

FUTURE DEMOCRACY SERIES:
***LIBERALISM AND AUSTRALIAN DEMOCRACY:
LESSONS FROM HISTORY***

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DK – Dr David Kemp AC

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ME Welcome to our *Future Democracy* series here in the House of Representatives in the spiritual home of Australian Democracy. As Daryl said, my name's Mark Evans and I'm Director of the Democracy 2025 initiative. And I'll be your master of ceremonies for this evening's event.

Now Democracy 2025 was established by the Museum of Australian Democracy and the University of Canberra to celebrate the strengths of Australian democracy at a time when the liberal democratic model is under challenge worldwide. And we also have the role of investigating where renewal may be required to adapt to those global challenges. So we audit the qualities of Australian democracy; we survey different groups and generations of Australians on how they imagine and understand their democracy; we celebrate our great democratic achievements but identify vulnerabilities; and we investigate the national and international evidence on potential ways of strengthening our democratic practices.

We also facilitate public conversations, such as this one, on how we can be the best democracy that we can be. And this is an issue above party politics, it's about ensuring our children inherit the best democracy we can give them. So the purpose of our *Future Democracy* series is to provide a neutral space – a commons if you will – in which people from different political viewpoints and backgrounds can discuss the democratic issues facing Australia in an open, frank and passionate way. And of course there can be no better place to do that than here in the spiritual home of Australian democracy.

Now before I introduce our keynote speaker, let me sketch out the format of this evening's event. First of all the Honourable Dr David Kemp AC will make his address. Then I will invite *The Australian's* senior writer, Troy Bramston, to interview David on the key themes of the address, and then Troy will open up to questions from the floor.

Really there can be no more passionate champion of Australian democracy than our keynote speaker this evening, the Honourable Dr David Kemp. David's remarkable

career spans both academia and practical politics and this, in my view, provides him with unique insight.

He was educated at the University of Melbourne and Yale University where he gained a doctoral degree in politics. He was Senior Advisor to Malcolm Fraser from 1975 to 1976 and director of the Prime Minister's office in 1981. From 1990 to 2004 he was Member of Federal Parliament for Goldstein. And from 1996 he was a minister in the Howard Government overseeing various portfolios including employment, education and government. Before entering parliament he was Professor of Politics at Monash University and, after leaving parliament, Professor and Vice Chancellor's Fellow at the University of Melbourne. He is currently Chair of the Old Parliament House Board and of Australian Heritage Council where he continues to inspire us all.

Now in recent times David has taken on the colossal task in documenting Australian liberalism and its contribution in making Australia one of the world's freest and most prosperous countries. This has been a five volume odyssey, which is set to become the seminal account of the contribution of liberalism to Australia's democratic story past, present, and future. And it's this story that he's going to present to us this evening.

Ladies and gentlemen, David Kemp.

DK Mark Evans thank you very much for that introduction. I feel almost too overawed to speak. One would think, having heard that CV that I must know everything there is to know about Australian politics. That would be absolutely untrue. In fact, when I left politics in 2004 – at least formal parliamentary politics, since one never really leaves politics – I spent over a decade trying to make sense of everything that I've experienced and what I've observed in politics in this country, and that sent me on a quest to investigate the Australian story about democracy and liberalism.

In the course of that decade I was asked to become chairman of an advisory committee to the Museum in Old Parliament House and, since then, that Museum has become a Commonwealth corporate entity which can raise and keep its own money, which is a great thing that an executive agency can't do. I was delighted to do that because, if Australians are going to feel empowered in their daily lives as we would all wish them to be, then I firmly believe that they need to have an understanding not just of Australian democracy as it operates today, but of the remarkable story that our nation embodies and that this Chamber, in a much loved way, represents.

I'd like to begin by saying that watching the courage of the people of Hong Kong attempting to defend their freedom under the rule of law, their liberal and democratic values, by peaceful demonstration provides a powerful context for the remarks that I want to make tonight. They fear that they will lose, and are in the process of losing, something that we still have and that we have had for a long time. And in that context I want to say something about what it is that we have and how we got it and why it matters.

Australia is a quite remarkable country. I think we take it for granted. I suppose most people in this room have travelled overseas and they have experienced that strange

feeling that comes over you when you get off the plane, come back to your home, and re-engage with Australia. Almost universally that's a positive feeling, and it's not just nationalistic hubris that makes us feel like that.

Australia is an extraordinary country, and that's not a subjective feeling only. It's a feeling and an understanding that we gain when we look at how Australia compares internationally.

I thought I'd begin by mentioning just a few facts that appear in international surveys. Credit Suisse has identified Australians per head as the wealthiest people in the world. In 2018 Australia, apart from the city-states of Hong Kong and Singapore, ranked third on an index of economic freedom after New Zealand and Switzerland. We were first in 2008.

In 2015 Australia ranked second to Norway amongst all countries on the human development index which focussed particularly on education and income. Life expectancy in Australia is the highest in the English speaking world. A survey by the economist magazine in 2009 ranked Australia first out of 33 countries on levels of trust admiration, respect, pride in their country – with a score of 90 out of a possible 100.

Now those indicators are just indicators. There's lots of things they don't tell us. We all know as Australians we've got lots of issues facing us, and lots of problems to solve. But they do tell us that there is something unusual about this country. And so the first question that I ask myself is, what makes us that way and how did we get to be that way? And that turns one towards the foundation of this country.

Australia's liberal founding Ideas

This is not a book launch, but I'm grateful to the Museum of Australian Democracy for putting up the cover of my book *Australia: The Land Of Dreams*. Because that book attempts to tell what it is that is important about our founding story.

What is important about that story is not what we mainly know about it: that in 1788 a fleet arrived with over a thousand convicts on it and those who came, then and afterwards, tried to build a society with cheap convict labour, and lots of terrible things happened along the way. What's much more important about that foundation for us today is that when those ships sailed into Sydney Harbour they carried with them the most advanced ideas in the world at the time.

