

By John Riordan

The Voice to Parliament is essential to the rule of law for the following reasons:

1. Australia does not have a bill of rights. We rely on representative/responsible government, and the rule of law, to protect and promote our rights. However, this system of government is not always effective at representing the interests of minorities, particularly Indigenous Australians.
2. The Voice to Parliament gives Indigenous Australians a more direct means to protect their interests and rights. This promotes inclusivity and representation. By strengthening democracy, we can better ensure the rule of law reflects the interests and needs of all citizens.
3. Indigenous Australians have been subject to systemic discrimination and social injustice. This resulted in a significant gap in health, education, employment, and incarceration levels. The Voice seeks to rectify this imbalance by ensuring equal treatment by the law. Justice and equality are essential features of the rule of law.
4. The Voice does not give Indigenous Australians more power in the legislative process in the form of voting rights. It does, however, provide a say in issues that directly impact their lives and interests. This improves the accountability, transparency, and legitimacy of the laws that are passed which impact on Indigenous Australians.

5. International human rights recognise the rights of indigenous peoples. This includes equality under the law and the right to self-determination. Ensuring that the state complies with international law and custom is an essential feature of the rule of law.
6. The Voice promotes reconciliation and maintains Indigenous sovereignty.

The House of Lords observed that “*The rule of law and human rights are not two sides of the same coin; they are the same side of the same coin.*”