offers clarity on the intended scope and limitations of the proposed Voice.
It's tokenistic "I think it's tokenistic and won't result in meaningful change for Aboriginal and Torres Strait Islander people."	"Why is it important for us to recognise the history and contributions of a country's First peoples?"	We have in fact had some form of the Voice before, starting: with the NACC; NAC; ATSIC; and now the NIAA. The thing that Constitutional enshrinement does is guarantee that an advisory body will exist - not its funding, structure etc. Our democratically elected officials will be responsible for these aspects.	From ATSIC's demise to deaths in custody, governments fail our people. This is why We Need a Voice from the National Indigenous Times explores the need for some mechanism, and how the dissolution of ATSIC - however imperfect - had less to do with its perceived efficacy and more to do with ideological differences - something Constitutional enshrinement could help guard against.

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Decide on the doubt	Distil the issue	Discern with facts	Discover together
Unintended consequences "I don't think the proposed Voice goes far enough and agreeing to it could jeopardise the sovereignty and self-determination of Aboriginal and Torres Strait Islander peoples."	"What does the Voice actually guarantee? What doesn't it promise?"	The Uluru Statement of the Heart made three recommendations, and constitutional recognition was only one of the three. The referendum is only canvassing support for a Voice to Parliament; many State / Territory governments are pursuing treaties as well.	Delve deeper into international perspectives on indigenous recognition and sovereignty with <u>Voice, treaty, and truth: compared to other settler nations, Australia is the exception, not the rule from The Conversation. This article provides a comparative insight, highlighting how Australia's approach differs from other nations, underlining the challenges and opportunities it presents.</u>
Imperfect process "I have heard that the consultation process wasn't very thorough and is just a product of the Canberra elites."	"Is this by itself a factor that outweighs the potential benefits of the proposed Voice?"	This proposed Voice has come about after 18 months of consultation with 9,478 people and organisations, not to mention the Uluru Statement from the Heart which has been in progress since.	Get a clearer understanding of the extensive consultation process by reading this insightful update and frequently asked questions about the Voice to Parliament from Gadens. This article sheds light on the 18-month-long consultation process and provides a more nuanced perspective.

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Introduction

Define the Common Ground

Dance with the Doubts

Discover with Empathy

Be conversant with the effects of outside realities.





As you go through these stages, always keep empathy at the forefront. This isn't just a debate; it's a dialogue. Emphasize understanding, compassion, and mutual respect.

This approach keeps the door open for future conversations and ensures that the journey you embarked upon from that common ground leads to a more inclusive and enlightened destination.

Bear in mind, as you engage in these dialogues, that this extends beyond mere policy discussions or political debates. It encompasses real individuals, longstanding histories, and aspirations for a future that embraces all. Embark on each discussion with an open heart, a patient demeanour, and, most importantly, a compassionate perspective.

Every conversation exists within a larger context.



Identify external dimensions

Have you ever considered what larger forces might be influencing the way you engage with an issue?



External dimensions refer to those external factors and historical precedents that might influence the way a dialogue unfolds. These can range from collective traumas to broader socio political issues that loom in the background.

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Identify external dimensions



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External dimensions refer to those external factors and historical precedents that might influence the way a dialogue unfolds. These can range from collective traumas to broader socio political issues that loom in the background.

Digest new perspectives

When was the last time you truly opened yourself up to a viewpoint vastly different from your own?

Embracing a true dialogue means being open to perspectives that might challenge our own views or introduce us to entirely new ways of thinking. This isn't about merely hearing what the other person has to say but about genuinely digesting, understanding, and reflecting on these viewpoints.

Identify external dimensions	Digest new perspectives	
Fatigue, exhaustion, and trauma There may be significant uncertainty and fear/fatigue about the Voice because of the blowback that Aboriginal and Torres Strait Islander people may receive as the community in focus here.	Be conscious of the impact that these conversations have "The Voice – things I am worried about and a few other thoughts along the way is one of many pieces on IndigenousX that provides a candid reflection that highlights some of the personal and collective apprehensions and hope regarding the establishment of the Voice.	
The Order of Truth, Treaty, and Voice	Keep the conversation about the efficacy of the order	
Discussions about what impact the order we enact Truth, Treaty and Voice of the Uluru Statement from the Heart, will have on Aboriginal and Torres Strait Islander rights, well-being and self-determination.	Why a First Nations Voice should come before Treaty article delves into the strategic significance of establishing a Voice before formalising a treaty, offering insights into how this order can enhance Indigenous representation and advocacy.	
	the order our enhance margerious representation and develops.	
	However, it is worth noting significant pushes from organisations like <u>Treaty Before Voice</u> to change this order. Other groups are more concerned with healing and truth-telling first.	

political contexts.

