



**MULTICULTURAL COMMUNITIES COUNCIL
OF NEW SOUTH WALES INCORPORATED**

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For a Multicultural New South Wales

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**STRENGTHENING MULTICULTURALISM
A Researched Submission to the Senate Select Committee
by the Multicultural Communities Council of NSW Inc.
(12 May 2017)**

**PRELIMINARY OBSERVATIONS AS TO THE URGENT NEED TO ACT TO
STRENGTHEN MULTICULTURALISM [Highly relevant to terms of reference (a)
and (b)]**

In our view, after a number of years of positive development, we have gone backwards in the last seventeen years and now a major crisis exists for multiculturalism in Australia. It is contended that, especially in the last four years, multiculturalism has suffered great setbacks and has increasingly been reduced to a pale shadow of itself. This is reflected in the resentment against Third World immigration and the massive public criticism and abuse directed towards refugees.

These negative attacks on multiculturalism have been reflected in public policy. There has been a very large reduction in previously existing programs for the different cultures and ethnic communities at both state and Federal levels. There have been a whole range of actions which have resulted in a very large number of programs that benefited people of non-English-speaking background being abolished and the pursuit of cultural diversity substantially discouraged. The first phase of this was the huge reduction in Access and Equity programs, especially at the federal level.

During this time, we had the spectacle of the popular media jumping on the bandwagon and effectively supporting the attacks on multiculturalism and a nonracially based immigration policy. The attack on refugees, who were perceived as an easy target, was the soft underbelly of this development; this phenomenon allowed the media to rile against so-called queue jumpers and would be terrorists – ignoring the fundamental human rights of those seeking asylum. However, the phenomenon was much broader than that and was intended to undermine all programs which encouraged a cultural identity which is based on the general principles of multiculturalism.

All this has been given greater emphasis as a result of the rise of the One Nation party

and the Pauline Hanson phenomenon. In her original maiden speech in the House of Representatives in 1998, Hanson attacked multiculturalism, the Aboriginal community and the level of Asian immigration to Australia, thus sparking a debate on questions of racism. Hanson combined the attacks on multiculturalism to claim that Australia was in danger of being swamped by Asian people, thereby raising the issue of the level of Asian immigration and introducing the discussion of race into the immigration program. Since her election to the Senate in 2016, Hanson has continued attacking multiculturalism and has now targeted the Muslim communities.

Pauline Hanson in her remarks has ignored the fact that multiculturalism as formally defined through the National Agenda for a Multicultural Australia, incorporates significant elements of unity as well as diversity, including the respect for democratic institutions and the rule of law and respect for English as the national language. Her position was the worst expression of crude chauvinistic nationalism as a political philosophy.

Even though a critique has developed of the more extreme positions of Hanson, there has nevertheless been a more subtle embrace of many of the things which her movement believes and represents. In fact, multiculturalism under recent Australian governments has now become nothing more than a set of slogans to describe the need for unity within the context of a democratic liberal society. It has very little to do with recognition of the value of the different cultures in our midst.

Notwithstanding these setbacks, we believe that Australia can learn from what has happened and develop strategies to deal with the current crisis. We are not, like some, pessimistic about the future of multiculturalism in Australia. This is because of the general direction of global developments: While Globalization as a phenomenon has negative and positive aspects, one of its most positive aspects is the promotion of a greater understanding of the need for a multicultural world.

Previously the Australian experience of multiculturalism provided a model for many other nations to follow in the development of multicultural policies and programs. Because of the actions of the major political parties - both Liberal and Labor- in the last few years, we now have a situation in which that multicultural model that we were offering to the world has itself been undermined in Australia. However, the need for such a model at an international level continues unabated. A multicultural model for example is the only way for genuine unity to be achieved in the European Union. In our view, the internationalization of multiculturalism as a philosophy is of the utmost importance; the world needs a genuine recognition of the worth of a diversity of Cultures and a true multicultural philosophy.

IMPROVING THE PUBLIC DISCOURSE ON MULTICULTURALISM [relevant to Terms of Reference (f)]

The best way to improve the public discourse is to directly address the criticisms of Multiculturalism made by politicians, media commentators and chauvinist, monocultural nationalists. The most fundamental criticism raised against multiculturalism by these people has been the claim that it is in contradiction with Australian national identity. Such critics see multiculturalism as a philosophy which is in direct opposition to social solidarity and to those elements of Australian social life which contribute to our sense of nationhood and even our identity.

