

Thinking about the Indigenous Voice to Parliament

Anglicans around Australia have come out in favour of a YES vote in the referendum to change the Constitution to recognize First Nations People and give them a Voice concerning matters that affect the lives and wellbeing of Aboriginal and Torres Strait Islander people and their communities.

When Australia's bishops met together in March 2023, Anglican Primate, the **Most Reverend Geoffrey Smith** wrote of a broad agreement to "encourage parish ministers and leaders of agencies to facilitate conversation and education about the referendum question and process."

**Anglican leaders
strongly support
YES vote in
Referendum for
recognition and a
Voice for First
Nations People**

How have Anglicans responded to the proposal nationally?

Bishop Mark Short, Bishop of Canberra-Goulburn, has said "As a first step in the journey outlined in the Statement from the Heart, the proposed Voice to Parliament and the Executive gives First Nations people the right to make representations on matters that impact them directly. By enshrining this right in our Constitution we ensure our nation's foundational document recognises our shared and diverse history. For this reason I intend to vote 'Yes' when this proposed change is brought to Referendum later this year."

Drawing on Paul's letter to the Romans, Bishop Mark noted how Gentile and Jewish Christians needed to find common ground.

"In our life together, we need to make space and hear from each other. The Voice invites us as latecomers to this land to learn from and appreciate those who were here before. The First Peoples' story and ours are both part of same story but experienced in different ways."

Listening to the Statement from the Heart

The referendum is a direct response to the invitation by First Nations People when their representatives met together at a constitutional convention in the shadow of Uluru in May 2017.

Over four days, representatives of Aboriginal and Torres Strait Islander communities considered how they wished to be recognised in the Australian constitution at the invitation of then Prime Minister Malcolm Turnbull.

The Statement from the Heart firmly expressed the desire that constitutional change ought to bring substantive change that will improve the lives of First Nations people.

The first step on this journey is learning to listen to wisdom and knowledge of Australia's First Nations when trying to improve health, education, housing and justice outcomes for indigenous people.

Why not read the full statement?
<https://ulurustatement.org/the-statement/>

Is the request for a Voice radical and divisive?

Although the Voice might be new to federal politics, Australian Anglicans have had similar arrangements for many years.

NATSIAC Chair and Wiradjuri man, Canon Uncle **Glenn Loughrey** observes that for the past 31 years, NATSIAC has acted "in a similar way as we would see the Voice. It speaks into the Synod on matters relating to Aboriginal and Torres Strait Islander People."

We regularly have as many as 63 Aboriginal and Torres Strait Islander people from around Australia coming together to talk about matters affecting their communities. "How can Anglicans who have already embedded this Voice in their own system vote No on this matter?"

In 1967 we were counted, in 2017 we seek to be heard.

We leave base camp and start our trek across this vast country.

We invite you to walk with us in a movement of the Australian people for a better future.

the Uluru Statement from the Heart, 2017

In September 2022, the **Sydney Anglican Synod** resolved to "encourage church members to give generous consideration to the case to vote 'Yes'."

Archbishop Kanishka Raffel wrote, "For Australian Christians, reconciliation with First Nations people is a long project that remains in its early stages. It must involve recognition of wrongs done and a commitment to retrieving as much justice as can be achieved. For Christians, this cannot be separated from Jesus... The Uluru Statement from the Heart invites all Australians to participate in this conversation. How can we refuse?"

In Melbourne **Archbishop Philip Freier** arranged for Uncle Glenn Loughrey to take leave from his parish responsibilities to speak among Anglicans and the wider community about why the Voice is important and merits support.

The Anglican Church in Southern Queensland supports the Anglican Board of Mission's call for "a Constitutionally Entrenched First Nations Voice". The Diocesan *In Focus* news has been running a series on commentaries by Aboriginal and Islander Christians and clergy from across Queensland saying why they will be voting yes'.

