

# THE ULURU STATEMENT FROM THE HEART

## AND A CONSTITUTIONALLY-ENSHRINED

## FIRST NATIONS VOICE TO PARLIAMENT



### WHY THIS MATTERS TO JEWISH AUSTRALIANS

Many of us in the Australian Jewish community are not descended from those who participated in the colonisation of the country we now call Australia. For many of us it was not our ancestors who dispossessed the First Peoples of this land, perpetrated massacres, rapes, slave labour, separated children from family. Many of our ancestors were struggling in Europe where a background of antisemitism finally led to the Shoah.

However, Australian Jewry along with all Australians benefit from this nation's colonisation. No matter where we live in Australia, whether we live in Bondi or Caulfield, Menora, Adelaide or West Brisbane we are living on stolen Aboriginal land.

As Paul Keating asks in his famous [Redfern Speech](#) of 1992, it's not hard for us Jews to:

*"... Imagine ourselves dispossessed of land we had lived on for fifty thousand years – and then ... told that it had never been ours.*

*Imagine if ours was the oldest culture in the world and we were told that it was worthless.*

*Imagine if we had resisted this settlement, suffered, and died in the defence of our land, and then were told in history books that we had given up without a fight...*

*Imagine if our spiritual life was denied and ridiculed.*

*Imagine if we had suffered the injustice and then were blamed for it..."*

**"Let no one say the past is dead. The past is all about us and within."**

Oodgeroo Noonuccal

The legacy of these injustices combined with daily discriminations takes its toll on physical and mental health. It results in complex, intergenerational trauma that almost all First Nations people suffer and are themselves often blamed for.

However, Aboriginal and Torres Strait Islander peoples, like us, are strong, proud, and resilient. Over years of discussion, they have charted a path forward to healing their communities, and to achieving justice and self-determination for their people. The path is laid out in the simple one-page [Uluru Statement from the Heart](#) that also extends an invitation to walk with them **'in a movement of the Australian people for a better future'**.

The [Executive Council of Australian Jewry](#) and [22 other Jewish community organisations](#) have already strongly stated their support for the Uluru Statement and its call for a constitutionally-enshrined First Nations Voice to Australia's parliament.

The [Anti-Defamation Commission](#) maintains that Jewish communities have deep historical experience of hate and prejudice. To counter antisemitism, we need to challenge prejudice whenever it occurs, whether it is directed at Jews or at other minorities.

## WHAT DOES THE ULURU STATEMENT CALL FOR?

The Uluru Statement was developed through the most comprehensive Indigenous-led consultation process this nation has witnessed. Twelve large regional meetings, or [Dialogues](#), took place across Australia, culminating in a [National Convention at Uluru](#) in 2017 attended by over 250 community elected delegates.

The Uluru Statement from the Heart explains:

*“We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country.”*

The Statement specifically requests:

- A **constitutionally enshrined Voice to Parliament** to advise on all matters concerning the wellbeing of First Nations peoples and their communities.
- The establishment of a [Makarrata Commission](#) to supervise a process of agreement-making (**treaty**) between governments and First Nations and **Truth-Telling** about our history.

## ENSHRINING THE VOICE TO PARLIAMENT IN THE CONSTITUTION

The Constitution is Australia's [founding document](#) and is the basis for our laws. However, it was drafted at a time when Australia was considered *terra nullius* – uninhabited and belonging to no-one.

In fact, Australia is home to the oldest continuing cultures in human history, estimated at 65,000 years. In 1901 when Australia became a federation, racism and prejudice prevented our national constitution from acknowledging that our First Nations were present long before European colonisation. **The Australia of today is better than that.**

Recognising our First Peoples in our national Constitution is long overdue. The Uluru Statement asks that this recognition be in the form of the Voice to Parliament - a body to advise laws and policies that affect First Nations communities to the Parliament and the Government of the day, that will work alongside existing organisations and traditional structures and allow the existing parliament to do its job as normal. The Voice will not have a program delivery function, or a veto power.

Writing the Voice into the Constitution will ensure it remains a permanent part of our democracy, no matter who is in government or who is Prime Minister. The Voice will have a direct line to Federal Parliament. The first-hand knowledge and lived experience of its members will result in better laws and policies and in more effective outcomes on the ground with greater value for money. Too frequently decision-makers do not hear directly from Aboriginal and Torres Strait Islander peoples. As a result, the policies, laws, and programs developed do not effectively address problems they face.

