

## SUBMISSION TO THE INDIGENOUS VOICE DISCUSSION PAPER

I participated in the reconciliation march across the Sydney Harbour Bridge over 20 years ago. Progress since then has been disappointingly slow – and most of it has been the result of hard work by First Nations people themselves. The Uluru statement from the heart is imaginative, easy to understand and direct. It's also generous in its use of (non-Indigenous) language. It's an invitation to the rest of Australia to join First Nations people on the journey to a country that faces up to the injustices of the past and present and places them at the centre of a reconciled nation. Which is where they belong.

The indigenous voice discussion paper is very technical in its approach and appears to be focused almost entirely on how **representation** is best achieved, rather than what the voice itself will actually **do**. To me it is more important that the voice is both authoritative and representative.

In absolute terms it is unimportant whether the voice is one person or 100. But in today's media and social media environment I think it is preferable for the Voice to be **one** person who is known to many ordinary Australians. What the country needs is an Indigenous elder who speaks from the authority of his or her status within the First Nations communities and who represents the values and views of those communities communicated to them through the representative councils proposed in the discussion paper.

Eddie Mabo was one such authoritative representative. Although his case to the High Court was in narrow terms about his ancestral land and seas in the Torres Strait, in winning the case he achieved a great advance for the entire Indigenous community.

Appointing a single person as the Voice has the advantage of providing a clear focus for Indigenous interests. I envisage that the appointment would be for a limited term of, say, five years, then the torch would pass on to another elder representative. On appointment the person embodying the voice would have the authority to speak directly to the political leaders and Parliament of the day.

It goes without saying that to speak with authority the voice would need to be advised by a First Nations council appointed by one or both of the methods explored in the discussion paper.

Despite its generosity of spirit and the sensible and achievable mechanisms it advocates, the Uluru Statement from the Heart is essentially only a first step towards the integration of First Nations people into the ceremonial and practical forms of governance of the Australian nation as a whole. Truth telling is an essential part of the process of waking up a complacent and self-satisfied nation to the violence and land theft that have been inflicted on First Nations people since the first English settlers arrived in 1788.

If we are to have a flag and a national anthem, they must represent the values of a united country reconciled to its past and committed to the restitution of First Nations people to their central place in the identity and life of the nation. This can only be achieved through some form of treaty and recognition of the right of Indigenous people to their own country.

The position (not the person) of the Voice **must** be protected by its inclusion in the Australian Constitution. This is necessary to protect Indigenous interests from being ignored by future governments. The country cannot afford to abandon its responsibilities towards Indigenous people in the way Prime Minister John Howard disbanded ATSIC.

But the Constitution needs to do more than provide for the establishment and continuity of an Aboriginal Voice to Parliament. I recommend the inclusion of the following as a clause in the preamble to the Constitution:

'This Constitution recognises that the First Nations people living in Australia at the time of European settlement in 1788 did not give up their rights to the land, its flora and fauna at the time of this initial settlement. Further, their descendants have not subsequently ceded their right to access their ancestral lands, flora and fauna to people arriving in Australia through subsequent waves of migration.'

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