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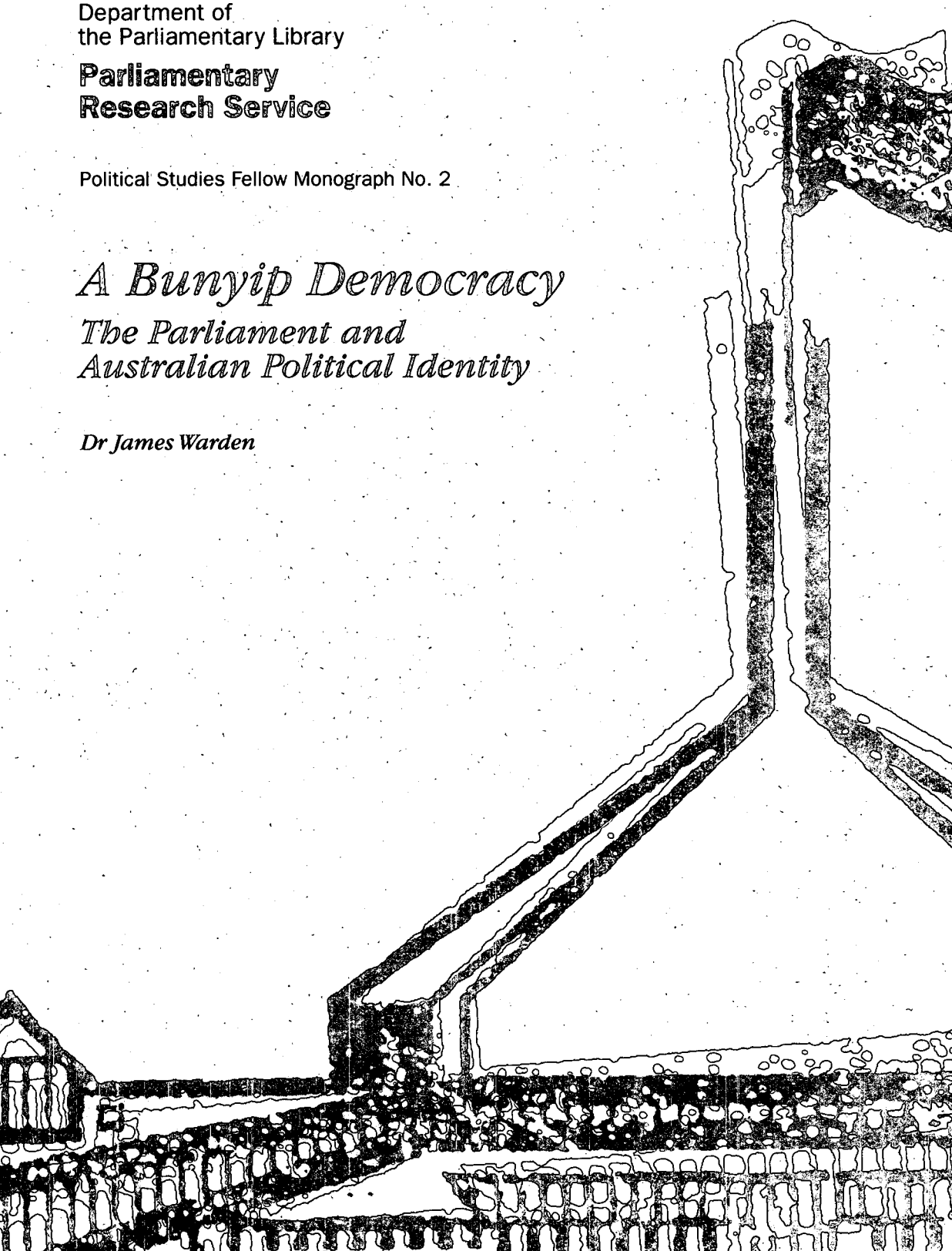
Research Service**

Political Studies Fellow Monograph No. 2

A Bunyip Democracy

The Parliament and Australian Political Identity

Dr James Warden



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The Parliament and Australian Political Identity

Dr James Warden
1994 Political Studies Fellow

Australian Government Publishing Service
Canberra

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A Bunyip Democracy

Views expressed in this publication should not be attributed to the Parliamentary Research Service, which, as an organisation, does not promote particular approaches to issues.

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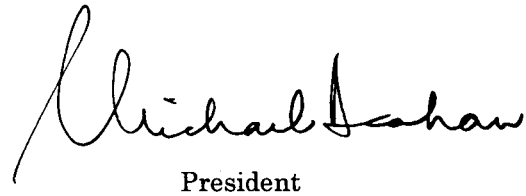
Presiding Officers' Foreword

In May 1970 the then Presiding Officers inaugurated the Parliamentary Political Studies Fellowship to promote the study of the Parliament. The Fellowship was designed to provide an opportunity for scholars to examine the work of the Parliament at close quarters and to carry out research related to it. The Fellowship is managed by the Parliamentary Library, in conjunction with the Library Committee of the Parliament, the Australasian Political Studies Association and the Australasian Study of Parliament Group.

Dr James Warden was the 1994 Political Studies Fellow and his term has resulted in this monograph, *A Bunyip Democracy, The Parliament and Australian Political Identity*. In placing the Parliament in context of contemporary government, Dr Warden has focussed on the new Parliament House, its symbols, its architecture and its particular Australian character. His study offers insights relevant to the continuing debate about perceptions of the Parliament and will make a significant contribution to discussion of the role of Parliament in a lively democracy.

Speaker
of the House of Representatives



President
of the Senate

June 1995

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Introduction

The work of Political Studies Fellow for 1994, Dr James Warden should stimulate a healthy discussion within the Parliament and the bureaucracy.

His essay *A Bunyip Democracy* deals with, the establishment of Canberra as our nation's capital, Parliament House—old and new democracy. One should say at the outset he has 'stirred the possum'.

I only have one criticism. He quotes Prime Minister Keating's November 11th, 1993 speech on the burying of the 'Unknown Soldier' in Canberra, then says 'presumably written by historian....Don Watson'.

He doesn't qualify Whitlam's speech about Aboriginals on November 13th, 1972, as written by Braham Freudenburg, nor any other politician who had a collaboration in preparing their comments.

One is moved when he deals with the evolving development of the Aboriginals struggle for recognition—particularly their art and culture incorporated in the new Parliament House. He quotes the Jack Davis' poem *Integration.*

Let these two worlds combine,
Yours and mine.
The door between us is not locked,
Just ajar.
There is no need for the mocking
or the mocked to stand afar
With wounded pride
Or angry mind,
Or to build a wall to crouch and hide,
To cry or sneer behind.
This is ours together,
This nation–
No need for separation.
Its time to learn
Let us forget the hurt,
Join hands and reach
With hearts that yearn.
Your world and mine
Is small.
The past is done.

Let us stand together
Wide and tall
And with God will smile upon us each
And all
And everyone.

I read it to my wife who replied 'that's wonderful. Words like that should be our National Anthem.'

He deals in challenging detail with issues such as women parliamentarians and the changing cultures from the old Parliament House to the new. In symbolic terms the old House was steeped in royalty, Kings Hall, Queens Hall—compared with the new of the People's Hall and the Great Hall.

Having spent 28 of my 31 years in Parliament in the old House, it leaves me with a strong attachment. It was there our leaders led us to victory in WWII. It was there where, in parliamentary terms the Aboriginal Land Rights struggles began. It was there decisions were made to hold a referendum to bring out indigenous people into our family. It was there that we began to wipe away the scourge of White Australia. From there Jim Cairns called the people of Australia onto the streets to oppose our involvement in Vietnam. And, it was there that Gough Whitlam became the first Labor Prime Minister for 23 years.

It was also a place where you went into a toilet and you would brush shoulders with a Cabinet Minister. Where you would have communal morning and afternoon tea in the parliamentary tea room with your colleagues. At least, until Speaker Sneddon was in control, there were few security controls to overcome. In the new House security is a major growth industry.

If the new Parliament House was built for people, both workers and visitors, it should have been constructed with a maximum northerly aspect to allow people to draw on our natural sun, particularly in Canberra's Winter, Autumn and Springtime. The new House has very limited northern aspects so both sunshine and the vista of the magnificent view across the lake to Mount Ainslie are not utilised.

It is a building of flag waving 'democracy'. It lacks public open space—peaceful demonstrations and discussions in front of Parliament are a thing of the past. It encourages the brute thuggery of the recent timber industry intimidation. It isolates members from each other, and puts its Government Ministers in no persons land. Even though Labor Governments break my heart at times, the Native Title Bill gives great hope for the future. Great history may grow from this legislation and who

knows what the new Parliament House may develop into in the decades ahead.

Dr Warden's discussion on democracy is most challenging

> ...Despite the mystifications of liberal consent theory, which are so well propagated in Australia, the parliament is not an institution somehow free to act on popular will. This implicitly is recognised in the question always put by the media following the budget and all major policy statements: 'What does the market think.....'
>
> ...In Australia the debate about citizenship, democracy, inclusion, state-power and economic reform now takes place without reference to socialism. Few would regard the Hawke-Keating regime as a socialist government and the word is evaporating from the political vocabulary in Australia...
>
> ...Parliament serves many functions by the primary claim of representing the people, as somehow a distillation of democracy, cannot plausibly be maintained. One of the important roles, and one which leaves the parliament open to criticism, is that its formalism is a debating place is only a theatrical device of the thoroughly administered state. Executive and bureaucratic power has long eclipsed legislative power so the expression of the people's representatives in the formulation of policy and law is a myth of the liberal state. ...

He quotes

> ...Nugget Coombs' account of democracy, the test of a good society is not just the existence of the institutions of representative government alone, but a question of how the least favoured in the society are accommodated ... how women, Aborigines and the land are treated. ...

He quotes many of the great, including Nehru and Churchill, with democracy's strengths and weaknesses.

> ...Democracy is good. I say this because all other systems are worse. ...
>
> Jawaharlalu Nehru.

I am neither scholar nor historian, I learn from life, drawing on my own experience in our struggle for democracy.

In early 1994, Paul Keating made a proposal that Labor may change the voting system in the Senate to get rid of the minority parties and independents. I wrote a letter to *The Sydney Morning Herald* and *The Australian* which I developed further in my book *Straight Left.*

> Democracy is always difficult and will always be a frustrating and agonising experience for any government to have to rely on and deal with minority groups to get its legislation through the Senate.
>
> I have come to accept that the Senate is a brake on the arrogance of power from the extremes of both sides of politics.
>
> In my early days in politics, I supported is abolition. Now, I am a strong supporter of its retention, even though it is not as fairly a representative

house as the Lower House. Tasmania has five members of the House of Representatives and twelve senators, but unlike the Unites States, it would be near impossible to change. The Senate should be a positive house of review. Senators should not be ministers, they may be supportive of a government but not a part of the Government. The committee system in both Houses has strengthened the parliamentary system. With no ministers in the Senate, its influence would continue to grow and be more widely respected. In my years in Parliament the committee system is the only development that has achieved a brake on the executive and bureaucracy. Parliament must reassert its authority on the executive.

I expressed a view that I had consistently taken in the party. I admire Keating, and don't categorise him as a part of the New South Wales Labor right mafia. I have seen him grow beyond that sphere of influence. But, when he expressed a 'winner take all' voting system for the Senate, it was a cause for deep concern, particularly those who have had an experience with the New South Wales right mafia mentality.

Having been part of a minority all my political life I do understand a little of the democratic process. Life has taught me democracy and freedom have to be fought for every day—year in, year out.

Dr Warden's essay will make an important contribution in the democratic process of our parliament and our nation.

Tom Uren

Author's Preface

The Parliamentary Political Studies Fellowship offers a unique opportunity for scholars to work inside the Commonwealth Parliament, to draw upon the human and research resources of the Library and to explore the institution as a whole. The opportunity to work on some aspect of the Parliament is of inestimable value in understanding the place as a whole and the place of the institution within Australian life. There is a popular ambivalence about the Parliament. For 'the people', the Parliament is both revered and respected on the one hand and dismissed and resented on the other. Surely this is in the very nature of the place.

The Parliament seems to be experienced differently by almost everyone who enters through the several doorways, from the citizens and tourists who come in through the front door, to those who use the other entrances including the catering staff, the political staffers, journalists, public servants, transient consultants, gardeners, the officers of the Parliament and of course the Members and Senators themselves. There is no single defining experience of the institution. Intense political activity can be taking place inside the building, like a leadership challenge, but the Parliament House machine keeps functioning seemingly oblivious to the drama acted out in committee rooms and inside the press gallery. The sheer size of the building dampens the political atmosphere.

The task of coming to terms with the meaning of the place is not simple. The variety of responses, the variety of experiences, the deep ambiguities of the building and the institution defies easy analysis. *A Bunyip Democracy* is my attempt to place the Parliament in a broad context. It is my response to the dual messages which the institution projects; making a statement about national identity and representing democracy in Australia.

The Parliamentary Research Service, which hosts the Fellowship, is also a unique institution of great value. A relatively small number of researchers cover the gamut of Australian political, administrative and diplomatic concerns. The Parliamentary Research Service is little known to the citizens of Australia. Those who toil away on client requests, background papers, current issues briefs, bills digests and a host of other specialist publications do a service to the Parliament and indirectly an unrecognised service to the practice of democracy in Australia. The PRS deserves greater recognition and has my thanks for help, encouragement and support.

In thanking individuals there is always a problem of the order of names and alphabetical listing is just another way relegating the XsYs and Zs to the last, so the best order is no order. That said I thank the members of the PSF committee, Senator John Herron, Mr Paul Filing MP, Laurie Ferguson MP, the Head of the PRS Dr June Verrier and the representatives of the political science industry Dr Marian Simms and Dr John Uhr from ANU. Dr Verrier has the general management challenge of administering the PSF, and for her labors I thank her in particular.