The MCC believes that these critics are mistaken. What we maintain is that multiculturalism, properly understood, is a philosophy that is indispensable in a society like ours if we are to have any genuine sense of our identity and of our future. Far from multiculturalism being in conflict with the traditions of our national identity, we believe that (properly understood) it has, as its essential feature, a comprehensive concept of social justice and human rights.ⁱ It is in this sense that multiculturalism is a fundamental feature of modern Australian values. Furthermore, the philosophy of multiculturalism can be seen as a continuation of this egalitarian tradition. As former Prime Minister, Paul Keating said in 1996:

“It seems to me we should remember that tolerance of cultural difference is ultimately a necessary condition for a successful new world country; and that those traditions or egalitarian democracy which emerged in the last half of the Nineteenth Century had the seeds of multiculturalism in them. If it is true that earlier generations of Australians traditionally took the view that where and to what rank people were born should be no measure of their character, and that in Australia everyone should begin without these handicaps, then we can see ourselves as building on a tradition”.

The MCC believes that there needs to be a recognition that Australians must unite to confront the fundamental issue of strengthening multiculturalism. Australians need to work together on this, irrespective of our cultural differences and our individual political preoccupations.

. We should remember that in seeking to contribute to the further development of multiculturalism, we are not only doing so for this nation, but for the whole of humanity – especially at a time when so called populism (based on racism) and chauvinistic nationalism are on the rise.

It is the view of the MCC that: .

By adopting a genuine philosophy and practice of multiculturalism, we can learn from each other. We can recognize that we are all in the same boat in the search of the meaning in our

lives. We can accept the role of moderate religious beliefs based on rational debate and the acknowledgement of other people's point of view. We can recognize the special problem of spiritual poverty and focus on a synthesis of ideas in philosophy and religion which would allow us to gain a much greater comprehension of our common frailty and our humanity.

**PROMOTING PHILOSOPHICAL ARGUMENTS FOR MULTICULTURALISM
which can be applied across the spectrum of political parties and ideologies [relevant to Terms of Reference (f) and (i)]**

In our view, it is very important for the Liberal and Labor parties and for other political parties who believe in human rights, to recognize that there are positive philosophical approaches to multiculturalism which are consistent with their ideological thinking. The Committee should consider publicizing such positive philosophical approaches and as a consequence strongly advocating to the Liberal, Labor and minor political parties the adoption of a comprehensive concept of multiculturalism. Two such philosophical approaches are recommended:

From the point of view of left wing or centrist politics, the following philosophical approach gives valuable insights: **Charles Taylor's Progressive Communitarianism**

Charles Taylor in his book *,The Politics of Recognition* argues that it is possible to have both cultural diversity and social cohesion in a modern society. He accepts the basic premise of communitarianism which is that social and political life is/ must be underpinned by a collectively acknowledged concept of the common good. However, he does not accept the view of nationalistic/ chauvinism that this requires emphasis on a single cultural form to achieve identity. Rather, on his view, the common good is the consequence of a 'fusion' of various cultural principles and beliefs. Underpinning this 'fusion' is the fundamental belief that it is both possible and necessary to establish a common moral purpose and end. He says: *There must be something midway between the unauthentic and homogenising demand for recognition and equal worth, on the one hand, and the self-immurement within ethnocentric standards, on the other. There are other cultures, and we have to live together more and more, both on a world scale and commingled in each individual society.*ⁱⁱ

It follows, according to Taylor, that a concept of the collective good in culturally diverse societies must be based on *equal respect for the worth of diverse cultures*. He states that, 'the further demand we are looking at here is that we all *recognise* the equal value of different cultures; that we not only let them survive, but acknowledge their worth.'ⁱⁱⁱ

Progressive Communitarians thus contend that the principle of equal respect for cultures is necessary if we are to forge the basis for unity in a cultural diverse society. Charles Taylor

articulates this view as follows: *'But merely on the human level, one could argue that it is reasonable to suppose that cultures that have provided the horizon of meaning for large numbers of human beings, of diverse characters and temperaments, over a long period of time - that have, in other words, articulated their sense of the good, the holy, the admirable - are almost certain to have something that deserves our admiration and respect, even if it is accompanied by much that we have to abhor and reject'*^{iv}

In this sense, Taylor is critical of some definitions of multiculturalism in Western, democratic societies for accepting cultural diversity as a fact, but *not respecting its substance*. He argues that multiculturalism should involve greater incorporation of diverse cultural perspectives within modern society.