Don't ever forget that Captain Cook led a scientific expedition. Britain was already a leader in world science and Joseph Banks, whom we all know and revere, became on his return to Britain the President of the Royal Society for over 40 years – the leading voice in British and Australian science – corresponding regularly with Australian governors. Indeed he's probably the godfather of our settlement because if he hadn't recommended Botany Bay to Lord Sydney, the modern Australia that we know would not be here today.

So there's a remarkable moment in time - often called the Enlightenment – at the end of the eighteenth century, when modern thought was beginning to be established in a society that was climbing out of medievalism. It was being pushed by science and it had begun to think almost unthinkable thoughts. And those thoughts

became our founding government culture, and increasingly became the basis of the culture of all those who came later.

The impact of those thoughts on the aboriginal people is something that I'm going to reflect on as well.

The title of this talk is *Liberalism and Democracy: Lessons From History*. I suppose I should be appropriately modest about that. It's hard to draw lessons from history, some people say you can't, but I believe you can learn from experience, you can by seeing parallels between now and the past, understanding continuities, draw conclusions that are worth considering. And that's what I'm going to do tonight. I'm going to reflect on this story.

Why liberalism and democracy? Well the ideas of the Enlightenment are really ideas that form the foundation for what we understand today as liberalism. They are ideas that were promoted by some remarkable people who thought thoughts that previously had not been considered.

The first Fleet also brought a remarkable political experience to our shores and that long predated the Enlightenment - it went all the way back to Magna Carta in 1215. That political experience had one great theme: how do you control arbitrary power? How do you enable people – first barons, then commoners, and then, as we know, everyone – how do you enable them to live their lives the way they want to live them without being dominated by an arbitrary state, king, commons, nobles, special powerful interests? How do you enable them to be protected from that arbitrary power? And that's what came with that political experience. That political experience occurred over several hundred years, spent in establishing something that the people of Hong Kong are desperate to preserve tonight – the rule of law: government by rules that governed the king and all citizens, and not by arbitrary dictation.

The rule of law means that we're not under the control of the executive power, but that the interpretation and enforcement of law was entrusted to independent bodies: the courts. Independent, appointed for life, able to direct that the law be observed. The rule of law was built into our system of government by the principle of the separation of powers.

Rights under the rule of law were further protected, a hundred years before the first fleet, by what has become known as the Glorious Revolution of 1688. That political upheaval resulted in a Bill of Rights which established that people were allowed to express their grievances without being locked up in jail; that parliament was supreme; that the executive required its permission to tax and to spend. Increasingly it was argued and agreed that people were free, or should be free, to say what they thought and not to be constrained by government regulation. Licensing of the press would soon be abandoned. In Australia it was established when William Charles Wentworth, whose plaque is out there in King's Hall, brought back the first private printing press from England with his colleague Robert Wardell, and Governor Brisbane declared that 'now is the time to try the full experiment of freedom of the press'. From that moment we had it. We had it in a way that was perhaps more secure in Australia than it was in England. So that was the first thing that came, it was that political tradition.

The second key idea that came was the belief, just articulated in England, that laws should be based on principle, not the pressure of powerful interests, and that principle should be the public interest. The public interest was the interest of every person in controlling their own life and seeking happiness.

The person who articulated that idea was Jeremy Bentham, an Oxford scholar. He founded a doctrine called utilitarianism. His idea that laws represent the public interest and not powerful interests like the landed aristocracy, but the public interest, was an incredibly powerful idea, though hard to implement. We still struggle to implement it, because, as we'll see, although liberalism and democracy demand it, there's also a feature of liberal thought and democracy which actually tends to work against it. There's a way around that, and we've discovered it, but implementing it is not easy.

The third big idea that came was the idea of Adam Smith, the founder of economics, that actually becoming wealthy was not about sinking other nations treasure ships, but was all about encouraging people to freely invest their capital and develop their ideas to innovate, to be creative, in a condition of economic freedom, following their own self-interest, and that would create a prosperous society.

Private interests pursued under just laws that protect the interests of all are one thing. But Smith thought that private interests translated into politics could conflict with the public interest, and that is an idea we will need to discuss further.

The fourth of the big ideas that to Australia with the first fleet actually came from the Christian evangelical, William Wilberforce, who, as you may recall, conducted, as its leader, the campaign against slavery. That campaign established the idea in the British ruling class that there was in fact a common humanity. Humanity wasn't divided into white and black. Humanity wasn't or shouldn't be divided into slave and free. Those who were slaves should be free, and their rights were the equal, and their human dignity was the equal of all other people. Arthur Phillip carried that idea with him, declaring before even coming to Australia that "there can be no slavery in a free land", and later Australian governments attempted to maintain that principle.

The idea of a common humanity was an incredibly powerful strong idea that became the basis of humanitarianism: the belief that we should recognise and respect the dignity of all in all our institutions and laws. But humanitarianism does not have a theory about how you should achieve it. It's a good feeling. It's the source of good intentions. But good intentions, as I'm about to illustrate, can go sour. And that's one of the issues that those who believe in these ideas have to follow through

So these four major ideas came in that first fleet and the succeeding fleets, and were implemented by people like Arthur Phillip and people like Lachlan Macquarie – who deeply believed that fourth principle. He was a follower and acolyte of Robert Burns, the Scottish poet whose famous words "*a man's a man for are that*" inspired Scots and then the world.

The implementation of those ideas was attempted, with considerable success, by the governments that followed. They were attempted by Brisbane, and by Richard Bourke - who I think is one of the truly great people before democracy was

established in Australia. If you sat down to dinner with Bourke, you'd recognise him as somebody of remarkably modern values: a liberal who believed in separation of church and state; who believed in representative government; who believed in trial by jury; who believed in universal education; who believed that everybody should be protected by law; and who established what was probably the first private enterprise based economy in Australia. And Governor Gipps, with similar ideas, followed him.