Others who were often of more help and encouragement than they perhaps realised are the members of the Law and Public Administration Group, Bob 'Sunshine' Bennett (especially for a diligent close reading the draft and making many accurate direct corrections), Anne Twomey, Brendan Bailey, Sarah O'Brien, Ian Ireland, Chris Field, Maryanne Lawless. Others around that part of the world who helped a lot include, Iava Seddon, Kate Matthews, Bill Bak, Keith Hughes, Frank Frost, Gerry Newman, Peter Edsor (gone home to DIR). The members of the Parliamentary Library gave a huge amount of support especially Margaret Healy, Viv Wilson, Indra Kuruppu also Martin Lumb, Nola Adcock, Dianne Hawke and Marilyn Harrington. Thanks also go to Ann Millar from the Senate. Members and Senators who were of direct assistance were Christabel Chamarette, Dee Margetts Warren Snowdon and their staff. I also thank my academic colleagues, Brian Galligan, Alastair Davidson, Dereck Schreuder and John Warhurst and my mother Winifred and my late father Alan for their constant unfailing encouragement in my academic career. Thanks also to Simon Philpott, Helen Keane, Phil Heutzenreuder, Rebecca Fleischer, Charles Freer and Neryl Lewis.

I am most indebted to Peter Lamour, Natasha Davis, Mark Boughey, Jonathan Millar, Tracy Jolly, John Williams, Kate Krinks, Tim Bonyhady, Claire Young, John Williamson and Deb Williamson.

James Warden

June 1995

1

Imagining the Parliament

An Introduction

This is an essay about the Australian Parliament and the culture of democracy in Australia. There are two objectives. The first is to place the building, which is Parliament House, in its historic and symbolic context. The second is to assess the promises implicitly and explicitly made by Parliament as the primary institution of Australian democracy. An assessment of the symbolic importance of Parliament House is necessary because the building is constructed to exemplify Australian identity and democracy, or so it is claimed. It carries the spirit of the nation and the commitment to democratic process, or so it is claimed. That symbolic pledge is onerous as it invites solemn questions about the nature of the state and the condition of the society. But, such claims beg questions. Does the parliament fulfil the promises made? What is the place of the institution in the general culture of Australian democracy? If Parliament House symbolises the nation's commitment to the democratic process how well does the institution perform? At what point does symbol become propaganda? The central concerns of this essay are with the ideas which are internalised in the institution and projected by the building; the concepts of identity, democracy and nationhood.

The two Parliament Houses of the Commonwealth of Australia, the old and the new, exemplify the nation like no other structures. The original Parliament House was opened in 1927 with an imperial and nationalist fanfare. The Australian Parliament was created within the great tradition of parliamentary government, under an English constitutional monarchy of nearly one thousand years duration. The Australian Commonwealth Parliament was built in Canberra—a purpose-built city—which was intended to express the aspirations of the new nation. The building, the streets and the surrounding suburbs were a tribute to Australian nation-making. Australian identity and imperial loyalty were inscribed in the fabric and symbols of the new city. Then, sixty years later, a new and permanent Parliament House, opened in 1988, was constructed to continue the traditions of government and nation as it was vested with similar values. It would express the nation. However, the ideals of imperial fealty were replaced with ideals of national independence. Yet, despite this difference, the ideals and the purpose of the buildings of 1927 and 1988 were identical. Both buildings are an aspect of a position in history. They are expressions of political principles. Charles Goodsell makes the assumption that architecture is important to political science in understanding the nature of power and the character of the state, and he writes about it accordingly.[1] That assumption is made in this essay also. If the building speaks for the nation, for the aspirations of the people, then does Parliament House tell the truth?

This essay takes a different approach from most texts on the Australian Parliament which seek to explain the institution as a piece of legislative and executive machinery. The usual approach, after a short introductory paragraph, is to describe the Senate, the House of Representatives, constitutional provisions, the committees, the role of the backbencher, relations between the houses, the committee system and the role of officials. Sometimes the Governor-General is included as the third (or finishing) phase of parliamentary production.[2] The legislative process is invariably construed in the metaphor of the machine. The metaphor of the digestive tract is seemingly never employed. Legislation is modernistically imagined as a process of production rather than rumination. The chambers are imagined as factories rather than stomachs. The Parliament, so treated as a machine, is immediately reduced to the sum of its parts and analysed accordingly. It is disassembled. *The Parliament* is presented as a single entity but is then analysed in bits.[3] It is rarely considered as a whole institution in a broader social and cultural context. It is rarely written about as an artefact of the culture. The life-history of the institution is of course well documented and thoroughly recorded every day in newspapers, official journals of record, scholarly works, learned texts and solipsistic memoirs. Yet the institution is less frequently written about as a product of history, as a product of the history of ideas in Australia. The symbolic importance of the institution to the culture of Australian democracy is little celebrated or discussed.

For some, those who live and work around the building and inhabit the institution, the Parliament is of immense significance. It looms large in their lives and their consciousness as the apotheosis of the nation. For those who do not work in the building and who do not live in Canberra it is of much less significance. The consequences of one of the habits of Parliament—the making of law—of course has a crucial formative influence on how the people live, but the institution itself is of little moment. Politics, for the great bulk of people, takes place on television and in the newspapers and the building just provides the venue and the backdrop ...

It is 6.30 pm. The lead item on the evening news is from Canberra ...

There's the reporter, dressed in a big overcoat, outside the building, in front of the sweeping white portico, introducing the story—cut to the Prime Minister, leaning over the despatch box, gesturing to the backbench who are loyally making up the numbers, the men wear loud ties, the women wear loud suits and are carefully positioned to enhance their numbers—the camera captures the front bench bored, laughing or on uproar and then cuts to the opposition, squirming, laughing or in uproar—cut to a doorstop interview, a talking head, Comcars arrive and depart, then back to the reporter for a wrap—and on with the next story, a nasty car accident somewhere...

This is how most citizens see Parliament in action and experience Parliament House. The most public buildings in Australia is remote, far removed from everyday life, but it is experienced most nights on national television. For, second to the Opera House, Parliament House is the most visited and visible building in Australia. The two buildings are bound together in the national imagination as expressions of culture, politics and the nation. Politics, mediated by television, becomes opera without a score. Parliament is a political simulcast. It is about villains, heroes, love, loss, slaughter, pathos, comedy, melodrama, costumery and long knives. This is perhaps what the Prime Minister meant when he said that he liked to 'whack a bit of Wagner into me'. Politics, televised for the citizen, is spectacle and drama played out in a vast and expensive marble, glass and stainless steel set.

So, if the building and its institution is about spectacle how is it to be understood as a totality? The visitor, uninitiated to the mysterious rites, arcane rituals, open spaces and closed corridors of the Parliament needs a familiar way of interpreting what is seen and heard. For visitors—citizens—who come for a look, there are prefigured frameworks of reference and modes of recognition into which the Parliament can be fitted, to be understood and imagined. Those who come to look need to draw upon familiar forms to comprehend what they see and experience. The range of cultural installations which tourists routinely consume include, the memorial, the monument, the museum, the gallery, the church, the sports field, the theme park and the shopping mall. Motifs from all these places dwell in the building. As apart from the opera set, the Parliament can be imagined in a variety of familiar imaginary guises. One imaginary guise is the space station, hermetically sealed against the outside world, as the Cabinet commanders remotely control the far flung bits of empire. It is a self-contained futurist citadel serviced by docking vehicles (Comcars) which bring tribunes from distant places, from the twilight zone of far-flung electorates. The image of the space station Parliament would have been enhanced immeasurably if the original plan for computer-controlled robots, working as internal delivery vehicles, had not, alas, lapsed for technical and financial reasons. Yet there are other guises.

Those with an experience of the prison system have likened Parliament House to a modern gaol.[4] The feel and the look are similar: guards in grey—watching and waiting—the pass system, doors, routines, announcements, an obsession with telephones and mail, trolleys, locked doors, ringing bells, small cells and common yards, visitors in and out, vans and secure cars passing through swinging gates or underground entrances, security cameras, videotape, inmates exercising in the yard for an hour a day or jogging once around the perimeter, a pervasive feeling of surveillance. Parliament House

is Jeremy Bentham's panopticon with privileges. It is the prison house of government.

Or Parliament House is the Holy See of the Australian apostolic state. A separate state within a state, dedicated to the glories of a higher Being and with the frisson of historical and potential schism. There is a hierarchy of the Pope and the Cardinals, the Curia of the Cabinet, the battalions of clerics, the stainless-steel steeple, the triangulated cupola reaching heaven-ward, the texts, libraries, artworks, the altars, confessionals, entourages, images of the saints. There is the over-arching scripture of the Constitution, a deathless timeless *Truth*, subject to constant seamless shifts and occasional radical revision. Also there is the cabal, the politics of the corridor, what Michel Foucault calls the *cameral* of politics. When Jim McKiernan, Chair of Caucus, appeared after the ALP party-room meeting on 20 December 1991 there could have been a puff of white smoke to announce the election of a new Pontiff, Paul John I. Cardinals in identical suits sweep across the polished floors. Clerks huddle in corridor conversations. Audiences are granted. Texts interpreted. Doctrine debated. Rosaries repeated. Sermons delivered. Prayers offered. Saints invoked. Inquisitions held. Heretics burned. Icons are mounted on walls. Holy relics are kept under glass. Law and doctrine are handed down while a Swiss guard, the Australian Protective Service, stands and patrols. In penance for its sins, the Liberal Party in 1994 must say 50 'Hail Menzies'.

Parliament House is a place of the imagination and it is also one of the most recent great public buildings in Australia (except for Parliament House in Darwin, allegedly modelled on the Soviet-Vietnam friendship building in Hanoi). Graham Jahn, in *Contemporary Australian Architecture*, suggests that we are seeing the disappearance of public space.[5] Public buildings are no longer being built and the ones which exist are potentially on the market, to be privatised. The *next* public buildings are the sports stadium and the shopping mall which are about entertainment and consumption not participation and autonomy. The similarity of the Parliament with the late-modern shopping mall is that while they are both ostensibly, or perhaps superficially, open and accessible they are operationally controlled and ordered by strict regimes over which the citizen-consumer has no direct control or rights. While the public are welcome they do not have ownership rights. Security guards maintain order. The public character of the Parliament and the Mall is an illusion as both are effectively private spaces disguised as public space.

The transformation of public space is evident in the disappearance of post offices. Since 1825, the post office has been the symbol of the emerging coherence of the nation-state in the march to modernity. It is an exemplary

public good.[6] The great monolithic nation-making public buildings of the nineteenth century in Australia were the parliaments, and of the early twentieth century they were the post offices. Think of Melbourne with Parliament House at one end of Bourke Street and the General Post Office toward the other, or of the enormous GPO in Forrest Place in Perth which was built as a tangible proof of West Australia's incorporation into the nation, or the GPO tower in Hobart on the corner of Elizabeth and Macquarie streets, which was Tasmania's tallest tower until the AMP block was built nearby in the early 1960s. Post offices are being privatised, internalised, into shops in shopping malls to retail communication services and marsupial stationary. In small towns they are either being closed or turned into agencies in newsagencies.[7] So just as we are entering the post-post modern era so we enter post-post office era.

Parliament is a building and an institution, but, most importantly for the democracy and civil society, it is a system of belief. The actual events which take place there are not as significant as the enduring recognition that the institution is important even if many citizens only understand it imperfectly. The Australian state, in all its complexity and contradiction, is legitimated through the forms of representative democracy. The actions of governments to wage war, manage the economy, tax and spend, regulate our lives, administer, profit, punish and reward are made legitimate and regular because of the deeply-held common belief in the legitimacy of the Parliament. The Australian state would begin to unravel if the filaments of faith and belief which bind the system of representative government begin to part. Governments which are illegitimate resort to force, and if that tactic fails, they then resort to brute force.

This essay is about Parliament House as the big monument to Australian political principle and institutional presence. It is about the relationship between democracy which is the great legitimating concept of government and the building in Capital Hill which symbolises democracy in Australia. It is about the ideas which help constitute the set of institutions which collectively are the Parliament. It is about the production of ideas inherent to the posture of the building and the contradictions inherent to the real world of politics. This essay is concerned with the relationship between the building, the practice and the principles of democracy.

Following this introduction, chapter two develops the historic and spatial context within which the Parliament is located. The symbolic presence of the building helps constitute the idea of the nation and it resonates with the commonly held ideas about what makes *Australia*. The Parliament is the central institution of the state and, at Federation, it became the primary creation of the nation. After Federation and the adoption of the Constitution,

the early emphasis on nation-building was exemplified in the invention of Canberra. Later, the association of the Parliament with the War Memorial helped define the twin ideals of national identity; representative democracy and noble patriotic sacrifice. The axially counterposed buildings—parliament and memorial—are the two poles of the nation-state; government and war. Both are justified on democratic imperatives. Order and force are legitimated through the active, informed consent of the citizens. The social contract is thus achieved as the founding myth of the liberal democratic state . If some Aboriginal people have a founding myth in dreaming the Great Snake then the dreaming of the Enlightenment liberal is the Great Contract. The social contract is legitimised in the democratic state. The final part of the chapter opens the question of the meaning of democracy in Australia. The distinctions between representative government and the principle of democracy is recognised. This point is developed further in later chapters.

Chapters three and four are concerned with the symbolic production of Parliament House. Prodigious effort was expended in creating a building that would express the higher aspirations of the nation. These chapters are concerned with analysing some of the more emphatic statements in the fabric and decorations of the building in order to discuss the elevated claims and solemn promises made to the citizens which justify and explain representative democracy in Australia. The restatements of national identity which are inherent in the building are linked to a changing conception of Australian history and a shifting official appreciation of national identity. Virtuous political principles are written into the building.

Chapter five is brief. It is concerned with the setting the context for the questions which follow from the analysis of *symbol* and *history* which are present in the building. The consideration of what democracy means is an ancient and unresolved issue for political scientists and practitioners. All countries claim to posses democratically justifiable regimes and Australia claims a foremost position. This chapter sets the question, addressed in the chapters which follow, of how well the Parliament fulfils its democratic promises?

