

Gramsci and “The Voice”: Closing the Gap Between “The Social” and “The Political” in Australia’s failed 2023 Referendum on Indigenous Representation

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Abstract

On 14 October 2023, Australians voted down a referendum proposal that would have acknowledged the place of Indigenous Peoples as First Peoples in the Australian Constitution, and which would have provided Indigenous Peoples with a “Voice” to the Australian Parliament. While some commentators chose to label the defeat as proof of Australia’s inherent racism, in this article we argue the failure of the referendum on the Voice was ultimately a lost opportunity for the Australian government which organised the vote but then refused to provide the moral and intellectual leadership to educate the public as to exactly why the Voice was required. As such it failed to demonstrate the leadership required of an *stato integrale* (integral state), in particular its educative functions. In this article we first outline the origins and evolution of the Voice referendum proposal before then explaining our methodology, method and positionality in writing about this topic. Thirdly, we subject the central texts of the referendum to a Gramscian analysis before finally we detail the referendum result and position the vote within Australia’s changing demographic structure. Throughout the article, we argue a Gramscian analysis of the Voice referendum demonstrates the reality of a gap between what we describe as *the social* (the people) and *the political* (the state), one that is more complex than accusations of racism.

Keywords

Voice, Australia, Integral State, Hegemony, Subaltern.

Gramsci e “La Voce”: Colmare il divario tra “il sociale” e “il politico” nel fallito referendum australiano del 2023 sulla rappresentanza indigena

Abstract

Il 14 ottobre 2023, gli australiani hanno respinto una proposta di referendum che avrebbe riconosciuto il ruolo dei popoli indigeni come abitanti originari nella Costituzione australiana e che avrebbe fornito ai popoli indigeni una “voce” al Parlamento australiano. Mentre alcuni commentatori hanno scelto di etichettare la sconfitta come prova del razzismo intrinseco dell’Australia, in questo articolo sosteniamo che il fallimento del referendum sulla Voce è stata in definitiva un’occasione persa per il governo australiano, che ha organizzato il voto ma poi si è rifiutato di fornire la leadership morale e intellettuale per educare il pubblico sul motivo esatto per cui la Voce era necessaria. In quanto tale, non è riuscito a dimostrare la leadership richiesta da uno *stato integrale*, in particolare le sue funzioni educative. In questo articolo delineiamo innanzitutto le origini e l’evoluzione della proposta di referendum sulla Voce prima di spiegare la nostra metodologia, il nostro metodo e la nostra posizione nello scrivere su questo argomento. In terzo luogo, sottoponiamo i testi centrali del referendum a un’analisi gramsciana prima di dettagliare infine il risultato del referendum e posizionare il voto all’interno della mutevole struttura demografica dell’Australia. In tutto l’articolo sosteniamo che un’analisi gramsciana del referendum sulla Voce dimostra la realtà di un divario tra ciò che descriviamo come *il sociale* (il popolo) e *il politico* (lo Stato), un divario che è più complesso delle accuse di razzismo.

Keywords

Voice, Australia, Stato integrale, Egemonia, Subalterni

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Introduction

On 14 October 2023, Australia held a referendum on constitutional recognition of its Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia and establishing an Indigenous “Voice” to Parliament to represent their views. In the absence of bipartisan political support, the debate focussed on whether any “Voice” would be *representative*, and whether the Voice would result in significant changes for Indigenous Peoples.¹

Just over 60% of all voters voted NO; not one of the six Australian states voted a YES majority.² The result was interpreted as evidence of Australia’s inherent “racism”, however we reject this argument as overly simplistic, arguing instead that the strongest support for the YES case came from predominantly urban, well-educated, relatively wealthy electorates, with majority ethnic Anglo voters. A political analysis reveals the NO case triumphed in rural and regional Australia, where Australian-born populations are highest, and where pastoralism and mining are dominant economic activities. NO also

¹ We recognise that within the broad discourse of the Voice, reference to those whom in this paper we term “Indigenous Peoples” are referred to differently, for example, as “First Nations Australians”, “Aboriginal and Torres Strait Islander peoples”, “Indigenous Australians”, “First Nations Peoples” etc. So as not to assume political or socio-cultural bias, we will use the capitalised term “Indigenous Peoples” throughout, unless directly quoting from a document or speech. We note that while the term “Indigenous Australian” is used to encompass both Aboriginal people and Torres Strait Islander people in Australia, many Aboriginal and Torres Strait Islander people do not like to be referred to as “Indigenous” as the term is considered too generic. See Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), *Indigenous Australians: Aboriginal and Torres Strait Islander people*, 2024, text available at the site: <https://aiatsis.gov.au/explore/indigenous-australians-aboriginal-and-torres-strait-islander-people> (6 September 2023).

² Australian Electoral Commission (AEC), National Results, 2 November 2023, text available at the site: <https://results.aec.gov.au/29581/Website/ReferendumNationalResults-29581.htm> (20 March 2025).

dominated outer suburban electorates with high proportions of migrants, who were more concerned about costs of living and who often had limited understanding of the issues being debated. As such we argue the Voice result is better understood within a Gramscian framework as a missed opportunity to create an “integral state” (*stato integrale*)³ through education, and to expand hegemony by closing the gap between *the social* (the people) and *the political* (the state).

The Australian Labor Party (ALP) government squandered an opportunity to articulate a public education campaign focussed on the historical, social, economic and political effects of white settlement, and how these compounded into ongoing generational Indigenous disadvantage. In short, Voice advocates failed to demonstrate the moral and intellectual leadership required to provide compelling reasons to vote YES. In failing to argue a case of the necessity of the Voice as a mechanism to achieve social justice, the ALP lost its chance to widen and solidify hegemony⁴ from the dominant Anglo and Anglo-Celtic ethno-culture to, and arguably for the first time, include Australia’s First Peoples.

This article has four sections. Part I outlines the origins and evolution of the Voice referendum proposal. Part II explains our methodology, method and positionality in writing on this topic. Part III provides a

³ See for example, M. Green, *Gramsci Cannot Speak: Presentations and Interpretations of Gramsci’s Concept of the Subaltern*, «Rethinking Marxism», 14, 2002, 3, pp. 1-24; and C. Hawksley, N. Georgeou, *Gramsci makes a difference: Volunteering, neoliberal common sense, and the sustainable development goals*, «Third Sector Review», 25, 2019, 2, pp. 27-56, text available at the site: <https://search.informit.org/doi/abs/10.3316/ielapa.929306512882392> (20 March 2025).

⁴ The term “Australian hegemony” used here refers to the historical development of a “dominative hegemony” (e.g. R. Howson, *Challenging Hegemonic Masculinity*, London-New York, Routledge, 2006), by the Anglo and Anglo-Celtic settlers since the landing of the first fleet in 1788. Through confiscation of land and a war of movement to the development of national institutions, Australian hegemony has had to manage the impacts of increasingly diverse immigration and the emergence of multiculturalism. As argued by J. Forrest and K. Dunn in *Core culture, hegemony and multiculturalism: Perceptions of the privileged position of Australians with British backgrounds*, «Ethnicities», 6, 2006, 2, pp. 203-30, there is still a struggle within this hegemony to «disengage from a legacy of Anglo privilege and cultural dominance». Indigenous scholar Aileen Moreton Robinson has argued in *Talkin’ Up to the White Woman: Indigenous Women and Feminism* (20th anniversary edition), Brisbane (AU), University of Queensland Press, 2009: «... white Anglo-Australian cultural and racial dominance» has always been the «invisible omnipresent norm» (p. XIX) in Australia, rarely interrogated or seen as a difference; instead, it is the benchmark by which differences from that norm are measured, valued and often ignored. As such, power relations based on race can reproduce inequalities and discriminate against Indigenous people, yet often remain «natural, normal and unmarked» (p. 189).