The great battles of these early Governors were against the rapidly expanding landed interests in Australia. They'd left behind a country where the battle for reform of politics to control the political power of the landed interests – the aristocracy - was vibrant, and they came to a country where those who wanted unequal power and unequal influence on the law and wanted unequal social status were just about to grab hold of the opportunities of a new country. And those men opposed it. And they were supported in their efforts ultimately by another idea.

Along the way there were people in England fighting for something else. A deeply unpopular and radical idea called democracy.

Democracy comes to Australia

Democracy had been thoroughly discredited in the eyes of many people by the French Revolution and the terror that accompanied it. But there were people in England, like William Cobbett, who worked hard to get across the idea that everybody was entitled to be consulted as part of the government. Regarded as a dangerous radical, thrown into jail, released, he pursued his ideas.

By the 1830s a huge middle-class and popular movement had been established in Britain calling for democratic parliaments in a Charter of six points: universal suffrage, annual parliaments, equal electorates, no property qualifications payment of members and secret ballots. Australia had the great advantage that hundreds of supporters of the Charter were sent out to Australia, against their will, as convicts. And not only that but many of the free immigrants that came out were Chartists as well.

So the democratic idea rapidly found powerful support in Australia. By the 1840s the free settlers and the emancipated convicts decided: we must have control over our own policy, we must have self-government. In 1847 the Anti-transportation League was established to make clear to the world that Australia was more than just a recipient of Britain's convicts, and to demand the right to control Australia's destiny..

The Anti-transportation League was a coalition of all the east coast colonies. They came together, they designed a flag with the southern cross and the union jack on a blue background and a white border and they called it the Australian flag, and that was the banner under which eventually – and I won't go into the details of this particular story – forced Britain to capitulate. Transportation was ended, and at the same time Britain conceded that the Australians should write their own constitutions.

William Charles Wentworth took charge in New South Wales of writing the constitution for that colony, which was based on the glorious revolution and all that

fabulous political experience. In addition he established a separation between church and state and took it to Britain to get it enacted.

The democrats weren't happy with just that and I want to just tell you an incident that occurred at Eureka which made sure that liberal ideas were joined with democratic ideas. You probably all have heard of it. But this is what actually happened on blazing hot summer days on the Ballarat goldfields in 1854. Liberal ideas and democratic ideas locked together to become, essentially, the agreed philosophy – political culture if you like – of the mass of Australians.

The Eureka rebellion

Circumstances arose during that hot summer of December 1854 that converted what the diggers felt as powerlessness into rebellion. They felt powerless because the British appointed government – and all governments in Australia were appointed by Britain at the time – needed revenue and decided that miners were to be taxed through being required to have a licence to dig. Taxation without representation is a dangerous policy. Remember, it started off the American Revolution.

A political organisation – the Reform League - was established to protest against the licence. It would become a training ground for the leaders of Australian democratic – liberal democratic – institutions. People came from France, Italy, Germany, Sweden - the radicals of the 1848 European revolutions. They came from the American goldfields, who knew all about the Declaration of Independence and American democracy. At Bakery Hill, Ballarat, on the eleventh of November 1854, a significant date in our national history, they agreed the following:

- 'That it is the inalienable right of every citizen to have a voice in making the laws that is it called upon to obey. .
- That taxation without representation is tyranny. .
- That if Queen Victoria continues to act upon the ill advice of dishonest ministers ... the Reform League will endeavour to supersede such royal prerogative by asserting that of the people ..., as the people are the only legitimate source of political power.

That, of course, sent the members of the government into a frenzy, particularly those members of government on the goldfields. Troops commanded by the British government were taken to the goldfields, and a massacre followed. Thirty or more miners were killed or later died of wounds. A hundred or more prisoners were taken. Five soldiers died.

I think it is worth reflecting, for a moment, on the fact that the numbers killed at Eureka were far in excess of the American Boston massacre of 1770 (five), which started the whole course of events towards the American Civil war.

It was a very significant moment in Australian history. But what followed was not an American-style fight for independence, because the ideas of democracy and liberalism – Liberal governments were in control in Britain – had by now come into the ascendant. The dominant response of the British government was not further repression – Britain had learned from its American experience – but rather: we've got to do something about this and acknowledge what is a justified claim, or the American experience will be repeated.

As the result of a royal commission, the goldfields became organised on the basis of democratic principle. The miners were given a right which effectively gave the vote to all men who wanted it. The door to universal suffrage, to democracy, was forced open. At the same time the secret ballot was established to ensure that the exercise of the vote was fully protected.

So suddenly, at that moment, liberalism and democracy came together

They have been natural partners in Australian history since that time. They're natural partners because they are both concerned with the right of individual people to control their own lives.

Liberalism and Democracy as partners

Liberal ideas are focussed on the right of individual people to make decisions about their own lives -to decide the kind of life they want; to accumulate the resources they believe they need; to live that life and to live it without the danger of arbitrary power being used against them: whether by powerful vested interests or arbitrary majorities. Liberalism advocated institutions that would protect minorities through the rule of law.

The democratic idea was that all those individuals, when they came together to make collective decisions that had to be made collectively, were entitled to vote. So that both – not all will necessarily hear this happily – but both democracy and liberalism were both profoundly individualist ideas. They concerned the lives of individual people and how collective decisions were to be taken by individuals.

Over the following decade all those principles were embodied in the constitutions of the Australian colonies/states. And so by 1860, mostly by 1856, Australian colonies as they then were – sometimes they were called 'the Australias' – had liberal democratic governments that were accountable to the people who elected them, with complete control over domestic policy.

Now that was a remarkable moment in history. Elected representative governments for the rest of the 19th Century implemented policies that would empower individual people, as expected, to live their lives according to their own values and beliefs. And that included votes for women, first of all in South Australia in 1894. It included universal education, first of all universal primary education. It involved setting up the legal framework for private enterprise. It involved legalising trade unions. It involved putting in place higher education systems.