Chapter six argues that Parliament in Australia has limitations which it cannot escape and which it shares with legislatures in general. The constraints under which the Parliament operates are assessed. Chapter seven is concerned in part with the old shibboleth that Parliament is in decline. The argument advanced here is that the alleged truism of decline is misconceived. The problem of the legislature is more properly understood as resting in unfulfilled promise, rather than decline. The Parliament has never been able to fulfil the expansive claims which were implied in the achievement of full and open representative democracy. The external and

internal constraints on the Parliament mean that it is found wanting in its primary justifying claim, to represent the people. The other roles of Parliament then become functionally more important, such as legitimating governmental decisions, providing leadership and making law.

Chapter eight is about the nature of democracy, once it is understood that the Parliament is not a necessary and sufficient condition for a democratic society. This point has not generally been well developed in Australian writing on democracy. Parliament is an essential institution required of a democratic complex society, but there must be others which allow for the extension of democratic practice when the Parliament is unable to provide adequately for protection and opportunity. In worrying about the integrity of the Parliament we have for too long asked the question the wrong way around. I argue here that the attention given to the workings of the Parliament is excessive in relation to the more pressing question of the nature of democracy. As the one hundredth anniversary of the Constitution approaches, basic questions about the nation and the society are emerging which are not merely confined in economic management or policy direction, the usual stuff of page-one politics. Many urgent national questions are contained in a more basic and ancient question about the meaning and implementation of democracy, including the understanding of republicanism, the elemental importance of Aboriginal Reconciliation, the meaning of citizenship, the emphatic arrival of women in public life and the accommodations of many cultures in one society.

At the centre of these foundational issues is a question about the meaning of democracy in Australia. We should ask about it more boldly. The primary political question should not be about the health and effectiveness of the Parliament? We should instead be more concerned with how the democracy is working? What does democracy in Australia mean? Once the response to that question is clearer then we can ask in a more informed way about how the Parliament performs? In agonising over the place of the Parliament we would do better to enquire into the nature of Australian democracy more deeply. We should exercise our democratic imagination more richly.

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1. Charles Goodsell, *The Social Meaning of Civic Space: Studying Political Authority through Architecture* University of Kansas Press, Kansas, 1988, p xv.
2. For instance see the video production by the Parliamentary Education Office *A Powerful Choice* 1994.
3. John Uhr makes this point without elaborating that the parliament is a sum of parts in *Governing in the 90s: The agenda for the decade* Ian Marsh, ed, Longman Cheshire, Melbourne.

4. To date only two members of the Parliament of Australia have had direct experience of prison as inmates (apart from the many who served as POWs). The first gaoled MP is Thomas John Ley, Nationalist Party Member for Barton. He is described in the Australian Dictionary of Biography as 'politician and murderer' and by his biographer as 'an unctuous hypocrite and paranoiac murderer'. In killing John McBain Mudie, Ley committed a crime known as the Chalkpit Murder. His death sentence was commuted to life imprisonment and he was committed to Broadmoor Asylum for the Criminally Insane in 1947 were he died two months later. Ley, as a Minister of the Crown, had notoriously allowed Edward Williams to be executed in Long Bay Gaol in 1924 for killing his three small daughters to save them as 'he could not keep and rear them'. Jack Lang and the Labor opposition campaigned unsuccessfully for Williams on the manifest grounds that he was insane. As Minister for Justice Ley's name is inscribed on the foundation stones of the courts houses at Ryde and Wyong. See Dan Morgan *The Minister for Murder* Hutchinson Melbourne: 1979. Keith Wright, former member for Capricornia was convicted in 1993 of indecent dealing and sentenced to ten years gaol. The simile of the prison was related to me by Senator Christabel Chamarette who, prior to entering the Senate, had worked as a social worker in the Western Australian Department of Corrective Services.
5. Graham Jahn, *Contemporary Australian Architecture* Gordon and Breach, Arts International Basel, 1994.
6. 'An Act to Regulate the Postage of Letters in New South Wales' gave the Governor powers to establish a network of post offices in the colony. In 1849 uniform rates of postage were agreed by the colonies. In 1852 the compulsory prepayment of postage by adhesive stamps was introduced in Australia just after Great Britain, which was the first jurisdiction to adopt the method. In 1891 the Australian colonies joined the Universal Postal Union for the exchange of international mail.
7. See for example the advertisement in the *Sydney Morning Herald* 17 July 1993 which began 'For Sale, Post Office Businesses, Tenders are invited for the purchase of an operating Licence for the Following Post Offices: Croydon, Croydon Park ...'

2

Making Statements

Date: 9 May 1988.
Place: The opening of Parliament House.
Speaker: The Honourable RJL Hawke, Prime Minister.
Dramatis Personae: A cast of thousands.
Theme: Parliament House as an expression of democracy and national identity.

The opening of the first permanent home for the Commonwealth Parliament is an event of great national significance.

It is the culmination of the processes which, beginning in the last century, created a united and federated Commonwealth of Australia in 1901.

It is the pinnacle of the growth of Canberra as Australia's national capital.

And, above all it is an enduring statement of our nation's profound commitment to the principles and practices of democratic government.

The immediate function of the new Parliament House will be to house the workings of the Parliament and Ministry of the Australian Government.

But the building is not intended to cater exclusively for any one group of people. It does not belong to any one political party. It is a building for the entire Australian community, a workplace for the community's elected representatives and a free and open forum for resolving the community's concerns.

...

It has cost a very large sum indeed. But I believe the symbolic and practical importance of the building, as well as the very high standard of excellence of its construction and finish will be a great source of pride to all Australians now and in the future.

As we celebrate our Bicentenary, it is my belief that this building should serve as a highly visible embodiment of our democratic commitment, our national unity and our aspirations for the coming centuries.

Turning Spaces into Places: Signs, Suburbs and the Judgment of History

Most towns are just towns. Most cities are just cities. Most buildings are just buildings. They can be read symbolically and semiotically for their now open and now hidden meaning, but generally they are just ordinary and functional and nobody takes much notice of their totemic, iconic or metaphormic value.[1] Australia is supposed to be a utilitarian place and utilitarianism isn't supposed to allow for much meaning other than use-value.[2] Ordinarily, ordinary places are without booklets, pamphlets, road-signs, videos or plaques of stone, wood or bronze to help the innocent bystander to *understand*, so that all the meaning—in all its depth and cleverness—can readily be apprehended.

Canberra, however, is different from every other town or city in Australia. Indeed, the citizen in Canberra can rapidly develop semiotic fatigue from the relentless encounter with the etched stone, the encoded form and the suggestive sign. In order to explain Parliament House it is necessary to begin with an explanation of Canberra as the *Capital* of the *Nation*: Its pregnant symbolic presences, its loaded meanings and the peculiarity and uniqueness of the encoded forms of the ideal city. The general criticism of Canberra is that it is a bland infinite extension of the suburb, devoid of interest, once characterised as 'seven *subs* in search of an *urb*'. However, the symbolic interpretation of Canberra as a place in the national imagination differs from that critique of emptiness as the entire Australian Capital Territory is a concept, the whole of the city of Canberra is a symbol and everybody becomes a semiotician. The public buildings are monuments to ideas, people, places, relationships and events. According to Peter Proudfoot, the city also has clear influences from Eastern and Western ancient cities and 'megalithic complexes like Stonehenge'. It has 'Cosmic symbolism, sacred geometry and a geomantic arrangement to integrate surrounding natural elements according to the Chinese idea of Feng Shui'.[3]

Even without such geomorphic resonance Canberra is deliberately produced and directed to express Australia. The invention of Canberra was a crucial component in the invention of the *Nation*. A separate capital city, purpose-built, both fostered national identity and manufactured political consent. If Australia was born in 1915, as CEW Bean wrote, in a 'baptism of fire' on the beaches and in the trenches of the Dardenelles, then those events were prefigured in 1913 when real tangible things on steel and paper were physically created and simultaneously produced

ideologically as unifying symbols of nationhood. Together with the railway-line across the Nullabor, which bound Western Australian into the Commonwealth with bands of steel, Canberra was also created as an extensive, expensive national project. So, by the time Bean's first reports of the landing at Gallipoli arrived, Australians on the home-front had an already well developed idea of nation to which they could readily attach the figure of 'the Digger'.

Immediately following Federation various nationally significant acts were performed and 1913 was a particularly auspicious year of nation-making. On 2 January 1913, the first penny postage stamp of the Commonwealth of Australia was issued, known as the 'roo' stamp; it depicted a kangaroo on the map of Australia with 'Australia postage' printed above (crown or other imperial insignia notably absent). On 13 January, Commonwealth Bank agencies were established at post offices and later the first Commonwealth banknotes, known as 'rainbows' and 'Fisher's flimsies', were issued.[4] On 12 February, the first sod of the transcontinental railway was turned at Kalgoorlie and the rail-line seeped east and west across the Nullabor. On 1 March, the Royal Australian Naval College was opened at Geelong as the Commonwealth assumed control of Royal Navy property and later that year the first two Australian submarines were launched, the *AE1* and *AE2*. On 12 March, the Governor General, Lord Denman, laid the foundation stone of the federal capital with a trowel forged from Australian gold. 'I declare this first stone of the commencement column well and truly laid'.[5] In his following speech he said that the people should not complain of the expense of a new city as Sydney and Melbourne were already overcrowded. Billy Hughes was also there and he said, 'We are engaged in the first historic event in the history of the Commonwealth today' and that it was taking place 'without the slightest trace of that race we banished from the face of the earth.'[6] Lady Denman announced that the city would be called 'Can/b'ra', so the name and the pronunciation were fixed.[7] King O'Malley, as Minister for Home Affairs in the Fisher Labor Government and responsible for Can/b'ra, later wrote that the 'chronicler of the future' will regard 12 March 1913 as 'an epoch in the affairs of Australia second only to the historic occasion of the landing of Captain Cook' (wilfully forgetting 26 January 1788).[8]

Nation-building was thus well underway by 25 April 1915 when the bushie on the beach was remodelled as the Anzac. The Australian legend, 'the national *mystique* ', as Russel Ward later called it, was seamlessly adapted to the Digger.[9] Ward, in 1958, quoted Bean from the *Official War History*:

> The bush still sets the standards of personal efficiency even in the Australian cities. The bushman is the hero of the Australian boy; the arts of bush life are his ambition; his most cherished holidays are spent in the country with relatives or in camping out. He learns something of half the arts of a soldier by the time he is ten years old—to sleep comfortably in any shelter, to cook meat or bake flour, to catch a horse, to find his way across country by day or night, to ride, or, at the worst to 'stick on'.

If war was the crucible of nationhood as boys turned into men, then the naming of Canberra's suburbs, boulevards and streets was an opportunity to manufacture a new version of Australian history. The construction of Canberra allowed for the new construction of the past and thus of the future. Australian history could be remade as a national project. Founding a new city allowed for organised myth-making on the classical model and the building of Canberra was no different from the building of Carthage; a matter of laying stones and naming places. The creation of new cities is thus identical to the creation of classical cities. Paul Carter noticed that Manning Clark described the founding of Sydney in terms borrowed from the *Aenid*. Virgil described the laying of stones witnessed by Aeneus: 'Eagerly the Tyrians press on, some to build walls; some to choose the site for a dwelling and enclose it with a furrow'. Ancients and moderns use the same practices of turning space into place; arrival, occupation, a quick close survey for the best spot to place the first building, and then the naming. Order was imposed as space turned into a place and, as if to give an essence to Australian domestic life, the first European building in Australia was a kit-home.[10]

> On 27 and 28 January the male convicts and the rest of the marines landed. Some cleared the ground for the different encampments; some pitched tents, some landed the stores; a party of convicts erected the portable house brought from England for the Governor on the east side of the cove. So, as Collins puts it, the spot which had so lately been the abode of silence and tranquillity was now changed to that of noise, clamour and confusion, though after a time order gradually prevailed everywhere.

So Carthage, Sydney and Canberra (also New York, Hobart and a thousand other cites of the New World) were founded by symbolically laying, or portentously relaying, stones. Seemingly empty spaces were ordered and settled and thus turned into places. More importantly, Carter argues, following the arrival, the most potent act of possession is the naming. Naming is about seizure, it is an expression of power, an exercise of control, an act of conceptual possession. *Terra Nullius* permitted the renaming of places as if they already had no name. Usually places were given British and Imperial names, sometimes an Aboriginal name. However, even if a place was named with an Aboriginal word, that name

was still selected and applied rather than adopted for its prior authority. Settlers and governors selected Aboriginal names for places, but equally and randomly they chose not to, so the exercise of Imperial power even when adopting an Aboriginal name remains undiminished. While the Aborigines 'were not physically invisible ... they were culturally so', and this relative absence left the field clear for the discoverers, explorers and settlers to make, what Carter calls, 'spatial history'. 'They were choosing directions, applying names, imagining goals, inhabiting the country'.[11] So in 1913 the Molonglo region and the Limestone Plains were cleared in the imagination, in the mind's eye of the pioneers, for Canberra. Billy Hughes, as noted, could talk of the 'absence of even the slightest trace of the race we banished from the face of the earth' but on that site Walter Burley Griffin could innocently declare, 'I have planned a city like no other city in the world. I have planned an ideal city'.[12] Spatial history allowed for—indeed required—the act of naming. For, writes Carter, 'by the act of place-naming, space is transformed symbolically into a place, that is, a space with a history. Moreover, by the same token 'the namer inscribes his [or her] passage permanently on the world, making a metaphorical word-place which others may one day inhabit'.[13]

Naming and Renaming

The naming of Canberra presented a pregnant moment as, in turning space into place, particular historically imagined individuals could be created and venerated. They could be born in the national imagination as the national imagination was born. Where once imperial figures could be favoured in naming places, (Sydney, Melbourne, Bathurst, Hobart, Rosebery, Palmerston), now Australian heroes could be elevated and heroically become, Men for All Seasons in a Nation for a Continent. The early suburbs of Canberra were made monuments to the founders of the nation. However, nation-making could not begin in 1788 with the convict men who unloaded the stores and assembled the Governor's kit-home and the convict women who disembarked after them, because in the drawing rooms of a polite society convicts and Aborigines best remained invisible to the culture. Ernest Scott, appointed Professor of History at the University of Melbourne in August 1913 just a few months after the naming of Canberra, expressed the contemporary standard view that 'New South Wales was simply a kraal for yarding British undesirables and housing their keepers'.[14] So 1788 necessarily could not officially be the foundation of the nation and King O'Malley could say that 12 March as an epoch was second only to Captain Cook in the affairs of Australia. The formation of the Commonwealth in 1901 would be the origin of Australia. The 'founding fathers' of the federation movement and the