Gramscian discourse analysis of the central texts of the referendum. Part IV explores the referendum result, noting very strong support for the Voice referendum in wealthy urban predominantly white electorates, the traditional holders of hegemony in Australian society. We argue a Gramscian analysis of the Voice referendum based on the state as educator helps to reveal the reality of a gap existing between what we describe as the people (*the social*) and the state (*the political*). This gap could have been bridged by the ALP government playing the role of educator, a role it pointedly refused to adopt.

Part I: The origins and evolution of the Voice Referendum

From 23-26 May 2017, some 250 delegates from the First Nations National Constitutional Convention met at Uluru, on the lands of the Anangu people, to produce and offer a “statement from the heart”.⁵ This statement resolved, based on the majority vote of those at the convention, that:

1. There be constitutional recognition of First Nations people in the Australian Constitution, and
2. This recognition enables the expression by First Nations people of their interests and aspirations through a “First Nations Voice” and a “Makarrata Commission”.

The Statement from the Heart sought to achieve constitutional recognition of the unique situation that Indigenous People have experienced and continue to experience within Australia. The eventual referendum question on the Voice was devised by the incoming ALP government following the 21 May 2022 election. It was a double-barrelled question that sought to amend the constitution to recognise Indigenous Australians as the First Peoples of the country, *and* to provide for a body (the “Voice”) to advise the government on issues affecting Indigenous Peoples.⁶ It was due to the abolition of previous bodies representing the interests of Indigenous Peoples⁷ that the

⁵ Uluru Statement from the Heart (USFTH), *View the statement*, 2017, text available at the site: <https://ulurustatement.org/the-statement/view-the-statement/> (5 March 2025).

⁶ Parliament of Australia (POA), *Referendum question and constitutional amendment*, text available at the site: <https://voice.gov.au/referendum-2023/referendum-question-and-constitutional-amendment> (6 September 2023).

⁷ The Aboriginal and Torres Strait Islander Commission (ATSIC) (1989-2005) is perhaps the best known of these, until its abolition by the Liberal-National coalition government of John

ALP in opposition under Anthony Albanese,⁸ fixed on the strategy of a referendum to create the Voice as a constitutional amendment once enshrined, is difficult to remove.⁹

On 19 June 2023 Federal Parliament approved the full referendum question¹⁰ with the following wording:

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?

Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples
[Section] 129 Aboriginal and Torres Strait Islander Voice

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

I. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;

II. 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;

III. 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.

For a referendum question to pass it requires a “double majority”: (1) an overall majority of all Australian voters must approve the question (i.e. 50% of the voting population + 1 vote); and (2) a majority of the six original Australian states must pass the question. Due to demographics (see Table 1) any successful referendum requires the two most populous states – New South Wales (NSW) and Victoria

Howard. See J. Haughton, *Former Aboriginal and Torres Strait Islander Australian Government representative and advisory bodies: a quick guide*, text available at the site: https://parlinfo.aph.gov.au/parlInfo/download/library/prspub/9221309/upload_binary/9221309.pdf (11 September 2024).

⁸ A. Albanese, *Makarrata Commission*, 15 November 2021, text available at the site: <https://anthonyalbanese.com.au/media-centre/makarrata-commission> (6 September 2024).

⁹ Constitutional change in Australia is rare; of 45 referenda held (including the Voice) only eight proposals have been carried. See AEC, *Referendum dates and results*, 7 November 2023, text available at the site: https://www.aec.gov.au/Elections/referendums/Referendum_Dates_and_Results.htm (6 September 2024).

¹⁰ National Indigenous Australians Agency (NIAA), *Referendum on an Aboriginal and Torres Strait Islander Voice*, 2023, text available at the site: <https://www.niaa.gov.au/indigenous-affairs/referendum-aboriginal-and-torres-strait-islander-voice> (20 September 2024).

(Vic) – to carry the question, as between them they command well over half the eligible national vote. Any two of Queensland (QLD), Western Australia (WA), South Australia (SA) and Tasmania (TAS) must then also support the proposal. The votes from Australia's two self-governing territories – the Australian Capital Territory (ACT) and the Northern Territory (NT) – are included in the national vote, but do not form part of any state vote.¹¹

Prior to the Voice vote, only eight of forty-four referendum questions had been passed. Of the eight successful, seven had enjoyed bipartisan support.¹² The ALP government proposed and supported the Voice vote, but early on the Liberal-National opposition signalled it would vote NO to the Voice. It was thus incumbent upon the ALP to provide the moral and intellectual leadership that befits the integral state if the Voice were to pass. Before turning to the Voice debate and the results we must first explain our methodology and positionality.

Part II: Methodology and positionality

This article seeks to explore what are important questions about the discourse within the process of the Voice referendum with an emphasis on *closing the gap between the social and the political*.¹³ What were the central arguments put forward by the YES and NO cases that are foundational and constitutive of the Voice discourse? Was there a discursive gap between these arguments? Were the YES and NO arguments reliable and valid? Would the success of either set of arguments “close the gap”?

To address these questions, we adopt a particular political sociological methodology that is constituted by, and gives particular emphasis to, Gramscian theory, and we employ a qualitative discourse-based an-

¹¹ AEC, *National Results*, cit.

¹² C. Briggs, *With the Voice referendum defeated will Australia ever again change the Constitution?*, «ABC News», 29 October 2023, text available at the site: <https://www.abc.net.au/news/2023-10-29/voice-referendum-defeat-will-australia-ever-change-constitution/103018686> (6 December 2024).

¹³ Our use of the term “closing the gap” is unrelated to the annual official Australian government publications on *Closing the Gap*, which from 2009 onwards have sought to reduce (with very limited success) inequality in social indicators between Indigenous Peoples and other Australians in areas like life expectancy, health care, infant mortality, primary education, educational attainment, Indigenous incarceration. See for example, Australian Government, *Closing The Gap*, text available at the site: <https://www.closingthegap.gov.au/resources/history> (6 December 2024).

alytical method from a non-Indigenous Peoples standpoint. Through this methodology, we offer an evaluative statement about the relationship between the people (the social) and the state (the political), or what we have referred to above as “the gap” between these two discursive spaces. Such an approach seeks to contribute to a better understanding of the effectiveness of discourse upon a society so as to recognise, build, accommodate and allow bonds of solidarity to flourish, and in turn to enable opportunities for greater equity.

We understand the process of seeking the inclusion of what Gramsci referred to as “subaltern” peoples,¹⁴ in the expansion of social justice as “closing the gap”. In so doing, we argue that *the social* (the people) becomes a crucial constitutive element in promoting an environment within which access and opportunity are opened to those who exist at the limits of, or beyond, *the political* (the state), and national hegemony.

In setting out our methodology we draw on Maggie Walter’s explanation which posits methodology as the “worldview lens” through which a research project develops and whose “core components” are: standpoint, theory and method.¹⁵

Standpoint, as Walter argues, sets out the researcher’s/researchers’ position towards the research—who they are as researchers and how the researchers see themselves in relation to others and the broader society.¹⁶ In this way, it is not difficult to see how a researcher’s selection and use of theory, and the method by which data is collected and analysed, can be influenced. Given that this paper focuses on an initiative that involves Indigenous People directly, but which also effects the broader Australian society (e.g. both Indigenous and non-Indigenous), it is important to put forward different voices and their positions, including those from a non-Indigenous background. In this context, the authors do not identify as Indigenous Peoples; indeed two of three authors are overseas-born men, albeit with different historical backgrounds to our migration experiences. In addition, the lone Australian-born author is a woman, providing yet another per-

¹⁴ See Green, *Gramsci cannot speak*, cit.; and Id., *Gramsci and Subaltern Struggles Today: Spontaneity, political organization and occupy Wall Street*, in *Antonio Gramsci*, ed. by M. McNally, Hampshire, Palgrave Macmillan, 2015, pp. 156-78.