Application to the Voice

However, each nation's approach is shaped by its unique historical, cultural, and

Identify external dimensions	Digest new perspectives
Scepticism rooted in history Given the history of broken promises, policies that lacked genuine consultation, and past initiatives that did not deliver meaningful change for Aboriginal and Torres Strait Islander people, many might approach the Voice with a degree of cynicism and scepticism. This is rooted in a history of disappointment and systemic failures.	"So whose 'Voice' is it anyway? on IndigenousX is a poignant piece that dives into the intricacies of representation, empowerment, and the challenges and opportunities inherent in the Voice initiative. It is also important to acknowledge that the Voice is one step in a long line of work already underway by Aboriginal and Torres Strait Islanders - this will continue, no matter the outcome.
Comparative contexts When discussing Indigenous rights, other nations' experiences, such as Canada, New Zealand, and Scandinavian countries, often come up. These nations have had varying degrees of success in recognising and upholding indigenous rights. Meanwhile, Malaysia's model can seem attractive due to certain shared historical contexts.	Be careful of false parallels In essence, while Australia and countries like Malaysia grapple with the legacy of colonialism and the rights of indigenous or native peoples, the solutions and approaches are rooted in different histories, structures, and goals.

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Voice to Parliament design report still doesn't meet international human rights standards in The Conversation provides a comprehensive overview of how certain countries have

navigated Indigenous rights, drawing parallels and contrasts to the Australian context

tens of thousands of years.

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Application to the Voice

Identify external dimensions	Digest new perspectives
Deflect shame and guilt The concept of the Voice can stir feelings of guilt, shame, or defensiveness among non-Indigenous Australians. Some might wonder why they should have any say in a matter that pertains to Aboriginal and Torres Strait Islander people, while others might struggle with feelings of inherited guilt, wondering how they fit into the broader narrative of reconciliation.	Live out the values of the Voice The Australian Human Rights Commission's piece on Minimising harm in conversations about the referendum provides guidelines and approaches to engage in these sensitive discussions with empathy and understanding. This resource helps navigate conversations, ensuring they are constructive and minimize potential harm, while also addressing the complexities of intergenerational guilt and the path to reconciliation. Torres Strait Islanders - this will continue, no matter the outcome.
First Australians and Immigrant Communities: where do we all stand? It's not uncommon to hear parallels drawn between the experiences of migrant groups in Australia and our First Nations peoples. However, while many migrants have no doubt faced many similar hardships in their homelands or in adjusting to Australia, First Nations people face challenges on their ancestral lands, where their ties run deep for	Shared experience as the basis of solidarity Migrant communities can offer a hand of solidarity, recognising the unique plight of Indigenous Australians while also sharing their experiences. Rather than 'who's had it worse?' this can be about realising that shared hardships, even if they aren't identical, can be a catalyst for building bridges of support.

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SBS and NITV have many resources like <u>Residents in 'someone else's land': How interaction with Indigenous Australians gave new meaning to these migrants' lives bring direct attention to these transformational stories - and reveal surprising shared histories.</u>

Introduction

Define the Common Ground

Dance with the Doubts Discover with Empathy

Destination "Yes, and..."

It's so much more

than just Yes or No.

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In any journey, especially one that navigates through the often murky waters of complex conversations, it's easy to become fixed on binary conclusions.

"Yes" and "No" are powerful words, clear in their intentions and definitive in their meanings.

However, as we've travelled

natu on binary conclusions.

YES, AND... / DESTINATION "YES, AND..."

"Yes" and "No" are powerful words, clear in their intentions and definitive in their meanings. However, as we've travelled through this guide, it's become evident that the heart of the matter often lies between these two poles.

Our collective dialogue about the Voice to Parliament, or any deeply significant topic for that matter, is not just about reaching a conclusion. It's about the pathways we

YES, AND... / DESTINATION "YES, AND..." Often lies between these two poles.

Our collective dialogue about the Voice to Parliament, or any deeply significant topic for that matter, is not just about reaching a conclusion. It's about the pathways we carve, the bridges we build, and the understanding we foster along the way. The true destination is a shared understanding, mutual respect, and a deeper connection to one another.

Dancing with doubts, discovering together, and dialoguing with empathy - these aren't just steps to facilitate a conversation. They're an invitation to transcend beyond simple answers and step into a space of continuous exploration and co-creation.

Regardless of where you stand on the issue, remember this: The true essence of this journey isn't in the destination of "Yes" or "No". It's in the rich tapestry of thoughts, feelings, and connections weave as we engage with one another. Let's ensure that our conversations, both now and in the future, reflect a commitment not just to outcomes, but

about reaching a conclusion. It's about the pathways we rearve, the bridges we build, and the understanding we foster along the way. The true destination is a shared understanding, mutual respect, and a deeper connection to one another.

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Let's ensure that our conversations, both now and in the future, reflect a commitment not just to outcomes, but to understanding, to unity, and to a shared vision for the future.

Collaborators and Supporters

This Guide would not have been possible without being in constant conversation with other trusted folks.

By acknowledging these people, we do not intend to imply that they also carry the opinions and stances contained within this Guide. We simply wish to acknowledge that without the wisdom and generosity of the following folks, this would not exist in any form.

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Angel Chen Costa Avgoustinos Jeffrey Effendi Luke Pearson Monty Badami Samantha Yorke Sarah Janali

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Thank you for being here.

ABOUT COUNTERBRACE BY DRAWHISTORY

A focused division within DrawHistory, Counterbrace is a social research and learning lab that goes where others won't to investigate and evolve the unjust systems holding society back.

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