Constitutional Conventions were thus named as national heroic-historic-iconic figures and their names became places in the Griffins' geomantic city; Parkes, Barton, Deakin, Griffith, Forrest, Turner, Reid, Braddon, Downer, O'Connor, Kingston then Dickson, Isaacs, Higgins, Hackett, Symon and Lyne were followed by Fysh, Holder and Garran.[15]

Not only Australian individuals were named. The power of political geography was also recognised as States, Capitals, Sovereigns, the Empire and the Commonwealth were stitched into the nomenclature around the sites of power at the centre of the national capital. The sweeping boulevards around Parliament House express the political principles of federalism and the British Empire; Avenues called Kings, Commonwealth, Sydney, Melbourne, Brisbane, Adelaide, Perth, Hobart and Canberra run like spokes of a wheel from the nation's hub. Capital Circle, State Circle and National Circuit are inner rings, while Dominion Circuit, Empire Circuit, Windsor Walk, Queen Victoria Terrace, King George Terrace and King Edward Terrace are arcs on the wheel. Men of the nation, capitals of the states and hierarchies of the Empire are written into the name plates of the national capital. Maps are expressions of political and cultural hegemony no less than constitutions.[16]

Naming and renaming is about the politics of winning. Compare *Stalingrad* or *Leningrad* with *Washington*. Stalin and Lenin have been removed from history and the place-names changed. Washington lives on. The historical figure becomes either an enduring place or a transient place-name. History's sins of omission and commission are thus officially evaluated—re-evaluated. Statues are hauled down and names changed—out with the new in with the old—as nostalgia and postcolonialism combine to make for a better past. The forces of ideology in history are evident in the naming of the places of Canberra. The contest over who was important and why can be seen in the temporal winding of the spatial spirals of Canberra's physical development. History—its dominant conception in time and space—is traceable on the maps of national capital. The older suburbs are named after dead white men (DWMs as they are known in the History trade) whereas the recent spaces turned into places permit the expression of the new post-colonial/post-patriarchal history. The far-flung spaces first get a name and are rendered mappable and saleable, then come streets and houses, kerbs and gutters, rates, postal delivery, garbage collection and, eventually, a bus service.

The key, therefore, to understanding the writing of Australian history is inscribed in Canberra as follows: The greater the travelling time from the Civic GPO the more likely that the newer suburb or street will be named after a woman or named from Aboriginal Australia or from

multicultural experience. In Canberra the centre and the periphery tell different stories, different versions of history. Compare the centre with the periphery. At the centre are Parkes and Barton, the oldest official areas of Canberra and the core of administrative and political power, while on the periphery the newest suburbs are named after local Aboriginal people, the Ngunnawal, as Reconciliation makes its marks in the 1990s. Not until 1967 was a Canberra suburb named for a woman in Australian history. Feminist and postcolonial revisionism has caused Australian history to be rewritten and so correspondingly the life-world of the suburbs is rewritten.[17] According to Manning Clark, every generation must rewrite its history, which is not a particularly radical thought in comparison with Thomas Jefferson's view that every generation should rewrite its constitution. Perhaps every generation should rename its suburbs. One of Les Murray's thoughts about Canberra is that its suburbs should be called after ideas not people.[18] From *The Vernacular Republic* comes 'The Canberra Suburbs' Infinite Extension':

> Citizens live in peace and honour
> in Pearce and Higgins and O'Connor,
> Campbellites drive Mercedes Benzes,
> lobbyists shall multiply in Menzies —
> but why not name the suburbs for ideas
> which equally have shaped our years?
>
> I shall play a set of tennis
> in the gardens of Red Menace
>
> Shall I scorn to plant a dahlia
> in the soil of white Australia?
>
> Who will call down Lewis Mumford
> on the streets of Frugal Comfort?
>
> *Oh live in Fadden and be content*
> *everywhere's Environment.*

If whoever names these places had a decent sense of historical perspective then the suburb of Mitchell, out by the racetrack on the Barton Highway, would be called Phar Lap. Revisionism in history demands renaming of places. Maps and street-signs carry historical and ideological burdens, as do buildings.

Monuments to National Identity: the War Memorial and Parliament House

In Canberra two buildings in particular are laden with meaning. Almost every architectural feature and decoration symbolises something, every stone, glass and vista implies something. Parliament House, and its twin at the base of the other hill, the War Memorial, are an apotheosis of symbolic production. They are the spine of Canberra. They express the nation. They have ideals and aspirations etched into their surfaces and built into their fabric. They express a preferred national identity forged of democracy and sacrifice. The idea of the nation is built here in blood, stone, myth and ceremony. On 11 November 1993, Remembrance Day, the Prime Minister made a speech to mark the entombment of the unknown Australian citizen. Keating stood before the War Memorial, at the foot of the steps, beside the Stone of Remembrance, looking down Anzac Parade, across the lake to Parliament House and he addressed the assembly. The speech, (presumably written by historian and principal speech-writer to the PM, Don Watson), is described by Ken Inglis, a historian of Australian war memories, as equal to Pericles funeral oration and Lincoln at Gettysberg.[19] It is a paean to citizens, soldiers and democracy in Australia.[20] 'We will never know who this Australian was'...

> The Unknown Australian soldier whom we are interring today was one of those who, by his deeds, proved that real nobility and grandeur belongs not to empires and nations, but to the people on whom they, in the last resort, always depend.
>
> This is surely at the heart of the Anzac story, the Australian legend which emerged from the war. It is a legend of free and independent spirits whose discipline derived less from military formalities and customs than from the bonds of mateship and the demands of necessity. It is a democratic tradition, the tradition in which Australians have gone to war ever since.
>
> The Unknown Australian is not interred here to glorify war over peace; or to assert a soldier's character above a civilian's; or one race or one nation or one religion over another, or men above women; or the war in which he fought and died above any other war; or one generation above any that has been or will come later.
>
> The Unknown Soldier honours the memory of all those men and women who laid down their lives for Australia. His tomb is a reminder of what we have lost in war and what we have gained.
>
> We have lost more than 100,000 lives, and with them all their love of this country and all their hope and energy.
>
> We have gained a legend: a story of bravery and sacrifice and, with it, a deeper faith in ourselves and our democracy, and a deeper understanding of what it means to be Australian.

> It is not too much to hope therefore, that this Unknown Australian soldier might continue to serve his country—he might enshrine a nation's love of peace and remind us that, in the sacrifice of the man and women whose names are recorded here, there is faith enough for all of us.

Thus the link is drawn directly between the ideals of the nation and of the institutions of the state. The entombment speech binds together the twin institutions of the official nation, the War Memorial and the Parliament, in the mystical figure of the soldier-citizen and the values to be drawn from awful loss. It binds together the twin nationalist ideas of democracy and sacrifice. Egalitarianism then becomes the national mystique.[21] The paired buildings are expected to bear the identity of the people and expected to express the values of the nation. They are in line of sight. On this basis their axis is spoken of as 'the spine of the nation'.

But does symbolised architecture become propaganda if these ideals and aspirations are either honoured in the breach or just neglected? It is still consistent to be moved to tears by the tributes to long-gone fathers, husbands, mates, sons and lovers who were gassed and mutilated—the blokes who died, as Les Murray put it, 'ripped and screaming'—yet to also remain suspicious of elaborate nation-making exercises like the 1993 return of the unknown citizen killed in war.[22] Why should the militarised state assume a monopoly over memory? For Ric Throssell,[23]

> It does no service to the Unknown Soldier's memory to deny the way he died, to hide the obscenity in the comfort of nicer words. And we dishonour the sacrifice that the others made by making the madness of their death a noble cause; by pretending not to know, those of us who do; by turning war's denial of our humanity into glorious victory or heroic defeat. We demean the death of our fathers and our sons by finding remembrance enough, grief our only answer to inhumanity.

The official ceremonies of the state can only occur meaningfully if there is a vernacular republic of memory, a common language which expresses common feeling and if there are songs to which people know the words and the tune. The forbidding granite slab in the Hall of Memory can only mean something because the likes of Eric Bogle write songs like 'The Green Fields of France' for Private William McBride. The Vietnam monument on Anzac Parade means something more because John Schuman wrote 'A walk in the light green: He was only nineteen'.[24] It surely also means something that Judy Small's song 'Mothers Daughters Wives' corresponds to no monument on Anzac Parade to women in war although there are vacant spaces ominously reserved, waiting to be filled with more stone and bronze anthems to doomed youth.[25] But where in the official monuments of the Australian state are the real-world representations of ripped and screaming men? Rainer Hoff's sculpture

Sacrifice in the crypt of the War Memorial in Hyde Park in Sydney is perhaps a suggestive exception to that conspiracy of eloquent silence. Once upon a time convicts and Aborigines were culturally invisible, but are now under official recovery, yet the casualties of war are still unseen; 'the armless, the legless, the blind and insane', those who Eric Bogle saw in his mind's eye as the band played Waltzing Matilda. Their disembodied names are publicly recorded. Their haunted images are not. The casualties of war are named but still rendered invisible in the Australian War Memorials because they are too bloody, too awful, too challenging to generals and politicians.[26] In Canberra, the monument to *Peace* is removed from the monuments of War, it is across the water between the National Library and the Science Centre, on the shore of Lake Burley Griffin. Removed from the bronze statues of militarism and the stones of remembrance, the peace memorial is flat, invisible, silent, flush to the ground, it's there, but is unvisited by pilgrims in tour coaches ... out of sight ...

Just as the War Memorial-Gallery-Museum is ambiguous about remembrance and glorification so the institutions of representative democracy are problematic. Democracy and Identity may be realised in the life-world through political and commemorative institutions, but equally they may be subordinated by those institutions. Symbol becomes propaganda when the ideal is a willed deception of the lived experience. The stated ideals embodied in Parliament House on one side and the stones of remembrance for fallen soldiers on the other promise much to the citizen of the Australian nation.[27] The War Memorial is about immortality, redemption and a justification for sacrifice. On the other side, the biggest building in the country makes bold claims about democracy and national identity. Does Parliament House tell the truth?

Legal Forms and Democratic Processes

Is democracy alive and well in Australia? Nugget Coombs asked the question in his 1990 book *The Return of Scarcity*.

> There is no doubt that Australians have been given opportunities almost unique to determine their own form of government and to mould it to their heart's desire, and that they are inclined to think of their system as one embodying the essential principles of democracy. It is much less certain that we have used those opportunities wisely and generously, and there are grave doubts about whether our democracy is more than a matter of legal forms and empty processes.[28]

Coombs expressed a general concern that despite all the advantages that Australia has enjoyed in creating a political system there remains doubt about the democratic nature of government and society. The formal and

symbolic attainment of democracy could still leave a hollow centre. The architecture of democracy, in the decorated building and the elaborate institutional arrangements, may remain a shell if the values of democracy are neglected. HC Coombs, with unequalled experience of government, bureaucracy and politics in Australia through six decades and twelve Prime Ministers, is sensitive to both the difficulties of translating popular will into government through representative institutions and to the tendency of those institutions to serve their own interests as if that was the general interest.

Democracy and representative parliamentary government, Coombs reminds us, are not necessarily synonymous. Defining the meaning of representative government is simple enough when compared with the difficulty of defining democracy. Representative government, in Australia, is given is sections 7 and 24 of the Constitution: 'The Senate shall be composed of senators for each state, directly chosen by the people, voting, until the Parliament otherwise provides, as one electorate.' Whereas: 'The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of senators.' The *Commonwealth Electoral Act* stipulates the method of election and the Australian Electoral Commission manages the boundaries of electorates and conducts the poll. From time to time the people vote. Thus representative democracy in a parliamentary system is formally achieved.

But what of democracy? Representative government, in modern times, is a minimum requirement for a democratic society, but of itself it is not enough. Representative government is a necessary but not sufficient condition. There need be other qualities to a democratic society than just the formal arrangements of government and power. A democratic society needs to have democracy. This circular argument has occupied political scientists and political practitioners since Plato's *Republic.* The historic campaign for participatory government over tyranny turned into the creation and defence of institutions to represent 'the people'. Constitution-making became an indicator of the transition from feudalism to modernity. The shift in power relations from feudal obligation to the single transferable vote is taken as an indicator of progress, reason and enlightenment. Once upon a time a petition to the Monarch was a mode of redress, but now an action before the Administrative Appeals Tribunal would be more successful.