¹⁵ M. Walter, *Social Research Methods*, 4th ed. (ebook), Oxford, Oxford University Press, 2019.

¹⁶ *Ibidem*, p. 19.

spective. Thus, from this standpoint, we offer a theoretical frame (as introduced above) or way of understanding the Voice that is located outside of any Indigenous (social) epistemology. Nevertheless, from this collective standpoint we present a unique contribution to analysis of the referendum outcome through an exploration of the hypothesis that the Voice presented an important “closing the gap” opportunity.

It is appropriate to remind ourselves at this point that the Voice initiative engaged with the Australian society and polity as a whole, and it is in this context that we seek to offer a different view of the Voice and its processes. To do this, we operationalise creatively a Gramscian sociology/politics/discourse nexus, and posit this as the knowledge frame (the theoretical lens) within which specific approaches are enabled that lead to a critical evaluation. Thus, our standpoint influences our theoretical approach, and together they lead us to a third element, that is, the method (data collection and analysis). Here we use “discourse analysis”,¹⁷ follow the work of Howarth and Stavrakakis,¹⁸ and operationalise a particular approach that incorporates, *inter alia*, the neo-Marxist theory of Gramsci in a way that is directed towards the «analysis of political issues» to offer «empirically justifiable explanations of the social and political world».

Discourse viewed narrowly is simply speech or text, however, in this approach to discourse analysis there are several important underlying assumptions that bring a complexity to how discourse is operationalised methodologically.¹⁹ First, all objects and actions have meaning that are produced through historically specific systems of rules.²⁰ Secondly

¹⁷ We use the term discourse analysis somewhat uniquely insofar as our purposes recognise but differentiates discourse analysis from its use by N. Fairclough, *Critical Discourse Analysis: The Critical Study of Language*, Harlow, Longman Publishing, 1995. Rather, we seek to apply theory to the analysis of discourse (as constituted by both the symbolic and material).

¹⁸ D. R. Howarth, Y. Stavrakakis, *Introducing Discourse Theory and Political Analysis*, in *Discourse Theory and Political Analysis: Identities, Hegemonies and Social Change*, ed. by D. R. Howarth, A. J. Norval and Y. Stavrakakis, Manchester-New York, Manchester University Press, 2000, pp. 1-23.

¹⁹ *Ibidem*, pp. 2-4.

²⁰ For example, R. Howson, *The Sociology of Postmarxism*, London-New York, Routledge, 2017, pp. 56-57, has written that the first European explorers who in 1873 happened upon a large (348 m high and 9.8 km perimeter) sandstone monolith in the middle of Australia in 1873 named it Ayers Rock after the first Chief Secretary of South Australia, Sir Henry Ayres, suggesting the importance those explorers placed on their finding. The original historical meaning of the rock was later returned to all of Australia as a sacred place, and is now known by its Indigenous Anangu/Pitjantjatjara name of Uluru. Due to its national prominence and history, it is no surprise that the First Nations National Constitutional Convention would meet at Uluru to produce the

while all objects and actions operate and are given meaning, this meaning does not occur randomly but rather within a particular historically specific system of rules. The space within which these rules occur is referred to as the “discursive”.²¹ Importantly though, the discursive does not reduce every object or action to the symbolic of discourse. Objects and actions do exist with their own ontology and history, just as Uluru did before humans (and will likely after). The discursive enables the analyst to explore the system of rules that exist at any one moment to give both symbolic/material meaning to the object/action.

This exposes the third assumption, that is, the discursive as a historically specific space in which meaning is produced is constituted by, but also influences, real material social relations that are «intrinsically political».²² This brings our method back to the research questions that seek to explore the gap between the social and the political. Insofar as meaning within the discursive is historically political, this indicates the potential for the operation of power/authority within hegemony.²³ The importance of this approach to discourse analysis then comes down to its potential to expose when, and if, meaning within a discursive space is produced by the operation of power, as opposed to authority. This in turn produces “insiders and outsiders” with respect to interactions between the social and the political, and it shows the limit between inside and out is fraught with antagonism. We now present a Gramscian analysis of the Voice texts as discourse.

Part III: The Voice texts as discourse

There were four key expressions of the discourse around the Voice:

1. The 2017 Uluru Statement from the Heart;²⁴
2. The 2021 Indigenous Voice Co-Design Process: Final Report to the Australian Government;²⁵

Statement from the Heart.

²¹ Howarth, Stavrakakis, *Introducing Discourse Theory*, cit., p. 3.

²² *Ibidem*, p. 4.

²³ We differentiate between power and authority. We see authority as the operation of power plus legitimacy. The operation of power disconnected from legitimacy emphasises coercion and will produce antagonism between those included and those excluded. Power in this context cannot produce hegemony. See R. Howson, K. Smith, *Hegemony and the Operation of Consensus and Coercion*, in *Hegemony: Studies in Consensus and Coercion*, ed. by R. Howson and K. Smith, London-New York, Routledge, 2008, pp. 1-15.

²⁴ USFTH, *View the statement*, cit.

²⁵ NIAA, *Referendum on an Aboriginal and Torres Strait Islander Voice*, cit.

3. The 2023 Case for Voting YES; and
4. The 2023 Case for Voting NO (with YES and NO published together as a booklet provided to all voters).²⁶

Each of these key elements represent a particular but important phase in the movement towards the referendum, but perhaps more importantly they provide springboards from which to enable our analysis and response to our research questions.

The USFTH is an invitation to all Australians to give recognition to the unique historical, political economic and social situation of Indigenous Peoples into the future.²⁷ It does not mention treaty, but it does mention “*Makarrata*”, a concept that in itself does not assume immediately a treaty, rather agreement-making. Makarrata opens the possibility for treaty following a process of “truth-telling”, which can be understood as a mode or mechanism of transitional justice, albeit one without criminal powers.²⁸ This *Statement from the Heart* was presented to the Liberal Prime Minister Malcolm Turnbull in 2017.

The second document was presented by Professors Tom Calma and Marcia Langton to the Liberal government of Prime Minister Scott Morrison in July 2021, some 10 months after the presentation of the Indigenous Voice Co-Design Process: Interim Report to the Australian Government (2020).²⁹ As Calma and Langton note, the proposals and recommendations represent “genuine and thorough co-design”, so the report is the outcome of productive engagement led by Indigenous Peoples in partnership with government.

²⁶ Australian Government (AG), *Your official referendum pamphlet*, Australian Government Canberra, 2023, text available at the site: <https://www.aec.gov.au/referendums/files/pamphlet/your-official-yes-no-referendum-pamphlet.pdf> (16 December 2024).

²⁷ Other Prime Ministers (including John Howard) have committed in past election campaigns to a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution. In the 1999 Republican referendum there were two questions: (1) accepting a preamble to the Australian Constitution; (2) moving to a republic. Both were defeated: preamble 60% NO, Republic 55% NO. See AEC, *Referendum dates and results*, cit. ALP Leader Anthony Albanese honoured his electoral promise made in opposition by bringing the Voice to the people in a referendum.