By 1890, Australians had become, as is widely agreed, possibly the freest people in the world, and the richest per capita.

So that is a quite extraordinary story that was played out here. And it's a very different story, in terms of its emphasis, to the view that the main thing about Australia was that it was a convict settlement. It was a convict settlement and many of you here possibly have convict ancestors, I know I do. But that isn't the most important thing.

The most important thing is what those generations bequeathed to us. And what they bequeathed to us were not only institutions that protected the right of individual people to control their lives, but they bequeathed to us institutions that

allow us could protect that freedom and collectively could meet the challenges in building such a society, institutions that have survived and lasted.

Now let me talk about a problem that arises with democracy, and has done so since liberal democracy was established in Australia, and arises in every democratic country. This is a problem that arises from the very nature of democracy itself, and requires constant attention. Managing it is a skill required of those who want to drive a democracy forward without crashing it.

Interests and the public interest in liberal democracy

Democracy is a system that gives people civil liberties to organise as they like, to say what they like, to express their grievances as they like. And it gives those rights not only to individuals as individuals, but to individuals in organisations.

Individuals have interests. They have interests in controlling their lives, they also have interests, of course, in influencing other people. Organising is a natural way to do this. But when people form organisations to exercise their liberal rights under democracy something can happen. Those organisations sometimes – often – seek to use their influence to gain privileges and rights at the expense of others, and in doing so, start to eat away at the rights of others.

They also start to be able to claim loyalties from individual people. They foster distinct loyalties. Often these are satisfying and enjoying – clubs and associations, teams and communities. They can also be selfish and divisive, and give rise to antagonisms against other Australians, based on class, religious or secular attitudes, race, colour or nationality, to name some of the most significant. At the end of the 19th Century, Australia found itself with its more mature society suddenly coping with an incredibly dense interest politics and increasingly indulging in what today we would call identity politics.

Identity politics always has its problems, because, of course, individual people do not have a monolithic identity. They are not defined by one membership or one characteristic. Each individual is the product of tremendously diverse experiences, attitudes, beliefs, concerns in their life, their own priorities. To force people into identities is a very dangerous thing to do. And Australians went down that road for some thirty to forty years. It goes well beyond the volume you see illustrated up there. But it's an element of our story that is important to know as it brings us down closer to the present day.

Identity politics leads to cruelty towards individual people. Workers who can't get jobs because they're not a union member. People of Aboriginal heritage who can't stand in an unemployment queue because they're not white. People who want to enter Australia who don't come from a white country. A manufacturer who wants to export to Australia but who can't because the laws favour Australian industries. And by the 1920s or '30s this country had tied itself in knots. Class-hatreds, national-hatreds, racial-hatreds, and, as a result of the conscription debates in the First World War, religious-hatreds had become intense in this country.

The person in my view who has written best about this in the current debates, is a man with Aboriginal heritage, Stan Grant. Grant, in a brilliant recent essay on identity, has made these very points. He cites Camus: *"a man is prisoner of his truths*

and if he wants to be free he cannot be a prisoner of any identity". He writes that he feels angered when he sees government documents placed before him that ask him to declare his identity by ticking a box. He feels forced to deny, he says, when he ticks that box, the love he has for relatives of his and ancestors who are not of Aboriginal heritage.

So this is a consequence of liberalism in democracy, that this thought can be had. It's because of the political culture that we live in that we can deal with these sort of issues. And it's because of that culture that we worry about the influence of interests. And it's not just that interests necessarily will create a very strong loyalty and identity, but they can gain privileges. As liberal democracy encourages the growth of interests, some of the citizens of democracy become concerned that the public interest – the shared interests of all the individual people in that democracy – are neglected or even overwhelmed. If you ask Australians today what their concerns are about government, they argue that interests – vested interests – have too much power. The challenge we face in our politics today, as we have in the past, is to find the public interest.

The influence of interests rather than the influence of individuals and their concerns is one of the biggest concerns of modern Australia today. How do we sort this out? What is our way of dealing with this sort of issue? And I want to make just a couple of points. Clearly every interest has a right to be heard. Democracy produces many interests, while dictatorships are dominated by a powerful few, but all interests are not equal in influence or power. How should democracy manage that inescapable fact? I believe political parties are the key.

The key role of political parties

Political parties are absolutely essential to democracy, in my view. You can't have accountable governments without having bodies of opinion represented by people whom you can hold accountable if their ideas lead them down the wrong road. Political parties began to emerge in Australia during the 1830s. I want to quote the words of Edward Smith Hall, the editor of a newspaper called *The Sydney Monitor* – sometimes *The Monitor*, later *The Sydney Monitor* – who was a disciple of Wilberforce. As a humanitarian he was also the founder of the New South Wales Philanthropic Society, but he was also a profound thinker about politics in a civil society.

Hall argued in 1833 that you had to have political parties to conduct politics appropriately. He said, *"the word party is often held up to scorn. When party spirit takes an unjust or malignant turn, it is an evil. But no man who rejects joining a party can individually do much good. To do much good, men must associate with each other, they must form a party, and so long as that party acts with truth and candour, the party spirit they evince will be a just and laudable zeal which cannot with justice be charged to them to a fault."*

That's something that the Museum of Democracy discusses quite a bit: political parties and how we relate to them. Political parties have played an incredibly positive role in Australian history because they are a protection against interest dominated policy. That's not to say they're not vulnerable to interests, but their dependence on the vote of the whole people is an important incentive to keep the

shared interests of all in mind. Of course some political parties affiliate with interests. Interests can, and sometimes do, establish political parties. But political parties do have the capacity, and the incentive, with proper leadership, to articulate the universal values that respect every person, and advocate policies to empower each person, that individuals don't have. And it's a demand we should, and do, make of our political parties.

