



Unit 4: Representative Democracy. The story of voting rights in Australia including for Aboriginal and Torres Strait Islander people and women – Year 5 - C & C Strand: Government & Democracy

Topic 5.2: The Constitution and the right to vote in Australia

## Right to vote - women

The first elections were held in Australia in the 1840s. Only men could vote. This was not surprising, because only men had the right to vote in the United Kingdom, of which Australia was a colony. But the Australian colonies did not keep the franchise (i.e. the right to vote) as set out in British laws. In the 1850s most of the colonies expanded the right to vote to all men aged 21 years or over, regardless of whether they owned property. This expansion of voting rights for men began to encourage women to believe that they should have voting rights too (see the story of Fanny Finch).

## The female franchise and local government

Local government is the level of government directed most closely at property. Property owners pay rates (i.e. a kind of tax) to local government bodies to be provided with services, such as garbage collection, the provision of local roads and footpaths, guttering, parks and playgrounds and other local facilities. If women owned properties, they paid these rates, but had no say in how local councils spent the money or what services they delivered. This was seen as unfair. So in 1861 women who owned property were given the right in South Australia to vote in local government elections.

In 1863 in Victoria, the *Electoral Act* was changed so that all ratepayers were listed on local government electoral rolls. These were then used as the basis for elections for the colonial Parliament. As some women were ratepayers, they were able to vote in the 1864 colonial elections. The Parliament of Victoria, however, decided that this was a mistake and changed the law so that women could not vote in the next Victorian election.

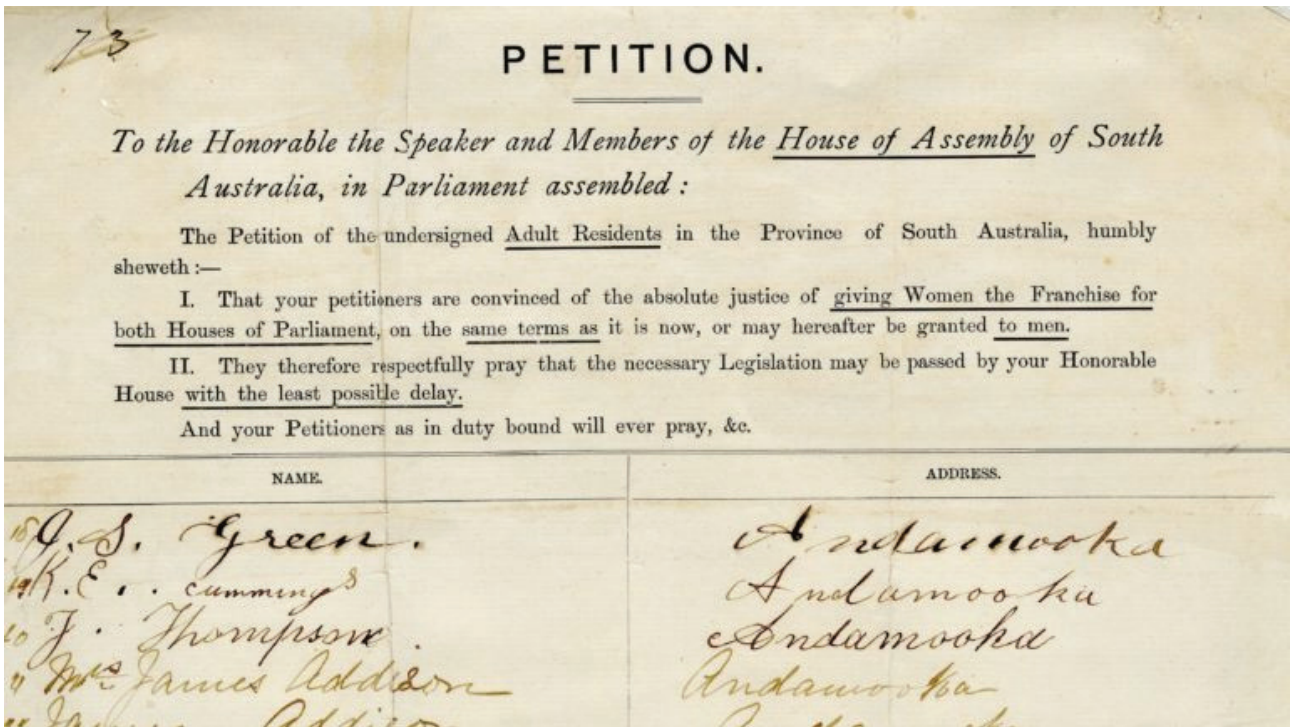
## Getting the colonial Parliaments to approve votes for women