²⁸ See N. Szablewska, C. Hawksley, *Global Approaches to Punishment and the Sustainable Development Goals*, in *Peace, Justice and Strong Institutions. Encyclopedia of the UN Sustainable Development Goals*, ed. by W. Leal Filho *et al.*, Cham, Springer, 2021, text available at the site: https://doi.org/10.1007/978-3-319-71066-2_74-1 (16 December 2024).

²⁹ National Indigenous Australians Agency (NIAA), *Indigenous Voice Co-Design Process: Final Report to the Australian Government*, 2021, text available at the site: <https://www.niaa.gov.au/indigenous-affairs/referendum-aboriginal-and-torres-strait-islander-voice> (16 November 2024).

In Gramscian terms, the Final Report is a document that has “organic”³⁰ development, in that it comes from Indigenous peoples located outside of traditional knowledge and power structures, however in the Final Report there is very little justification or rationale as to why there should be a National Voice. Indeed, the report expects the Australian political and civil societies to already have knowledge of the plight of Indigenous peoples and to accept its proposals *prima facie*. It is not until page 106 that the authors mention that Indigenous Peoples in Australia are subject to a range of “special laws”, and that this feature is a reason why a National Voice is required, as currently laws made about Indigenous Peoples operate *without* their input or consent. Despite sponsoring the Voice referendum, the ALP government did not attempt to educate Australians on the history or impacts of white colonisation on Indigenous Peoples of Australia. Educating the population on the past lies is at the heart of calls for “truth telling”. The ALP’s refusal to take on this role left the YES campaign arguing that the Australian people should support the Voice *because* 80% of Indigenous people supported the Voice.³¹ Devoid of its social justice content, and without explaining generations of policy failure, this argument proved to be insufficient as a rationale.

The third and fourth expressions were presented to all Australian voters in one official information booklet containing both YES and NO cases on the Voice. Each case was presented on alternate pages (YES on the left, NO on the right), with the content of each case described as being authorised by “a majority of the members of parliament” who had voted either for or against the proposed Bill.³² We

³⁰ Gramsci’s use of the term *organic* appears in two different but related contexts: in his explanatory analysis of the function of “intellectuals” (see for example A. Gramsci, *Selections from the Prison Notebooks*, transl. and ed. by Q. Hoare and G. Nowell Smith, New York, International Publishers, 1971, pp. 5-12), where *organic* is differentiated from the *traditional* and situated between what currently exists as «traditional» or «common sense», and what is historically «new» and represents «good sense» (see Howson, Smith, *Hegemony and the Operation of Consensus and Coercion*, cit., pp. 4-5). Secondly, in the context of relations of force, Gramsci differentiates *organic* from *conjunctural* where the former refers to the movement of relations that have a relative permanence, and the latter, which is more temporary and momentary in nature (Gramsci, *Selections from the Prison Notebooks*, cit., p. 177). Thus, in synthesis, it is the “newness” of the socio-historical critique and the intellectual function inherent to the Voice, emergent from outside of traditional hegemonic knowledge and momentary imperatives, that becomes important and organic.

³¹ Yes 23, *Voices for Yes*, 2023, text available at the site: <https://www.yes23.com.au/voicesfor-yes> (16 November 2024).

³² AG, *Your Official Referendum Pamphlet*, cit.

do not argue that voters read the entire booklet or knew any of the arguments presented, however in the absence of a public education campaign the NO case was emotive, focussed on fear, division and presented several misrepresentations and distortions of fact that may have proved to be decisive.

The Yes Case

In eight points, the YES case argued the Voice provided long overdue constitutional recognition of Australia's First Nations peoples, and provided Australia's Indigenous Peoples with a mechanism to raise their concerns to the government. This in turn would enable a broader political discussion about policies that affect Indigenous Peoples directly. Moreover, the YES case claimed the Voice was an ideological mechanism that would bring the broader Australian community closer to a consciousness about the history of Australia's colonial development and its effects on the Indigenous people over whom the state was erected. It is precisely in these ways that we argue the Voice could have operated to "close the gap" practically and ideologically, or in other words, to expand the limits of the existing hegemony in Australia.

The YES case was advanced discursively, and developed through the social, that is, from the ground up, and while it proceeded always through consultation with various other Indigenous Peoples and their communities, it remained cognisant of the broader political imperatives.

Elected on 21 May 2022, ALP Prime Minister Anthony Albanese offered a clear and foundational moment in the discourse about the Voice by affirming that such a mechanism, grounded in Constitutional recognition, would maintain longevity through and beyond any particular political party or political moment, as well as enabling the real practical and ideological authority that could lead to concrete results. In a speech to the *Garma Festival* in July 2022,³³ Prime Minister Albanese argued the YES case demonstrated Indigenous autonomy with a view to co-designed policy outcomes:

³³ Prime Minister of Australia (PMA), *Address to Garma Festival*, 30 July 2022, text available at the site: <https://www.pm.gov.au/media/address-garma-festival> (16 January 2025).

It will be an unflinching source of advice and accountability, not a third chamber, not a rolling veto, not a blank cheque. But a body with the perspective and the power and the platform to tell the government and the parliament the truth about what is working and what is not... Because a Voice enshrined in the constitution cannot be silenced.³⁴

What was lacking in this discourse was a clear explanation as to why constitutional recognition would close the ideological gap. Symbolically recognition of Indigenous Peoples in the Constitution was supported by all sides, however, as the discourse developed in the broader context, recognition linked directly to closing the ideological gap was only ever weakly developed, and it became subordinate to the Voice as a practical political mechanism. Thus arguments for producing better socio-economic results for Indigenous Peoples became dislocated from any sense of righting historical injustice, and largely divorced from the lived experience of Indigenous Peoples or from the systematic failure of successive Commonwealth government policies since 1967, when the Commonwealth by referendum was granted powers to enact laws for Aboriginal people.³⁵

The claim of better outcomes made sense to some extent—at least within the context that rather than Indigenous People being told of their own problems by white bureaucrats within the political state, the process would be inverted so that the Voice would enable the concerns of Indigenous communities, as well as possible solutions, to be conveyed directly from the social to the political. Thus the YES campaign argued that the Voice would unite Australia by including Indigenous peoples. This claim built on a public movement for reconciliation that dates from the 1980s when there were several important state-led shifts on Indigenous affairs: ALP Prime Minister Bob Hawke's 1988 Barunga speech, which indicated the state's willingness to engage in a Treaty process;³⁶ ALP Prime Minister Paul Keating's 1992 Redfern speech that acknowledged the enormous harm done to Indigenous Peoples by white settlement;³⁷ the 28 May 2000 Sydney

³⁴ *Ibidem*.

³⁵ AEC, *Referendum dates and results*, cit.

³⁶ Prime Minister of Australia (PMA), *Transcript of Speech at Barunga Sports and Cultural Festival, Northern Territory 12 June 1988*, text available at the site: <https://pmtranscripts.pmc.gov.au/sites/default/files/original/00007334.pdf> (5 May 2024).

³⁷ Prime Minister of Australia (PMA), *Speech by The Hon Prime Minister, P J Keating MP: Australian*

Harbour Bridge walk where some 250,000 people walked to support reconciliation,³⁸ and the *Sea of Hands* of public solidarity with “Aboriginal and Torres Strait Islander peoples” (first established in 1997).³⁹ All of these were effective, albeit iterative, moments that in the end were unable to significantly alter the ideological position about indigeneity within Australian hegemony.