Enshrining the Voice into the Constitution means instead of arguing over its existence, the focus of parliamentarians and First Nations can stay on achieving impact on the ground.

## THE REFERENDUM

While Parliament can change ordinary laws, the people of Australia must approve any changes to our national Constitution. All Australians of voting age will be asked to vote "yes" or "no" in a referendum on the **principle** of whether a First Nation's advisory body called the Voice should be established and incorporated into the Constitution.

To succeed, a double majority is needed – a majority of voters nationwide, and a majority of voters in four out of six States must approve the change. Ours is one of the hardest constitutions in the world to change.

It is likely that as few as four sentences will be added to the Constitution. These would outline in general terms the establishment and the purpose of a Voice for Aboriginal and Torres Strait Islander Peoples .

The [First Nations Referendum Working Group](#) has recommended a set of principles describing the Voice as a body that will:

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

If Australians approve, the **detail of the structure and function of the Voice** will be determined by

our elected members of Parliament through normal processes of debate and legislation.

## DEBATE ABOUT THE VOICE

Concerns about the Voice have been raised. The key arguments advanced are noted below along with brief responses.

### Argument 1: There is Not Enough Detail

Federal Opposition Leader Peter Dutton and some members of the Liberal Party assert that the Australian people are [unable to make an informed decision](#) about the constitutional change due to a lack of detail on the proposed Voice to Parliament. Peter Dutton has requested that the Government answer [15 questions](#) relating to the structure and function of the Voice.

As Professor Megan Davis explains, [it is not possible to answer](#) all of Peter Dutton's 15 questions ahead of a referendum. However, the 280-page [Calma – Langton report](#), which resulted from extensive public consultations, contains detailed recommendations on a model for the Voice. Hopefully, National Parliament will use this as a key resource when determining the detail and the legislation.

Prominent Aboriginal author, historian, and advocate, Jackie Huggins understands that some people do genuinely want to better understand the proposal for the Voice. However, she suspects others are using demands for detail to cover their reluctance to give Indigenous Australians a [greater influence over law and policy](#) affecting them.

Our national Constitution provides a set of rules and principles that guide the operation of the Australian Government and Judiciary. The Australian people will be asked to vote for the principle (not the detail) of establishing a First Nations Voice to parliament. It is the job of our elected representatives in National Parliament to work out the detail and the legislation that will establish the Voice - if a Yes vote is returned at the referendum.

Australia lags behind other national governments and several of our own state governments in constitutional amendments to recognise First Nations peoples.

### Argument 2: The Voice will not deliver better outcomes for health, education, and housing for Aboriginal and Torres Strait Islander Peoples.

There is cynicism, born from real life experience, that establishment of a First Nations Voice to Parliament

will not deliver better outcomes for First Nations people. However, the Uluru Statement calls for the establishment of the Voice precisely to break this cycle – to enable **community elected representatives** to [directly influence and contribute](#) to the policies that affect Aboriginal and Torres Strait Islander peoples.

This is self-determination; a principle that is widely recognised as fundamental to achieving policy and programs that respond to issues and solutions identified by, and controlled by, accountable community organisations delivering benefits to affected communities.

A poll conducted in January 2023 by global market research firm IPSOS indicates that [80% of First Nations people support the Voice](#).

[An alliance of indigenous leaders](#) from 10 regional, remote and urban areas across Australia has stated:

*“We disagree with the assertion that a First Nations voice would not make a practical difference to closing the gap. If it is properly designed and implemented, this will empower our communities to close the gap in partnership with governments.”*

### Argument 3: The Voice is Racially Divisive

Some people including members of the Australian Jewish Association and Coalition Senator Jacinta Nampijinpa Price contend that the Voice will divide Australians based on race and accord Indigenous Australians extra political and legal rights. Others such as Warren Mundine have suggested that the referendum should ask Australians to change the Constitution to also acknowledge the contribution of migrants to our multicultural nation.

The Voice is not seeking to gain more rights for Aboriginal and Torres Strait Islander Peoples than other Australians. It aims to provide a source of first-hand advice to Parliament that will more effectively address the legacy of the traumas of colonisation at individual and societal levels.

