



The Senate Legal and Constitutional Affairs References Committee

Enquiry into Nationhood, National Identity and Democracy

Australian Historical Association Submission

The Australian Historical Association (AHA) is the peak national body of historians that includes academic, professional and other historians working in all fields of history. The AHA currently has over 800 members which includes established scholars as well as mid-career, early career historians and post graduate students. The AHA hosts an annual conference and runs the journal *History Australia*, published by Taylor & Francis four times a year.

Below we address the terms of reference in turn:

a. the changing notions of nationhood, citizenship and modern notions of the nation state in the twenty first century:

Contemporary historical scholarship shows that the challenges of nationhood have shifted in the context of globalisation and mass migration. Rather than projecting an ideal of cultural homogeneity, nations have increasingly been called on to manage the diversity within their societies and to articulate plural interests in civic and international domains defined by the rule of law and the recognition of human rights. There have been many recent examples of the ways in which a nationalistic populism has gained traction when the dynamics of globalisation are not well managed by national policy responses. This trend does not vindicate populism so much as highlight the imperative of dealing with the challenges of diversity and demographic and social change in a productive way.

Nationhood in Australia rested on the dispossession of Aboriginal and Torres Strait Islander Australians who were excluded from the new nation and the rights of citizenship. Modern understandings of nationhood were forged in the late nineteenth and early twentieth centuries and Australian history reveals dramatic changes in ideas concerning what the nation is, who is included in it and how citizenship is defined in relationship to nationhood. With the inauguration of the Commonwealth of Australia, in 1901, Australian nationhood was framed by a larger imperial identity and an identity as a 'white' people. Legislation was passed to preserve whiteness – the White Australia Policy - and Britishness as defining national characteristics. However, simultaneously, the 'Australian settlement' also expressed a distinctive 'New World' commitment to equal opportunity – expressed in the national commitment to a 'living wage' - and the political equality of men and women.

Today, it is generally agreed that Australia has evolved into a successful, multicultural nation located in the Asia-Pacific region. This framing of national identity would not only have been foreign to Australians in 1901; for the vast majority who supported the White Australia Policy it would have been anathema. Our transition to a

distinctive status as an independent nation state was gradual and cautious. Though given separate representation at the League of Nations and International Labour Organisation in 1919, Australia did not adopt the Statute of Westminster, passed in the UK in 1931, until 1942. An independent Australian citizenship was not legislated until 1949. A new flag was adopted in 1954, an independent honours system established in 1975, a unique national anthem in 1984, and full legal independence on 3 March 1986 with the passage of the Australia Act. Recent campaigns for an Australian republic and Indigenous recognition are part of the ongoing process of negotiating the meaning of Australian nationhood in domestic and international arenas.

From a historian's perspective, there are two key points to make. First, nationhood and national identity are dynamic processes. The significant changes in Australian national identity over the course of the twentieth century demonstrate this and suggest debates over its meaning and representation will continue in this century. The demand that the Australian government show greater respect for Australia's First Nations when considering the form and date of national celebrations should be viewed in this context. The second point is to consider the ways in which ideas of nationhood might become more meaningful for Australian citizens of the future. As historians we believe that it is crucial that national claims and expectations recognise the diversity of the contexts, experiences and defining moments in which our history has acquired its meaning and distinctiveness. There are opportunities to reinvigorate understandings of, and identification with, Australian nationhood by recognising where we have come from and the significance of our history to the values enshrined by national laws and institutions today.

b. rights and obligations of citizenship, including naturalisation and revocation, and the responsibility of the state to its citizens in both national and international law:

A historical perspective highlights the changes and complexity of ways in which questions of citizenship have been framed in the past. From the status of 'subjects' (with few defined rights) enshrined in the Constitution, to the inauguration of the category of 'Australian citizenship' in 1948 (simultaneous with 'British subject' until 1984) through to the liberalisation of residency and language requirements after 1973 and the acceptance of dual citizenship in 2002, perhaps the first point to be made about the meaning of citizenship in Australia is the process of its evolution. That process has continued, although with more restrictive emphases since 2006, with, for example, increases in the qualifying period of residence and the introduction of a Citizenship Test. History also shows us the ways in which citizenship has been a gendered and racialised category in Australia and that equality of citizen rights has only been achieved after extended and hard fought grass roots campaigns.

