



Topic 9.1 Introduction



AUSTRALIAN
CONSTITUTION
CENTRE

Unit 11: Changing the Constitution (referenda) – Year 9 - C & C Strand: Government & Democracy

Topic 9.1: Referendum: the process for Constitutional change

Curriculum: Year 9 - the role of the Australian Constitution in providing the basis for Australia's federal system of government and democratic processes, including institutions, and the process for constitutional change through a referendum.

[AC9HC9K01](#)

Year Level: 9

Achievement Standard:

By the end of Year 9, students analyse the role of the Australian Constitution, the federal system of government, and the process and reasons for constitutional change. They explain policy development and legislative processes in Australia's democracy.

Prior Learning/Revision Required: Topics: 4.1, 5.1, 6.1 and 6.3 & 7.1

TRD: 47: Referendum - the failure of the 1898 referendum in New South Wales to approve the Constitution (Topic 6.1)

TRD 48: Success of the 1899 referendum to approve Federation and the Constitution (Topic 6.1)

Area takeaways

1. The method of changing the Constitution is difficult, but highly democratic.
2. To pass, a referendum must achieve an overall majority and majority support in a majority of States.
3. Referendum campaigns often seek to manipulate voters, so it is important to be aware of these techniques and for voters to be well informed.
4. It is important that the people do not neglect their duty to update the Constitution when it is needed, or else it will either cease to operate appropriately or judges will have to change it by way of interpretation.

TOPIC SUMMARY:

The aim of this topic is to understand the role of the referendum in Australia as the mechanism of achieving constitutional change, to equip students with sufficient knowledge for them to be informed voters when the time comes for them to vote in a referendum. In particular, this Unit will help students understand:

- the factors that affect how people vote in referendums, through examining selected referendum proposals, including the successful vote on the *Constitution Alteration (Aboriginals) 1967* and the unsuccessful vote on the *Constitution Alteration (Establishment of Republic) 1999*;
- the process by which referendums to change the Australian Constitution are initiated and decided, including the role of the Australian Electoral Commission and the double majority required for success; and
- the difficulties that future referendums will face.



AUSTRALIAN
CONSTITUTION
CENTRE

Lessons: SKILLS

Civics and Citizenship 7-10, Year 9 | Skills - Analysis, evaluation and interpretation
[AC9HC9S03](#)

Analyse information, data and ideas about political, legal or civic issues to identify and evaluate differences in perspectives and interpretations

Elaboration:

Identifying the values, motivations and contexts that underpin different perspectives about political and legal systems and processes; for example, calls for constitutional recognition for Aboriginal and Torres Strait Islander peoples.

Teacher Reference Documents (TRDs) and Activities/Lessons Index

TRD 89:Referendums and plebiscites

TRD90:Referendum - why use it for constitutional change?

TRD91:Referendums - how does constitutional change work in practice?

Lesson/Activities One: Plebiscites, Referendums and the Constitution

TRD92:Referendum - Success and failure in Australia

TRD93:Successful Referendum - The 1967 Aboriginal referendum (teacher resource)

TRD94:Referendum - the 1967 Aboriginal referendum (student resource)

TRD95:Failed referendum - Republic (teacher resource)

TRD96:Failedreferendum-Republic(student resource)

Lesson/ActivitiesTwo: Successful and unsuccessful referendums.

TRD97: Aviation: Commonwealth or State control? A failed referendum

TRD98:PostWorldWarII Reconstruction: TheCommonwealth's attempt to expand its powers is rejected

TRD 99: Social Welfare Powers in the Australian Constitution: The people vote Yes in the 1946 referendum



AUSTRALIAN
CONSTITUTION
CENTRE

TRD 100: Banning the Communist Party - a failed referendum

Lesson/Activities Three: Referendums and persuasion

TRD 101: Referendum on Indigenous Constitutional Recognition (student resource)

TRD 102: Referendum on Indigenous Constitutional Recognition (teacher resource)

Lesson/Activities Four: Future referendum

Special First Nations Peoples Disclaimer: In some First Nations communities hearing recordings, seeing images or the names of deceased persons, may cause sadness or distress and, in some cases, offend against strongly held cultural prohibitions. The AIATSIS website has more information.

Special Terminology First Nations Peoples: Teachers may note that much of the above discussion refers to Aboriginal people, rather than 'Aboriginal and Torres Strait Islander peoples'. This is because the original terminology, including in the 1960s, did not make this distinction. Teachers should take care to contextualise this historical usage and contrast it with the terminology used more accurately today.

It is often said that Aboriginal and Torres Strait Islander people were not counted in the census until after 1967. That is not true. They were counted from the very first census if they lived near settlements - just not if they were in remote areas that the census officials did not reach. The census figures in the first part of each census excluded what they described as 'full-blood' Aboriginal people, but included all other Aboriginal people. 'Full-blood' Aboriginal people were, however, included in tables at the end of each chapter in the census. Teachers should be aware that this terminology used in the census is now viewed as offensive and may be regarded as disturbing to students. Accordingly, teachers may wish to be cautious in its use and careful to contextualise it if using it in class. Census reports contain a wealth of material about the lives of Aboriginal and Torres Strait Islander people, but the description and categorisation of that information would need to be contrasted with the attitudes of today.

In Unit 2, Teacher Reference Document (TRD) 10, in discussing 'when the British arrived in 1788' the First Nations Peoples name of Warrane' (pronounced Wah-rang) has been added. In other units when teaching about place names, teachers are likewise encouraged to use the First Nations Peoples' name.