Democracy is an elusive idea yet almost universally commended. Such approbation, however, is rather recent. At the time the Australian Constitution was drafted, those who advocated democracy were not

necessarily met with approval.[29] Damned democrats were often accused of getting in the way of good government. William Edward Hartpole Lecky was an influential Victorian authority on constitutionalism. In his 1896 book *Democracy and Liberty* Lecky confidently denounced democracy, secure in the knowledge that he spoke for conservatives in England and her colonies.[30]

> I do not think that any one who seriously considers the force and universality of the movement of our generation in the direction of democracy can doubt that this conception of government will necessarily, at least for a considerable time, dominate in all civilised countries, and the real question for politicians is the form it is likely to take, and the means by which its characteristic evils can be best mitigated? As we have, I think, abundantly seen, a tendency to democracy does not mean a tendency to parliamentary government, or even a tendency towards greater liberty.
>
> Democracy destroys the balance of opinions, interests and classes, on which constitutional liberty mainly depends, and its constant tendency is to impair the efficiency and authority of parliaments, which have hitherto proved the chief organs of political liberty.
>
> Lecky was opposed to taxation as it was 'being more and more employed for objects that are not in the common interests of the community ... to make use of it to break down the power, influence and wealth of particular classes.' Nor did it harmonize well with liberty as it placed power in the hands of the 'ignorant classes' who might follow a strong leader.[31].
>
> Democracy pushed to its full consequences places the whole property of the country in the hands of the poorest classes ... It is a saying of the great German historian, Sybel, that 'the realisation of the universal suffrage in its consequence has always been the beginning of the end of all parliamentarianism.' I believe that the large majority of the most serious and dispassionate observers of the political world are coming to the same conclusion.[32]

We all probably know what *democracy* means until we have to give it a definition and an explanation. Coombs like many writers reached for the Gettysberg Address for help. In 1863, in dedicating the military cemetery at Gettysberg, Lincoln gave a haunting account of the meaning of democracy and the wages of war.[33] Fifty thousand were killed in three days during one of the biggest battles of the first modern war. According to Garry Wills, the three minute speech, 'sought to *win* the whole Civil War in ideological terms as well as military ones'.[34] Lincoln, 'in 272 fateful words', performed an intellectual and constitutional revolution. The nation and its legitimating foundations were recast.[35] In dedicating the cemetery Lincoln dedicated the war to 'the unfinished work which they who fought here have thus far so nobly advanced' of protecting of the constitution, the nation and freedom so that,

> these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

Government, from that time forth, only became justifiable when it was 'of the people by the people and for the people'. This epistle became the defining account of democracy and the battles for it. But, as Coombs wrote, in modern representative systems there is a difficulty in translating that sentiment into the structure of government.[36]

> Few would doubt that what we have is government 'of the people'. We have legislative bodies at federal, state and local levels making laws and regulations to control our behaviour and to administer our common affairs. There are innumerable statutory authorities at all these levels, and some in between, which have authority to conduct activities affecting us all ... With this goes, of course, an army of administrators and officials constituting a bureaucratic machine impinging on our personal lives at every hour of the day. We are certainly a much governed people.

More government at more levels does not necessarily make for more democracy. Being over-governed may inhibit the capabilities of the citizen to enjoy and exercise freedoms and equalities. Government 'of the people' properly requires government 'by the people'. Coombs asks:

> How far in any significant sense, is this government carried out by the people themselves—by those who are themselves governed? During the two years in which I presided over the Royal Commission on Australian Government Administration ... I listened to views expressed by people in all parts of Australia, people of widely differing economic and social backgrounds, political convictions and ethnic origin. Among them all, almost without exception, was a conception of government as something distinct and separate from themselves, as an alien, 'they' to their own 'we': impersonal, unresponsive, frequently unpredictable and almost always beyond the reach of influence or persuasion. Nowhere did I find, outside the machinery of government itself, any sense of identification in the processes of government-decision making. Even within that machinery the great majority of those employed saw their personal activities as distinct from, or only obscurely related to, those purposes to which they were collectively directed.

The dilemma of democracy in the modern administered society is that the machinery of the state may diminish the capacities of government to be 'by the people, for the people':

> Obviously what we have is not democracy in any strict or literal sense of the word but rather government by representatives ... and even more by their officials, neither responsible nor responsive. Somebody recently described this as the right to choose at three year intervals, between alternative tyrannies.

This is a severe judgment by a person who has had a longer closer involvement with public affairs than any other living Australian. The

impotence and remoteness that 'the people' may feel about government and political power is the central question of the legitimacy of institutions. So how do citizens relate to the institutions of representative government? How do the culture and the institutions combine in a democratic polity? How do the institutions express democratic values? The following chapters are concerned with the representations of *democracy* in Australia amid the heavy deliberate symbolism of Parliament House. The official ideology of the Australian state is expressed in terms of national identity and democracy and etched into the building. As the building is constructed from stone, wood, concrete, steel and mirrors, so a set of ideas constructed about belief, identity, loyalty, nation, self and the past. The following chapters examine some of the ideas in the architecture of Parliament and Parliament House. The institution is not isolated historically or geographically, it is not a set of randomly assembled concrete contours. It is made to mean something.

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1. Semiotics is the interpretation of signs. Humans are semioticians by virtue of being human and through conversing in languages which are not spoken, but carried in symbols, signs and gestures. Australian farmers perhaps would not readily claim to be semioticians yet when the visiting President Bush, in motorcade, passed their Canberra demonstration against United States agricultural subsidies and he raised a back-handed two-finger salute—'V'—they wryly interpreted his cultural gaff as an unintentionally truthful statement. The incident demonstrates that signs are as idiomatic as language is often culturally specific.
2. An early famous expression of this ideology is expounded by WK Hancock in *Australia,* Ernst Benn: 1930. Hugh Collins sketched the argument in 'Political Ideology in Australia: The Distinctiveness of a Benthamite Society' *Australia: The Daedalus Symposium,* Stephen R Graubard ed. Angus & Robertson, Sydney: 1985, pp. 147–170.
3. Peter Proudfoot, *The Secret Plan of Canberra,* University of New South Wales Press, Sydney: 1994, sleeve notes. Also see Proudfoot 'The Secret Plan of Canberra' *Meanjin* Vol 53, No 1: 1994, pp. 111–121.
4. 'Rainbows' were issued by virtue of the *Australian Notes Acts* 1910 and 1911 which authorised the establishment of a convertible paper currency controlled by the Commonwealth Treasury, with a gold reserve of 25% of the issue. The *Bank Notes Act* 1910 ensured the government a monopoly by imposing a tax on notes issued by private banks.
5. Lyall Gillespie, *Canberra 1820–1913* Australian Government Publishing Service, Canberra, 1991, p. 252.
6. KS Inglis, 'Ceremonies in a Capital Landscape' *Australia: The Daedalus Symposium* , p. 86.
7. King O'Malley, of indeterminate North American origin, member for Darwin on the west coast of Tasmania, Minister for Home Affairs, who on entering

his first cabinet meeting placed a revolver on the table, had carriage of the national capital plan. O'Malley preferred the name Shakespeare. Had his preference been adopted the *Canberra Times* would have been the *Shakespeare Times* as, which would have been a nice coincidence given the founding proprietor of that newspaper was Shakespeare. The Governor General also preferred [William] Shakespeare as a name as he was 'the greatest Englishman ever born'. Lyall Gillespie, *Canberra 1820–1913* p. 255.

8. Lyall Gillespie, *Canberra 1820-1913* p. 303.
9. Russel Ward, *The Australian Legend*, Melbourne University Press, Melbourne: 1958 p. v & p. 213. CEW Bean, *Official History of Australia in the War of 1914–18*, 12 volumes, Sydney: 1936–42, Vol 1 pp. 43–46.
10. Paul Carter, *The Road to Botany Bay*, Faber and Faber, London: 1987, p. xiv.
11. Paul Carter, *The Road to Botany Bay* , p. xxi.
12. Peter Proudfoot, 'The Secret Plan of Canberra' *Meanjin* p. 111.
13. Paul Carter, *The Road to Botany Bay* p. xxiv.
14. Quoted in Stuart Macintyre *A History for a Nation: Ernest Scott and the Making of Australian History*, Melbourne University Press, Melbourne: 1994, p. 43.
15. The two notable omissions are Andrew Inglis Clark and Richard Chaffey Baker, both of whom were leading contributors to the drafting of the Constitution yet are unrecognised in the nomenclature of Canberra other than in minor street names.
16. Elizabeth Ferrier, 'Mapping Power: Cartography and contemporary cultural theory' *Antithesis*, Vol 4, No 1.
17. See for instance Ann Game and Rosemary Pringle, 'Sexuality and the Suburban Dream' *Australian and New Zealand Journal of Sociology* Vol 15, No 2: July 1979, pp 4–15. Margo Huxley, 'Feminist Urban Theory: Class Gender and the Built Environment', *Transition*, No 28, Winter 1988, pp 39-43. Louise Johnson, 'Housing Desire: A Feminist Geography of Suburban Housing' *Refractory Girl* No 42, 1992, pp. 40–46. L. McDowell, 'Towards an Understanding of Gender Division of Urban Space', *Environment and Planning* Vol 1, No 1: 1983, pp. 59–72.
18. Les Murray 'The Canberra Suburbs' Infinite Extension The *Vernacular Republic: Poems 1961–1983* Angus & Robertson Modern Poets, North Ryde, 1988, p. 78.
19. Ken Inglis 'Men and Women of Australia: Speech Making as History' Barry Andrews Memorial Lecture 1993, Department of English, University College UNSW ADFA, Canberra, 1993.
20. Funeral Service of the Unknown Australian Soldier: Eulogy Delivered by the Prime Minister of Australia, 11 November 1993. *Journal of the Australian War Memorial*, No 24 , April 1994, p. 4.
21. JB Hirst, 'Egalitarianism' in *Australian Cultural History* Goldberg and Smith eds Cambridge University Press, Sydney: 1988, pp. 58–77. Elaine Thompson *Fair Enough: Egalitarianism* UNSW Press, Kensington: 1994.

22. Les Murray 'Visiting Anzac in the Year of Metrification' *The Vernacular Republic: Poems 1961–1983*, Angus and Robertson, Sydney: 1988, pp 100–101.
23. Ric Throssell, 'For the Unknown Soldier: Another Dedication' *Journal of the Australian War Memorial*, No 24 : April 1994, p. 8.
24. The Vietnam monument has a snatch of Schuman's song inscribed on the wall with a host of other quotes intended speak of the experience. Notably none of the quotes are in Vietnamese.
25. A monument to the veterans of the Korean War is being proposed in 1994. Ian McPhedran 'Korean War memorial plan' *Canberra Times* 23 October 1994.
26. The diorama exhibition of trenches and medical evacuations in the World War 1 galleries was installed in 1941. The little figures of stretcher-bearers and the rescued wounded portrayed a kind of realism yet were also intended to be reassuring as the fallen soldiers were eventually in safe hands. This was important for war-time morale coincident with the fall of Singapore.
27. George Mosse, *Fallen Soldiers* , Oxford University Press, Oxford: 1990.
28. HC Coombs 'Is Democracy Alive and Well?' *The Return of Scarcity* Cambridge University Press, Sydney: 1990. p. 130.
29. Iain Hampshire Monk 'The Historical Study of Democracy' in *Democratic Theory and Practice,* Graeme Duncan ed. Cambridge University Press, Cambridge: 1983.
30. EH Lecky *Democracy and Liberty* Longmans Green and Co, London: 1896, p 212. While oddly he does not discuss Lecky see Jon Roper *Democracy and Its Critics: Anglo-American Democratic Thought in the Nineteenth Century*, Hyman, London: 1989.
31. Lecky, *Democracy and Liberty* pp. 214–15.
32. Lecky, *Democracy and Liberty* pp. 27–28.
33. Garry Wills, *The Gettysberg Address: The Words that Remake America* Touchstone Books, New York: 1992.
34. Wills *Lincoln at Gettysberg:* p. 37.
35. Wills *Lincoln at Gettysberg*. p. 40.
36. 'Coombs, 'Is Democracy Alive and Well?', pp. 129–130.

3

Intense Order Fierce Design

Souvenirs of Democracy

Where should a citizen go to find out about democratic government in Australia? To Parliament House perhaps! Where in Parliament House should the citizen first go to be introduced to the principles and institutions of government? The gift shop is an ideal place to start! A favourite place in Parliament House must be the giftshop/bookshop as it is full of little totems of representative democracy. The shop has a few books but more importantly there is lots of heuristic merchandise. The really interesting merchandise is the tourist stuff. Tea towels, postcards, fridge magnets, enamel badges, cloth patches, little Aussie flags and calendars. Most merchandise has something to do with Canberra and Parliament House. Parliament House seemingly must sustain a small manufacturing industry in producing images of the building and its symbols. The citizen need not leave Parliament House without an image or a small keepsake of the Australian national identity and the building through which it is expressed.

The Parliament House gift shop unfortunately does not sell snow-domes but they can be bought from the newsagent near the bus-interchange in Civic. In lieu of a snow-dome, a favourite totem is the three-dimensional card which is the facade of Parliament House as a cut-out cardboard greeting card (known to the arts and crafts movement as 'origami architecture') which literally pops-up as it is opened. This is stationary architecture. The accompanying text says that 'Australia's Parliament House is a symbol of national unity and commitment to the democratic process of government.' It does not say that the building is the crucible of democracy, or the home of democracy or the place where democracy actually happens. Instead it says that the building 'symbol of ... the democratic process'. The designers of the card have drafted a text inspired by the handbooks which the Parliament has itself produced explaining the building and Australian government.[1] The text speaks of spirit and image:

> The building with its integrated works of art, craft and furnishings reflect the history, cultural diversity, development and aspirations of Australia. Together they project the image and spirit of the nation.

The little totems, like the pop-up card with its accompanying text, are not just idle souvenirs of Canberra, or Parliament House, they are small artefacts of political structures, constitutional principles and systems of belief. Scholars and governing elites pay much attention to weighty, learned texts about parliament, democracy, constitutions and law and indeed pay much for them. Such works—textbooks—define the order of things, give meaning to the systems of power, allow for continuing interpretation and debate, become

authoritative or otiose, are profitably reprinted or perhaps just remaindered in a warehouse in Fyshwick. The books are elemental as they describe, interpret and shape institutions and relationships. By the same token, the souvenir, the $5 totem of democracy, should not be ignored in the interpretation of power. Souvenirs serve a purpose in the popularisation of constitutional culture as they are readily available and accessible to the visitor, the citizen, who comes to Canberra for a look. Most people who visit Parliament House will not to read the Quick and Garran Annotated Constitution, or Odgers on *Senate Practice*, or even the $2.50 little green Constitution. However, the citizen may purchase the pop-up card and one or more of the $5 introductory texts on the Parliament, prior to lunching at the Queen's Cafe, before embarking on the tour of the building to find out what it all means.

The citizen in purchasing a $5 souvenir will swap one totem of the Parliament for another. The medium of exchange, the new $5 plastic banknote, is itself a totem of the symbol of democratic process of government. The Queen graces one side and the Parliament the other. Currency as numismatic propaganda was invented by the Romans. Coinage and currency has since become a standard bearer of ideology and an epitome of the authority of the state. The imposition of an effectively protected standard currency is an assertion of the capacity of the state to exert power and control over territory and the economy.[2] The circulation of currency stamped with the sovereign's head is an indication of actual and nominal state authority over place and people. After the citizen has swapped one $5 image of Parliament House for another they may wonder, as they wander around the building, whether the author of the text has deliberately selected the word *symbol* because the author knows that the Parliament is not really where democracy happens and has therefore been honest in avoiding the lie that it is really about democracy and has opted for a true deception that the building merely symbolises democracy, alternatively has the author just unwittingly revealed the truth of the matter in confessing that it is only a symbol and democracy actually happens somewhere else or not at all?