The problem, then, becomes: how are different cultures with their different concepts of the common good to achieve a new *shared* concept of the common good in a multicultural society? Taylor's response is as follows: he argues for the recognition and incorporation of cultural diversity in the institutional and other structures of society requires a 'fusion of horizons'. In other words, there must be cross cultural fertilization based on equal respect. He says:

The "fusion of horizons" operates through our developing new vocabularies of comparison, by means of which we can articulate these contrasts. So that if and when we ultimately find support for our initial presumption, it is on the basis of an understanding of what constitutes worth that we couldn't possibly have had at the beginning. We have reached judgment partly through transforming our standards'^v

It should be noted that in proposing this thesis, Taylor moves away from the nationalistic/ chauvinistic position (in which the idea of the common good is simply the view of the dominant culture in a given nation) to a universalist position in which he asserts the idea of the common good applies to a range of cultural forms in the society. .

Turning now to the more right wing parties such as the Liberal Party, it can be argued, within the context of a liberal philosophy, that **Progressive Liberalism is consistent with Multiculturalism**

Examples of such a philosophy have been provided by two important thinkers, Kymlicka and Raz. Will Kymlicka in his book *Liberalism, Community and Culture* presents a positive approach to the relationship between political liberalism and cultural pluralism.^{vi} Kymlicka grounds his argument on the idea that liberalism has to be amended to accept that 'cultural structures' are crucial to the ends that individuals choose to pursue. He argues that, 'we need

to show that membership in a cultural community may be a relevant criterion for distributing the benefits and burdens which are the concerns of a liberal theory of justice.^{vii}

Kymlicka is in agreement with liberalism in so far as he accepts the idea of individual freedom and the importance of civil and political rights. In a similar way to John Rawls in *A Theory of Justice*, Kymlicka believes that for individuals to sustain a sense of 'self-respect', they have to be able to determine and pursue their ends according to their own personal values and principles. Kymlicka contends, however, that the range of our options in life are determined by our cultural heritage. According to him, the different ways of life that we experience from others with whom we interact, “. . . become potential models, and define the potential roles, that we can adopt as our own. From childhood on, we become aware both that we are already participants in certain forms of life (familial, religious, sexual, educational, etc.), and that there are other ways of life that offer alternative models and roles that we may, in time, come to endorse. We decide how to live our lives by situating ourselves in these cultural narratives . . .”^{viii}

In other words, cultural structures are the basis upon which individuals determine their identity and the ends to which they aspire. The argument simply says that cultural membership is important in pursuing our essential interest in leading a good life, and so consideration of that membership is an important part of having equal consideration for the interests of each member of the community.

To this end, he is suggesting that there is set of rights which have to be determined in the public sphere, and which go beyond basic civil and political rights; that is, cultural rights. We agree with Kymlicka that such cultural rights in this sense are very important for our social identity; culture does have a special place in society and it does extend into both the private and public realms.

Another thinker, Joseph Raz puts forward a similar argument in his article entitled, *Multiculturalism: A Liberal Perspective*.^{ix} In a similar way to Kymlicka, Raz attempts to defend the relevance of the liberal political philosophy to communities that are characterised by cultural diversity. On the basis of this assertion, the author argues that a version of multiculturalism can be defended and promoted from a liberal perspective.

Raz argues that each of the conservative liberal arguments against multiculturalism can be rebutted by the liberal principle of individual freedom. In opposition to some traditional liberals, Raz argues that the right to be a member of a specific cultural group is essential to experience individual freedom. He states:

Only through being socialised in a culture can one tap the options that give life a meaning. By and large, one's cultural membership determines the horizon of one's opportunities, of what one may become, or (if one is older) what one might have been.^x On the basis of these arguments, Raz concludes that, multiculturalism is an essential element in any decent liberal political program for a community characterised by cultural diversity.

