Section 51.

It’s part of the Constitution that lists things the Australian Parliament can make laws and policies about, like tax, foreign affairs and welfare. And also to make special laws ‘for the people of any race’. This is known as the ‘race power’.

The race power was changed in 1967 to allow Parliament to make special laws for Aboriginal and Torres Strait Islander peoples.

The change has allowed Parliament to protect Aboriginal heritage and land rights. But also potentially allows Parliament to make laws that could discriminate against First Peoples.

Today, many Australians think the word ‘race’ doesn’t belong in the Constitution.

So, we could delete the race power, but this could undo Parliament’s ability to make important laws for the First Australians.

Or we could change it so it doesn’t refer to ‘race’, but refers to ‘Aboriginal and Torres Strait Islander peoples’ – or so that it can only be used to benefit, not discriminate against them.

Get the full picture and join the conversation.