Faith and True Belief

Charles Goodsell is a political scientist who has written about legislative buildings on the assumption 'that the physical architecture of parliaments is—or should be—of interest to political scientists, not just architects or architectural historians.'[3] That assumption is central to this work, as is the assumption that the little trifles, the souvenirs and trinkets, like the pop-up card, are important to political science and not just to tourism studies or the history of origami architecture. If naming is arguably the most potent type of

objective control that can be exercised over a place; then one of the most personal and subjective is the taking of a trophy, a thing that can be carried away, a concrete object which conjures up a remembrance of things past. The relic was the medieval religious equivalent of the souvenir. The thing itself, once thought to be blessed or sacred, is now perhaps merely symbolic, yet it still bears special properties for the benefit of the person who holds it in hand. The souvenir imparts a secular spirituality to the possessor. Such a memento, a small trophy of the journey, suggests experience, transformation and perhaps even understanding. But it must be physically held, transferred from hand to hand, to impart grace. If the infirm will journey to Lourdes, the pilgrim to Canterbury and the penitent to Rome, then the citizen will travel to Canberra on a civic quest to view the shrines and the relics of nationhood. The *Fred Daly Political Discovery Tour* is Canberra's tourist version of the penitent's Stations of the Cross. Fred may even be in a position to sell indulgences and provide relics with which the political penitent may be blessed, as he is the proud owner of St Ben Chifley's tea cup and toaster.[4]

Tourism is to the modern mind what the pilgrimage was to medieval soul. The religious pilgrimage of belief has been largely supplanted by the civic pilgrimage of tourism, but the act and the ideology are the same. Belief is born, sustained and increased by visitation and the laying on of hands. Faith may follow. The citizen may even become a true believer. Artefacts help, but there is a demand and supply problem. So industrial modernity transformed the unique relic into the mass-produced souvenir so that everybody can have one. The problem with your actual relic, as William of Baskerville informed Adso, is that demand soon outstrips supply.[5]

> 'And don't succumb too much to the spell of these cases. I have seen many other fragments of the cross, in other churches. If all were genuine, our Lord's torment could not have been on a couple of planks nailed together, but on an entire forest.'
>
> 'Master!' I said shocked.
>
> 'So it is, Adso. And there are even richer treasuries. Some time ago, in the cathedral at Cologne, I saw the skull of John the Baptist at the age of twelve.'

The point of the souvenir is that it can be mass produced without losing authenticity with the proviso that the thing itself, the simulacra, must still be a real copy. Fakes, even political fakes, have to be authentic. The image of our saviour on the Turin shroud becomes the image of a national hero on a T shirt. So too, the religious icon of the saint or the shrine turns into the postcard—'having a wonderful time wish you were here'. A fax from far away will not do; the thing itself has to be delivered. The souvenir vests the visitor—the pilgrim—with a meaningful object, a keepsake, a token of remembrance. 'Souvenir' is from the Latin *subvenire*—'to come into the mind'. It conveys place and belief. Souvenirs, like books and buildings, are bearers

of ideology. The accompanying text to the pop-up card, 'the symbol of democratic process', reduces all the textbooks about the principles, history, development and objectives of representative government to a single unqualified essential message. The caption to the pop-up card of Parliament House states, 'The building symbol of national unity and commitment to the democratic process of government'. That statement is surely of profound political and ideological import.

Ideology in Architecture: Unity and Democracy

One of the many books about the Parliament that the citizen can buy at the bookshop is *Australia's Parliament House: The meeting place of our nation* ($5). The opening sentence of the book reads:[6]

> Australia's Parliament House is a symbol of national unity and commitment to the democratic process of government. The building, its integrated works of art, craft and furnishings reflect the history, cultural diversity, development and aspirations of Australia. Together they project the image and spirit of the nation.

National unity; democratic process; aspirations of Australia; the image and the spirit of the nation: Such ideological elements of the building are defined and described in a variety of texts, which are projected to many levels of comprehension. Some are intended for the many; the mass audience of the citizenry and the visitors. Others are for the few; the experts who shape the concrete contours of power. The simpler texts about the building, directed to the Australian citizen, have a certain place amid the panoply of political and ideological manifestos which justify, defend, promote, explain and propagandise representative democracy. Pamphlets explain in simple terms the structure and functions of the institution, they are centrally concerned with the legitimation of power in an appeal to hearts and minds. They implore belief and faith in the house built upon the rock. Political pamphlets, directed to the broadest audience, inherently simplify complexity and contradiction. They fill one niche. Another niche in the library of political ideology is filled by the technical architectural specifications which were directed to the contestants for the 1979 competition to design the new building. Like the pamphlets explaining representative democracy for beginners, the heavy volumes of the rules and specifications for designers contain sets of propositions about the architecture of power which emphasise the need for the form and function of the building to express Australia as a nation. In both the popular pamphlets and the dense enchiridions, the stated objectives of the building are to project the aspirations of the nation and to symbolise virtuous political principles. So texts of all sorts on Parliament House are saturated with statements about how the building shall be a bearer of democracy and identity.

As the idea of the new Parliament House took form in 1978 and 1979 a guide was produced for the potential designers of the building. Entitled *Conditions for a Two Stage Competition,* the formal stipulations for the competition were published and distributed to competition entrants by the Parliament House Construction Authority. The stated conditions were accompanied by quotations from Walter Burley Griffin and Edmund Bacon to identify the desired relationship between democracy and the building. The words of Walter Burley Griffin, despite muddled syntax, show his progressive political disposition and the centrality of democratic values in the design of the ideal city.[7] Griffin was not looking backwards, his statement promotes an optimistic view of the future for Canberra, not one referring either to Empire or tradition but of 'a great new democracy'. Canberra would be built around the central focus of the Parliament building, the streets and suburbs would be named. The following quotations were included on the opening page of Volume 2 of the Parliament House Construction Authority *Conditions for a Two Stage Competition*. For Walter Burley Griffin:

> The importance of this event is not to be measured by that of the foremost building of the Commonwealth but by the opportunity to establish an architectural standard not only for a great new Democracy of scope, scale and modern advantages, as well as of climatic conditions differing radically from any prototype in Europe or elsewhere. (sic)

To help set the tone, Edmund Bacon author of *Design of Cities* was also quoted:

> Many examples of civic design were done during periods in history in which autocratic rulers wielded immense personal power. Lest we conclude that this is a prerequisite for great and powerful work, we turn our attention to the conditions which surrounded the development of the capital of the newest of the great nations, Australia's Canberra. Here flourished, and continues to flourish, one of the greatest urban designs ever produced, conceived, nurtured and grown in circumstances fiercely democratic.[8]

These preliminary quotations were reinforced in the 'Introduction' to the *Conditions for a Two Stage Competition* advising entrants to the competition of the necessary elements that ought be expressed through the building. From the outset the controlling authorities emphasised that the building must be 'significant' and 'capable of being responsive to cultural and political change'.

> Parliament House will, by virtue of its function, be one of the most significant buildings in Australia. Architecturally, it could be one of its great buildings. In urban design terms, it will be the keystone of Walter Burley Griffin's plan. It will stand for a long time and its architecture must endure through cultural and political change.[9]

Among the identified elements to be addressed in the winning design were *inter alia*, flexibility, security, circulation, technique, and symbolism. Symbolism was defined as the 'image ability of the building given the significance of the site and the role of the building'. Whereas under the specifications about 'Security' the tension was identified between a building for the people allowing access and a building for government intent on security: 'Although Parliament House is, in a symbolic sense, the manifestation of a democratic way of life with connotations of openness and freedom, security is of great importance.'[10] The public/private dichotomy expressed as openness/security was compounded by the mass of inhabitants and visitors that the building must accommodate. The guide-lines estimated that visitors would be one million annually by the year 2000 and 13,000 per day over the Christmas holiday period.

Under the heading of 'Symbolism', the Construction Authority guide-lines to entrants stated the need for 'a contemporary building', as Burley Griffin had envisaged in 1912:

> Parliament House must be more than a functional building. It should become a major national symbol, in the way that the spires of Westminster or Washington's Capitol dome have become known to people all over the world. ... Competitors should consciously evaluate these factors during the design process. They should question whether it is appropriate that a building of the late 20th century use the language of bygone eras. What would be the connotations—in the mind of the visitor—of a building with a monumental scale sited on a hill? Does significance necessarily mean bigness? Should the functional aspects of the building be moulded into an abstraction of checks and balances (Brasilia)? Does the nature of the requirements imply an acknowledgment of the forces of growth and change?[11]

So the conditions were set. Candidates entered the field. Finalists were selected. Plans and the models toured the nation. The race was run and Mitchell/Giurgola & Thorp won. Romaldo Giurgola was the principal of the firm and is credited with the concept and with the design. The building is now known in the vernacular to be Guigola's. Unlike Jan Utzon, who fled Australia while his Opera House billowed over Sydney Harbour, Aldo Guirgola moved to Canberra to supervise the project and he stayed. Nine years after the publication of the guide-lines, Aldo Giurgola formally distilled his view of the meaning of the completed building. In the program for the opening of Parliament House on 9 May 1988 he stated how he intended the (almost completed) building to be read:[12]

> The site of the new Parliament House is at a vital point of confluence which completes the geometry of the plan of Canberra. As conceived by Walter Burley Griffin in 1912, the plan is one of intense order which at the same time preserves a pliable and enfolding landscape.

> Within the context of the new Parliament House, with its balanced and unforgettable geometry, forms an intimate relationship with the topography and the colour spectrum of the surrounding vegetation, rather than being an imposing and dominating presence on the Hill.
>
> Through the welcoming gestures of its forms, the building implies direct connections with a long cultural tradition which we have all implicitly made by living in a democratic society as individual parts of a whole.
>
> In architectural terms the meaning and content of the building are best expressed through those single acts of making which are not anonymous but rather carry in their final result the thoughts, attitudes and dignity of the makers. The patient work of labourers, crafts people manufacturers and artists; the assistance and encouragement of Parliamentarians and managers; and the intense work of the architects and drafts people in our office: all are the expressions of freedom, of conviction, of joy and delight in life that are characteristically Australian.
>
> In the use of materials, the configurations of the exterior forms, the symbolic sequence of the major spaces, the openness of the Chambers and in the habitability and efficiency of the offices, the architecture intends to elucidate to all the meaning of the democratic process.
>
> It is intended to be an architecture moulded by the presence of the unique effect of Australian sun, shade and light: symbolising, for generations to come, the universal ideas through which this nation contributes to the destiny of the world.

The building is thus, by Guigola's testament, contemporary, forward looking, organically related to the landscape and a latter-day expression of the progressivist principles of Walter Burley Griffin, Marion Mahoney Griffin and the optimists who first conceived of the Capital.[13] 'We welcome Walter Burley Griffin as an ally in our fight for a progressive spirit in Australian Architecture' proclaimed the journal *Building* on the arrival of the Griffins' in Australia.[14] Walter Burley Griffin, according to historian, Michael Roe, had a radical political posture and professed his admiration for 'thorough-going democracy, free from the Old World restraints'.[15] In building the new society, according to Griffin, architecture should express the 'democratic language of everyday life, not a language of aristocratic ... educated cult'.

Both the Griffins—Marion and Walter—contributed articles to *Building* with Marion writing a series called 'Democratic Architecture'. So the temper of the new architecture was democratic and the bias *Progressive*. Seventy years later with the new building, Mitchell/Giurgola & Thorp seemingly tried to remain faithful to the Progressivist legacy of the Griffins and to adhere to the wishes of the Joint House Committee on Parliament House and its corporate arm, the Parliament House Construction Authority. All those involved in making the building—the architects, the many artists, artisans and builders, the parliamentarians and bureaucrats who had oversight of the project—evidently made a monumental effort to instil the building and its

people with a set of values and ideals which happened to be a continuation of the original prescriptive architecture. The building seems to have been constructed in both its fabric and values as an act of faith for the people as perhaps the Griffins originally wished in their plan. The new building, as a new version of political principle, is intended to express ideals of democracy and the nation.

Restoration of the Nation

The emphasis on a particular version of *nation* was perhaps characteristically a concern of an Australian governing intelligentsia during the 1980s. The 1980s were the decade of the bicentenary and corporate raiding, while the main game, the big picture, was reconstructing the economy to make it 'internationally competitive'. There was a great state-sponsored effort to generate a 'celebration of a nation' in 1988 and Australians were encouraged by jingles and slogans to express a national identity. According to one view, Australia could be regarded as a state in search of a nation. The rise of a bloated jingoistic corporatist nationalism can be traced to the America's Cup victory in 1983 and the urge to mimic the 1976 bicentenary of the United States. The 1976 bicentenary in the United States was a state-sponsored birthday of the *Declaration of Independence* which generated a vast public enthusiasm for the nation in the wake of a vast public catastrophe of a war and a vast public betrayal by a President. The 1976 bicentenary project was arguably provoked by Vietnam, Watergate and disillusion.[16] The dignity and legitimacy of the institutions of the state were to be rebuilt in the aftermath of national trauma. The need to recover the noble origins of nation from the bloody disaster of body-bags, blanket-bombing and napalmed children drove the collective national pursuit of virtue. Remember Jefferson. Exile Nixon. Remember Washington. Exile Westmorland. The nostalgia industry became an engine of both culture and economy as the official political culture of the United States was rejuvenated.[17] Because of a collective mourning in America it was necessary in 1976 to restate and celebrate the nation and the ideals for which it supposedly stood. The most famous passage of the 1776 Declaration would give the citizens in 1976 a renewed sense of national virtue[18]:

> We hold these truths to be self evident: that all men are created equal; that they are endowed by their creator with inalienable rights; that among these are life liberty and the pursuit of happiness.

