

# Inquiry into nationhood, national identity and democracy

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[Senate Legal and Constitutional Affairs References Committee]

Thank you for the opportunity to make a personal submission to this Inquiry. It is encouraging to see the Senate facilitating informed conversation on matters that could readily become wicked problems, defined as issues that are perplexingly multi-factorial and for which any purported solution brings its own further difficulties.

My comments focus on issues of what I term active democracy in a complex, multi-dimensional society. This entails more than political democracy, encompassing all aspects of citizenship, participation and respectful relationships.

In my view, the crucial characteristics of active democracy are intentional participation and engagement; access to well-founded information and interpretation; tolerance for difference with willingness to listen, hear and find common ground on which to act in accordance with shared values of fairness, equitable standing, and practical concern for the health and well-being of all.

Nationhood and national identity are not inevitable products of democratic ideals; neither does a successful democracy necessarily result in clarity of national identity. To be viable and sustainable, democracy has to balance natural/ innate individuality with collective rights and responsibilities. The institutions of democracy have to embody nuanced understanding of difference: in particular validly cherished cultural norms, beliefs and practices.

In a lively and living democracy, right to citizenship, with accompanying responsibilities, needs to surpass tests and protocols of formalised Australian national identity. Some approaches to nationhood seem to rely on jingoistic presumptions of superior bonding. Lauding citizenship ceremonies as the necessary gateway to participation in Australian life; extolling unidimensional or facile tests of patriotism; setting up binary 'with-us-or against-us' polarities—these are not marks of a mature democracy, secure in its heritage and evolution.

Of special concern to me is the assertion of parliamentary mandates. The FACT is that our system of voting does not encourage or permit electors to identify policy preferences or priorities. Parties form government as a result of winning a majority of seats in the House of Representatives based on preferential voting for a candidate, who might or might not be aware of, let alone capable of interrogating policy positions of the party or the electorate s/he seeks to represent.

Voting for outrider and protest-party candidates might be indicative not so much a matter of loss of trust in democracy as rejection of processes and procedures perceived as undemocratic.

The Fourth Estate/ public media has critical and critiquing roles in and obligations to democratic integrity. Whilst it is easy, and perhaps facile, to highlight the deficiencies of media coverage, there are many factors warranting careful consideration and elaboration. Ultimately, traditional or mainstream media are the creatures of and responsible to their publics. But there are intervening

variables that determine the responsiveness of media to the concerns of and issues of substance for a thriving, vibrant democracy. Lesser reliance on spin-doctored media releases and mumbo-jumbo mediated by skilful obfuscators will come only with more general public insistence on honest communication. Citizenship studies at schools might encourage students to look in depth at successful social action and justice movements and campaigns for viable and responsible expression of non-mainstream and alternative views and proposals for change.

A demonstrably impartial, skilled and committed public service (at every level of government) remains crucial to the realisation of democratic values and ideals. The several inquiries into Australia's public services appear not to have moderated, let alone ameliorated, the trend for governments to ignore or contradict the counsel of its most proximate source of expertise. Hiring consultants to give the advice that suits the hirer's preferences and imperatives diminishes public trust, and demeans the capacity of those who are 'servants of the public' in the best sense.

This needs to be accompanied by top-line public research and information-sharing vehicles having their work promulgated more widely and in readily accessible formats. The resources of the Parliamentary Library are under-utilised: ways should be found to spread its benefits broadly and independently of moderation by third parties. This would be facilitated by electors being made aware that they can access to research papers through their local Member of Parliament or State/Territory Senator.

Democracy should operate on the basis of 'positive stimulus' participation, not by default. Parliamentary or representative democracy may not be able to serve the needs of a progressive civil society in the longer term. The Senate Inquiry offers an opportunity to explore other forms and innovative adaptations of democratic nationhood and national identity. The Discussion Paper is a promising starting point (although inexplicably it fails to draw on John Keane's seminal analysis *'The Life and Death of Democracy'* and fails to acknowledge Leonard Cohen's signal contribution to our understanding [*Democracy is coming to the USA!*]). The depth and breadth of submissions to the Inquiry will be a measure of the concern and problem-solving ability of an engaged citizenry.

The integrity of the Inquiry report can establish a framework for new or renewed democratic structures. Its reception by Government, and actions taken in the light of the report, will be the key test of relevance and potential.

To pursue this theme a little more, I believe it important to look beyond established expressions of democracy—especially those that stem from or rely on reflecting populist positions—to the many opportunities for democratic participation. Shareholders are demonstrating growing willingness to make their voices heard more directly in the boardrooms of the nation's most influential companies; customers of banks, insurance companies, superannuation and other financial services are asserting their rights as the ultimate owners of those institutions; ratepayers make their needs and wishes known more effectively to local government councillors and officials; the Churches are (slowly and reluctantly in the case of some) opening up to sensible and sensitive dialogue; and corporations are gradually giving more effect to their stated 'triple-or-quadruple bottom line' accountabilities and ethical standards.

Commissions of Inquiry and other public investigatory mechanisms enhance citizen participation and trust in the institutions of democracy. A potent independent anti-corruption commission could make a substantial contribution to trustworthy oversight of foundational elements of the body politic.

Finally, I make three suggestions of possible models of democratic process for consideration by the Inquiry:

- Please examine carefully and considerately the consultative processes and procedures that resulted in the 2017 National Constitutional Convention 'Statement from the Heart'.
- The aims and experiences of the Australian Assistance Plan remain relevant to any attempts to promote 'progressive democracy' at local and regional levels. Issues of trust, transparency and capability are writ large in the short life of the AAP.
- The ways in which 'intentional communities', including faith-based collectives such as the Religious Society of Friends (Quakers), discern common concerns and represent them in meaningful ways can offer methods of participation and engagement of broader relevance.

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