By asserting the practical mechanism of the Voice would bring the country together, the YES case smacked of what Gramsci might have described as “optimism of the will”, rather than one based in reality with the appropriate “pessimism of intellect.”⁴⁰ This practical emphasis on the Voice mechanism as a *solution* to past injustice (without an attempt to link to current social indicators) continued within the discourse with the YES campaign’s claims that the Voice would ultimately “make government work better”.⁴¹

There was nothing radical about the notion of listening to the people whom development would impact, as co-design in development practice is widely seen as the “gold standard”.⁴² The main failure of the YES case was to focus on a largely econometric argument when a social justice and rights-based argument would have been

Launch Of The International Year For The World's Indigenous People, Redfern, 10 December 1992, text available at the site: <https://pmtranscripts.pmc.gov.au/sites/default/files/original/00008765.pdf> (10 June 2024). Speaking in the Sydney suburb of Redfern (which had a high Aboriginal population) for the Australian launch of the *International Year For The World's Indigenous People* on 10 December 1992, among other points, Keating noted: «And, as I say, the starting point might be to recognise that the problem starts with us non-Aboriginal Australians. It begins, I think, with that act of recognition. Recognition that it was we who did the dispossessing. We took the traditional lands and smashed the traditional way of life. We brought the diseases. The alcohol. We committed the murders. We took the children from their mothers. We practised discrimination and exclusion. It was our ignorance and our prejudice. And our failure to imagine these things being done to us. With some noble exceptions, we failed to make the most basic human response and enter into their hearts and minds. We failed to ask how would I feel if this were done to me? As a consequence, we failed to see that what we were doing degraded all of us».

³⁸ National Museum Of Australia, *Walk for Reconciliation 2000*, text available at the site: <https://www.nma.gov.au/defining-moments/resources/walk-for-reconciliation/> (10 June 2024).

³⁹ Australians for Native Title and Reconciliation (ANTAR), *About Us*, text available at the site: <https://antar.org.au/our-work/about-us/> (10 June 2024).

⁴⁰ A. Gramsci, *Letters From Prison*, sel., transl. from the Italian and introd. by L. Lawner, London, Quartet Books, 1979, p. 159.

⁴¹ AG, *Case for Yes*, cit., p. 8.

⁴² N. Georgeou, C. Hawksley, *Enhancing Research Impact in International Development: A Practical Guide for Practitioners and Researchers*, Canberra, RDI Network/Australian Council for International Development (ACFID), 2020, text available at the site: https://rdinetwork.org.au/wp-content/uploads/2020/02/ERIID_V8_DIGITAL.pdf (10 June 2024).

more useful to motivate people to understand the historical injustices visited upon Indigenous peoples by the British colonies and the Australian state.

The NO case

The Opposition to the ALP, known as the Coalition, is comprised of two parties, the larger Liberal Party and the smaller Nationals. Liberal leader Peter Dutton and Nationals leader David Littleproud were backed by agribusiness interests and the natural resources sector.⁴³ While there were Liberal dissenters,⁴⁴ the Coalition sought to maximise any concerns, confusion, fear or division.⁴⁵ The NO case presented 10 arguments. In referring to the Voice process as a “Canberra” voice, the NO case emphasised some sort of “elite” Indigenous/governmental connection that would axiomatically somehow be unrepresentative of the concerns of *real* Indigenous people.⁴⁶

The NO campaign frequently used words such as “risky”, “unknown”, “divisive” and “permanent” to create the impression that a constitutional change would not be to the national benefit. NO campaigners actively peddled *disinformation*, including that the United Nations would take over Australia, and that if the Voice referendum passed Australians would lose their homes.⁴⁷ The NO case argued that enshrining the Voice within the Constitution was a leap into the

⁴³ M. Berry, *The Voice Referendum*, «Journal of Australian Political Economy», 2023, 92, pp. 240-48.

⁴⁴ The Liberal Party was partly split on the Voice, although the majority sided with Liberal leader Dutton in opposing the Voice. Notable Federal Liberals dissenters included Julian Lesser (Member for Berowra, NSW) who resigned as Opposition Shadow Minister for Indigenous Affairs to campaign for the Voice; Bridget Archer (Member for Bass, TAS); and Senator Andrew Bragg (NSW). See J. Butler, S. Collard, *Liberal colleagues praise Julian Leeser's Indigenous voice stance, claiming yes vote now more likely*, 11 April 2023, text available at the site: <https://www.theguardian.com/australia-news/2023/apr/11/liberal-colleagues-praise-julian-leeser-indigenous-voice-stance> (10 June 2024). Some state Liberal Leaders also supported the Voice – Jeremy Rockcliffe, (Premier of TAS) and Mark Speakman (NSW Opposition leader). See M. Ortolan, *Peter Dutton opposes the Voice to Parliament – but not all Liberal leaders agree*, 5 September 2023, text available at the site: <https://www.abc.net.au/news/2023-09-05/peter-dutton-voice-to-parliament-yes-no-vote-referendum/102797582> (10 August 2024).

⁴⁵ A. Remeikis, J. Butler, *Voice referendum: factchecking the seven biggest pieces of misinformation pushed by the no side*, 11 October 2023, text available at the site: <https://www.theguardian.com/australia-news/2023/oct/12/indigenous-voice-to-parliament-referendum-misinformation-fact-checked> (10 October 2024).

⁴⁶ AG, *Official referendum pamphlet*, cit.

⁴⁷ Remeikis, Butler, *Voice referendum: factchecking*, cit.; Berry, *The Voice Referendum*, cit., p. 242.

unknown as «There is no comparable constitutional body like this anywhere in the world». This was factually incorrect; many states have advisory mechanisms for seeking the inclusion of the views of Indigenous Peoples. Scandinavian states have a Saami parliament while New Zealand has dedicated parliamentary seats for Māori.⁴⁸ The French Pacific territory of New Caledonia has an Indigenous Senate (*Senat Coutumier*) which is able to advise the New Caledonian Congress on the effects of any proposed legislation on Indigenous Kanak people.⁴⁹

Despite the referendum question specifying that the Parliament of Australia would decide the «composition, functions, powers and procedures» of the Voice, the NO campaign highlighted the lack of detail provided on how the Voice would work. The NO campaign deliberately focussed on electoral minutiae around how Voice representation would be realised within Indigenous political society. Such an initiative would, it was claimed, ultimately ignore the needs of remote communities. This was another discursively mischievous argument, as it completely ignored the detailed work in Chapter 1 of the Calma/Langton *Final Report* on representation of local and regional voices which in great detail over 80 pages explains how the Voice to Parliament developed from numerous meetings among remote and regional Indigenous communities.⁵⁰

Where there is ineffective moral and intellectual leadership within the function of education, and *pace* Gramsci's discussion of «continuity and tradition»,⁵¹ the failure to assimilate civil society creates fear. The NO campaign capitalised on the absence of a clear rationale of social justice that would have educated the community on historical Indigenous disadvantage. NO was thus able to claim the referendum and constitutional change would not help Indigenous Peoples because the Voice would be costly, and it would produce new levels

⁴⁸ R. Paora *et al.*, *Tino Rangatiratanga and Mana Motuhake: Nation, state and self-determination in Aotearoa New Zealand*, «AlterNative», 7, 2011, 3, pp. 246-57, text available at the site: <https://journals.sagepub.com/doi/10.1177/117718011100700305> (10 May 2024).

⁴⁹ The New Caledonian Congress is not bound to take on the concerns of the *Senat Coutumier*, and in this way it would have been very similar to the Voice. See E. Wadrawane *et al.*, *New Caledonia has had an indigenous body advise government since 1999. What can Australia learn?*, «The Conversation», 19 May 2023, text available at the site: <https://theconversation.com/new-caledonia-has-had-an-indigenous-body-advise-government-since-1999-what-can-australia-learn-204906> (10 June 2024).

⁵⁰ NIAA, *Indigenous Voice Co-Design Process*, cit., ch. 1, pp. 21-103.

