

# Histories of Australian Democracy

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# Executive Summary

## We are currently in a period of transition:

Since the early 2000s the compact between the people and government that underpins Australia's democracy has come under stress from both within and without. The diminution of the public realm, social disconnection, economic inequality, disinformation, misinformation, and the fraying of our institutions, have undermined the quality of our democracy and sapped the Australian people's capacity for engaged citizenship.

## The way we respond matters:

Responding to these challenges in a way that rebuilds the trust in, and resilience of, our nation's democratic culture is crucial to meeting the existential challenges that are being posed by forces such as environmental collapse, changing geopolitics and the rise of populism. Reversing democratic decay will demand a new kind of settlement that meets the needs of peoples and governments.

## This has happened before:

This is not the first time in Australian history that the democratic order has been challenged and remade. Since the arrival of the first European settler-colonists, there have been several periods in which the existing political order has come under stress and resulted in a renegotiation of the democratic compact. While all periods are context-specific, some factors appear repeatedly as contributing to the context of these disruptions:

- geo-political pressures;
- economic crisis and inequality;
- migration and social cohesion;
- the distribution of land, housing, and environmental stress;
- access to information;
- political participation and dissent.

## Australia's political system has the capacity to respond and change:

The relative strength of Australia's political system has resided in the flexibility of its institutional structures and their ability to eventually respond to the demands of those making claims on them. Enabling those demands to be heard and to have purchase will be essential as Australia seeks to establish a new democratic compact fit for the challenges of the twenty-first century. The alternative is that people, aided by misinformation, interference, and diminished institutions, opt out of the democratic system or reject it altogether.

## This is what matters most:

History shows that in periods of political change, several factors have been integral to securing a new and broadly endorsed democratic compact:

- accessible mediating institutions such as political parties, interest groups, unions, churches, voluntary organisations, courts and tribunals;
- a trustworthy and regulated information order;
- the protection of avenues for participation, protest and dissent;
- measures for economic and social equality;
- governments that are prepared to use the power of the state in the common interest.

# Australian democracy: definitions and strengths

At its broadest, the notion of the democratic compact or settlement might be understood as the relationship between the people, and the government and its institutions, in any given political community. In democracies, legitimate public power is ultimately contingent on the consent and participation of the people. This is a relationship that is partially codified but also functions as a largely unstated and unwritten agreement about the distribution of obligations, benefits, and purposes connected with citizenship and membership status.

Periodically, disruptions or crises (such as war, social and technological change, nationalism, the rise of mass society, environmental collapse, or economic disruption, among others) cause the participants in a society to apprehend that their problems cannot be addressed by or within the existing political order. These various crises have different causes and characters and produce different kinds of effects. But what they all have in common is that they present a challenge to the existing social and political arrangements that demands a response, both from governments and from those with the greatest economic and social power. Many kinds of action are possible, and the shape of the political arrangements that result, and their generative possibilities, depend on the choices of a wide range of actors.

The infrastructure of Australia's democratic system consists of a set of institutions and practices that mediate the relationship between the people and the government.

## Key mediating institutions:

- The federation: state and commonwealth parliaments and bureaucracies
- The courts, the legal system, and accountability institutions
- Political parties
- Unions, religious organisations, interest groups and the voluntary sector
- Cultural institutions
- The information order and communicative infrastructure, including the media

## Key mediating practices and habits:

- Protest and dissent
- Lobbying, petitioning and letter-writing
- Strategic litigation before the Courts
- Political campaigning
- Universal and compulsory education
- A democratic franchise and compulsory voting

In the past, when the existing political compact has come under challenge in Australia, these institutional structures have proved sufficiently resilient and flexible to respond to the key demands of the majority of ordinary people, enabling the establishment of a new democratic settlement. Part of that response has involved reinterpreting the Constitution or creating new structures and systems. Such transformations have not always worked to the benefit of those with the least power or resources. The minimum wage was based on the undervalued labour of women, and the 'working man's paradise' was founded on racial exclusion and the denial of rights to First Peoples. Despite the historical unevenness of its citizens' historical rights and freedoms, Australian democracy has been most resilient when it has provided space for the marginalised to advance their claims and participate in the political arena in a common endeavour with those better served by the system.

# Key periods in the long history of Australia's democratic compact

Since the arrival of the first European settler-colonists, there have been several periods in which the established political order has been challenged in fundamental ways. These include:

- 1788 Invasion
- 1850s Responsible Government
- 1890s Federation
- 1945 Reconstruction
- 1970s Social Citizenship

While all periods are context-specific, some factors appear repeatedly as contributing to the context of disruption:

- geo-political pressures;
- economic crisis and inequality;
- migration and social cohesion;
- the distribution of land, housing, and environmental stress;
- access to information;
- political participation and dissent.