At one level, as recent commentary has suggested, Australian citizenship is now largely symbolic, since – for example – almost all the material benefits of citizenship are available to permanent residents. But symbols matter and can – as with the recent disqualification of parliamentarians on the basis of dual citizenship – raise important questions about the coherence and appropriateness of historical legacies in determining who is a citizen and what citizenship represents. Encouraging identification with the abstraction of 'citizenship' is unlikely to stimulate engagement with its active practice. Educational programs testing identification with its different iterations over time – such as Ian McPhee's statement, as Minister for Immigration in 1982, that 'acquiring Australian citizenship should not require suppression of one's cultural heritage or

identity' – will provide opportunities for a deeper consideration of the power of the concept to inspire engagement in a changing Australian society.

c). social cohesion and cultural identity in the nation state:

If we speak of loss of social cohesion and a sense of shared national identity, we imply there was a time when there was greater social cohesion and a more widely shared identity than there is now. Historians have shown that claims to social cohesion and a shared identity have always been suspect. We have always had conflict, trouble and fragmentation in defining a shared set of values. Older claims to a shared identity frequently overlooked serious divisions and whole social groups; they were often based on stereotypes that were male, on assumptions about sexuality or prejudices about race and religion that are no longer shared or widely accepted, and on a failure to recognise economic and regional inequalities. In talking of social cohesion and cultural identity we need to be conscious of our troubled history and its continuing legacies. We need to recognise that national identity has often rested on exclusion – for example of Indigenous peoples - and work to foster a more inclusive concept of national identity so that all Australian citizens feel equally able to partake of equality of opportunity and contribute to our democratic process.

Modern Australia rests on a much longer Australian history. Indigenous peoples have lived on this continent for at least 60,000 years, forging distinctive spiritual relationships with the land, dynamic cultures and economies and connections between northern Australia, Asia, and Europe. From the late eighteenth century the continent was transformed by the violent process of colonisation, which sought to displace Indigenous people from their lands and replace their societies with British colonies, penal and free, governed directly by Britain. In each of the six British colonies, social cohesion was promoted by an identification as British subjects, but there were always other populations, who identified more strongly as Irish, Scottish, Welsh, Cornish, German or Chinese. There were many sources of social division and conflict within settler society, arising from continuing conflict between colonists and Indigenous peoples, unprecedented encounters between British and Chinese imperial subjects on the goldfields, class conflict between wealthy pastoralists, employers and workers, religious contestations between non-Catholics and Catholics, and social tensions, sometimes violent, arising from gender and sexual relations.

From the late nineteenth century there was a growing sense of national identity, evident in politics, painting and literature that fed into the federation movement. Increasingly excluded from the new nation, Chinese colonists promoted a more cosmopolitan understanding of nationhood, with little success. With the inauguration of the Commonwealth of Australia, the expulsion of Pacific Islanders and exclusion of 'Asiatics,' modern Australian national identity projected itself to the world as 'a white man's country'. There were still, however, significant regional differences and local identifications remained strong. Federation institutionalised state interests and aspirations. Continuing state differences and the diversity of laws, regulations and practice are often frustrating to reformers, on both the left and the right, who seek major social or economic change. They remind us of the importance of our colonial origins, our geographical range and our distinctive regional economies. In discussions of national identity, we should not forget that local place-based identities can be as much regional and local as they are national. Regional attachments were both cemented and transcended by military service abroad, whose commemoration has formed a major strand in the making of a national identity since World War 1.

As sources of immigration diversified, especially after World War 2, the White Australia Policy was gradually dismantled and the importance of Britishness to Australian national identity faded. Debates continued about the nature of the Australian character and whether such a thing existed. New ethnic and gender-based identities asserted their differences and distinctiveness from mainstream culture. By the 1980s multiculturalism was emerging as an alternative ideal and challenge to British imperial loyalty and white Australia. Meanwhile attempts to include Indigenous people in an all-encompassing multicultural consensus foundered on a failure to recognise the specificity of Indigenous claims to sovereignty, prior occupation, land rights and self-determination.