Political parties recruit the members of parliament. They crystallise issues for voters. And they facilitate the accountability of governments. And, more than anything else, they make sure we have political leaders. And we hope that they choose the right political leaders to deal with the issues of behaviour and interests that people are concerned about.

I want to finish by just making a general point. That one of the great virtues of democracy is that it can correct mistakes. Churchill's comment is well known, that democracy is the worst form of government except for all the other forms of government that have been tried – or words to that effect. One of the reasons that democracy is a difficult form of government to manage is because of interests, and because it's not easy to know which is the right way to go. But political parties can help us deal with this.

Democratic government is a process of trial and error

Aboriginal people in Australia for a long time have suffered from the worst broken promise of liberalism and democracy in Australia.

When the first fleet arrived, the promise that the leaders of the colony made was that Aboriginal people would be embraced as British citizens. They would be subject to the rule of law. They would have access to the courts. They would be protected from exploitation and violence by the settlers, as the settlers would be from anyone who committed violence against them. The sad truth is that by the 1840s that promise could not be kept, and it was obvious that it could not be kept, and the leaders of Australian government – not yet democracies – realised that it couldn't be kept. Governments were not preventing the violence that accompanied dispossession, and could not enforce the ordinary law.

And so they fell back to 'Plan B' which was 'protection'. Protection can be necessary for individuals, but it is not a good principle to apply collectively to races or classes, because people are diverse. From the middle to the late 19th Century and into the early 20th Century, a whole series of acts called 'Protection Acts' were established based on race, which gave Aboriginal people diminished rights in an attempt to isolate them from violence and other harmful actions. But like all people, Aboriginal people were diverse, and the Protection Acts and the Boards who administered them became bureaucratic tyrannies.

One of the most positive developments, it seems to me, that occurred in this country was what happened during the 1930s when Aboriginal leaders emerged from mission schools and Aboriginal schools on reserves and government schools, and began to take advantage of the liberal ideas of universal citizen rights, and the democratic institutions through which they could advocate for rights for Aboriginal people.

And I just want to leave with you with a story about one particular moment. The place where it occurred is on the National Heritage List because it's considered today to be the scene of an important moment in Australia's national story.

The moment to which I refer occurred on Australia Day 1938 - the 150th anniversary of the arrival of the first fleet. Two people of Aboriginal background, William Ferguson and Jack Patten, leaders of an organisation called the Aborigines Progressive Association, to prepare for that day, had written an historic document entitled *Aborigines Claim Citizen Rights*. They wrote it to support what they called a 'Day of Mourning' in response to the Australia Day celebrations. It's worth looking up on the internet, it's available there. But very reasonably, they asked the reader to

"pause in the midst of your sesquicentennial rejoicings and ask yourself honestly whether your conscience is clear in relation to the treatment of the Australian blacks. You came here only recently, you took away our land by force, you have almost exterminated our people, but there are enough of us remaining to expose the humbug of your claims....

These are hard words, but we ask you to face the truth of our accusation."

They *were* hard words, but not untrue. Patten and Ferguson asked for recognition of aboriginal dispossession and particularly the ending of the policy of protection. They asked for the abolition of all the protection boards.

"Give our children the same protection as your own and they will do as well as your children. Give us the same chances as yourselves, and we will prove ourselves to be just as good if not better Australians than you. Keep your charity, we want only justice. We ask you to be proud of the Australian Aboriginal. And to take his hand in friendship."

Now that was a demand, in the context of my remarks tonight, for the fulfillment of the Enlightenment promise. And it was using Australian democratic rights to make it.

Over the following years the Protection Boards *were* all abolished. Paul Hasluck, Menzies' Minister for Territories, told the parliament in 1951 that from then on, in any law under his control, benefits and support would be given on the basis of need and not on the basis of race. That began what I think is undeniably a period of tremendous progress in Australia in righting a wrong. Attempting to fulfil a broken promise that was made a long time ago. There is still a gap to be bridged, we know that. That promise has not yet been completely fulfilled. But I want to emphasise the positive message in this history tonight. That mistakes once made can be corrected within democracies. And they can be corrected peacefully. And they can be corrected for the dignity of all.

So I began tonight drawing attention to Australia's unique foundation and the way in which its institutions reflect that. That unique foundation, and those principles and those institutions, are I believe the major reason why Australia is still the remarkable country that it is. And has the kind of political culture that it does. An egalitarian culture that believes in equality and freedom and human dignity. I think that we have an opportunity which is greater than almost any country in the world to carry that project forward.

And the challenge for all of us, and those involved in political parties and those of us that see the wrongs that need to be corrected in the wider society, have the intellectual tools

available to us to fulfil the promise that the country has because of its extraordinary history.
So thank you very much.

ME Thank you David for such an insightful address. Lots of food for thought there. So let me now invite Troy Bramston to the stage to discuss some of the key themes of the address with David.

As I'm sure you're all aware, Troy is senior writer and columnist of *The Australian* and contributor to Sky News. And is one of Australia's leading authors on political leadership and intrigue. Over to you Troy.

TB Well thank you very much Mark, and thank you Dr Kemp for a very stimulating and rewarding speech, and thank you all for coming here tonight.

It's a great thrill isn't it to be sitting here in the old House of Representatives Chamber. This is my favourite building to be in in Canberra, and I'm here quite a lot. And I hope you're all as thrilled as I am to be here.

I found Dr Kemp's speech tonight, and the first volumes of his series, to be compelling, fascinating and very insightful into, I think, what is the building blocks of 20th and 21st Century Australia. Nothing like this has ever been undertaken before on this scale, so we really are in your debt.

As you can see by that address it brings together so many different themes. I mean, you can just imagine the research and the scholarship that goes into it to cover things such as the economy, culture, philosophy, science, religion, and so much more. I think Dr Kemp makes a very strong case that liberal values not only underpin our politics but also underpin our broader society and our morals and our laws. And I think at the nub of what he's arguing is that liberalism really is this electric current that runs through our development as a nation and can, I think, point the way forward as to where we are to go.