The women's suffrage movement really took off in the 1880s and 1890s. There was significant support in the lower Houses of the colonial Parliaments, where bills to give women the vote were passed, but they were blocked in the more conservative upper Houses. For example, Sir Henry Parkes tried in both 1890 and 1891 to get the law changed to allow women to vote in New South Wales, but on both occasions he failed.



WHAT WE WANT.

What We Want : [suffragette movement in Queensland] | 1893  
| The Worker  
Source: State Library of Queensland



South Australia looked like the best prospect. It had been settled under the Wakefield scheme as an ideal colony with progressive ideas based on fairness. Its upper House was not under the control of squatters and great land owners. South Australia already had experience of women voting for local government, so it was not such an alien prospect.

Petition with 11,600 signatures presented to the SA Parliament in 1894 requesting that women be granted the right to vote.  
Source: House of Assembly, Parliament of South Australia

The first tactic of the female suffragists was to try to get the United Labor Party onside. They did this by getting female workers in factories to become union members. They then convinced Labor politicians that all these new unionists could support them in elections, if only they could vote. This was a clever tactic, because at the next election in 1893, the Labor Party's support was needed for Charles Kingston's liberals to form a government. Kingston, who had previously opposed women's suffrage, had become a supporter, and with Labor's assistance, he could now succeed.

This gamble failed spectacularly. The Bill passed, giving women not only the right to vote, but also the right to stand for election. And all thanks to Conservatives who hated the very idea of it! There were great cheers from the Ladies Gallery in the Adelaide Parliament as the Bill was passed on 18 December 1894.

In December 1894, Kingston's [Constitution \(Female Suffrage\) Bill 1894](#) was debated in a very hot Parliament. Tempers were as hot as the stifling air, as some of the Conservative Members objected to women getting the vote. Realising that they were likely to lose the debate, they decided to raise the stakes. The Bill had only proposed to give women the vote - as had occurred in New Zealand - but not the right to stand for Parliament. The very idea of a female politician was preposterous to them. So they caused the Bill to be changed to allow women to stand for Parliament as well, in the hope that some of those who would otherwise have supported the right of women to vote would reject the Bill for going too far.

But it could not become a law immediately. Because it involved a change in the Constitution of South Australia, it had to be sent off to the United Kingdom to get the royal assent of Queen Victoria. As a woman who wielded a great deal of political power, one might have thought that Queen Victoria would have supported the right of women to vote. But she was strongly opposed to it. Would she sign the Bill or refuse her assent?

Despite her personal views, Queen Victoria gave her royal assent on 2 February 1895 and the new law came into effect in South Australia from 21 March 1895.

South Australian women were the first in the world to have the right both to vote and stand for Parliament. They voted in large numbers at the [election in 1896](#) and the referendums held that day about religion in government schools.





Catherine Helen Spence  
Source: State Library of NSW

The following year, Catherine Helen Spence became the first female political candidate in Australia. She ran for election to the Constitutional Convention which would draft the new federal Constitution. She did not win, but she still received solid support, coming 22nd in a field of 33 candidates.

## The female franchise across the rest of Australia

Western Australia gave women the vote in 1899 (with effect from 1900), and this ensured that there was pressure on the first Commonwealth Parliament to ensure that women were included in the first Commonwealth franchise when it was enacted in 1902.

The Commonwealth Constitution does not contain an express right to vote. There was so much disagreement about it at the Constitutional Conventions that the framers of the Constitution thought it would be best to leave it to the new federal Parliament to decide, rather than risking the issue de-railing federation. But the South Australian delegates were determined that a provision should be inserted to protect the voting rights of their women and their Aboriginal peoples. [Section 41](#) of the Constitution ensured that anyone who had the right to vote in a State could not be denied the right to vote in federal elections. This meant that if the Commonwealth Government wanted a uniform franchise across Australia for federal elections, it had to include women – which it did.