The discussion paper alludes to developments that have sharpened social polarization and dislocation in recent times, including growing economic inequality, concerns surrounding the decline of industrialised employment and the transformative effects of digital and social media. As individuals become disengaged as a result of these various pressures, further threats to social cohesion emerge. As the discussion paper acknowledges, this sense of polarization evident in contemporary Australia is shared by other nations. It has, however, a particular character in Australia as a result of a distinctive history of colonisation, racial segregation and exclusion, a history that arguably informs hostility to asylum seekers and specific immigrant groups, notably those from Muslim and Asian countries. The committee has an opportunity to take positive steps towards fostering social cohesion by addressing the mistakes of the past and addressing current sources of division and inequality.

In particular, the failure to acknowledge Indigenous demands for constitutional recognition, political representation and acknowledgement of a history of dispossession and marginalisation has made the development and maintenance of a sense of social cohesion and the idea of a common good extremely difficult. One of the most moving initiatives taken in recent times to achieve social cohesion based on a sense of moral community was the Uluru Statement of May 2017, which calls for modes of acknowledging and transcending Australia's colonial past with an emphasis on "Voice, Treaty, Truth". One practical and immediate measure the committee should recommend to address the important issues this inquiry raises is that parliament establish a process for developing a considered and respectful response to, and ongoing negotiations with the authors of the Uluru statement.

Individual Australians are more likely to contribute to building a sense of shared nationhood when they feel recognised as Australians. We have now an opportunity to learn from our past and to recognise the strength that comes from our understanding our history and respecting our diversity.

(d) the role that globalisation and economic interdependence and economic development plays in forming or disrupting traditional notions of national identity:

While 'globalisation' is often assumed to be a recent, contemporary, phenomenon, historical studies remind us that transnational interconnections – with the United States for example - have been key to the shaping of Australian identity and that the British empire drew Australia's colonies and then the Commonwealth of Australia into an increasingly globalised economy. The interconnections between colonisation, economic development and globalisation are especially salient in Australia's case. We can view these developments with reference to three particular processes: the dispossession of Indigenous Peoples accompanying white settlement and the unfinished process of their claims for recognition in the modern state; the close Australian interest

in the fate of European empires in Asia that, up to the 1950s, constituted a buffer between Australia and Asia, and the subsequent involvement of Australia in post-war regional decolonisation with legacies that continue to this day; the history of Australia's own sub-empire, the biggest component of which, Papua New Guinea, gained independence in 1975 and remains a close Australian neighbour; and the long, uneven process by which Australia transformed its relationship with Britain. In all three cases, Australian plans for security and prosperity have reflected and shaped global and regional changes, and have continually informed a dynamic sense of changing Australian identity.

One of the features of globalisation is the freeing up of greater international flows of goods, capital, services and people. It also refers to the speeding up and deepening of global interconnectedness. The movement of people is a distinctive part of Australian history. Our experience of 'long boom' economic growth from 1950 to the early 1970s featured high employment rates and high levels of immigration from predominantly European countries. Such immigration was fundamental to the levels of economic growth and responsible for around half of Australia's population growth during the period. The wave of immigration since the 1990s includes more temporary immigrants in addition to permanent settlers and demonstrates the capacity of governments to fine-tune policy to meet labour market needs. Both 'waves' of migration to Australia generated public concern for social cohesion and anxiety about the consequent demands on national infrastructure.

The policy shift from assimilation to multiculturalism from the 1970s was one response to the disruptive effect of settler immigrants from non-British countries and their challenge to existing constructions of Australian identity. Identity formation is clearly a complex issue in a globalised world in which the nation-state still plays a key role in policy leadership. Close policy control of immigration is one response to globalisation but it has also been a consistent feature of Australia's experience of immigration over the last hundred years. Arguably the mass immigration of peoples from very diverse countries during the last several decades requires Australia to recognise the reality of dual citizenship in the contemporary world and the likelihood that dual citizens will aspire to represent their new country in parliament.