In all these instances, the pressure of these forces has resulted in a reconfiguration of the arrangements between government and the people, which has entailed a renovation of the architecture of government, new measures for ensuring access to trustworthy information, and new mechanisms for political and social participation.

## 1788 Invasion:

### ***Stresses to the existing order:***

Europeans arrived in what is now Sydney Cove in January 1788 and failed to recognise the existence of First Nations political orders. Their arrival coincided with an outbreak of disease which had a devastating impact on the Eora and neighbouring populations, and over the next decades they systematically dispossessed First Nations' inhabitants and intruded into their ways of life. But this process took place unevenly and in other parts of the country traditional Aboriginal lifeways continued well into the nineteenth and even twentieth centuries. The colony at Port Jackson only just survived its first years and was largely neglected by Britain for much of the next twenty-five. Economic life was heavily dependent on the government as a supplier of goods and money and controller of convict labour, but individual rights in property and also labour were recognised. Corruption was a significant problem. It was not until the 1820s that an economy developed that was less dependent on British financial subsidy, largely as a consequence of the release of land, growing wool exports and increased population, both convict and freed.

### ***Resulting political compact:***

- This period was not democratic, but it facilitated the establishment of early forms of colonial governance and settler entitlement, as well as the importation of the common law, all of which shaped the context of future democratic developments.
- The capacity and role of the state in the management of economic and social life was foundational to this early period.
- The colonists' inability to recognise the existing practices of government and the existing political order among First Nations peoples, and their subsequent efforts to eradicate Aboriginal populations, established the basis for the subsequent exclusion of First Nations people from the democratic communities that would follow.<sup>1</sup>
- Aboriginal land management techniques bequeathed a natural estate to the settlers that included grass and pasturelands which proved enormously valuable to the establishment of pastoralism and agriculture.
- The distribution of land to free settlers, soldiers, and then emancipated convicts cemented the critical role that land would play in establishing the basis of political power and the exclusion of First Peoples.
- The reliance on labour to manage the vast pastoral estates in colonial Australia contributed to the eventual power of labour movements in its political realms.

### ***Takeaway:***

- There was a First Nations political order that existed in Australia before colonisation. It went unrecognised by the colonists. The inequalities and injustices of this foundation have marked Australia's democracy as an 'unfinished project' in terms of the legitimacy of its sovereignty and inclusiveness.

## 1850s Responsible Government:

### ***Stresses to the existing political order:***

In the context of British and European radical political reform movements such as Chartism, and alongside moves to end slavery and demands for democratic representation, the pressure for representative legislatures (in the 1840s) and then responsible government (from the 1850s) in the Australian colonies was driven from both above and below. The Legislative Councils of New South Wales and Van Diemen's Land (Tasmania) were established in the 1820s to ensure a proper legal basis for regulations previously issued in the governor's name alone. The innovation of partly-elected Councils from the 1840s onwards responded to demands from the mainly better-off for participation in decision-making. But responsible government in the 1850s resulted from more popular demands (from emancipated convicts, Australian 'natives', and free settlers) for responsive and accountable government. (The basic trajectory was the same in Western Australia, although occurring a generation later.) Access to land and labour was a major factor driving this pressure across the country. On the one hand squatters demanded longer leases and more property rights and pushed to continue convict transportation and import non-white labour. On the other hand, the growing urban-dwelling, middle and working classes (after 1851 infused by the sudden influx of migrants to goldfields which disrupted much of the social order and led to labour shortages in the cities) demanded that the power of the "squattocracy" and elites be checked. They were also the main supporters of the campaign to end convict transportation which grew from the 1830s onwards.

### ***Resulting political compact:***

- Convict transportation was ended
  - ◆ In 1838 the Molesworth Committee in Britain recommended that transportation should cease as soon as was practicable;
  - ◆ From 1840 onwards the number of convicts shrank, with transportation to NSW ending in NSW (1840) and Tasmania (1853)
  - ◆ Transportation continued to Western Australia until and 1868
- Questions over land tenure were stabilised
  - ◆ Waste Lands Occupation Act (1846) and successive initiatives accommodated the squatters' demands for security of tenure but didn't give them freehold. Their leases would later be renewable by the colonial parliaments, or subject to new land policies designed to establish smallholders.
- Economic independence secured the support of the British government
  - ◆ With the discovery of gold, the colonies became economically self-supporting and this led to approval for the NSW Constitution from the Britain (1855)
- Responsible government, an idea stimulated by rebellion in Canada in the late 1830s, was established on the Westminster model and quickly veered towards a more democratic order than in Britain:
  - ◆ Manhood suffrage, elected representative & responsible colonial parliaments
  - ◆ Attempt to establish hereditary upper house in NSW defeated, but with an upper chamber initially appointed for life (similarly in Queensland), and on a property franchise in Victoria, South Australia and Tasmania.
  - ◆ Protections for protest, freedom of assembly, and right to petition were incorporated from the English common law.
  - ◆ The obligation to truth in the public sphere was established, derived from the principle of ministerial responsibility (in which ministers are parliamentary representatives who are accountable to the electors).
- Colonial parliaments began to legislate against Aboriginal people:
  - ◆ Responsible government formed the foundation for dispossession in the interests of white farmers, with colonial parliaments granted control of the disposal of land.
  - ◆ Colonial settlers and state bodies such as the Native Police were responsible for the massacre of huge numbers of Aboriginal people, with Queensland especially violent in this period.<sup>2</sup>
  - ◆ Aboriginal petitions (both to the Queen and locally) were written as a response to establishment of this political order. While largely ignored by governments, they