So Dr Kemp I was going to start by asking you to reflect briefly on your academic experience, your time working for Malcolm Fraser, and your time as a minister, in the sense of, have you been able to draw some of those threads together that has informed how you've gone about researching and writing this book? I mean, how much of it is a reflection of your own participation in these liberal democratic institutions?

DK I had a feeling you might want to get me to talk about Volume Five, which isn't written yet. I'm in the process of thinking about the answer to those questions. But I hope that my political experience has been one of the factors which has helped me do this. Because when you read the newspapers of the past, the parliamentary speeches, look at political events, you can't help looking at them from the point of view of: was that politically sensible to do that? Was that sound? Why did he say that rather than that?

I mean, Wentworth interested me enormously as a character, because he was obviously a brilliant commanding politician who would speak with explosive force in his rhetoric and people were astounded by what he said. But he wasn't always right in his political judgments. And one of those judgments was that Britain would never agree to abolish transportation. And he proved quite wrong on that. And it was

interesting to speculate why that might be. So I highlight that in the book, and why someone as brilliant as him might make a political misjudgement.

And clearly he knew very well how political power operated, but he didn't know nearly so well how popular opinion operated and what the power of popular opinion was. And it wasn't Wentworth who introduced liberal democracy to New South Wales. He introduced the wig elements in the constitution, and then it was Cowper and others, Henry Parkes, who really took liberal democracy forward with universal suffrage.

TB You mention some of the big names of Australian history such as Henry Parkes, and others abroad such as William Wilberforce, Adam Smith, William Charles Wentworth. Who were the guiding stars for you in the political development of Australia or political thinking abroad? Are there people who you look to that have been the guiding stars for you as you've undertaken, and are doing, this monumental five volume task?

DK Yes, they're represented first of all in the frontispieces to each of the volumes. I've had to go through and pick out one person that I think is the most representative and probably the most influential person of that era. The frontispiece to *The Land Of Dreams* is Wentworth. The frontispiece to the next book that is available, called *A Free Country*, is Henry Parkes.

I was torn a bit over the third volume because I actually find myself feeling closer to George Reid, and probably Paul Keating would feel closer to him as well, because George Reid advocated free trade at a time when Australia plunged into protectionism. But in the end objectivity, I like to think, got the better of me. So the frontispiece of Volume Three is Alfred Deakin, who believed in federation, one Australian nation, and was the most eloquent politician of his era, albeit a protectionist Liberal.

TB Indeed, and Alfred Deakin has had an enormous impact not only in the formation of the Liberal Party later, but there's some Labor MPs these days who look back to Alfred Deakin and principle of social liberalism. I'm thinking about Andrew Leigh, of course, and Chris Bowen. So that leads me to my next question, which was to ask: are there cross-currents of liberalism that find their way into the modern Liberal Party and to the modern Labor Party?

DK Yes. Before I answer that I should say that the frontispiece to Volume Four is someone you know well, Robert Menzies. So I have chosen people who have seen themselves in some way or other as wigs or liberals. And that's because I think within – and of course I am a Liberal so I would say this wouldn't I – but I believe that the debate across liberalism is probably less constrained and broader than within the Labor Party.

Having said that we wouldn't have the democracy we've got if there wasn't a tremendous influence of liberalism within the Labor Party. I was very struck when I went through some of this history to read a comment of Fin Crisp that Chifley had a tremendous liberalism about him. This was the man who wanted to nationalise the banks. But of course, Chifley's known for the 'light on the hill'.

The 'light on the hill', if we translate that into the language that I'm using tonight, is really humanitarian policy. Recognising the equal dignity of every person, that's the 'light on the hill'. Chifley didn't know much about free market economy, and he was very different to Bob Hawke and Paul Keating in that regard.

One of the things I think our history does tell us is that those ideologies that dismiss any role, or any real significant role, for free prices and the market, and believe that you can have an economy administered by the public service, or by officials of one kind or another, have no record of success. I mean, you look around the world and there's no case where it's possible to see a prosperous society that doesn't have at the core of its economic life a market and a price symbol. Which reflects of course the values of the people. It's the only economic mechanism we have to properly represent the values and aggregate the mass of the people.

But of course the modern Labor Party accepts that, and the Labor Party from its foundation has always accepted the liberal experience of controlling power through our political institutions. It's been as willing to accept the peaceful revolution of every election when it's gone against it, as the Liberal Party has. That is an enormous benefit to this country. And then of course there are other aspects of liberalism that go beyond parliament and civil liberties that the Labor Party is very supportive of.

So I argue in the books in fact that liberalism is a shared approach. It's a shared culture across our political system.

You do occasionally get parties that don't accept it. They're always minor parties. There have been one or two revolutionary parties even. There have certainly been authoritarian groups. And there was a debate, Troy, at the Easter conference of the New South Wales ALP in 1931, I discovered, where there was actually a debate about whether the party should remain a constitutional party or become a revolutionary party. That was in Jack Lang's party, that had just been expelled by the Labor Party Federal Executive. So the main body of the Labor Party had put itself on the right side of the line, but Lang pushed to the other side.

Those debates are there, but it seems to me the broad liberal ideas that inform our culture are really the possession of most of our political class and the political elite.

TB Let me ask you a couple of other questions before I open it up to all of you – so have a think about a couple of questions you may want to ask Dr Kemp.

You mentioned in your address, and also in these remarks here now, some issues beyond our borders. In recent years we've seen the rise of far-right and far-left parties in Europe, and we've seen essentially a populist president be elected in the United States who has upended some of the established political order. It's often said by international commentators that liberal democratic values around the world are in retreat. It was said just in recent days at the G7. What's your reflection about that? Is liberal democracy in retreat abroad, or is this perhaps just a temporary flux?