However, one of the lesser known passages later in the Declaration, attacking George III, could only remind the citizen of the corruption of war and the barbarism of the age:

> He has plundered the seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people. He is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

The perfidy of George III turned into the horror of a Marine Colonel in Francis Ford Coppola's *Apocalypse Now*. Standing bare-chested amid the burst of shells, lit by 'the rocket's red glare', Robert Duval delivered one of cinema's best known lines: 'I love the smell of napalm in the morning'. The promise of 'morning' was turned into a Reagan campaign slogan—'Its morning in America'—with a voice-over to the tracking-shot of a safe, cosy, leafy, golden, Norman Rockwell, mainstreet USA. Alexander Cockburn critically called this accommodation 'the process of rebirth' as the recent past was systematically rendered into the distant past and responsibility removed.[19] The United States bicentenary of 1976 became a disremembering.

Those bicentenary celebrations were observed from near and far. While the need to re-invent the Australian nation after the 1975 Dismissal was not as acute as the consequences for the United States of the Vietnam War and Watergate, the newly-vulnerable and newly-suspect institutions of Australian government arguably needed attention. In 1983, the Australian bicentenary was launched by the Fraser government (in its closing moments) with a grants program of $166 million.[20] After the March 1983 federal election brought Labor to power, the hubris of you-beaut-1980s-nationalism, swelled by the happenstance of the America's Cup victory, seeped through the public culture until eventually halted by financial crisis, corporate collapse, mass unemployment and the recession/depression. The ebullience of the bicentenary birthday party was only slightly tempered by a qualified recognition of the prior ownership and occupation of the continent by Aboriginal people. Paul Kelly wrote and sang *Bicentennial* in response to the official state ideology of the celebration party[21]:

> A ship is sailing into harbour
> A party's waiting on the shore
> And they're running up the flag now
> And they all want us to cheer.
>
> Charlie's head nearly reaches the ceiling
> But his feet don't touch the floor
> From a prison issue blanket his body's swinging
> He won't dance anymore.
>
> Take me away from your dance floor
> Leave me out of your parade

I have not the heart for dancing
For dancing on his grave.

Hunted man out on the Barcoo
Broken man on Moreton Bay
Hunted Man across Van Diemen's
Hunted man all swept away.

The convict streak, the bleak authoritarian origin of the nation-state in 1788, was almost totally ignored, all swept away.[22] Van Diemen's Land was forgotten, as Kelly suggests, because of what is was. So too Tasmania was left off the original bicentenary logo, but that was just incompetence. Whereas the convict ballads were sung, but not officially heard. Lest we Remember.

From *Van Diemen's Land*,

The first day that we landed here upon the fatal shore,
The settlers came around us, some twenty score or more;
They ranked us up like horses and sold us out of hand,
They yoke us up to ploughing frames to plough Van Diemen's Land

To *Moreton Bay*,

I've been a prisoner at Port Macquarie, at Norfolk Island and Emu Plains,
At Castle Hill and at cursed Toongabbie, at all those settlements I've worked in chains;
But of all places of condemnation and penal stations of New South Wales,
To Moreton Bay I have found no equal; excessive tyranny each day prevails.

For three long years I was beastly treated, and heavy irons on my legs I wore
My back with flogging is lacerated and often painted with my crimson gore.
And many a man from starvation lies moldering now underneath the clay;
And Captain Logan he had us mangled at the triangles of Moreton Bay.

Like the Egyptians and ancient Hebrews we were oppressed under Logan's yoke,
Till a native black lying there in ambush did give out tyrant his mortal stroke,
My fellow prisoners, be exhilarated that all such monsters such a death may find!
And when from bondage we are liberated our former sufferings shall fade from mind.

The *nation*, by 1988, was celebrated and reified in the public events and political discourses and the suffering had indeed faded from mind. As historian Peter Spearitt has written[23]:

For six months dress designers, pop singers, folk heroes, the star of Foster's beer commercials, and Aborigines sang this song on the nations' television sets to a backdrop of Uluru and the dead heart. We were being prepared for the Bicentenary which—so the advertising agencies said—had to be marketed like any other product. 1988 has not been a spontaneous celebration of Australia and what it means to be Australian. Bureaucrats, consultants, advertising agencies, and governments has been busily planning the year for a decade. Strategists in political parties debated the pros and cons of going to the people in '88, academics

> planned multi-volume histories and vast international conferences or swore to boycott the whole thing. Publishers and television executives stalked likely writers and directors while junior arts bureaucrats looked forward to expanded job opportunities. And so it came to pass.

So it came to pass and multiculturalism was incorporated as inherent to the nation. The immigration debate simultaneously unfolded. While the Australian Bicentennial Authority advertisements portrayed old women, Aborigines, Greeks, Cambodians, and Pacific Islanders on screen, the Ampol ads still exclusively had real Aussie stockmen, blonde beach girls and blue-eyed boys. 'I'm as Australian as Ampol', said Ampol. But in those contending images the essence of Australia was being contested albeit in the jingleism of jingoism. *Let's make it great in '88, C'mon give us a hand.* The argument was more political than the surface would suggest as it was posited on *inclusion*. The question was begged: Who counts in the building of a nation?

Parliament House was constructed during this era around the theme of inclusion and justified on that basis. Manning Clark, who lived nearby, thought that the new Parliament House was one of the few highlights of the bicentenary year. 'It has already become a centre of and an object of pride. It is an outward expression of how lucky we are to be Australians'.[24] The theme of the building fitted with the theme of the bicentenary. The initial program centred on 'Living Together' which was later replaced with 'Celebration of a Nation'. Regardless of the slogan, or the merits of the case, both programs were concerned with the sociology and the politics of multiculturalism. The program for the centenary of Federation seems increasingly concerned with Reconciliation, the republic and citizenship as the ALP governing elite currently sails on a new tack towards 2001.

The succeeding generation of the 1990s is turning *inclusion* in someone else's 1988 party into arguments about *participation* in one's own in 2001. Thus the current debate on identity and self-determination is an outcome in part of the official ideology of the bicentenary. The public debate in the 1990s has a different emphasis from that of *nation* in the 1980s. The important equivalent concept in the centenary decade of the Constitution is *citizenship*. The notion of citizenship is currently deeply chic and takes the stratagem of *inclusion* several steps further to involve the ideal of participation and thus an argument about republicanism is entered. A republicanism emerges which is not confined to the minimalism of a substituted head of state, but which demands a politically active empowered citizenry, (if such a condition can somehow be achieved). Republicanism, understood as participation in the life of the polity, emerges dialectically from the principle of inclusion in 'the celebration of the nation'. If the celebration of the nation was for the people then the proposition which follows is that people should participate in the

creation and shaping of the nation. They become citizens in so doing. The point here is that one outcome of the conceptual shifts which followed the 1980s decade of the *nation* and accompanies the 1990s decade of the *citizen* is that Parliament House, the building, is reconstrued, it is reconceptualised. Parliament House is no longer just an expression of democracy and nation, but of citizenship, democracy and nation. So, while the original 1980s ideas inherently to be expressed in the building were democracy, openness and identity, additional concepts must be added in the form of republicanism, participation and citizenship. The Keating government has unleashed several inquiries into the nature and meaning of citizenship, and the institutions must be reunderstood accordingly. So some of the myriad questions which this argument opens about the nature of democracy and citizenship are addressed in the later chapters of this essay.

The building is intended as a continuing expression of national identity and presents a tangible pledge to keep faith with the land and the people of Australia. The great legitimation of the building, its functions and cost, is that it is 'of the people by the people and for the people', or, as the Speaker Joan Child said in debate on a new Speaker's chair in 1989, that it 'should be made in Australia by Australian craftsmen and from Australian material'.[25] Parliament House was destined to be a republican building from its inception. Indeed it necessarily had to be a republican building in the language of its justification for such vast public expense. It had to be 'for the people' because it could not be maintained if it were 'for the Crown' or for 'the Members and Senators' or worst of all 'for the Government'. The abstraction of 'the people' was necessarily invoked as a legitimating device to maintain both the monumentalism of the project and the expense. After the cost topped $1,000,000,000 the Construction Authority and the government probably wanted to ignore the abacus.[26] As Prime Minister Hawke said in his speech at the opening, 'It has cost a very large sum indeed' and considerably more than the original pre-competition estimate of only $127,000,000 in February 1977 dollars. The contracted cost-planners for the project, Rawlinson, Roberts and Associates, arrived at a figure of $220,000,000 in May 1978 dollars. Senator Don Chipp, spoke against the need for a new Parliament House and offered a wager to Senator Gareth Evans who was one of two MPs who assessed the competition. Evans was confident of the figure and said in the Senate:

> I think it can be said with some degree of confidence in the light of the very detailed analysis that has now been done that the $220 million that has been identified very much represents the outside parameters of what the building is likely to cost.
>
> *Interjector:* Don't you believe it.[27]

Later in the debate Senator Chipp wanted a bet:

> I place on record that I am prepared to wager with Senator Evans, that the cost of this building will exceed $1,000 million. A small amount of money can be put in a locked box and opened eight years from now. It can be given to charity if I am right.[28]

In January 1987 the information was released which showed that the cost had topped $1,000,000,000.[29] As *Transition* suggested the heroic statement of the cost planners should have been selected by Manning Clark as one of the collected quotes. It could have been inscribed in marble to adorn and inform the building as a monument to the nation, perhaps on the walls of the Joint Committee on Public Accounts:

> we are as satisfied as we can be at this stage that that the competition winner's cost estimates are generally credible and realistic, and that there will be no really significant increases upon the brief figure as the building proceeds.[30]

The cost-control, the quantity surveying and the accounting were subjected to unusual stresses. Oral history of workers on the project attest to the difficulty of maintaining adequate supervision of material, labour and management on such a large site with several entrances and exits. Things as diverse as furniture and whole concrete-pours are said to have walked in the front gate and straight out the largely unattended back gate.[31] But theft alone does not account for a five-fold increase in costs. If it is therefore a republican building perhaps it blurs the distinction between a statist republicanism and a popularly based republicanism. It is popular perhaps insofar as it is funded out of consolidated revenue.

Why the Need?

Three reasons are evident for the need for a new building. First and the most important was, by the late 1970s, that the provisional Parliament House was over-populated and bursting its seams. Second, the urgency for a new building, a new Parliament House to replace the provisional Parliament House, was realised in the aftermath of the Dismissal when the institutions of the state were thrown into their most severe crisis since their creation at Federation. There was strife in the institutions: The Senate was reviled yet again by the ALP, nothing would save the Governor General who fled the office and the country, the High Court was tainted by the association of the Chief Justice Sir Garfield Barwick with the decision to dismiss the Whitlam government, the state governments were implicated through the power of the state Parliaments' to fill casual Senate vacancies to partisan political advantage. The call was heard: 'Shame Fraser Shame', 'Turn on the Lights', 'Sack Kerr', 'maintain the rage' 'Elect the Governor General' 'NG for GG'.[32] The republican movement was revived.[33] The need to renew and re-invent

the institutions of the nation-state was apparent. The denotation of the building also changed. New Parliament House was to be called 'Parliament House and the existing Parliament House was to be called the 'provisional Parliament House'. In this political environment, the building was to remake the institutions. Third, the impending bicentenary offered a suitably historic moment to justify the expensive birthday present for the nation and to provide an occasion to finish the building and declare it open.

The basic reasons were established to justify and necessitate a new building, which could then be established to convey a set of simple propositions about the nation and the polity. It would convey meaning but be open to interpretation which would be contested. So the Dismissal, republicanism and cost aside, the interpretation of the building is a matter of cultural significance and popular understanding, not of political construction. The projection of *meaning* cannot be dictated by an author of a book or an author of a building. Intentionality—the intention of the creator—is only one measure of what the cultural artefact means. The response of the reader, the response of the occupant and the visitor, cannot be determined by the author. Just as there can be no single, true interpretation of a book, or even a constitution, so there can be no single true interpretation of what a building means. In placing a cultural artefact, like a painting, a book, a poem, or a building into the public domain the creator necessarily loses control of the object. Those who 'read' a text or a building determine what it means regardless of the intention, wishes or hopes of the author. The final arbiters of meaning remain the audience, 'the people'. So the Parliament aspires to express democracy and a national identity, but how it is received depends on what the people make of it. As a comparable edifice was the Opera House, that Danish folly as Barry Humphries called it the measure of popular acceptance and iconic value?[34]

Black Boxes, White Sails, The Blue Ensign: 'Exercises in the Contradictions of Power' [35]

In an article about the BHP building in Melbourne, Peter Corrigan wrote that:

> Buildings are not there just to shelter us from the weather and each other. They perform all kinds of symbolic functions, while communicating a range of meanings which we may understand and respond to, usually without thinking or theorising about them. In their form, site, materials and methods of construction and decoration, and in their relation to the natural landscape, human thought and society, buildings are endowed with meaning, consciously or unconsciously. [36]

Corrigan was discussing the controversial decision by the Victorian Institute of Architects to award the BHP building, by Yuncken and Freeman and

Associates, a bronze medal; 'an accolade which was greeted with boos and hisses'. A self-conscious excuse for the apparently regrettable decision was given by the moderator of the institute, Daryl Jackson, who hoped that people would understand and make allowances for the award as the jury was 'participatory and its decisions democratic'. The award was given despite reservations about the 'anti-social or inhuman aspects of the building on passers-by and inmates alike'.[37] The BHP building, on the intersection of Bourke and William streets, is a big black block. Such buildings are a distortion of Mies van de Rohe's original idea of the office block which was intended to 'nurture complex and protean [human] relationships'. The result is that, with too many big blocks, we have not been building better cities. The stereotyped office block is alienating to the individual office worker and distorts the relationship of such work with the rest of society. The office block 'squeezes the joy out of our cities' and is more about the 'beautiful balance sheet than the beautiful building'.[38] But Corrigan continues:

> Form does not address itself to moral questions. Once a Pope or a Medici wanted palaces: now a Labor government or a BHP wants them too. Form has always been available to self-professed and powerful elites ... Architecture in the past gave metaphors to society—the castle, the cathedral. It will continue to do so. But it will have to provide social models.[39]

Corrigan concludes that 'The Sydney Opera House is one of the few examples of secular architecture in the 20th century which successfully communicates fantasy and ceremony.' He pointedly did not cite the other great public building which has claims to fantasy and ceremony. Both Corrigan and Jackson were finalists in the competition for the new Parliament House. Both were losers! In racing parlance, a punter would have done well to back the Australian architects 'each way' (for a win or place) in the Parliament House welter (a race for heavyweights) while the winners Mitchell/Guirgola & Thorp were short price favourites to be backed outright, 'on the nose'. The North American firm was a clear favourite with the judges and it won at a gallop by the length of the straight. There were no formal protests over the result but much slanging followed in the popular press and in architectural journals. 'On the nose' they were indeed with Australian architects.