Once women had the right to vote at the federal level, it was hard for the other States to keep denying it. Women got the right to vote in State elections in 1902 in New South Wales, 1904 in Tasmania, 1907 in Queensland, with the last State being Victoria in 1908-9.

But this was not the end of the struggle. In many cases further campaigning was needed to gain the right to be elected to Parliament and to get women into Parliament. Laws that prevented women from being lawyers and judges or sitting on juries also needed to change. Achieving votes for women was the beginning, not the end.



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## Fanny Finch and the female franchise

In the early nineteenth century in Australia, the franchise (i.e. the right to vote) was quite limited. The first parliamentary election occurred in New South Wales in 1843. Voting was largely confined to property owners, especially in relation to local government elections.

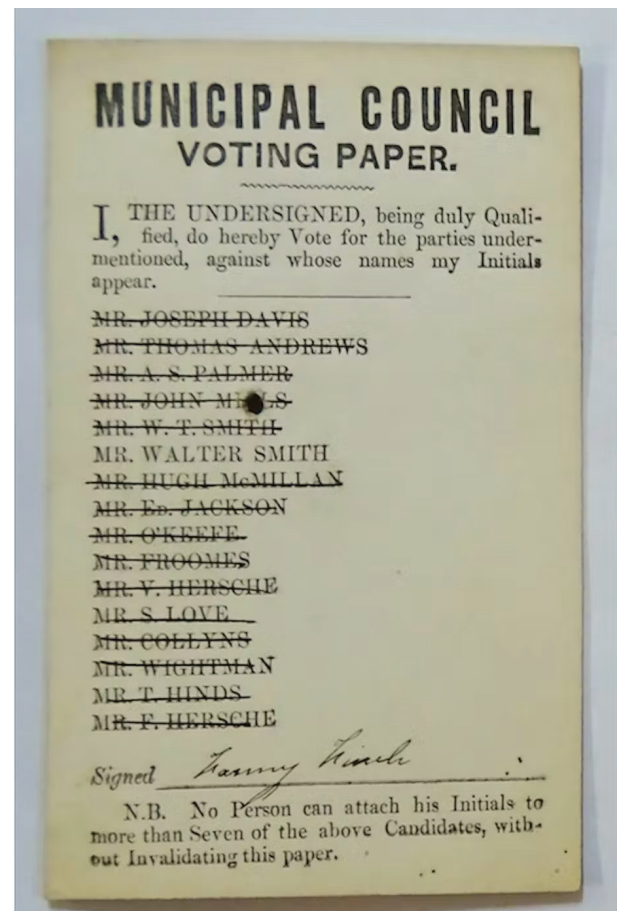
Female property owners in South Australia gained the right to vote in local government elections in 1861 and South Australian women later won the right to vote in colonial elections in 1895. But even before that, there were odd occasions upon which women managed to exercise the civic right to vote. One such person was [Fanny Finch](#), who voted in Victoria.

### From disadvantage to success and back

Fanny started off life with every disadvantage – she was a black girl in London in 1815. It is believed that her parents were servants of African origin – perhaps emancipated slaves – and that her unmarried mother left her to be raised by the St Pancras Fledgling Home, which was an orphanage. The Home did give Fanny an education that she might not otherwise have had, and trained her for employment as a domestic servant. Unlike many working class women of the era, she could read and write. She was also capable and ambitious. At the age of 21 she travelled to South Australia as a servant to the ship's surgeon. She later married a sailor called Joseph Finch and had a family with him. In 1850 she moved to Victoria, just before the gold rushes started.

At this point Fanny became a single parent with four children to support, so she had to earn a living.

By 1852 she was running 'Mrs Finch's Board and Lodging House' in Forest Creek in the Victorian goldfields. She then moved to Castlemaine in 1854 where she initially ran a [bathing establishment](#) (with refreshment and reading rooms stocked with all the leading periodicals). Later she ran a restaurant. Fanny, by all accounts, was a larger than life character who welcomed all into her restaurant and would often lend money to those in need. She was very well-known in the community, being described in the press as the 'famous Mrs Fanny Finch' and 'the notorious Mrs Fanny Finch'.