DK I don't think it's in retreat in any of the countries you mentioned. I mean if one looks at China, one sees a restoration of state owned industries and a state owned economy to a more prominent position than they were when China was experimenting with free market techniques. And of course Hong Kong is the classic example of that, and there are other countries.

I should say generally that I'm not a supporter of trying to interpret politics in simple dichotomies of say right and left. Our politics is too rich for that. And where does liberalism fit in, right or left? I mean it's potentially radical but it can also be quite Conservative. I mean if you support liberal democratic institutions in Australia what does that make you, are you a Conservative or are you a Liberal?

Conservatism is a term I don't use because it changes every decade or so. The Conservatives in the 1830s are not the same as the Conservatives of the 1900s, and the Conservatives in the 1940s are not the same as the Conservatives today. So I don't like that terminology very much.

I think the difference is that liberalism is a profound tradition of political thought that gets you somewhere. Whereas if you're just supporting the status quo it doesn't get you very far.

Populism is also another term I don't much like because, although it's used generally, I've heard it used for Macron. Again yet he was up against Le Pen, so you could possibly use it for Le Pen, but it's hard to use it for Macron who wanted to free up the French labour market and who was prepared to take on the French labour force in order to do that, and to put up with a lot of protests. So I think there are very complex phenomena at work at the moment, and I think we need to recognise that complexity.

I don't think the election of Trump and Brexit are in any way the same phenomenon. I think they're barely related. I think the only thing that links them is that both are concerned with immigration. But I see the Brexit debate as actually one of those debates that arise very rarely between those who place most weight on accountable democratic government, and those who place most weight on the freedom they get from no borders. And I think most of the Remainers are probably economic liberals and they are worried that the Brexiters are not. But the Brexiters make no secret of the fact that they want Britain to be fully sovereign again. And that's not necessarily a populist view. We're fully sovereign and it doesn't make us a populist nation.

So I think what we're seeing in that situation is a debate between elements of liberalism and elements of democracy. And that's the kind of debate that our political culture will tend to throw up. But I don't think Britain's becoming populist, nor America populist. Though I do think America has got a very bad attack of identity politics at the moment.

TB I think you can all see what a loss to our national politics it is by not having Dr Kemp up on The Hill there still in parliament. We need more people of your intellectual calibre in our parliament, there's no doubt about that – if I can offer that editorial comment.

Questions from the audience for Dr Kemp. Does anyone have anything they would like to ask?

Q1 My name is Harriet and my question is how we teach liberal democracy to students in high school and university in a way that still feels applicable and relevant. Because it's all very well to teach the traditional canons of Mill and Rousseau etcetera, but when there's such an obvious rebellion against power in countries like the US and

the UK, how do we make it feel like those values are relevant and applicable in what we go on to do in our own societies?

DK I think the main task for us is actually to find political leadership that addresses issues broadly within a framework of understanding of these big ideas. Because people do know them when they're spelled out and they can spot them. And I will say that I think one of the reasons why the last election had the result that it did was that Scott Morrison did focus very heavily on the ability of people to run their own lives, which is a fundamental value that people have.

And taxation is seen as a way – and the political aficionados may think that taxation is not a liberal principle, low taxation. But we've have the American revolution. We've had Eureka. If there's one thing that has mobilised people to change their system it's taxation. And it's a very brave party that goes to the people with high taxation in its platform. And if we have a political debate at that level, people should understand a great deal more.

I should also say that there are ways – and the Museum of Australian Democracy, and Daryl Karp, the Director, who introduced us tonight, is thinking of ways to communicate this to a whole variety of audiences. Because as you say not everybody is interested or wants to hear about John Stuart Mill, but they are interested in knowing whether or not their freedom is going to create a good outcome or a bad outcome. And there's a basic assumption behind liberalism: that free people will ultimately produce a good society. How much freedom they need to do that? Nobody knows. But it is a debate. How much regulation will rob people of motivation, and enterprise, and creativity? We don't know. But we do know that adjustments create differences to economic growth.

So all these are very big and important debates that we barely have at the present time. And the political parties, I think, ultimately, if they hold their position, need to confront these sorts of issues. And of course if we get a poor debate on one side we tend to get a poor debate on the other, so it's a responsibility that falls on all political parties.

Q2 Thank you very much Dr Kemp. I'm Stephen Wilkes from the ANU School of History. I have a question concerning what some people have called 'anzacary' or 'anzacification' of Australian history. That is the very strong emphasis in public and popular interests in Australian history in our modern military history, particularly that and the ethos of the First World War. Some see this at the expense of a wider appreciation of our history. Could it in actual fact be more complementary and supportive?

DK It's an interesting question, because there's no doubt that ANZAC Day looms very large in our history and it is a remarkable – it's associated with a series of absolutely remarkable moments on the battlefields in Europe. There's no question about that, that the Australians played an incredible role.

Having said that though, it focuses on one aspect, and the story of what I think is the remarkable story of Australian history has been largely untold. And you find hints of it here and there. I don't claim that what I've done is in any way original. It's original in the way I've put it together perhaps, and it's original where I've drawn on primary

source documents. But there are remarkable books like the *Australian Dictionary of Biography*, which has biographies of people who fit very neatly into this history and this story but they're lost because nobody reads them because there's nothing to guide them to them. So there is a retelling and a reconceptualization of Australian history that I think needs to occur.

The other thing, if you forgive me for bringing up and getting close to a current issue, which I do want to avoid, but I think the appeal of William Ferguson and Jack Patten, that the Aboriginal people should be part of the Australian story and the Australian identity, is a very valid appeal. That we can't keep going as if nothing happened before 1788. And I have to say that Aboriginal history has not ended at 1788, it continues on until today. And it's an incredibly important part of our democratic story. And the Australian Heritage Council does recognise that fact but I don't think that is widely recognised publicly.

So there are aspects of our national story and our national identity which we still have to work through.

