

Remarks at launch of *The Forgotten People*

Damien Freeman

1 June, 2016

Yarra Room, Melbourne Town Hall

MY LORD MAYOR, LADIES AND GENTLEMEN:

Earlier this year, an Aboriginal man in Barwon Prison was able to pay for his mother's funeral out of the proceeds of the sale of a painting. It was bought by former Victorian Premier, Jeff Kennett. The painting was part of a project that uses art to build the skills and confidence of Aboriginal prisoners, in order to ease their path back into the community. As one of the artist-prisoners explained, "The programme gives us a stage to tell our story."

In response to representations by Mr Kennett, the Victorian Government agreed to change the law to allow Aboriginal prisoners to sell artworks. Mr Kennett saw the need for practical changes that would make a difference to the way that indigenous people live, and also the need for a vehicle that enables us to tell our story. These twin imperatives are well understood by all at Cape York Institute, where, under Noel Pearson's inspired leadership, my co-editor, Shireen Morris, and her colleagues, seek to realise these imperatives in the domain of constitutional law.

The Forgotten People is a collection of essays that faces up to the need for Australia to make changes to our Constitution that will help make a practical difference to the way indigenous people live, and also the symbolic need for us, as a nation, to tell our story. As Shireen has already explained, we were looking for a way to achieve the practical and symbolic changes that indigenous people seek from constitutional recognition, whilst, at the same time, addressing the legitimate concerns of constitutional conservatives and classical liberals. This is no mean feat, and we are grateful to our contributors for their willingness to rise to the challenge.

Shireen and I owe also a great debt to Louise Adler and her team at Melbourne University Publishing. In record time, they have published not one but two books: our collection and also a companion book—*It's Our Country*. Together, these two books represent a major contribution to advancing how Australians think about constitutional recognition of indigenous peoples, and they are undeniable proof of MUP's commitment to the conversation about Australia's political and cultural landscape.

At the Constitution Education Fund Australia, where I work, we are committed to educating all Australians about the system of government that operates under the Australian Constitution, and the practical way in which this affects how each of us lives, as well as educating Australians about our shared national story. As part of this commitment, we have established an Educating About Recognition initiative, with the support of our principal partner for Educating About Recognition, the leading global law firm, Baker & McKenzie.

Today is the second in a number of events that we are holding around the country, canvassing a range of views on the Government's programme for amending the Constitution.

We invited you to hear the Reverend Tim Costello launch *The Forgotten People*. Regrettably, his father passed away at the weekend, and the funeral was held today. Consequently, Mr Costello is unable to be with us today, and we send our condolences to him, along with his brother, the Hon. Peter Costello, and all their family. But an ill wind has blown some good, and, at very short notice, another eminent Victorian has stepped forward.

The last time that Australians convened to consider constitutional reform was in 1998, at the Constitutional Convention held at Old Parliament House, Canberra. Steve Vizard was a delegate to the Convention. He recorded his experiences over the Convention's ten days in a light-hearted memoir, *Two Weeks in Lilliput*. The critical vote about the model for making Australia into a republic loomed large on the eighth day of the Convention, and Vizard sets the scene that day:

The Premier of Victoria, Jeff Kennett, is arriving.

Eight days unsighted. Eight days lamented. Now, less than twenty-four hours before the critical vote, Jeff's in town. Bigger than Ben Hur, riding into the convention. Louder than a hoon in a souped-up Monaro, blue-eyed and Brylcreemed, strutting his stuff. Jeff's in town doing circle work and burning rubber big time.

We didn't know whether he'd front. Don't know what he'll say. Don't know whether he's a republican. Don't know anything except that for a rapacious media pack already well tired of the old faces and desperate for new blood, this is great news. Big news. They're over him like blowflies... Playing them like a Stradivarius is Jeff. Timing is to the last second.

... Jeff is an enigma. Minimum effort. Maximum impact.

If entrances are people, this is Sharon Stone without knickers. Madonna without a bra. O. J. Simpson without remorse.

Now Jeff strides through King's Hall, full of big newsmakers, and he's the biggest news of all. They all want to know him. He's yakking with Lindsay Fox, chewing the fat with Malcolm Turnbull and cajoling with the Treasurer. Jeff is Jack Nicholson. And the Pope. Jack and the Pope rolled into one, walking the red carpet, dispensing homilies, while the big boys deferentially wave satchels as palm leaves.

And then, just as quickly, he's gone... leaving the halls and corridors full of whispers.

Later that day, Mr Kennett appeared in the old House of Representatives chamber to address the delegates. Vizard's narrative continues:

Now Jeff's at the microphone, standing on the mount. He commands their attention. As much as anything, they want to know which way he will fall. He begins with practised conviction and authority. Speaks of the need to make a change, not in anger... rather with honour and deep gratitude. He speaks of Alfred Deakin and Oliver Wendell Holmes and the Westminster system. And, finally, what they've been waiting for.

Well, almost twenty years later, Australia is contemplating another change to the Constitution. The media pack is well tired of the Expert Panel, the Joint Select Committee, the Referendum Council. And, finally, what they've been waiting for.

Ladies and gentlemen, the Honourable Jeff Kennett.