⁵¹ Gramsci, *Selections from the Prison Notebooks*, cit., p. 195.

of bureaucracy. According to the NO case, the Voice could effectively hijack government – NO claimed no issue would be beyond the scope of the Voice: interest rates, foreign policy, defence, and other areas not seen as particularly germane to Indigenous People, could all apparently be decided by the Voice. This was another lie. Legal advice provided by the Solicitor General, Stephen Donohue, to the Prime Minister, the Attorney General and the parliament made it very clear that there was no legal obligation for the government to accept any advice offered by the Voice.⁵²

While a few progressive liberals campaigned for YES, the NO campaign was generally characterised by its commitment to scare-mongering around issues of race, and to opposition toward some sort of special place, privilege or representation for Indigenous peoples that would be unavailable to other groups.⁵³ Prominent NO campaigner Jacinta Nampijinpa Price (Liberal Senator from NT and herself an Indigenous woman), went so far as to argue at the National Press Club that «No, there is no ongoing negative impacts of colonisation» on Indigenous Peoples, and that among other benefits, «now we have running water, readily available food».⁵⁴ This claim drew responses from a range of commentators – mostly of condemnation and astonishment from Indigenous leaders, including some in the NO campaign.⁵⁵

⁵² H. Hobbes, *Solicitor-general confirms Voice model is legally sound, will not “fetter or impede” parliament*, «The Conversation», 21 April 2023, text available at the site: <https://theconversation.com/solicitor-general-confirms-voice-model-is-legally-sound-will-not-fetter-or-impede-parliament-204266> (10 November 2024).

⁵³ The claim of “special rights” for Indigenous Peoples was linked with even more spurious claims that the Voice would lead to land “confiscation” from farmers with pastoral leases. Speaking in the Senate on 19 June 2023, Queensland One Nation Senator Pauline Hanson noted: «Just because you’ve got your cave paintings and your Dreamtime and you have this connection with the land. What about the farmers? What about the people working the land and the people who have died for this country? They have every right to this land». See R. Sullivan, *PM calls for “respectful debate” after Pauline Hanson slams Voice to Parliament and defends stolen generation policies in Senate*, 19 June 2023, text available at the site: <https://www.skynews.com.au/australia-news/pm-calls-for-respectful-debate-after-pauline-hanson-slams-voice-to-parliament-and-defends-stolen-generation-policies-in-senate/news-story/da132702b8f13948886f4f7af576dcd4> (10 November 2024).

⁵⁴ J. Butler, L. Allam, *“A betrayal”: Burney condemns Price claim colonisation had no ongoing negative impacts*, 14 September 2023, text available at the site: <https://www.theguardian.com/australia-news/2023/sep/14/jacinta-nampijinpa-price-says-colonisation-had-no-negative-impacts-on-indigenous-australians> (10 November 2024).

⁵⁵ T. Rose, S. B. Canales, *Indigenous people “disgusted” by Jacinta Nampijinpa Price’s “simply wrong” comments on colonisation, Burney says*, 14 September 2023, text available at the site: <https://www.>

The NO campaign also argued the Voice would “open the door” for an expansion of Indigenous activism to include: a treaty (appeals for which have been ongoing since the 1970s); a *Makarrata* (agreement and truth-telling) commission (an idea that dated back to Hawke’s 1988 Balanga speech); changing the date of the Australia Day public holiday from 26 January (discussion on which has been ongoing since the 1970s, and advocated by prominent NO campaigner Warren Mundine);⁵⁶ and monetary compensation for Indigenous Peoples. Some who objected to the Voice had always favoured a ‘Treaty’,⁵⁷ but there was in fact no contradiction between Treaty, truth-telling and the Voice, all of which had been called for in the *Uluru Statement from the Heart*.

The hyperbole around increased Indigenous activism flourished in the NO campaign’s social media presence, where NO campaigners focussed their efforts.⁵⁸ This alarmism continued until the day of the vote, despite the existence and operation of state-based bodies that already provided advice to state governments; for example, the First People’s Assembly of Victoria has been active from 2019.⁵⁹ Suffice to say, Indigenous activism existed before the Voice referendum, and

theguardian.com/australia-news/2023/sep/15/jacinta-nampijinpa-price-comments-colonisation-voice-referendum-linda-burney (10 November 2024). As successive *Closing the Gap* Reports from 2009 make clear, there has been a consistent failure of centralised government programs to meet any of the targets set for Indigenous Peoples. After Julian Leeser resigned as Shadow Minister for Indigenous Affairs due to Liberal leader Dutton’s official opposition to the Voice, Price was rewarded with that portfolio in the Shadow Cabinet.

⁵⁶ Indigenous leader Warren Mundine co-led the Indigenous NO campaign with Price. See D. Hurst, *Mundine calls for Australia Day date change and backs treaties despite opposing voice*, 16 September 2023, text available at the site: <https://www.theguardian.com/australia-news/2023/sep/17/mundine-calls-for-australia-day-date-change-and-backs-treaties-despite-opposing-voice> (10 November 2024).

⁵⁷ Indigenous Senator Lidia Thorpe (Greens, VIC) was the main advocate of the “Treaty first” position, but unlike Mundine or Price she did not campaign against the Voice. See J. Butler, *Lidia Thorpe wants action on treaty and truth before campaigning for Indigenous voice*, 13 October 2022, text available at the site: <https://www.theguardian.com/australia-news/2022/oct/14/lidia-thorpe-wants-action-on-treaty-and-truth-before-campaigning-for-indigenous-voice> (10 November 2024).

⁵⁸ The YES campaign ran an old-fashioned “boots on the ground” campaign with door-knocking and placing supporters at polling stations and rallies. The NO campaign instead spent its money on social media advertising. A media analysis is outside the scope of the paper, but the final result shows the limitations of fighting an “old-fashioned” political campaign based on ideas of social justice in a “post-truth” world of “alternative facts”, deliberate disinformation and wilful misrepresentation of positions.

⁵⁹ First People’s Assembly of Victoria (2024), *We are the First People’s Assembly*, text available at the site: <https://www.firstpeoplesvic.org/the-assembly/> (15 November 2024).

it will continue to exist as hegemony is constantly reformulated to achieve balance and consensus.

Within the Voice discourse, the NO campaign constructed mendacious fears and concern, even though all the referendum question was essentially asking was for the Australian government to listen to a representative body of Indigenous people on which government policies work well for them and which do not assist them in their lives, experiences and communities.

Finally, within the discourse of the NO campaign, there was a push to delink constitutional recognition of Indigenous peoples from any official body like the Voice to represent them.⁶⁰ NO then advanced a vague promise to hold a separate referendum on recognition of Indigenous people *and migrants* should the Voice vote be defeated, as this would somehow be more inclusive. This effect of this NO strategy was to further muddy the original intent of the referendum question: to acknowledge and honour the special place of Indigenous peoples in Australia. As the ALP did not provide education around the colonial history and modern treatment of Indigenous people, this misinformation and disinformation went unchecked.

In the final section we examine where the YES vote was successful in the Voice referendum and then return to a Gramscian theoretical perspective to position these results within a changing Australian hegemony.

