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## EDITORIAL

### From *vox nullius* to the vote for a voice

‘Our voice is not dead ... our voice lingers in the air’. (Geia, 2021, p. 38)

What does the referendum on the Indigenous Voice to Parliament mean for the Australian nursing and midwifery professions? This editorial is intended to inform Australian nurses, midwives, educators and students about the Voice referendum and invite them to join Aboriginal and Torres Strait Islander Peoples on our shared journey to healing as a nation. This editorial was prompted by the inclusion of an example of a nursing student assessment item in this edition of Contemporary Nurse. Students were required to create an informative flyer for health professionals, aimed at dispelling the plethora of misinformation regarding the referendum’s purpose and discussing the historical injustices that have led to this crucial event. Students were also encouraged to reflect upon the profound impact of the referendum on the health and well-being of Aboriginal and Torres Strait Islander Peoples.

As nurses, midwives, and educators, we have a deep responsibility to cultivate critical thinking in the nursing profession, especially in the face of the current political and media landscape, which is fraught with misinformation and racial biases. Critical thinking is widely recognised as an essential process for the safe, efficient and skilful nursing practice (Papathanasiou et al., 2014), however, its benefits extend far beyond the bedside. With over 54% of all registered health professionals in Australia being nurses or midwives (Australian Institute of Health and Welfare, 2022), the impact that nurses have on the healthcare system, and by extension, the broader community cannot be underestimated. Nurses are uniquely placed to play a transformative role during times of political and media uncertainty, to challenge the status quo and help dismantle systemic racism. When nurses engage in critical thinking during times such as this, we pledge our dedication to scrutinising the pervasive misinformation and prejudice that consistently undermine the health and well-being of individuals and communities. Therefore, in this editorial, we aim to shed light on the significance of the Indigenous Voice to Parliament referendum and empower our fellow health professionals with the knowledge and critical thinking skills necessary to engage effectively in this vital national discourse.

Aboriginal and Torres Strait Islander Peoples are known to have occupied mainland Australia for at least 65,000 years. However, on the 22<sup>nd</sup> of August 1770, the sovereign lands of Aboriginal and Torres Strait Islander Peoples were declared *terra nullius* (land belonging to no one) paving the way for colonial settlement. Consequently, Aboriginal and Torres Strait Islander people were exposed to infectious diseases that were foreign to their immune systems; disease and death ensued in overwhelming numbers. Colonial settlement of the land resulted in ‘human land clearing’ processes through a combination of massacres of Aboriginal people, and forcible removal of people driven from their lands and being confined to reserves and missions. Families had their children stolen, and were forbidden to practice their cultures or speak traditional languages (Sherwood, 2013). Geia (2017) referred to this as being ‘bound in a place of *vox nullius*’ (no voice). Aboriginal and Torres Strait Islander Peoples’ voices were not included in the political and social development of Australia as a nation. Colonial settlement expanded under the implied belief that Aboriginal and Torres Strait Islander people lacked agency however, this

was not so, *vox nullius*, like *terra nullius*, was an imposed state. Like sovereignty, Aboriginal and Torres Strait Islander People's voices were never ceded, it is just that mainstream Australia, is largely deaf to them (Geia, 2017; Phillips, 2022).

When the Declaration on the Rights of Indigenous Peoples (UNDRIP) was agreed upon by the United Nations General Assembly in 2007, Australia was one of only four countries who voted against adopting it (Hobbs, 2019). The other three countries were Canada, New Zealand, and the United States, who notably share a parallel colonial history. However, Australia is the only Commonwealth country without a treaty with its First People (Hobbs, 2019). This is despite Aboriginal and Torres Strait Islander Peoples having sovereign rights as the Traditional Owners and Custodians of the continent and islands now known as Australia. The Australian Government relented and signed the UNDRIP in 2009. Although the Government acknowledges the importance of Indigenous rights, the current lack of treaty, or formal recognition of Aboriginal and Torres Strait Islander Peoples as Australia's First Peoples contradicts articles of the UNDRIP that state, Indigenous Peoples have the right to:

- Self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development (Article 3)
- Autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions (Article 4)
- Maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights to participate fully, if they so choose, in the political, economic, social and cultural life of the State (Article 5)
- Participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions (Article 18)

Since invasion, Aboriginal and Torres Strait Islander Peoples have resisted and ceaselessly fought for recognition, restoration of traditional lands, and self-determination. It is important to note that the concept of the 'Voice' has been the culmination of voices across generations of Aboriginal and Torres Strait Islander leaders who have gone before us and paved a way. Our 'Old People' have always talked about being at the political table and having a voice and say about their lives. The demand for constitutional recognition began in 1846, when Tasmanian Aboriginal people exiled to die on Flinders Island, petitioned Queen Victoria (First Nations Convention, 2017). In 1881, men from the Maloga Mission petitioned the Governor to have their traditional lands returned (First Nations Convention, 2017) and then in 1933, Yorta Yorta Elder William Cooper gathered nearly 2000 signatures to petition King George VI, asking for Aboriginal representation in Federal Parliament (National Museum Australia, 2022). It needs to be noted that William Cooper also fought for justice beyond his own Aboriginal community. In 1938, William Cooper at the age of 77 led another contingent of Aboriginal people who walked from Footscray to the German Consulate in Melbourne CBD to present a letter to the Consular General protesting the persecution of Jewish people (FUSE, n.d.).

Previous governments attempts at reconciling Australia's punitive history involved the creation of multiple Aboriginal and Torres Strait Islander Government representative and advisory bodies, 'doing things for us without us'. The first of these, the Council for Aboriginal Affairs had no Aboriginal or Torres Strait Islander membership (Parliament of Australia, 2023). Subsequent bodies were set up by one Government only to be abolished or defunded by the next including the National Aboriginal Consultative Committee, National Aboriginal Conference, National Indigenous Council, National Congress of Australia's First Peoples, and the Prime

Minister's Indigenous Advisory Council (Parliament of Australia, 2023). These advisory bodies were seemingly political footballs for successive governments, kicking the First Nations issues across the political high ground. No matter how hard Aboriginal and Torres Strait Islander people and communities engaged in government game plans, a goal was unreachable because the goal posts were moved with each successive government's Aboriginal affairs programs. Until in 2015, Prime Minister Malcolm Turnbull and the Leader of the Opposition appointed a Referendum Council to travel across Australia, speaking with Aboriginal and Torres Strait Islander communities in a series of meetings, called *The Dialogues*. This process concluded in 2017, with over 250 Aboriginal and Torres Strait Islander delegates meeting at Yulara in the Northern Territory for the First Nations National Constitutional Convention, where they reflected on the outcomes of *The Dialogues* and wrote and signed the *Uluru Statement from the Heart* (First Nations Convention, 2017). Arising from the largest ever, Aboriginal and Torres Strait Islander consensus building process, the *Uluru Statement from the Heart* invites Australians to join them in three key reforms *Voice, Treaty and Truth* (First Nations Convention, 2017), this time there was a renewed focus and the goal post was firmly in sight. The first step, the *Aboriginal and Torres Strait Islander Voice*, is asking for a First Nations Voice to be enshrined in the Constitution. For an independent, community appointed and led, group of Aboriginal and Torres Strait Islander people from every state and territory to advise the Government on matters pertaining to Aboriginal and Torres Strait Islander Peoples (First Nations Convention, 2017). Having the Voice enshrined in the Constitution, means it could not just be abolished at the whim of whichever party was in power.

Nursing and midwifery are professions built on the foundations of caring, equity and justice in health care. Nursing and midwifery peak bodies in Australia, are allied with Aboriginal and Torres Strait Islander Peoples in their ongoing fight for recognition and self-determination. Recognising that many well-intentioned attempts to 'Close the Gap' (health gap between Aboriginal and Torres Strait Islander Peoples and non-Indigenous Australians) have not succeeded because Aboriginal and Torres Strait Islander Peoples have not been centrally involved in decisions about their own physical, social and emotional wellbeing', the Nursing Peaks Coalition have unreservedly declared their support for the Voice (Australian Nursing and Midwifery Federation, 2023, p. 3). The Board of the Australian College of Mental Health Nurses (Blair, 2023), the Council of Deans of Nursing and Midwifery (CDNM), Australia and New Zealand (2023) and the Australian Nursing and Midwifery Accreditation Council (ANMAC, 2023) have additionally released separate online statements validating the Voice. These messages of support from mainstream nursing and midwifery leadership build on statements released from Aboriginal and Torres Strait Islander peak health organisations the Congress of Aboriginal and Torres Strait Islander Nurses and Midwives (CATSINaM) and the Lowitja Institute (CATSINaM, 2023; Lowitja Institute, 2023).