represent early examples of First Nations people's enduring history of protest and dissent in Australia.

- State-supported institutional building aimed to enable citizen well-being, self-development, and democratic participation:
  - ◆ Public education was introduced (beginning in 1850s, accelerating in 1880s, when it became free, compulsory and secular)
  - ◆ Universities, public libraries and museums were established, with the aim of educating the local elite and stabilising a social order disrupted by the discovery of gold.
  - ◆ Public parks and gardens were built dedicated to raising the horizons of (white) people.<sup>3</sup>
- Social cohesion was maintained through economic & political opportunity:
  - ◆ Migrants were integrated through high levels of employment, and the offer of political rights and social mobility not available at the time in Britain.
  - ◆ The arrival of Chinese migrants in large numbers (as well as the 'blackbirding' of South Pacific islanders) both to the goldfields and as a substitute for convict labour, also led to calls to control non-white immigration, legislation in the 1850s, and a further round of restrictions from the late 1870s.
- The electric telegraph created a new information order:
  - ◆ The major eastern cities of Australia were connected by the end of the 1850s, and Australia was connected to the United Kingdom from 1872.

### **Takeaway:**

- The democratic architecture that Australia has today was largely established in the 1850s as a compromise between the interests of local landed elites, the agitations of the growing urban working and middle classes, and the place of the Australian colonies in the British Empire. The freedoms and prosperity of the societies that emerged took shape at the expense of Aboriginal people who were massacred and dispossessed both by citizens and the state.

## 1890s Federation:

### **Stresses to the existing order:**

In the context of a stagnating global economy, the withdrawal of international capital (mostly British) created economic crisis and worsened inequality in the Australian colonies which saw the collapse of many banks and soaring unemployment. The booming migration (mostly white) of the second half of the 19th century which had fuelled economic growth and construction in the cities, virtually ceased altogether.

This further compounded the economic situation and at the same time fanned concerns about the immigration of cheap (and non-European) labour. Meanwhile drought (1895-1902), combined with the depletion of non-renewable natural resources (gold) and exhaustion of the natural estate (agriculture), amplified these problems. A mainly literate population, and organised labour movement, increasingly made demands for a more egalitarian social order. The maritime and shearers' strikes of 1890 and 1891 were the largest ever seen but were repressed by government and police, leading to the formation of the Australian Labor Party as a national party making national claims for working people.

At the same time the women's movement pressed for enfranchisement and inclusion in the national polity. National identification was enhanced by a new information and technological order: after 1880s the colonies (except WA) were connected by rail (though there were up to 17 different gauges); the nineteenth century proliferation of local newspapers and the new journalism (exemplified by *The Bulletin*) created both dissent and a common textual community in which ordinary people across the country formed a common *reading* community and came to imagine themselves as belonging to a single *political* community.

Reuters and the extension of the telegraph (to the world in the 1870s) made news a kind of commodity which could be packaged and bought.<sup>4</sup> In a context in which foreign relations were still largely directed from London, this all contributed to the developing sense of national identity, expressed in literature, art and journalism, and a strengthening sentiment that closer union would overcome a sense of colonial inferiority in the context of anxiety at the rising power of Russia, Japan and China.<sup>5</sup>

### **Resulting political compact:**

- A new federal constitution enshrined a political settlement that sought to address many of the issues of the 1890s:
  - ◆ Democratic claims were tempered by federalism: in order to gain approval of all the colonies, the Senate was constituted as a body that gave the various States equal representation regardless of population;
  - ◆ An more economically sustainable framework for the colonies was established: this helped to regulate the banking sector, including through the establishment of the Commonwealth Bank (1911) and foster economic prosperity through the abolition of domestic tariffs, progressive land tax (1910) and federal income tax (1915) Overseas borrowing was tempered;
  - ◆ A framework was created to deal with external military threats: the Australian Army and Commonwealth Naval Force was immediately established (1901) and compulsory military training introduced a decade later.
  - ◆ Migration was regulated: the White Australia policy was formally legislated (1901), with the intention of enabling rights and benefits (such as the high minimum wage) for white workers, in part by racial exclusion;
  - ◆ A federal power over information and the telegraph was established: this was the power that enabled federal control of information during WW1 and the establishment of the ABC in 1932;
  - ◆ Discrimination against Indigenous people was entrenched: the states were given power to directly discriminate against Aboriginal people (section 51(26) Race power);
  - ◆ A new institutional architecture was established: including federal parliament, the High Court, the Commonwealth Court of Conciliation and Arbitration, Postmaster General's Department, Commonwealth Bureau of Statistics, and ultimately the Australian Public Service and Canberra as a national capital. In some instances, bodies formed under the authority of the Constitution, such as the Inter-State Commission, fell by the wayside.
- Social and labour market experimentation was undertaken:

- ◆ Union recognition and labour market regulation at a Federal level was introduced through the *Commonwealth Conciliation and Arbitration Act 1904*;
  - ◆ The Harvester Judgement (1907) which established the “living wage” (and entrenched women’s domestic role);
  - ◆ Protest and strikes were tolerated: industrial action was extremely common (albeit technically unlawful) and legal sanctions against industrial action were very rarely invoked between the end of WWI and the early 1970s;<sup>6</sup>
  - ◆ Old age pensions were introduced at colonial/state and then Commonwealth levels;
  - ◆ Non-Aboriginal women were enfranchised (everywhere in Australia by 1909) but not allowed to stand for election until 1926.
- National political parties emerged as key parts of the political system.
- A ‘national’ cultural movement flowered which:
- ◆ Took shape in architecture, literature, history, painting and the decorative arts, as well as institution building and the creation/protection of a national public estate (eg. national parks);
  - ◆ Often expressed the notion of active citizenship: the ideal that citizens should have equal opportunity for self-development and community service (regardless of their class position or bargaining power in the market), and that it was the role of the state actively to support them to develop that capacity.

**Takeaway:**

- The federation of the Australian colonies in 1901 transformed the institutions of responsible government into those of a nation. The flexibility and responsiveness of its structures were in many ways a product of the need to draw together multiple interests, notably the different colonies; the claims of workers and the labour movement; and the divisions between free traders and protectionists. But a significant degree of consensus about policy and purpose had emerged by 1914.

## 1945 Reconstruction:

### ***Stresses to the existing order:***

The Second World War disrupted the prevailing conditions of the interwar period and brought about a new context for political, economic and social life in Australia as elsewhere. To meet the external threat the government demanded that Australians surrender many of their individual liberties in the national interest. The population was mobilised to support wartime industries, conscription was introduced for service in the Pacific, and civilian labour was directed into specific sectors.

People experienced a chronic shortage of housing as well as rationing and price controls, with press, radio and film controlled by the state. However, in contrast to the period during and after WW1, WW2 was not characterised by any significant wartime political protest. The threat of direct invasion (1942-1943) was seen to justify these interventions. It also brought about a realisation of Britain's inability to provide Australia with military assistance in times of crisis and led to new cooperation with the United States.

The war was a positive shock to the Australian economy with GDP per capita increasing by more than 17%. Manufacturing was given significant stimulus (through direct government investment of capital and assisted immigration), and centralised economic planning created a federal bureaucratic machinery. The headquartering of the US Pacific contingent in Australia created huge additional demand for supplies. This led to full employment, including the movement of women into the labour force, with women's participation increasing by 31%. Indigenous people were drawn into service in defence of the nation.

### ***Resulting political compact:***

- Geopolitical re-orientation:
  - ◆ Stable and well-functioning postwar international political and economic systems provided security for reconstruction under the Chifley and Menzies governments;
  - ◆ Australia's foreign policy was gradually redirected towards the Asia-Pacific, and its allegiance shifted from Britain to the US through treaties such as ANZUS;
  - ◆ The Korean war fuelled demand for Australian wool in the early 1950s which was reinvested in the agricultural economy;
- 25 years of sustained economic prosperity:
  - ◆ Postwar planning was undertaken by an experienced bureaucratic machinery and by expanded federal government departments, that were committed to the possibilities of government intervention, including through policies that supported:
    - job growth through moderate wage increases and access to credit;
    - consumption and industrialisation by promoting tariffs;
    - home and car ownership, and access to electricity and water, through infrastructure projects (incl. Snowy Hydro, public housing);
    - education and cultural development (incl. through Commonwealth Scholarships, Colombo Plan for international students);
  - ◆ Foreign debt dropped thanks in large measure to the Lend-lease arrangements with the US during the war, and the focus during the war on raising funds via taxation rather than foreign loans;
- Increased migration was supported by successive governments:
  - ◆ Migration drove economic prosperity and countered sense of regional vulnerability (which also sat behind nuclear testing in the 1950s);
  - ◆ By 1965, two million people had arrived in the country (in 1945 the population was about seven million), including many from southern and eastern Europe;
  - ◆ Australia offered a commitment to permanent migration and pathway to citizenship (which are not features of temporary migration), and some political freedoms, including the capacity to participate through groups like the Federation of Ethnic Councils;
  - ◆ But this political participation took place outside parliament until the 1970s, with political parties and other institutions such as universities also not amenable for a long time to their involvement. Section 44(i) of the Constitution made it impossible for migrants with dual citizenship to become parliamentarians.
  - ◆ From 1966, the White Australia policy was wound down.