Part IV: The Vote on the Voice

Voting is compulsory in Australia. The Voice referendum did not pass in any Australian state and YES votes achieved just under 40% of the national votes. The highest YES vote was in Victoria (45.27%), and the lowest was in Queensland (31.23%). Percentages of YES votes in other states were: NSW (41.04%), South Australia (35.83%), Western Australia (36.73%), Tasmania (41.06%). The Northern Territory, which has the highest percentage of resident Indigenous People of any state and territory (30.8%) voted 39% YES. In contrast, the Australian Capital Territory – centred around the seat of national government in Canberra and with the smallest percentage of resi-

⁶⁰ P. Karp, *Voice to parliament no campaign to push for recognition of migrants as well as Indigenous people*, 29 January 2023, text available at the site: <https://www.theguardian.com/australia-news/2023/jan/29/voice-to-parliament-no-campaign-to-push-for-recognition-of-migrants-as-well-as-indigenous-people> (10 November 2024).

dent Indigenous People – voted 65% YES. The ACT was the only recorded YES vote nationally in any state or territory (61.29%).⁶¹

Referenda are counted by federal parliamentary seats, all of which fall within states or territories, so each seat represents a snapshot of *the social* for a specific area.⁶² Of the 151 Federal seats in the Australian House of Representatives, only 31 of 151 seats voted majority YES: NSW (11/47), Victoria (13/39) QLD (3/30) WA (2/15), SA (0/10), TAS (2/5), ACT (3/3) NT (0/2). The four highest YES voting electorates attained over 70%: the seat of Melbourne (77.21%) in VIC held by the Greens; ALP Prime Minister Albanese's inner city Sydney seat of Grayndler (74.64%); ALP-held Sydney (70.9%), and ALP-held Canberra (ACT) (70.59%). In NSW, Coalition opposition to the Voice did not prevent the wealthy suburban blue-ribbon Liberal electorate of Bradfield and its 45% overseas-born population voting YES (52.11%), while voters in four former NSW Liberal heartland Sydney suburban seats who in the 2022 election had opted for more progressive "Teal"⁶³ independents also voted YES: Wentworth (62.55%); North Sydney (59.93%), Warringah (59.54%) and Mackellar (50.84%).

Analysis of exactly where the strongest YES votes fell problematizes the "Australia is racist" explanation. There is a strong correlation between education, wealth and electorates that voted majority YES, or over 40% YES. They are firstly urban – from Sydney, Newcastle and Wollongong (NSW), Melbourne (Victoria), Brisbane (Qld), Perth (WA) and Hobart (Tasmania) and Canberra (ACT). Secondly they have above average levels of higher education, higher incomes and are more progressive or socially liberal.⁶⁴ So in 20% of the seats (31/151) there were YES victories coming from well-educated high-income electors who supported constitutional recognition of Indigenous peoples and

⁶¹ AEC, *National Results*, cit.

⁶² All data in this section are drawn by AEC, "Results by Division", text available at the site: <https://results.aec.gov.au/29581/Website/ReferendumMenu-29581.htm> (10 November 2024).

⁶³ The Teal candidates ran in blue-ribbon Liberal seats. They were essentially progressive professional women disgusted with the Liberal government's record on gender and climate change. They ran against sitting Liberal Party members in May 2022; ten Teal candidates won seats. Under progressive Liberal leadership they might well have been Liberal candidates.

⁶⁴ S. Wright, *The demographics that felled the Yes campaign*, «Sydney Morning Herald», 15 October 2023, text available at the site: <https://www.smh.com.au/politics/federal/the-demographics-that-felled-the-yes-campaign-20231015-p5ecc5.html?js-chunk-not-found-refresh=true> (15 November 2024).

an Indigenous Voice to Parliament. These were also historically Anglo electorates, although this is also changing as Australia diversifies. In a further 23.8% of seats (36/151) – (NSW (10), VIC (15), QLD (3); WA (3), SA (4), NT (1) – there was a strong, but not quite strong enough, YES vote of between 40-50%. Again, these were urban voters with above average educations and higher incomes.

Nationally, the NO vote was just over 60% and the YES vote just under 40%. Many of the strongest NO votes were in rural and majority Australian-born electorates with economies based on mining and pastoral activity.⁶⁵ Despite its international image of sprawling deserts and beaches, Australia is overwhelmingly urban, and most of its federal electorates are in cities. What really sunk the Voice referendum was the high NO vote in metropolitan electorates (POA 2023b; Berry 2023). For example, the Western Sydney region is culturally and linguistically diverse with some local government areas recording up to 75% of households speaking a language other than English.⁶⁶ Despite the ALP holding most of Western Sydney's 15 seats (ALP 10, Lib 4, Independent 1) NO votes ranged between 51-65%. Analysis by Ben Raue shows there was no particular consistency in attitude to the Voice across migrant groups in Western Sydney seats, however some areas with high concentrations of voters of a specific ethnicity (e.g. ethnic Indians) had higher than national average support for YES; ethnic Chinese communities also voted YES, just above the national average.⁶⁷ This is notable as India and China are, according to the Department of Home Affairs, ranked first and second of the top ten states from

⁶⁵ Only one electorate where the population was over 80% Australian born voted YES: the historically Labor city of Newcastle (53.53%) in NSW (see Wright, *The demographics that felled the Yes campaign*, cit.). Some electorates are larger than most European countries, but they have far lower levels of education than electorates in Australian cities: Maranoa (QLD) (held by Nationals leader David Littleproud) is 729,897 km² (twice the area of Italy) and voted 84.62% NO; Flynn (QLD) is 132,824 km² (National Party), is larger than Portugal and voted 83.72% NO. The two largest seats in Australia are both in WA: O'Conner (1,126,937 km²) (75.52% NO) and Durrack (1,383,954 km²) (72.11% NO). Both these National party seats are larger than France and Spain combined.

⁶⁶ Western Sydney has a population of over 2 million people. In the Fairfield Local Government Areas the percentage of households using a language other than English at home is as high as 75%. See N. Georgeou *et al.*, *Better Elder Care: Towards culturally appropriate aged care service provision for Culturally and Linguistically Diverse older (65+) adults in Greater Western Sydney*, Western Sydney University, HADRI, 2021, p. 1.

⁶⁷ See B. Raue, *The Indian-Australian vote for Yes*, «The Tally Room», 18 October 2023, text available at the site: <https://www.tallyroom.com.au/53530> (18 November 2024).

which people migrated to Australia as permanent residents,⁶⁸ and both communities emphasise education. Similar trends are observed in urban areas of Melbourne and Brisbane, where many of the outer suburban electorates that voted NO have lower levels of education. Clearly language, identity and culture appear as possible factors for future examination as they produce meaning that has direct political effect. These areas voted NO, but they likely did so because they were not given sufficient education as to why they should vote YES.

Analysis: Gramsci and the Voice vote

To argue that “Australians are racist” overlooks the failure of forceful political leadership by the ALP in government; a missed opportunity to aim to expand hegemony and to provide the moral and intellectual leadership of the state as educator. The only major party committed to YES failed to provide sufficient rationale as to why voting YES would produce beneficial outcomes for Indigenous Australians, or for all Australians. In this context, difficulties emerged in selling the message of *closing the gap* ideologically and practically, not to the parts of Australian society that already enjoy higher levels of education, power and socio-economic status, but to the those with entrenched attitudes (in rural areas), or those with limited knowledge (in urban areas), or with pressing economic concerns (everywhere).

The ALP government missed its opportunity to be the “educator state”, a notion foundationally based in the importance of an articulation of the “ethico-political” as history.⁶⁹ As Gramsci argues:

... not only does the philosophy of praxis not exclude ethico-political history but that, indeed, in its most recent stage of development, it consists precisely in asserting the moment of hegemony as essential to its conception of the state and to ‘accrediting’ of the cultural fact, of cultural activity, of a cultural front as necessary alongside the merely economic and political ones.⁷⁰

⁶⁸ The top ten source migration countries to Australia are in order: India, China, United Kingdom, Philippines, Nepal, Vietnam, New Zealand, Hong Kong SAR, Pakistan, South Africa. Seven of these mostly speak languages other than English. See text available at the site: Department of Home Affairs (DOHA), *Country profiles list*, 2022, text available at the site: <https://www.homeaffairs.gov.au/research-and-statistics/statistics/country-profiles/profiles> (18 November 2024).