In terms of concrete actions in the spirit of reconciliation, in 2022 the CDNM offered a formal apology to Aboriginal and Torres Strait Islander nurses, midwives, and communities, for the role that the nursing and midwifery professions have played in enacting colonial practices in the service of government agendas (Strickland et al., 2023). This acknowledges that Aboriginal and Torres Strait Islander people were not included in the formation of the social contract for nursing in the 1860's nor midwifery (West, 2022). This action by the CDNM goes beyond supporting the Voice and enters the arena of Truth Telling.

The CDNM apology was in response to the seminal call to action paper published by Geia et al. (2020) during the 2020 global, Black Lives Matter protests. In the call to action, Geia et al. (2020) drew attention to the unconscious bias in health care that positions Aboriginal and Torres Strait Islander Peoples as deficit, resulting in the perpetuation of interpersonal and systemic racism. Rather than recognising the long history of political

warfare, marginalisation, systems designed to exclude and the colonial underpinnings of the Western health care system, Aboriginal and Torres Strait Islander Peoples are continually vilified by the continuing health gap that is not of their making (Sherwood, 2013). The CDNM apology was the first step in reconciling the often-contested spaces that is Indigenous social and emotional wellbeing that both Indigenous and non-Indigenous nurses and midwives work within. We are now seeking the support of our peers to embed a Voice to Parliament to help dismantle the generations of piece meal decision-making for and about Aboriginal and Torres Strait Islander Peoples to one of supportive self-determination with Indigenous people making decisions for our communities.

Aboriginal and Torres Strait Islander Peoples make up just over 3% of the total Australian population. We are a minority in number, but we are not marginal in our worth as a people, one that has a rich and valued history still here and belonging in Australia. Therefore, the responsibility of paving the way for recognising and reconciling Australia's history lays squarely upon the shoulders of the other 97% of Australians to vote for the affirmative on October 14, 2023. A Yes vote would ensure that Aboriginal and Torres Strait Islander Peoples, are at last formally accepted and can take their rightful place and be recognised as the First Peoples of this continent and Islands that we all call home.

Nursing and midwifery espouse values of compassion and caring. 'The integrity of our professions is premised on a deep commitment to social justice and health equity' (Geia et al., 2020, p. 303). It is therefore incumbent on Australian nurses and midwives to be leading the way. As the national referendum approaches, we First Nations nurses and midwives invite non-Indigenous Australian nurses and midwives to stand shoulder to shoulder with Aboriginal and Torres Strait Islander people to amplify our voices and join yours to those of our past Elders that still linger in the air today calling us on.

With the Voice Flyer included in this issue as an example, we also urge other educators to ensure that nursing and midwifery students study the impact of the referendum on both the current health implications of having our worth and sovereignty debated and the health implications if the referendum succeeds ... or does not. The Voice is more than a political manoeuvre. The outcome of either vote will have ongoing health implications for Aboriginal and Torres Strait Islander people. It is a once in a lifetime opportunity for Australia, and Australian nursing and midwifery to unbar and throw wide the door for the beginning for deep healing of the nation, to build a legacy in partnership and the obligation of humanity caring for humanity, which is the right thing to do to honour the thousands of Aboriginal and Torres Strait Islander people who were silenced. Just as the concept of *terra nullius* was debunked in 1992, so should *vox nullius* be annulled in 2023. We need the legislative freedom to speak on those things important to Aboriginal and Torres Strait Islander people to build processes for meaningful change and better workforce and health outcomes. Closing the gap between us will benefit all of Australia.

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