Q3 Thanks Dr Kemp for your fascinating talk, and also thanks for participating in my PhD many years ago when I interviewed you. Russel Ayres from the University of Canberra. I was reflecting as you were talking on our constitutional history and the nature of the constitution in relation to the individual. Do you think there's unfinished business there when you think about the rights that are not enshrined in the constitution for individuals? Or are we better off having a constitution that is largely silent about those things and infers things like freedom of political expression?

DK It's a difficult and excellent question. I'm not in favour of a bill of rights. There are some rights enshrined in our constitution. The federal government under section 116 cannot make laws to inhibit the expression of religion. It often puzzles me why that's not more prominent in the current debate. And so rights can be enshrined in the constitution. But the problem with broadly enshrined rights is that you are handing the definition of your rights to an institution.

I think at base I'm a natural rights theorist. I have my rights as a person, and nobody can take them away from me. No government commission or tribunal can really take away my rights in a way that I would accept. That if I think they're fundamental human rights that I've got, then I've got them. And it doesn't matter whether they're enshrined in the constitution or not.

Once you enshrine rights in the constitution, the danger you have is that they are handed over to a profession and discretionary judgments. And one of the strong injunctions of liberalism in going through that whole history of controlling arbitrary power is, don't start setting up tribunals and commissions which have more arbitrary power than they have to. I've got a law degree, I don't deny that the courts interpret the law. But to give tribunals, on short term appointments, the right to exercise their discretion in the application of law against citizens seems to me to run counter to a fundamental principle that has got us to where we are. And putting them in the constitution is only one step away from that.

TB Tom Frame, cattle farmer from Taraga. David, just to pick-up, we're looking particularly at 1788 to 1860, two things could you comment on.

The first one is: what role did nationality have in the coming of liberalism and it's understanding? So we had governors who were Scotsmen, and you drew attention to Richard Bourke who was an Irishman. Can you say something about whether or not the Scots and the Irish in Australia in those positions may have had a disproportionately great influence on the kinds of liberalism that we had, perhaps opposing the British liberalism?

And the second question is: many of the early governors were also military people who were not necessarily known for being people of liberal temperament. Was it an impediment that these governors were in fact military people? Did they have an appreciation for liberalism, or was it something that seemed to bypass them?

DK In terms of the first question – the role of nationality – that's a very interesting one, because after Matthew Flinders circumnavigated to continent, it's quite interesting how often the word Australia was used. And it was certainly used during Governor Macquarie's time to celebrate the arrival in Australia of the British. And it was used, as I've mentioned, by the Anti-transportation League, only some of whom were born in Australia.

But those Australians who fought for Australian self-government in the 1860s used the term. There are editorials in the *Sydney Morning Herald* addressed to 'Australians', saying the hour of decision is at hand. Now those Australians were mainly born in Britain. Only four of the sixty members of the first Victorian legislative assembly in 1856 had been born in Australia. Four out of sixty. And yet most of those people called themselves Australians. Henry Parkes who was born in England called himself an Australian. In fact, he wanted an American solution at the start until he moderated his views.

So why was that? Why did they suddenly become Australian in their own minds? And it must have been because they saw something really special here that they wanted to associate themselves with. And that's why I think the Anti-transportation League was the first intercolonial political movement. The thing that they most resented was the thought that somehow or other they were seen by the rest of the world as a convict colony. So nationalism was there very early, and it grew of course, and it was taken over by the native born. So by the time the federal constitution was written, about 77% of Australians were native born. Still a limited percentage.

Nationalism is, I think, a tremendously important issue for us to talk about at the moment, and not in simplistic identity politics terms. Because it seems to me there is one truth from experience, and that is that less liberalism but only democracy can exist in the nation. Because only the nation can have an accountable government and only the nation has citizens. You can have the EU but it doesn't have an accountable government. That's the problem there is no accountable government for the European Union. The Europeans as Europeans don't have that.

So it's all very well to talk about internationalism and supernationalism, but every time that's said you need to remember you're talking about an area of human

activity where accountable governance is not possible. And therefore the nation in some sense plays a significant role.

As with a lot of these concepts there are two sides to them. You can't have democracy without the nation. But it was Samuel Griffith, the principal author of the constitution, who said that 'patriotism is just an elevated form of selfishness'. In other words he was one of those liberals who really had a broader view at the time. It's a tension in the way we manage our human affairs.

To the second question about military governors. The Royal Navy was a remarkably advanced body when Australia was settled and through those early years. It was mainly controlled by wigs, and the wigs were the ones who had conducted the glorious revolution, and they were the ones particularly interested in science. And who sent out this moon-shot to Tahiti to measure Venus's transit across the Sun because they wanted the measurements that would enable them to calculate the size of the solar system. They were seriously interested in advanced thought. And a number of the governors were actually members of the Royal Society. And I think possibly most of them, I haven't counted, but a lot of them went back to England and wrote semi-academic treatises about Australia and their experiences in Australia, and these were very popular in England.

The governors were distinguished by the colonists as being either wig or tory. And Governor Darling was regarded as a tory governor. He was the one who imprisoned Edward Smith Hall for sedition and raised the issue of freedom of speech for Wentworth. But Bourke was a wig, in fact he was, I believe – I haven't studied the full implication of it – but I believe Bourke was actually related, though his name was spelled differently, to Edmund Burke. And when he retired he went back to England and edited Edmund Burke's papers. And Governor Gipps was an Anglican and had been in Canada, but again he had the liberal idea, he was an appointee of liberal governments basically.

So that was the difference really between the military governors. Some were tory and very socially conservative, and some were more Liberal.

TB Thank you Dr Kemp. We're out of time, so I'm going to hand back to Mark.

ME Yes, we've come to the end of our time with David and Troy. So it just remains to thank David for a memorable address and I hope that it will be the first of many that you will come to here in the House of Representatives at the Museum of Australian Democracy. Thank you so much David and Troy for a wonderful experience.

[applause]