(e) contemporary notions of cultural identity, multiculturalism and regionalism:

It is clear that multiculturalism, as an ideology and a policy, has failed to address entrenched racism and structural inequality within Australian communities. As early as 1978 sociologist Jean Martin in her pioneering work *The Migrant Presence* reported that the promotion of cultural pluralism diverted attention from the 'ethnic rights issue'. Throughout the 1960s and 1970s, migrant or ethnic rights activists sought to improve access to English language learning (as one of the main barriers to service provision and navigating Australian institutions), to culturally relevant social services, community language schools, and trade unions that would support migrant workers' rights against both exploitative employers and conservative union hierarchies. For migrant community welfare groups, the starting point towards equity was articulated in terms of the distribution of resources, and aiding *access* to mainstream services through the provision of culturally-appropriate materials. The issues of *representation* (in social institutions claiming to help and represent migrant and ethnic minority groups), and *participation* (in governance), naturally followed on from these initial concerns over access.

The development of multiculturalism since the 1980s has followed two concurrent paths. First, as a vague rhetoric encouraging the positive consumption of ‘other’ cultures, it maintains bipartisan support and broad approval from Australians even as right-wing extremism is on the rise and a decidedly Islamophobic rhetoric plays out in mainstream politics. Second, as a system of governance, multiculturalism, according to many sociologists, deflected challenges to state authority in the face of migrant rights activism, allocating financial support on a needs basis and through competitive schemes. This confined their struggles to demands for a greater share of the existing social services budget—fragmenting the migrant rights (and working class) movement and pitting ethnically-aligned groups against each other. This situation prevails today. Andrew Jakubowicz has argued that ‘multiculturalism’ focuses on ‘harmony’ as motif, that enables the lack of resources to community groups and social justice issues to be ignored. That is, migrants are permitted to contribute to society (preferably through statically conceived notions about food and folklore) but discouraged from making demands for structural change.

Furthermore, despite the attempts of previous multicultural policy documents to expand the terms of reference of multiculturalism to “all of us”, it still usually refers to ‘non-Anglo Australians’. State multiculturalism has failed to offer minority groups culturally-appropriate materials that aid access and participation in mainstream institutions and services, and a voice to key institutions of power, including cultural institutions. The latter is an important aspect of ‘inclusion’, and measures to combat racism. For example, national cultural institutions have relegated migration history to the status of ‘minority’ history, the preserve of (increasingly underfunded) ethnic community organisations. Yet cultural institutions can play a vital role in challenging grand narratives of national becoming that effectively erase histories of discrimination based on race and ethnicity. If multiculturalism is to be more than a political slogan, national collections need to accurately reflect the cultural diversity of the population. Boosting the strength and funding to Ethnic Communities Councils in the States and the Federation of Ethnic Communities Councils Australia (established in the late 1970s) may provide a voice to power, one that is interethnic, and doesn’t push groups into static and isolated conceptions of ethnicity, but recognises and respects in-group identifications. The aim here is to encourage a civic *participation* that recognises the historical and structural exclusion of some racially and ethnically-defined groups throughout Australia’s history—and to recognise that all migrants to Australia arrived on lands that were never ceded by Indigenous peoples. It is important to give a political voice to marginalised communities, to combat the problematic narrative that casts grateful newcomers as voiceless contributors to their host nations, enriching core cultures with their colourful traditions.

(f) the extent to which nation states balance domestic imperatives and sovereignty and international obligations:

Nation states, including Australia, have long defined their national interests in a dynamic international environment, and the historical perspective suggests that the squaring of international obligations and domestic policy has been a fundamental task and challenge of government management. At the time of Federation, for example, Australian governments clashed repeatedly with the British Colonial Office over control of the Pacific islands, Australia’s restrictive immigration policy and Japan’s increasing military power in the context of Britain’s alliance with Japan.