,Thus Kymlicka and Raz recognise that an expanded liberal political philosophy provides important elements of our concept of multiculturalism; that is, the basic civil and political rights alongside a deep respect for the special place of culture.

In view of the above observations, we recommend that the Senate Committee assert that multiculturalism (and the programs required for its continued existence and implementation) be strengthened -because it can be philosophically justified from a variety of political and ideological perspectives.

THE NEED FOR FEDERAL LEGISLATION IN THE FORM OF A MULTICULTURALISM ACT [Relevant to Terms of Reference (h) and (i)]

The MCC strongly supports the introduction of a Multiculturalism Act. The issue of embedding the principles of multiculturalism into legislation has been raised on a number of occasions during the past twenty-five years. Even prior to the launch of the National Agenda for a Multicultural Australia in 1988, Senator Bob McMullan proposed to the ALP federal Government the introduction of legislation which would enshrine the principles of multiculturalism in law. McMullan was motivated by the fact that on 18 July 1988, the Canadian Parliament adopted a Multicultural Act. According to McMullan:

Too many Australians tend to think issues here are unique - have never happened before, or anywhere else - but this issue is common to all countries with large migrant populations. The Canadians have been confronted with a not dissimilar range of issues and to their great credit, in the context of an imminent election there, not one of their politicians chose to try to take a cheap shot.... The Canadians have managed to do it in a bipartisan way. It may well be that we now need to look at some public reflection of our commitment to multiculturalism either by way of an Act or a Charter.^{xi}

The main argument in favour of legislation was that it would translate the principles that underpinned multiculturalism into law and, as such, be a more powerful and enduring expression of Australia's commitment to multiculturalism.

McMullan's discussion paper argued that for legislation to be successful, it had to actually effect change. In order for this to occur, a Multicultural Act Bill would have to go beyond being a general statement of principles. Rather it would set out what it would do to manage the consequences of cultural diversity in the interests of all Australians.

There are however some things which the Government can do to encourage a greater consciousness of cultural diversity and a greater tolerance of that diversity. In this context a national campaign to promote multiculturalism is an urgent necessity

Following the release of the National Agenda in 1989, Prime Minister Hawke asked the Advisory Council on Multicultural Affairs to consider and report on whether Australia should have a Multicultural Act.

ACMA considered this question in the context of multiculturalism and economic efficiency; multiculturalism and social justice; and multiculturalism and institutional reform.

(i) ***On Economic Efficiency***; the committee reiterated the argument that Australia should do more to make the most of its cultural diversity. In particular, a major goal of the Government was (and indeed continues to be) improving the competitiveness of the Australian economy by making the most of the skills and experience of people from a non-English speaking background (NESB). As was noted earlier, the National Agenda introduced significant measures to reach this objective, including the establishment of the National Office of Overseas Skills Recognition (NOOSR). The council argued that these policy reforms demonstrated that in the area of economic efficiency, a Multicultural Bill would not necessarily lead to any improvement. This was due to the comprehensive and improving nature of existing policy in this area.

(ii) ***On Social Justice***; the Access and Equity Strategy formed the basis of the Hawke-Keating Government's link between multiculturalism and social justice. It is worth emphasising that, at that point in its evolution, the A&E Strategy did not involve special rights or the provision of special services - it focused on the mainstream delivery of programs.

On the basis of these observations, the advisory committee argued that the main problem had been that the Access and Equity Strategy was merely a guide for Government departments and, as such, was not enforceable. It relied on the discretion of individual ministers to be progressed. This problem made the case for a Multicultural Act more pressing; the advisory committee argued that the social justice agenda would be more likely to be achieved through legally enforceable rules, rather than policy guidelines.

(iii) ***On institutional reform and multiculturalism***; the advisory committee considered the necessity of a high-level advisory body that would reflect the importance Australia places on managing the consequences of cultural diversity. Such a body would be given greater legitimacy and authority if it was enshrined in a Multicultural Act. The council also suggested the establishment of a Joint Parliamentary Committee (similar to the one that exists in Canada).

