

Coalition split on Uluru Statement and indigenous advisory body



Constitutional lawyer-turned-politician Julian Leeser calls the plan a 'big breakthrough'.

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Key figures in the Coalition are at odds over a plan to include an indigenous advisory body in the Constitution, with Nationals MPs, led by the Deputy Prime Minister, rubbishing the proposal.

Liberal MPs, however, have been more optimistic, with constitutional lawyer-turned-politician Julian Leeser calling the plan a “big breakthrough” and Indigenous Affairs Minister Nigel Scullion urging Australians to be “courageous” in listening to it.

Mr Leeser said Barnaby Joyce’s characterisation of the proposal as creating a “third chamber” of parliament only served to underscore the need for a better explanation of what change would look like.

He dismissed suggestions the body would be a reincarnation of the abandoned Aboriginal and Torres Strait Islander Commission, calling the comparison “unhelpful” because they sought to achieve different ends.

“It’s in the nature of democracy that when a new idea’s been put up and people weren’t focused on it, you’re going to get some initial reaction,” Mr Leeser said.

The “Uluru Statement” released on Friday after a three-day indigenous constitutional convention at Yulara, in central Australia, called for a first nations voice enshrined in

the Constitution, a Makarrata or treaty commission and a truth and reconciliation process.

Cape York leader Noel Pearson last night described the advisory body as “the tent embassy in stone”, with a “voice to the parliament rather than a voice in the parliament”.

He told the ABC it would not have the power to pass legislation, but would have “a salutary political effect – it will be a political organisation”.

The Yulara participants expect to have an ongoing role in negotiations once the Referendum Council hands its formal report to Malcolm Turnbull and Bill Shorten by June 30, but politicians who had been allowing the indigenous process to run its course have now also weighed in to the debate.

Mr Joyce yesterday warned against “overreach” in politics and said that “if you ... ask for something that will not be supported by the Australian people such as another chamber in politics or something that sort of sits above or beside the Senate, that idea just won’t fly”. Senator Scullion said Australians need to be “courageous” in listening to the plan and be sure it would work.

“The question of a model for constitutional change is particularly important as it needs to be both meaningful for indigenous people, but also capable of widespread community understanding, and then support,” he said.

The best known model for an indigenous parliamentary body, drafted by constitutional law professor Anne Twomey, explicitly rules out this possibility.

“There would be no third house of parliament, no power of veto and no power of delay – simply a capacity on behalf of the indigenous advisory body to have its advice tabled in the parliament and internally considered by parliament in relation to a limited category of bills,” it reads.

Mr Leeser said the shape of the body was unknown and it was still “a long way from a final say on this, given it came from just a few days ago and the final report will soon be handed down”.

“But this is a big breakthrough, a big shift in the debate – in fact, it’s a completely new debate,” he said. He has previously actively opposed referendums, but until his election to parliament last year was a supporter of constitutional reform around indigenous recognition.

Neither Professor Twomey’s amendment, nor a related one suggested this month by indigenous business leader Warren Mundine, sets out what the body would look like or how it would function, preferring to leave such matters to the parliament itself to decide.

Mr Leeser described the new suggestion as “like a directions statement rather than a fully formed proposal”, and said: “What was said was a ‘voice’, not Anne Twomey’s, Warren Mundine’s or Julian Leeser’s version of that. There’s a wide range of things it could mean, but what’s clear is that Aboriginal people want a voice.”

He said a treaty was a different matter, and not something likely to be supported by the Liberals.

Several Liberal conservative MPs told *The Australian* the Coalition would not support making the constitutional change, with Dean Smith, a constitutional conservative, describing it as “on the radical side of the ledger”.

Queensland Nationals MP George Christensen said the idea of a separately constituted body was “dangerous to democracy” and said he would vote “no” in the House of Representatives if the idea was adopted. “This is segregating us, when we should be uniting,” Mr Christensen said.

Mr Mundine said it “should not have been a surprise” that the Uluru meeting recommended establishing a parliamentary body “since that’s been on the table for a number of years now”.

Indigenous Labor MP Linda Burney said treaties were more suited to state-based agreements and “if there is going to be a national agreement there is still a long way to go”.

Mr Pearson called for the referendum to be held within a year.

“We should cut to the chase now and have a question in the next 12 months. We have been 10 years into this ... there is tremendous goodwill in the Australian community for a successful referendum,” he said.