Fanny Finch's 1856 voting card  
Source: Castlemaine Art Museum





## Fanny casts her vote

In January 1856, Fanny defiantly marched to the Castlemaine Hall to cast her vote in the local municipal elections. The Victorian [Municipal Institutions Act 1854](#) stated that persons who were ratepayers could vote. Fanny was a ratepayer, so she voted, as did another woman. No one stopped them at the time, but it was notable enough for a Melbourne newspaper, *The Argus*, to [record](#) that: 'Two women voted – one, the famous Mrs Fanny Finch, gave a plumper [i.e. a vote] for Mr Walter Smith, which is noted as an incident of the day'.

In those days, before the 'secret ballot' came into effect, voters signed their ballots. We still have a copy of Fanny's signed ballot, which confirms the truth of the newspaper report. But unfortunately

The headstone built in memory of Fanny Finch at Castlemaine General Cemetery  
Source: ABC Central Victoria | Tyrone Dalton

the local assessors who oversaw the election ruled that Fanny's vote, and that of the other woman, were invalid. They looked more closely at the Act and it said in section 20 that ratepayer meant every 'male person of full age' who was required to pay rates. Fanny paid her rates, but was excluded from voting because she was female. It seemed very unfair.

Fanny died in 1863 at the age of 48. In 2020 a memorial to her was erected in the [Castlemaine Cemetery](#). She is now remembered as the woman who stood up for herself and voted.



## Topic 5.2: Lesson/ Activities Three

The story of achieving the Right to Vote for Women including through the eyes of Fanny Finch



AUSTRALIAN  
CONSTITUTION  
CENTRE

Time/Lesson	Learning Goal
<ul style="list-style-type: none"><li>1 hour</li></ul>	To <u>describe</u> the significance of the suffragists in the second half of the 19th century as they worked to achieve the right to vote for women and the story of Fanny Finch, Australia's first woman voter.
Rationale	Success Criteria
To understand how the Australian Constitution left it up to the Federal Parliament to make laws about who could and couldn't vote and the long story of women being excluded from voting till South Australian women became amongst the first in the world to vote in the election of 1896.	Students <u>consider</u> how important it is for people to feel that they have a voice and the opportunity to be heard through voting (a pivotal notion in a democratic society). They <u>consider</u> the ideas of fairness and equality and look at the arguments put forward as to why women were excluded from the vote for so long. Students <u>identify</u> the key elements in the Fanny Finch story. They <u>discuss</u> the importance of the right to vote and how this ensures equality for each person, regardless of race and gender, in a fair and tolerant society
Teaching Reference Document	
<ul style="list-style-type: none"><li>TRD 19: Right to Vote – What does the Constitution Say?</li><li>TRD 21: Right to Vote - Women</li><li>TRD 22: Fanny Finch and the Female Franchise</li></ul>	
Resources	
<ul style="list-style-type: none"><li><a href="https://www.abc.net.au/radio/programs/fierce-girls/fanny-finch-the-girl-who-voted/11747474">https://www.abc.net.au/radio/programs/fierce-girls/fanny-finch-the-girl-who-voted/11747474</a></li><li><a href="https://www.abc.net.au/btn/specials/women-in-history-special/12133104?jwsourc=em">https://www.abc.net.au/btn/specials/women-in-history-special/12133104?jwsourc=em</a></li><li><a href="https://www.youtube.com/watch?v=HKCZY-IU-G4">https://www.youtube.com/watch?v=HKCZY-IU-G4</a></li><li><a href="https://www.moadoph.gov.au/search?keywords=suffragettes">https://www.moadoph.gov.au/search?keywords=suffragettes</a></li></ul>	
Tuning In	
After watching the BTN episode Women-in-History and reading the TRD 26, discuss in pairs the journey of Australian women in their campaign for the right to vote. Record the main points of the discussion as a timeline setting out how and when women got the vote in Australia in each State and at the Commonwealth level. What did you learn from reading and watching these stories? Was it fair to women that men had the vote and right to stand for Parliament and women didn't? Did women have particular interests and concerns that they wanted protected by laws in Parliament? What does the word 'equality' (equal rights) mean in Australian society today?	