These arguments had some effect on the debate surrounding the idea of a Multicultural Act. The issue was further reconsidered in the context of the 1992 evaluation of the Access and Equity Strategy by the then Federal Labor Government. At this time, the idea of enshrining the A&E Strategy in legislation was a major the subject of consideration.

Thus during the Hawke/Keating years, the proposed Multiculturalism Act was extensively debated. Suggested items for inclusion in such a Multicultural Act were:

A definition of multiculturalism; recognition of the special status and place of Aboriginal and Torres Strait Islanders; a proclamation of English as a second language; requirements of Commonwealth Departments and Agencies to ensure access and equity in the provision of programs and services to all Australians; statutory base of a body similar to the Advisory Council on Multicultural Affairs (ACMA) and legislative measures to curtail racial vilification.

The legislative issue arose again when, in 1993, the New South Wales Government introduced a *Charter of Principles for a Culturally Diverse Society*. The Charter is intended to ensure fair treatment for all Australians by the public service. The four principles included in the Charter are:

- (i) All individuals in NSW should have the greatest opportunity to contribute to, and participate in, all levels of public life.
- (ii) All individuals and public institutions should respect and accommodate the culture, language and religion of others within an Australian legal and institutional framework where English is the primary language.
- (iii) All individuals should have the greatest possible opportunity to make use of and participate in relevant activities and programs provided and/or administered by NSW government institutions.
- (iv) All NSW public institutions should recognise the linguistic and cultural assets in the NSW population as a valuable resource and utilise and promote this resource.

There was a later development: in June 1995, the National Multicultural Advisory Council issued a revision of the *National Agenda for a Multicultural Australia*. The council made the following observations with respect to the fact that the Multiculturalism Act was not proceeded with. Referring to the draft discussion paper prepared by ACMA it stated:

ACMA ceased to exist before the discussion paper was finally approved. Further consideration of the issue was deferred pending the results of major related inquiries by the Human Rights and Equal Opportunity Commission (HREOC) (on racial violence), the Australian Law Reform Commission (on multiculturalism and the law), and the Administrative Review Council (on the accessibility of administrative review mechanisms by people of non-English-speaking backgrounds). While these inquiries were completed by 1992, developments relating to the possibility of more broad-ranging constitutional change and proposed racial vilification legislation overtook consideration of more specific multicultural legislation. There were also unresolved issues about such an option, including its scope and purpose, its potential to be unnecessarily divisive and limiting the flexibility and evolution of multicultural policies and structures, and the manner in which it would address indigenous interests.

From that time onwards, debate on a Multiculturalism Act has virtually been buried. **However, the need for such an Act to strengthen multiculturalism is now very clear and urgent. The earlier discussions and reports, plus new academic research, provides**

ample information for the drafting of such an Act. The MCC strongly urges the Senate Committee to support such a Multiculturalism Act.

Conclusion: The Need to build a General Coalition of Australians in Support of Multiculturalism

It is our view that the Senate Committee should recommend action to bring together Australians from a variety of backgrounds who support multiculturalism into a general movement. Multicultural supporters having a variety of philosophical perspectives and cultural values need to come together. The MCC believes that what is now required. Is a general and united movement to press for multiculturalism – including for the restoration of programs that support cultural diversity and programs that seek to abolish disadvantage based on cultural backgrounds.

Submitted on behalf of MCC NSW by:

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Chairman

REFERENCES

ⁱⁱ C. Taylor, 'The Politics of Recognition', *Op. Cit.*, p.72.

ⁱⁱⁱ . *Ibid.*, p.64.

^{iv} C. Taylor, 'The Politics of Recognition' in *Multiculturalism: Examining the Politics of Recognition*, A. Gutman, (ed), Princeton University Press, Princeton, 1994, pp. 72-73.

^v *Ibid.*, p. 67.

^{vi} W. Kymlicka, *Liberalism, Community and Culture*, Oxford University Press, Oxford, 1989.

^{vii} *Ibid.*

^{viii} . *Ibid.*, p.165.

^{ix} J. Raz, 'Multiculturalism: A Liberal Perspective', *Dissent*, Vol. 41, No.1, 1994, pp.67-79.

^x *Ibid.*, p.71.