- Common information points increased:
  - ◆ There was a flourishing of newspapers and print media which included local community as well as morning and afternoon metropolitan papers, and magazines such as the *Women's Weekly* and a revived *Bulletin* in the 1960s.
  - ◆ People were better connected to each other via the telephone, and the sounds of politics came into people's homes through the maturing of radio (in 1947 Parliamentary Proceedings were broadcast).
- A new legal status of Australian citizenship came into force on 26 January 1949:
  - ◆ British subject status remained the equivalent to citizenship in the rights accorded to most citizens, including voting rights.

However this new democratic compact was underpinned by:

- Renewal of the gendered social and economic order
  - ◆ After a period of opportunity to work in traditionally male roles during the war (while receiving only a percentage of the male rate of pay), many women were forced to return exclusively to domestic work after the war.
  - ◆ Women's role in postwar reconstruction was to marry, provide for men and achieve personal fulfilment through childbearing and maintaining the family home but in reality there was rising women's participation in the postwar workforce.
- New governance of First Nations people:
  - ◆ National wartime mobilisation brought the northern and south/eastern parts of the country together and drew Aboriginal people into the cash economy;<sup>7</sup>
  - ◆ The policy of assimilation sought to extend this trend but provided little space for Indigenous identity or self-government;
  - ◆ Aboriginal Australians only became entitled to vote in Commonwealth elections in 1962 when the Electoral Act was amended;
  - ◆ After years of campaigning by the Federal Council for the Advancement of Aboriginal and Torres Strait Islander people and unions, punitive 'protective' legislation that kept many Aboriginal workers in a system of low-cost, bonded labour in pastoral regions was repealed and in 1966 they were awarded equal wages.

### **Takeaway:**

- The sacrifice of the Australian people during the war, combined with the economic stimulus it provided and the centralised planning it required, led to the creation of a new form of democracy in the postwar decades in which social rights assumed an unprecedented prominence. Governments that believed in their powers to intervene introduced policies which expanded the Australian population and its economy and facilitated new forms of democratic engagement, with an increasingly educated, culturally diverse and politically attuned population - though still one that discriminated against women, non-white migrants and Aboriginal Australians.<sup>8</sup>

## 1970s Social Citizenship:

### ***Stresses to the existing order:***

After more than two decades of prosperity in which Australia's exports shifted decisively away from Britain and towards Asia, in the early 1970s economic growth in Australia and internationally began to slow. Mass unemployment appeared for the first time since before the war, inflation rose and population growth slowed. The minerals boom, which had begun in the 1960s, placed cost pressures on other sectors of the economy, notably manufacturing. Government policies in the early 1970s exacerbated these impacts. And from 1962-1973 Australia was once again at war, this time in Vietnam. In this context, a surge in high school retention rates during the 1960s created a new cohort of young people who pushed against the constraints of the post-war world and demanded access to political power and representation.<sup>9</sup>

The Women's and Gay Rights, Civil Rights, Aboriginal Land Rights, Wave Hill protests, anti-Vietnam, anti-nuclear, and Conservation/Environmental movements all appeared to challenge Australia's political order and agitate for change that reflected shifting values about sexual, racial and economic equality and international and environmental sustainability. Citizens increasingly looked to the government to provide a fuller sense of social citizenship and an enlarged meaning of democracy and the nation. This new sense of self emerged in the context of a mass media (which from 1956 included television, but which only became widespread in the late 1960s) that provided a shared landscape of facts and ideas for diverse people scattered across the continent.

### ***Resulting political compact:***

A set of initiatives, many enacted or conceived under the Whitlam Labor Government (1972-75) but continued by its successors, responded to this challenge. These included:

- A new social and cultural infrastructure designed to enhance people's "social citizenship" (their access to the conditions that enable them to participate fully as members of society". This included:
  - ◆ Measures to reduce gender discrimination such as maternity leave, the removal of sales tax on contraception, new supporting parents' benefits, family payments, and expanded government support for childcare and women's refuges;
  - ◆ A universal health and social care system, including Medibank (1975) and Medicare (1984), Community Health, Social Security, and Public Housing;
  - ◆ Cultural Institutions such as the Australian Council for the Arts (later the Australia Council), the Aboriginal Arts Board, the National Gallery of Australia, the National Library of Australia, the National Museum of Australia, the Australian Archives and 2JJ/2JJJ (Triple J) radio;
  - ◆ Support for education, including the abolition of university fees, the expansion of 'state aid' to independent schools, and the creation of the Schools Commission.
- A new accountability architecture, catalysed by the 1971 Kerr Report:
  - ◆ Provided frameworks through which people could participate, protest and challenge government decisions in the Tribunals and the Courts, including: Senate estimates (1971), Administrative Appeals Tribunals (1975), the Federal Ombudsman (1976), Legal Aid (1979) and Community Legal Centres (beginning in 1970s), and Freedom of Information (1982).
- A new and inclusive conception of the nation:
  - ◆ With the Racial Discrimination Act (1975) and Sex Discrimination Act (1984) Australia turned away from a gendered and racially exclusive framing of the nation;
  - ◆ Amendments to the Australian Citizenship Act (1973) enabled non-British subject migrants to become citizens in ways equivalent to British migrants;
  - ◆ Government funded multicultural radio stations, the Special Broadcasting Service (SBS) and telephone translation services gave migrants voice and representation;
  - ◆ Aboriginal and Torres Strait Islander were accorded land rights and self determination, notably through the establishment of the Aboriginal Land Fund & Loans Commission (1974), the National Aboriginal Consultative Council, the return of Gurindji land (1975), and the Land Rights Act (1976);

- ◆ A new national anthem (1973) and creation of an Australian honours system (1975) provided new symbols of national identity detached from Britain.
- A new understanding of the environment:
  - ◆ Custodianship of the environment was expressed through protection of the Great Barrier Reef (from 1973) and environmental protection legislation (1974).

At the same time and emerging as a different response to the crises that produced the democratic compacts of the postwar period:

- A new culture of economic rationalism began to emerge that shifted the responsibility of coordinating resources from state actors and public institutions to markets and private actors. Although in the 1980s its negative effects were ameliorated by social provisions and regulation;
- Media began to be concentrated at the same time as journalistic standards were professionalised;
- Refugees began to be politicised with a new comprehensive policy post-Vietnam (1977).

***Takeaway:***

- As economic uncertainty increased, Australian democracy was renewed by a conception of an inclusive nation, in which all citizens had access to the conditions that would enable them to fully participate as members of society. The government built institutions that enacted this vision and provided frameworks through which people could participate, protest and hold power accountable.

## Our predicament: the long 2000s

### ***Stresses to the existing order:***

Australia's economy (and society) has always been shaped by the forces of globalisation, but since the turn of the millennium there has been a striking sense of its growing acceleration. Problems such as terrorism, human trafficking, collapsing interlinked financial and economic systems, global warming, cyber-crime, and online disinformation cannot be seriously mitigated, let alone resolved, at the national level. Major shifts in international relations such as the growing power of China, the rise of populism and authoritarianism, and the emergence of what has been called 'illiberal democracy' have sharpened the challenges of defending and developing democratic institutions in the contemporary context of "polycrisis" – the multiple and interacting global threats to humanity and the planet on which it lives. In Australia this predicament takes place in a context in which people are experiencing dramatically increased inequality and economic insecurity, encompassing housing (un)affordability, insecure employment, and intergenerational injustice. Since the early 2000s, the capacities of public services to offer support have been dramatically eroded, both by increasing demand and by underfunding. At the same time, the government's ability to act has been systematically dismantled: public assets have been privatised, and institutional capability eroded by the decades-long use of corporate consultants in lieu of the public service, resulting in scandals (such as Robodebt or the maltreatment of people in aged care) that turn caring institutions into abusive ones. Public consensus and political agitation on issues such as climate change (including during national crises such as the 2020 bushfires) and First Nations reconciliation has failed to translate into meaningful social, economic, or political change. In the context of sustained population growth, the principles of multiculturalism that have helped to stitch our diverse social fabric together have been walked back from and migration and asylum has been securitised. Meanwhile, the information and participatory systems that traditionally supported engagement and accountability are also under severe strain. Protest has been criminalised; the economic model supporting journalism has fallen apart; universities and public schools have been defunded and marketised; FOI has been overwhelmed and eroded through defunding and reform designed to make access to information more difficult; and our national cultural institutions have been starved. Australians are less conscious of their governments and democratic system as caring or enabling, nor do they regard the state as attentive or responsive to their needs and concerns. Together, these factors have contributed to disengagement with the political process and a growing suspicion that problems cannot be addressed by or within the existing democratic order.