## Teacher Instruction

- Teacher may lead the further discussion with questions such as: How many years ago did women not have the right to vote? The South Australian Government was the first in the world to give women the right to run for election. True or false? Who was Catherine Helen Spence? What arguments did the male politicians give to deny women having the vote and deny them the right to stand for parliament? In what year were the first women elected to Federal Parliament? (a. 1902 b. 1943 c. 1980?). Who were the first women elected to Australian parliaments? (Have any of these women been honoured on Australian currency?) Who was Australia's first female Governor-General? Who was Australia's first female Prime Minister? Who was the first Indigenous woman to sit in parliament?
- Class discussion on some of the campaign tactics used by the suffragists (who used peaceful campaign methods) and suffragettes (who resorted to violence). Research some of their marches, posters and other campaign tools. Have a look at the 16 objects listed on the Museum of Australian Democracy website and that can be seen at the Museum: <https://www.moadoph.gov.au/search?keywords=suffragettes>
- Teacher leads a discussion on the core Australian values of respecting differences and keeping an open mind. Why do we aspire to be a fair, equal and tolerant society? What connections today do we have to the women in the suffragist movement and what are our differences in the way we campaign? Are there political causes today where people are being treated unfairly or which we would like our government to do something about? If you were to become a politician what is the most important issue you would do something about? Members of the class prepare a three minute speech on their issue of importance and the class votes for the best speech.

## Group/Independent Learning

Read the story of Fanny Finch TRD27 and explain why her story is important to voting rights. Listen to the ABC podcast on [Fanny Finch](https://www.abc.net.au/radio/programs/fierce-girls/fanny-finch-the-girl-who-voted/11747474) from the ABC's 'Fierce Girls' series. <https://www.abc.net.au/radio/programs/fierce-girls/fanny-finch-the-girl-who-voted/11747474> View <https://www.youtube.com/watch?v=HKCZYIU-G4> Revisit the following questions:

- Why was voting important to Fanny?
- Why was voting important to all women?
- What did Fanny's act of voting, and its disallowance, say about Fanny's place in society in that time?
- Was this fair, seeing that Fanny paid tax and worked hard to run a business and support her family?
- Why is voting important to give people a voice in society and the government?

## Wrapping It Up

Students use their story map to retell the story of Fanny Finch to a partner, or record and upload to a digital portfolio. Optional: Students could do an interview – one person as the interviewer and one acting as Fanny Finch or the Police or another key figure in the story.

## Differentiation

### Support

Students will be able to draw and explain their understanding as opposed to needing to write large amounts of text. Option for a verbal retelling of the story as opposed to notations.

### Extension

Encourage students to apply the identification of key words to expand their understanding of the importance of the right to vote. For example the TRD Right to vote - Women, talks about the conservative colonial upper houses in the late 1880's blocking the womens right to vote bills. How have attitudes since changed in Australia?

Students can research the suffragette movement in countries other than Australia such as the United Kingdom and the USA and do a timeline of when different democracies across the world gave their women the right to vote.

## Assessment Strategies

In wrapping it up ask the students to retell and explain significant events in the life of Fanny Finch. This retelling can be used as a formative assessment of knowledge and understanding or as a part of a summative assessment folio using the criteria from the Standard Elaborations (below).

### HASS Knowledge and Understanding

	A	B	C	D	E
<b>Knowledge and Understanding</b>	<u>thorough</u> description of the significance of people and events/developments in bringing about change	<u>detailed</u> description of the significance of people and events/developments in bringing about change	<u>description</u> of the significance of people and events/developments in bringing about change	<u>description</u> of <u>aspects</u> of the significance of people and events/developments in bringing about change	<u>statements</u> about <u>aspects</u> of the significance of people and events/developments in bringing about change
	<u>thorough</u> description of the experiences of different people in the past	<u>detailed</u> description of the experiences of different people in the past	description of the experiences of different people in the past	description of <u>aspects</u> of the experiences of different people in the past	<u>statements</u> about <u>aspects</u> of the experiences of different people in the past



# Story Map Exemplar