⁶⁹ For a full discussion of the development of ethico-political in Gramsci’s work, see Howson, Smith, *Hegemony and the Operation of Consensus and Coercion*, cit., pp. 7-9.

⁷⁰ A. Gramsci, *Selections from Cultural Writings*, Cambridge (Mass.), Harvard University Press, 1985, p. 106.

The ALP ignoring this ethico-political dimension led to a gap in knowledge about why the Voice was required culturally, socially, economically and politically. There was much that needed to be said about colonial history, race relations and Indigenous policy failure in Australia. Education could have helped promote the YES case. Arguably, it is possible to consciously fashion hegemony and expand inclusion of the subaltern through education.⁷¹ In particular, operating as an educator state could have provided a rationale for voting YES: acknowledgement of past policy failures might have been “politically courageous”, but it could have made it clear that a new approach was required, one designed and informed by Indigenous Peoples.

Eventually what passed for a case for voting YES was, for the most voters, insufficient justification for enacting constitutional change. We argue this was because the changes proposed were not placed within an ethico-political historical context – there was no explanation of how or why Indigenous People should have a unique place in the Australian polity, or how and why this could or must be differentiated from other subaltern identities and realities. In Gramscian terms, the reasons to vote YES were ineffective as organic intellectual educational work. Even though the Voice had the backing of the government, along with much of the business community, the lack of moral and intellectual leadership underpinned by an ethico-political history, and the levels of mendacity of the NO case, proved decisive.

The Voice debate was peculiarly Australian, and located within a national state, but as Gramsci has observed, national hegemony is the result of an original and unique dialectic combination between the national and international levels of analysis of power.⁷² As such, the NO campaign’s reliance on *misinformation* to deny a claim for greater social justice reflects the recent rise of popular authoritarianism. As Mike Berry noted: «Trump, Brexit, Orban, Duda and the whole grisly lot should have forearmed us against the volley of misinformation, disinformation and vitriol that poisoned the campaign from the beginning».⁷³

⁷¹ C. Hawksley, *Hegemony, Education, and Subalternity in Colonial Papua New Guinea*, in *Hegemony*, cit., pp. 142-58.

⁷² A. Gramsci, *The Gramsci Reader: Selected Writings 1916-1935*, ed. by D. Forgacs, New York, New York University Press, 2000, p. 230 (Q 14, § 68).

⁷³ Berry, *The Voice Referendum*, cit., pp. 243-44.

Discursively, the YES case rested on Indigenous prior occupation of Australia as providing sufficient rationale for change. This however omitted the real *raison d'être* for a Voice – that a history of European colonisation of the Australian continent, the dispossession of land, removal from country, loss of language, acts of genocide perpetrated by settlers and colonial governments, religious organisations and individuals, have resulted in «third world hubs in a first world country»,⁷⁴ with sub-optimal standards of living, lower life expectancy, educational achievement and disproportionately high incarceration rates for Indigenous peoples.

For YES advocates there was unfortunately no argument made that sought to educate the public to inform an increasingly ethnically diverse society of the reality of Australia's colonial history, the development of its institutions, and the manner in which the settler colonial state's imposition of capitalist property relations and profit motives completely upended indigenous cosmology, politics and cultures, with deleterious effects felt to this day. Nor was there any admission that having the state tell Indigenous Peoples which policy is best for them has not worked.

By focussing on the perceived “risk” of the Voice and highlighting the (quite deliberate) lack of specific operational information provided, the NO campaign created a sense of fear. It framed the referendum, and the changes sought, as a mechanism that would ultimately divide the nation because, it claimed, Australians would no longer be “equal before the law” if the Voice were accepted. This tactic was particularly specious as it appeared to assert, against all social indicators, that Australia is already an equal, united or racially tolerant polity.⁷⁵ This duplicitous argument also played on historical unease around race relations and property rights in the Australian state, built as it was on confiscation of Indigenous land through the doctrine of *terra nullius*.⁷⁶

⁷⁴ *Ibidem*, p. 241.

⁷⁵ *Ibidem*.

⁷⁶ As Paora *et al.*, *Tino Rangatiratanga and Mana Motuhake*, cit., p. 251 observed when considering Māori sovereignty claims in New Zealand in the context of the 1840 Treaty of Waitangi, the flying of the Aboriginal and Torres Strait Islander flag from public buildings in Australia is commonplace and unthreatening *precisely because* these flags are symbolic and represent no actual challenge to state power; flying them does not undermine the legitimacy of the Australian hegemonic project.

In the absence of a concerted attempt to educate the public, NO campaigners were able to position the Voice as a “special right” for Indigenous peoples, but a right that was being potentially advanced *only* to one group at a time of high costs of living, housing prices, and interest rates. In this context, as Mike Berry has observed «the plight of others less fortunate than themselves receded in significance. The question *why should we vote yes* morphed into *why should “they” get something (anything) when we get nothing?*»⁷⁷

Conclusion

The ALP government’s unwillingness to play the role of the educator state and to explain why the Voice was justified, necessary and overdue allowed the NO campaign to focus of fear and disinformation. The NO vote is not however proof of Australia’s inherent racism; on the contrary, many well-educated urban wealthy Australians from a mix of backgrounds, including historical Anglo holders of hegemony, were the biggest supporters of the Voice. We have shown in this article that the reality is more complex: a lack of a public education campaign might have helped secure more YES votes, but it may not have been enough to overcome economic insecurity. The Voice result appears to reinforce Forrest and Dunn’s⁷⁸ claim that there remains a struggle to give up the legacy of Anglo privilege and cultural dominance that marks the existing Australian hegemony, especially in rural and regional Australia.

The failure to address the NO campaign’s mendacious argument during the Voice debate shows the ALP government missed a historic opportunity to play the role of the educator state, to show a different path toward continuity and to create a new tradition. While the NO campaign sowed confusion and misrepresented facts, the ALP government failed to broaden the discussion or provide sufficient rationale for constitutional change. An integral state would have aimed to expand Australian hegemony by including as full citizens a historically marginalised subaltern group of people. This would have required strong political leadership focussed on human rights and social justice. By advancing the place of Indigenous People through

⁷⁷ Berry, *Voice Referendum*, cit., p. 243 (italics in original).

⁷⁸ Forrest, Dunn, *Core culture, hegemony and multiculturalism*, cit.

the Voice, the nature of hegemony would have been expanded by including the subaltern in both *the social* and *the political*. Had this occurred, the moral right of the integral state to speak for all its people would have been affirmed, cementing the legitimacy of the state even amongst those who had considered it most illegitimate.

Table 1: Enrolled electors by Australian state or territory

Updated: 21 September 2023

Size of the electoral roll and [enrolment rate](#) for the 2023 referendum

State/ Territory	Electors on Certified List	Estimated Eligible Population (a)	Enrolment rate (b)	Estimated not enrolled
NSW	5,588,248	5,638,345	99.0%	50,097
VIC	4,468,879	4,548,161	98.3%	79,282
QLD	3,632,451	3,759,574	96.6%	127,123
WA	1,826,521	1,914,422	95.4%	87,901
SA	1,283,394	1,321,208	97.1%	37,814
TAS	407,018	418,117	97.3%	11,099
ACT	316,837	323,319	98.0%	6,482
NT	152,999	166,795	91.7%	13,796
National	17,676,347	18,089,941	97.7%	413,594