An alliance of indigenous leaders from 10 regional, remote, and urban areas across Australia has stated:

*“Our communities live these problems. We are best placed to help solve them. That is why the Uluru Statement asked for a constitutionally enshrined Voice, to empower local communities to partner with government to develop better solutions. This is a reasonable and fair request.”*



## Argument 4: The Voice represents a threat to Indigenous Sovereignty – Treaty and Truth Telling must come first.

Senator Lidia Thorpe fears that incorporating the Voice in the 'colonial' constitution [could override existing Indigenous governance systems and sovereignty](#).

When people say that sovereignty was never ceded by First Nations people, they mean [they never consented or agreed to give up their country or to live under someone else's laws](#). Before colonisation, First Nations had been self-governing with their own social structures and governance systems. Those didn't disappear when the British arrived.

Aboriginal Tent embassy caretaker Murriguel Coe said:

**“...sovereignty is self-determination of ourselves, that we have the right to practise our culture, the right to practise our religion, the right to practise our lore ... We're sick of the government making decisions for us.”**

Australian law doesn't recognise Indigenous sovereignty. A situation which has been rectified by treaties in New Zealand and Canada and is underway in some Australian states. Lydia Thorpe and the Black Sovereignty movement argue that treaty and truth telling is needed before the Voice to parliament.

The government and constitutional experts working alongside the Uluru Statement campaign have both given assurances sovereignty would not be affected by the Voice. First Nations leaders agree that treaty and truth telling are critical and that Indigenous sovereignty was never ceded. But many say a Voice is [needed to underpin work on the treaty and on truth processes](#), which could take years and successive governments to negotiate.

According to [Attorney-General Mark Dreyfus](#), the Voice would not have any impact on sovereignty, but would instead “improve the lives of Aboriginal and Torres Strait Islander Australians. It will ensure the government hears from local communities about local solutions and how to address existing policies that aren't working.”

## A TIME TO ACT

At its core, recognising Aboriginal and Torres Strait Islander peoples' and their Voice to Parliament in the Constitution is about nation-building and justice for the First Australians.

Building a nation based on respect for the dignity and humanity of the First Peoples of this land is a positive goal for all Australians to strive for. This process will encourage all Australians to examine what it means to be Australian and what place Aboriginal and Torres Strait Islander peoples have in that collective identity, and assist First Nations communities achieve better outcomes for their people.

In essence, Australians are being asked if we are ready to recognise our past and build a solid foundation for the Indigenous and non-Indigenous relationship so that we can look forward to a collective future.

### RESOURCES & FURTHER INFORMATION

Find this paper on the AJDS facebook or website: [www.facebook.com/AustralianJewishDemocraticSociety/](https://www.facebook.com/AustralianJewishDemocraticSociety/) and [www.ajds.org.au](http://www.ajds.org.au)

**Statements from the Soul: The Moral Case for the Uluru Statement from the Heart.** In this ground-breaking collection of essays, diverse religious leaders and thinkers from Jewish, Buddhist, Christian, Hindu, Muslim and Sikh communities convey why a First Nations voice to parliament is a moral imperative. <https://www.blackinc-books.com.au/books/statements-soul>

**The Uluru Dialogue** (hosted by the Indigenous Law Centre, UNSW) for information including a Supporters kit: <https://ulurustatement.org/take-action/supporter-kit/>; <https://ulurustatement.org/education/resources/>

**The From the Heart campaign** has a list of ways you can become informed and involved. <https://fromtheheart.com.au/>

**National Indigenous Australians Agency, Constitutional recognition branch:** Extensive reports relating to the process of developing the Uluru statement and the expert working groups. <https://voice.niaa.gov.au/about>

**Australians for Native Title and Reconciliation (ANTaR)** has useful Fact sheets and other information <https://antar.org.au/resources/?paged=2>

**To better understand Indigenous Sovereignty:** <http://nationalunitygovernment.org/>

**To better understand constitutional recognition:** <https://human-rights.gov.au/our-work/about-constitutional-recognition>

**Short videos:**

*Megan Davis explains the statement:* <https://www.youtube.com/watch?v=-dsCJGdYgLc> (Megan Davis explains the statement)

*Midnight Oil – statement read by Indigenous collaborators:* <https://www.youtube.com/watch?v=rWolgPyQTK4>

*History is calling:* <https://www.youtube.com/watch?v=5gF6DqYH-6FE>

*Paul Keating's Redfern Speech:* <https://www.youtube.com/watch?v=LAFaHP6w6tE>

[www.ulurustatement.org](http://www.ulurustatement.org)

[www.yes23.com.au](http://www.yes23.com.au)

[www.ajds.org.au](http://www.ajds.org.au)



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