### ***Resulting political compact:***

- The present situation is not necessarily worse than those in the past, but some elements of this disruption are unprecedented:
  - ◆ Social media, the individual curation of information, and the concentration of all communication within a single device which is both corporatised and privatised, has radical consequences for information, and the habits that underpin public life;
  - ◆ The fragmentation and casualisation of work have diminished the spaces for collective engagement and social cohesion. For young people who do not stand to inherit property, there is no longer a self-evident nexus between levels of level of skill, education and capacity for hard work, and the ability to secure a flourishing life;
  - ◆ The level, scale and irreversibility of environmental collapse and its manifold consequences will require transformation of all aspects of our common life.
- Australians are increasingly experiencing the effects of this predicament as intolerable, and they have declining faith in the capacity to address them.

### ***Takeaway:***

- Change is needed. Responding to our current predicament will demand a new kind of democratic compact that has not yet been fully imagined. The fragmentation of everyday life means that there is no longer an easily defined information community, (such as that established by modern print newspapers or the pre-1992 regulated Australian-owned broadcasting system) that governments can contribute to or communicate with, and the evacuation of adequate investment in national institutions and their subsequent inadequacies, has contributed to the rise of community disenfranchisement and 'anti-politics'. People are increasingly atomised, speaking in ever narrower, partisan conversations which are unmediated. Bold, ambitious leadership is needed to bolster an effective, enabling, and public democratic infrastructure.



# What does this history show?

## **1. When the terms of the democratic compact between governments and the people need to be renegotiated, big changes can and have been made:**

- the White Australia policy was abandoned;
- the power of the 'squattocracy' was restrained without destroying the economy;
- universal and free public services were created;
- relationships with South East Asia were built;
- Terra Nullius was abandoned and Aboriginal land rights were recognised.

## **2. At moments when a great deal is at stake, certain factors are crucial if the democratic settlement is to be renewed:**

- Governments that are prepared to use the power of the state in the common interest;
- Economic and social equality;
- An environment in which the overwhelming majority can agree on the truth of some basic facts;
- The possibility for dissent: avenues for people to participate and have voice;
- Robust public institutions that are well funded;
- Politicians and parties that act ethically.

## **3. Economic security matters:**

- High trust in government has historically coincided with periods of active government in terms of the delivery of goods and services that underpinned a decent life.

## **4. Flexible and responsive democratic institutions are lasting ones:**

- The way to build enduring and resilient democratic institutions is to make them flexible and responsive: capable of hearing, accommodating, and responding to citizens' experiences, interests and concerns as they are positively and collectively expressed (through the demands of civil society organisations and trade unions) rather than through mechanisms of individualised surveillance and control.<sup>10</sup>
- By contrast, static and fixed institutions that seem to promise certainty imperil democratic society because they mean people opt out of participation: the wealthy and powerful have no sense of accountability, and those at the margins feel they have no stake because they are not listened to.

## **5. Avenues for dialogic conversation and participation are crucial, especially in contexts of social dissolution:**

- Across the 20th century people learned to live together through exercising their active citizenship in a host of extra-political fora including unions, churches, synagogues, mosques and temples, their neighbourhoods, friendly societies, and sporting clubs;<sup>11</sup>
- Although the interwar period and the 1950s was characterised by an upsurge in denominational polarisation between Catholics and Protestants, the political parties ultimately managed these divisions while still pursuing social reform for the common good;
- But membership in these organisations has radically declined and we have lost the social habits that used to be central to our democracy. Instead, the everyday choices we make exercise a different set of habits: those that centre on individual interests, niche concerns, and private consumption.

## **6. Embrace of dissent and civil disobedience is crucial to the maintenance of democratic culture:**

- Moments of change channel multiple currents of domestic and international pressure;
- There are times when it has been necessary for subordinated groups to communicate through public protest, industrial action, and civil disobedience (ie. conscientious, public, politically motivated nonviolent breaches of the law undertaken to persuade decision makers to change the law);
- These activities are part of democratic participation and have been crucial to reconfiguring legal systems that were founded on racist, patriarchal and exclusionary assumptions;
- If people do not feel they have a voice within a political system, they will become politically disengaged and/or resort to violence and non-civil disobedience.

## **7. The race prejudices of 1901 remain entrenched. For all its strengths, Australia's governance structure has proved inflexible and static when it comes to First Nations people especially, but also those born, or with parents born, outside Australia.**

- Since Europeans first arrived, Aboriginal people have repeatedly attempted to have their voices heard: from the 1846 Petition of Aboriginal people in Flinders Island to the Queen, to Coranderrk in 1886, to the 1938 Day of Mourning and petition to parliament, to the Aboriginal Tent Embassy in 1972 and countless other efforts.<sup>12</sup>
  - 250 years of people not being listened to leads to people giving up and turning to something else.
- Our parliamentary structures are irreconciled with Australia's migrant population:
  - Section 44(1) of the Constitution prevents those who are entitled to citizenship of a foreign country from entering parliament. With over 50% of Australians born overseas or with a parent born overseas, this potentially effects half of the population.