There has long been tension between reformers keen to invoke universal human rights and nation states insistent on their sovereign right to govern their citizens as they

liked. In more recent times, Australian immigration policy has been criticised by the United Nations for its violation of international human rights laws. Although Australia is a signatory of both the United National Declaration of Human Rights and the 1951 Refugee Convention it continues to act in defiance of some of the key principles which are the cornerstone of these documents. These are the right of all to seek asylum from persecution and the right to enter a country regardless of how they arrive.

Australia's history of involvement in the United Nations demonstrates successive governments' efforts to embrace the rule of law and arbitration in an environment of international liberalism, while defining and prosecuting Australian interests in ways that are derived from local and domestic circumstances. Periodically, Australia has taken the lead in UN activity, including in its formation and early operations in the mid-late-1940s, the peace-brokering process for Cambodia in the early 1990s and the UN resolution of 2014 calling for access to the site of the destroyed Malaysia Airliner, flight MH-17 in the Ukraine. In these instances, Australian and international interests aligned and helped shape the international response to problems. In other cases, such as the initial Australian delay in the ratification of the Treaty on the Non-Proliferation of Nuclear Weapons (in 1973, four years after its signing), Australian interests were deemed to be sufficiently distinctive as to warrant a different course of action.

Australia has sometimes led the world in enacting progressive reform – in the fields of labour relations, women's rights, maternal welfare reforms, equal opportunity, state feminism, old age and invalid pensions – but at other times it has fallen far behind. History could inspire Australian citizens to take the lead once again and in doing so seek the guidance of international human rights norms in enacting domestic reform.

(g) comparison between Australian public debate and policy and international trends:

Historians in Australia and elsewhere have recently been highly critical of the perceived decline in the standard of public policy formation and debate. They believe this also leads to a declining level of public trust (as measured in IPSOS surveys) in Australian democracy and its institutions. The short history of social media in Australia is important to understanding the public distrust of media sources more generally. Initial hopes for the democratizing power of online news have not been realized, as the concentration of content by corporate giants such as Facebook, Amazon and Google outstripped content concentration in the traditional media as early as 2009. It remains a significant public policy issue that the combination of the extraordinary market power and minimal ethical and regulatory constraints of these giants enables them to dwarf the efforts of traditional journalists and to undermine 'truth-telling' in the competition for public attention.

Detailed studies of social media in the United States point to the dangers of far-right online news sources, in particular, in encouraging 'tribalism' and 'echo chambers' of news among significant sections of the population. Australia and the United States share this worrying international trend with other advanced democracies. Relatedly the decline of traditional print, radio and television media should be a concern of policy makers in Australia as it is in the United States. As has been observed the straitened financial situation of media groups results in a need to create content with less money, which usually takes two forms, opinions and breaking news. Recent legislation aimed at assisting mainstream media companies does not look to have had much impact and did not address the continuing threat to higher-cost, longer-form public interest journalism essential to the formation of good policy

Perhaps, however, our key concern regarding the appalling gap between public debate and government policy relates to government failure to develop effective policy to deal with climate change. As we have observed recently – with the large marches and demonstrations across the world - concern about climate change is an international phenomenon that has not been adequately addressed by policy makers in any country, least of all in Australia. Environmental history is a growing and vital field in Australia as elsewhere in the world and environmental historians are at the forefront in demanding policy reform. Historians in Australia – as elsewhere - are intensely concerned at the gap between debate – both scholarly and popular – and the formulation of government policy at the federal level that adequately addresses the climate crisis. Historians believe that public policy should be informed by the best scholarship and that political leaders have a moral duty to attend to the concerns of citizens and recognise that climate change constitutes a real threat to Australian fauna, flora, the well being of citizens and communities, but just as important are our international obligations and especially our duty to our neighbours in the Pacific whom once we aspired to colonise and now must prioritise in developing new public policy.

(h) any other related matters.

Public policy that relates to national identity, nationhood and democracy should be informed by the best scholarship and evidence based research. It should draw on the depth of expertise of scholars and leading researchers in universities. Without this expertise informing public debate, these matters are often discussed and debated without extensive knowledge of the complexity of issues and instead are often based on misinformation. In order for public debate to be further enhanced, government and public policy should be shaped by research of the highest standard.

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