

Whitlam Government 1972-1975: The Racial Discrimination Act

Whitlam, G. The Whitlam Government 1972-1975, Melbourne, Penguin Books Australia Ltd, 1985, pp 505-506.

Chapter 13 - Migrants

Excerpts

As Prime Minister, I was deeply concerned that Australia had failed to ratify the UN Convention on the Elimination of All forms of Racial Discrimination...The UN General Assembly had adopted this Convention on 7 March 1966. Australia had signed it on 13 October 1966. It had entered into force with the accession or ratification of 27 States by 4 January 1969. When my Government was elected the Convention had been ratified by 87 countries but still not by Australia.

The Convention outlawed all forms of racial discrimination on the grounds of race, colour, ethnic background, place of birth or descent. It also involved a pledge under Article 7 to:

adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.

My Government determined that Australia should join the majority of the countries of the world in outlawing racial discrimination...I appointed [Al] Grassby Special Consultant to the Government on Community Relations and gave him a brief, *inter alia*, to work with Attorney-General [Lionel] Murphy in drafting

the Bill to outlaw racial discrimination and to enable Australia to ratify the Convention.

The Bill was introduced into the Senate on 31 October 1974. Following the appointment of Murphy as justice of the High Court of Australia, Kep Enderby was appointed Attorney General and took carriage of the Bill in the House of Representatives. It was introduced there on 13 February 1975 and debated on 6 March and 8 and 9 April. In the Senate it was significantly amended by the exclusion of safeguards which we had sought in relation to prohibiting racial incitements against groups as distinct from individuals. The Bill finally passed both Houses on 4 June 1975

Steps were taken immediately to lodge the instruments of ratification with the Secretary-General of the UN. After the mandatory 30 days of waiting ratification was effected and the *Racial Discrimination Act* 1975 was proclaimed on 31 October 1975. Grassby had been appointed Commissioner Designate on 29 July 1975. With the proclamation of the Act he became Australia's first Commissioner for Community Relations. He strongly preferred that title to the narrower title of Race Relations Commissioner. Grassby's task was to examine and resolve complaints of racial discrimination and to fulfil Australia's educative obligations under Article 7 of the Convention.

The high objectives of the *Racial Discrimination Act*, the culmination of years of effort, I spelled out at the modest ceremony which launched the Office of the Commissioner for Community Relations at the headquarters of the Department of the Attorney- General on 31 October 1975.

The new Act writes it firmly into our laws that Australia is in reality a multicultural nation, in which the linguistic and cultural heritage of the Aboriginal people and of peoples from all parts of the world can

find an honoured place. Programs of community education and development flowing from the Act will ensure this reality is translated into practical measures affecting all areas of our national life.

The date, 31 October 1975, is a historic benchmark in the history of Australia. For the first time the nation solemnly affirmed its opposition to all forms of racial discrimination and established machinery to deal with it. The Act, inadequate as it is in many respects, is still the best guarantee that Australians have ever had that the dark forces of bigotry and prejudice which have prevailed so often in the past will never again be able to exercise influences far greater than their numbers in the community.