### **Takeaway:**

It is only with historical perspective that current era's default privileging of 'the private' over 'the public' across the entire range of public policy and administration is revealed.

Restoring trust in government will necessarily involve leaders seeing and themselves articulating the current moment clearly in historical perspective.

Pointing to the historic norms enjoyed during periods of greater mutual trust and amity in Australia, and to the prospective dividends for reviving them, could be persuasive in building broad support to rebalance government towards 'the public' once more.

# Recommendations

## **Discussion papers that examine the history of the following topics:**

- Trust in government
- Indigenous political participation
- Protection of protest and dissent
- Communicative infrastructure
- Freedom of information
- Australian citizenship
- Research bureaus within the public service

## **Working papers that explore the following questions:**

- Possibilities for a linked exhibition and education program that focuses on the histories of Australian democracy.
- Possible arrangements for fostering the relationship between citizenship and culture (see Appendix A: Culture and Citizenship: the democratic nexus)
- Possible arrangements for fostering the relationship between Immigration and Indigenous Affairs.

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- <sup>8</sup> Stuart Macintyre, *Australia's Boldest Experiment: War and Reconstruction in the 1940s* (Sydney: NewSouth Publishing, 2015)
- <sup>9</sup> The number of 17 year olds in schooling more than doubled from less than 15% in 1950 to more than 40% in 1970. See McLean, p. 201.
- <sup>10</sup> McLean, Iain W., *Why Australia Prospered: the shifting sources of economic growth*, (Princeton, 2013)
- <sup>11</sup> Judith Brett, *From Secret Ballot to Democracy Sausage: How Australia Got Compulsory Voting* (Text Publishing, 2019).
- <sup>12</sup> A partial timeline is here <https://www.creativespirits.info/aboriginalculture/history/australian-aboriginal-history-timeline/protest>

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## Appendix A: ‘Culture and Citizenship: The democratic nexus’

Australian citizenship is not even as old as the nation. It only became law in 1948 with the passage of the *Nationality and Citizenship Act in 1948*. At its core was the provision: All Australian-born and other British subjects resident in Australia for the five years prior to 26 January 1949 were automatically Australian citizens.

While Federation, following the passage of laws in the British Parliament, created a new nation from six independent colonies, the expression of national identity was primarily civic and cultural, shaped to some degree by race fear and anxiety. This was communicated through poetry and literature, paintings and sculpture, performance, film, and music.

The *Australia Act* was passed in 1986 as an assertion of national independence. This coincided with a flowering of cultural expression of Australian identity. The traditional art forms that had marked the earlier period were still important, but decades on the artists and creatives who produced them were ready to challenge as well as celebrate. After the Bicentenary in 1988 Aboriginal art moved to centre stage.

As Professor Kim Rubenstein has argued, citizenship has four characteristics. It is a legal status, a political activity, a way of defining the rights and responsibilities of the state, and an identity.

For most Australians citizenship is exercised in response to regulations: when they vote, get a passport, or successfully navigate the visa system to become a citizen. The tests that permanent residents must pass attempt to quantify values and measure a passable knowledge of the systems of government.

There is a need to reconsider how citizenship is best administered and communicated – as an expansive expression of identity that encompasses political and other rights, rather than as a punitive tool used to exclude.

Rather than attaching responsibility for citizenship to immigration, which assumes that only newcomers need to learn about it, a more expansive approach could see Citizenship and Culture formally linked in a new department or agency. As many nations have demonstrated, a generous expression of national identity has benefits in trade and global relations.

As the results of the surveys that accompanied the 2023 referendum demonstrated, Australians are not well informed about the Constitution, civics, or national history. The need for education is apparent, but the tools are limited. Finding ways to engage with these questions is a challenge of even greater significance because of digital media, and for an immigration nation.

The notion of identity necessarily evolves, but as recent debates have shown the values that inform it are ill-defined. It is through cultural expression and activities that identity becomes manifest. Article 27 of the Universal Declaration of Human Rights puts the right to access and participate in cultural activities as a fundamental right.

By making culture and the arts a whole of government responsibility, the full scope of cultural activities could be consolidated more effectively. This could include the cultural activities currently located in Infrastructure, Foreign Affairs, Defence, Social Welfare, Education, and other agencies.

The big issues that have dominated public debate in 2023, the Voice Referendum, the Israel Gaza war and the High Court ruling in relation to indefinite detention, all have a citizenship angle. They also explicitly address cultural issues of belonging, participation, and expression.

Investigating ways of linking them could break the stalemate that inhibits the capacity of full participation by citizens.

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See also:

O'Conner, Justin, 'Art, Culture and the Foundational Economy', Reset Working Paper #2, (University of South Australia, 2022), <https://resetartsandculture.com/wp-content/uploads/2022/02/CP3-Working-Paper-Art-Culture-and-the-Foundational-Economy-2022.pdf>

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