Bishop of Bendigo, **Matt Brain** has written "I will be acting on this value by voting to recognize Aboriginal and Torres Strait Islander people in our nation's constitution and to establish a permanent voice to parliament. For without hearing a people's voice how can I say I really recognize them? I encourage you to do the same."

"We have been given a great gift as Australians. To recognize Aboriginal and Torres Strait Islander people is the first step in being a people of truth, and through truth freedom comes."

Understanding the journey

The referendum question is an opportunity for all Australians to come together and so open a new chapter in our nation's history. It is an opportunity to acknowledge the enduring presence and connection that First Peoples have with country and to affirm their knowledge, wisdom and capacity to improve the wellbeing of their people.

This referendum is the final step in a 16 year process that began in 2007 with then Prime Minister John Howard's pre-election commitment to Constitutional recognition.

More than a decade of consultations with First Nations people, the broader Australian community and with Parliament followed. A Referendum Council held 12 meetings with over 1,200 Aboriginal and Torres Strait Islander representatives around the nation.

250 delegates then met at the National Constitution Convention at Mutitjulu, near Uluru in 2017 to speak the Statement from the Heart. The proposed constitutional amendment will implement the first element of a longer journey towards reconciliation with our nation's First Peoples.

In 2019, then Prime Minister Scott Morrison commissioned a consultation to determine how the Indigenous Voice could work as an independent and permanent advisory body. Professor Tom Calma, Chancellor of the University of Canberra, and Professor Marcia Langton, University of Melbourne, presented their 272 page report in July 2021.

It called for a cohesive and integrated system of local, regional and national bodies that would leverage change across every level of government. Such a proposal was strongly endorsed by the then Liberal Minister for Indigenous Australians, Ken Wyatt.

On Referendum Day
Australians will be
invited to respond to
the following question
to change the
Constitution:

**A Proposed Law: to
alter the Constitution
to recognize the First
Peoples of Australia by
establishing an
Aboriginal and Torres
Strait Islander Voice.
Do you approve this
proposed alteration?**

Yes or No

Why change the Constitution?

The Constitution is the fundamental set of rules by which our nation is governed. It sets out the structures by which national laws are made and the law-making powers of the federal Parliament. The practical form of recognition is to establish a representative body to provide advice to both the Parliament and the Executive (i.e. Government Ministers and their staff) on matters that affect First Nations peoples.

Establishing the Voice in the Constitution will protect the body from abolition by government without the agreement of all the people of Australia. Once the Constitutional change is adopted, the Parliament will then have the power to determine how the Voice will operate. Consequently, the proposed addition to the Constitution is brief and directive.

How will the Voice work?

The Voice will be an independent advisory body to the Parliament and Government. It will establish a new partnership with Indigenous people so all Australians can move forward together, with confidence, into the future. As an advisory body, the Voice will:

- be accountable and transparent
- work alongside existing organisations and traditional structures
- be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities
- be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth
- be empowering, community led, inclusive, respectful, and culturally informed.

Will its advice be challenged in court?

Courts have always been reluctant to interfere with the internal workings of government. It will have no power to instruct governments.

The key provisions for changing the constitution are:

1. there shall be a body called the Aboriginal and Torres Strait Islander Voice
2. The Voice may make representations to Parliament and to Executive Government on matters relating to Aboriginal and Torres Strait Islander people and
3. the details on how it is set up and operates will be decided by Parliament and enacted in legislation.

Is the Voice discriminatory?

The proposal is consistent with human rights, equality and non-discrimination law. While it will attend to the needs of First Nations people, it will not disadvantage other groups.

Will the Voice cause division?

The Voice aims to unite the nation and overcome the disadvantage experienced by First Nations people with respect to wellbeing, health, education, housing and justice outcomes.

What practical difference will it make?

The difference between good and poor government policy outcomes depends heavily on consultation and advice. Listening to advice from First Nations people will make programs more efficient, effective and sustainable. Improved partnerships and decision-making arrangements will close the many gaps that exist between indigenous and non-indigenous Australians.