

# National Human Rights Consultation Submission

AGWW-7SVCKZ

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**Submission Text:**

Australia enjoys a political system with the division of power between the executive (Executive Council), the legislature (Parliamentarians), and the judiciary (Judges and Magistrates) referred to as the three arms of government.

Our parliamentarians are responsible to enact laws for the benefit of the nation. Parliamentarians are elected by the people and are accountable to the people. The judiciary is the legal arm of the government and is independent of the legislature and the executive; it is the role of the judiciary to enforce Australia's laws through the courts.

This division of power between the legislature and the judiciary has been and will continue to be the best safeguard for the protection of human rights in our nation. A Charter of Rights will erode this democratic process.

The introduction of a Charter of Rights will also further push Australia towards a "rights culture" that has already gripped many other nations with disastrous results. Such has been the case in Canada and New Zealand who have recently enacted a Bill of Rights opening the floodgates to increased and unnecessary litigation. Bills of Rights passed in countries including Russia, Uganda, Nazi Germany, Cambodia, Zimbabwe and China were no barrier to human rights abuses.

Australia is a Christian nation founded on biblical principles. God ordained the separation of legislative, executive and judicial powers as exemplified in Isaiah 33:22 "For the Lord is our Judge, the Lord is our Lawgiver, the Lord is our King; He will save us".

"Rights" should not replace personal duties and responsibilities. The biblical concept of justice is to take responsibility to protect the poor, the oppressed, the needy and the widow. Our common law system historically puts God, not the government, as the ultimate creator of every true right and liberty.

Thomas Jefferson, the author of the United States Declaration of Independence, asked rhetorically: "Can the liberties of a nation be secure when we have removed their only secure basis, a conviction in the minds of the people that these liberties are a gift of God?"

Australia is a constitutional democracy, let's keep it that way. Do not introduce a Charter, certainly not without firstly holding a referendum to the people.

Margaret Court