Parliament House Canberra: A Building for the Nation is the major popular book about the building.($29.95) Edited by Haig Beck, the book is the official interpretive text on Parliament House. With an eye to national monuments, Beck seeks to appropriate the symbol of the Sydney Opera House and associate Parliament House with that icon. Beck writes: 'It is impossible to approach Parliament House without expectations. The building is as much an emblem of Australia as the Opera House is of Sydney.'[40] Beck here not only appropriates the value of the Opera House, in promoting

Parliament House as an icon, but he silently reorders the national significance of the two buildings. In this treatment, the Opera House is subordinated and localised to an emblem of 'Sydney' whereas the Parliament House becomes an 'emblem of Australia'. This sounds like institutional hubris.

But what of Parliament House? What does it say? Is there a moral question or are they all just political? Is Parliament House a social model?[41] Other books approach these questions. *Expressing Australia* was the original 1988 text which described the organic relationship between the building and the artwork:

> The Parliament House building blends with and extends Walter Burley Griffin's far-sighted plan for Canberra and incorporates in architecture, materials and craftsmanship a distinctive national character. A central part of the architecture is the extensive program of works of art and craft commissioned and purchased. The Authority commissioned this book to describe the integration of an art program which expresses Australia as in no other public building.[42]

In his chapter 'The Architecture of Parliament House', Beck begins abruptly: 'The first thing you see is the flag.' Indeed from all vantage points in Canberra and district, the flag is visible. On a clear day one of the few places of retreat to avoid seeing the flag-pole is inside the building, but even inside many windows have a stainless steel aspect. An etching by Ros Hall, which hangs in the Parliamentary Research Service, archly remarks on the ubiquity of the fixture. Called *19 Canberra Landmarks*, (50/60) the work has many glimpses of Canberra scenes and all but one have the flag-pole somewhere in the image. The exception is a nose-close historical view of provisional Parliament House. Whereas, for Beck, the flag is unproblematic, one of 'the three quintessential signs' which 'distils the idea of Australia' as the 'the flag is the emblem of nationhood'. This is a bold claim and one propagated by the Parliament House Construction Authority, the architects of the building, the Joint House Committee and whoever writes the official public texts. Beck, however, is wrong in his assertion that the first thing the approaching citizen sees is the flag; for the first thing seen, from distant parts, is actually the flag-pole not the flag. Is the flag-pole the emblem of nationhood? For many citizens, the flag and the flag-pole are not successful icons or acceptable quintessential images of nationhood, especially when authorised by the state to be such things.

The conditions set by the Parliament House Construction Authority emphasised the need for a building, atop a hill, which was not a monument to vastness. The guide-lines to the competition entrants urged the need for a sensitive landscaped building which reflected Australia's national identity. The Construction Authority may have here had the archetypal laconic

Australian in mind as the quintessential Australian. The successful competitors, Mitchell/Giurgola & Thorp, based in Chicago, responded to that hint in their winning bid. The building is trenched in the hill and folds around the landscape which is consciously featured. The flag-pole, however, seems an imposition and yet another up-thrusting erection on the Canberra skyline. Furthermore it bears a emblem which is not an uncomplicated decisive expression of the nation as both the flag and the flag-pole are implicated in divisive past battles.

The 1970s battle of Black Mountain over the Telecom tower was a contest between bureaucratic monumentalism and local sensitivity to the landscape. Opponents of the tower argued for a respect for the natural forms of the hills and valleys and an adherence to the spirit of the Griffin's ideal of confident civic humility. Similarly, the big monument to the Australian-American relationship on Russell Hill is problematic. Australian peaceniks and stroppy nationalists (who were never convinced that the United States' bases at Nurrungar, Pine Gap and North West Cape were actually joint facilities) knowingly nod to each other that it was quite appropriate that an American Eagle, which looks like Bugs Bunny from a distance, should maintain a symbolic watching brief over Australian military and administrative arrangements. The monument, as the tallest in Canberra, is said to be symbolic of the subordination of Australian interests to the dictates of the great and powerful friend. Nor is the great column as solid as it appears. It is not eternal stone but hollow concrete with a cast aluminium bird on top. The addition of another great erect tower to the landscape was resonant of prior conquests of bureaucracy and militarism, or is it friendship and function, over the people and the land. Some feminists regard the tower, like the flag-pole, as yet another instance of tedious masculine exaggeration.

An opinion on the flag-pole was disarmingly voiced on opening day in 1988 by Lloyd Rees, a justly venerated artist, who is represented heavily in the Parliament House collection. Rees ventured from his home in Hobart to attend the opening of the building as an honoured guest. Despite his fading eyesight and his age he kept working in great washes of yellow, orange, white and blue, which he swept onto large canvases with sponges and cloths to keep the light in his eyes. The fine precise detailed work of his youth had given way to glowing flowing expressions of light and shade. When approached by Prime Minister Hawke and asked how he liked it all, Rees paused and replied that the building was grand, then thundered in his whispy old voice that the flag-pole was a horror and should go. Hawke, taken aback, laughed to shrug off the criticism. Others perhaps agreed with Lloyd.

Hovering Over Us

The monumental flag is intended to be the symbol of the nation but it is actually the flag-pole which is the identifiable thing, as the flag is far less visible than the great triangular steel stick-insect legs and mast. The flag does not always flutter and often hangs limp, motionless, hidden. Whereas the 220 tonne stainless-steel monument is only invisible on the foggiest of Canberra mornings. It is intended to bespeak the nation, but is rather more suggestive of the place of BHP and the BLF in Australian history. Those vast and trunkless legs of steel may indeed be a quintessential symbol of the nation in the 1980s, but with unintended, ambiguous historic associations.[43]

The Australian blue ensign is problematic also. Republicans, the BLF and nationalist feminists have all been inclined towards the Eureka flag, hand sown by the women of Ballarat, but the preferences of progressive politics have lately shifted.[44] The essence of that radical nationalism has given way to the imperatives of Reconciliation.[45] As a preferred symbol of defiance and solidarity the Eureka southern cross has been lately replaced by the Aboriginal flag. The debate about identity and post-colonialism continues in the aftermath of the Mabo judgment, when the big historic lie of *terra nullius* was finally swept away, so the debate about nationhood and symbols evolves. The placement of a flag-pole on a hill is a statement of conquest and for many citizens the current flag is also. In Alice Springs, the Australian flag, with the flag of the Northern Territory beside it, flies a'top Anzac Hill above the township and indirectly above the Aboriginal flag of the Central Lands Council building further down the Stuart Highway. Flags on hilltops bespeak power relations. Thus the transition from colonialism to post-colonial sentiment is slow, halting, gradual. In Canberra, the recognition of prior Aboriginal occupation is found in the Forecourt of Parliament House, but the expression of conquest—for some Aboriginal people—is represented in the canton of the Australian flag on the hill. Sol Bellear, former deputy chair of ATSIC, in responding to the report of the Centenary of Federation Advisory Committee, voiced reservations about the flag and its ambiguous historical associations.[46]

> The flag has been used to commit racial genocide in the name of the King ... we feel that a lot of issues surrounding reconciliation will merely be cosmetic while ever there is no change to the flag. We feel that particularly the Union Jack within the flag signifies a note of racial superiority, suggesting that the country was founded with the Union Jack and by the British who were all white. Indigenous people can never fully grasp the concept of reconciliation and all the trappings that go with it while ever we look at public buildings with the Union Jack hovering over us.

The official interpretation of iconography is that 'the idea of Australia' is expressed in the flag, the blue ensign. Another reading of the flag, advanced by historians of the frontier, says that Australia has a black history and the presence of the Union Jack represents continuing recognition of conquest over the continent.[47] For, Henry Reynolds a leading historian of the frontier, the debate about identity and history turns in part on the argument over whether Australia (prior to Mabo) was settled or invaded.[48]

> Reconciliation demands that we pay as much respect to the thousands of Aborigines who died resisting the British invasion of the continent as we do to those other Australians who gave their lives in the wars of the 20th Century. We can't do that if we continue to cling to the comforting myth that Australia was settled rather than invaded.

Kathy Freeman wrote herself into record books and political history by taking the Aboriginal flag in her hand after winning the 400 metres gold medal at the 1994 Commonwealth Games in Victoria Canada. She then collected the Blue Ensign a few moments later, but the gesture brought a front page response for days from politicians, sports administrators and the public as political controversy followed. Freeman repeated the action in winning the 200 metres but took both flags at the one moment. The configurations of red, yellow and black or red, white and blue evoke a strong response, even so an opinion poll showed 73% support for her action. Perhaps the critics of Freeman's gesture were fearfully reminded of the recurring black power one-fisted salute on the dais by black United States athletes in the Olympic games in Mexico City in 1968. Sport is politics. The flag incident coincidently took place in the week before the parliamentary debate began over the Land Acquisition Fund in the aftermath of the Mabo decision and the Native Title legislation. Freeman later joined the board of Ausflag, the organisation agitating for a new Australian flag. Speaking through her manager, Freeman said it was important to change the flag. 'She feels the Union Jack is not representative of all Australians. She has nothing against the British, but does not see it as a positive representation for her and other Aboriginal Australians. Her people suffered under the Union Jack'.[49]

So, the Union Jack continues to hover. As Beck writes, just as the distant blue patch of the sea 'shimmers with many associations' so it is for the flag. Indeed! Yet such associations are not as unambiguously positive as he implies. The flag can no longer be readily approached without an opinion as politicised Aborigines, republicans, Irish nationalists, amongst others, do not wave the flag. Many Australians support the retention of the existing flag but a significant proportion do not. The flag, therefore, remains a contested symbol. It has been removed from the corporate logo of the Australian Labor Party and more recently of Ansett Airlines. Prime Minister Keating

congratulated the company accordingly.[50] Now that Ansett is internationally active, the seeming ambiguity of the Union Jack, so prominent on the tail, has been addressed by that corporation's public relations department. The 1980s tail-design of shooting stars was replaced with the flag livery in 1990, prior to domestic deregulation. The newest Ansett tail has shed the Union Jack and retained the southern cross and the federation star, blended with an abstracted 'A' (which is reminiscent of the 1960s 'A' motif of Ansett-ANA). In comparison, the flying kangaroo of Qantas is the best internationally recognised Australian corporate symbol and was retained in the merger with Australian Airlines for that reason.[51] The shifting Union Jack on the tail of Ansett is ironic as Qantas, not Ansett, is half-owned by British Airways and it is Qantas, not Ansett, that has been termed 'the national flag-carrier.' Ansett has opted for the seven pointed federation star as a key Australian element in its new livery. More generally, the seven-pointed star is quietly assuming a more favoured place as a defining national symbol as the debate on citizenship and the republic unfolds. Ansett's corporate response, with exhaustive market research, is perhaps a wind-sock to national sentiment. The Ansett judgment seems to be that the Union Jack is not a neutral symbol. The federation star is now preferred.

The flag and the flag-pole over Parliament House were fiercely debated by architects as well as semioticians. Critic, Peter Myers, compared the Parliament House flag with the famous war photograph by Joe Rosenthal of US marines on Iwo Jima. This association was further sustained by the rest of the story of the capture of Iwo Jima. Hoisting of the flag, according to Myers, was a prologue to the scalping of the 'blood-soaked hill-top of Mt Suribachi' by United States Marine Corps engineers, to 'build the first airfield from which Japan could be fire-bombed in a big way'. In a swipe at the winning architects, the author of the special issue of *Transition*, the RMIT journal of the Department of Architecture, continued, 'To the Mitchell/Giurgola design team Stateside, scalping Capital Hill in Canberra, Australia, must have seemed just another Pacific mission.'[52] Richard Thorp, a principal of the design team and an Australian citizen defended the flag-pole: 'We didn't want that. More the notion of the flag being held aloft in celebration'.[53] A celebration of the nation, especially in 1988, was never so simple.

Perhaps Robert Nelson is close to the best explanation of the ambivalence or hostility that some citizens show about the flag-pole and the flag, even as celebration, when they are invited to identify with it as the quintessential expression of the nation. In *Australia Art Monthly* Nelson has asked:

> Who could ever recommend patriotism in Australia? Australians may in fact be very patriotic but you will get nowhere asking them to be more so. ... But despite

> whatever pressures, Australian patriotism is passive and cannot be evoked energetically. We are not an apathetic lot but we are extremely sceptical about zeal of any kind, for zeal strikes the Australian as artificially wilful. It is an unnaturally conflated desire whose greatest fault is the denial of irony. Australians are natural poets of the adequate. They will not rhapsodise about anything which cannot be sworn at in the next breath. Do not therefore come with an extra burden of commitment. You cannot convert ratbags and ratbags will never proselytise on anyone else's behalf.[54]

The flag and the flag-pole are extra burdens, for they proselytise. They are thus met with scepticism. While arguably Australian post-colonial idioms have been generally well achieved in the building, to be imposing without pretension and to be significant without being vulgar. Perhaps the idiomatic success of the building, as an expression of an undivided nation—a nation for a continent as Barton said in 1901—is ironically flawed by the flag. Romaldo Giurgola the principal designer may have here missed the point about passive patriotism and mistakenly gone for an emblem which is wholly coherent to the citizen of the United States but somewhat problematic or even ambiguous to a citizen of Australia. The wrapped citizen of the United States may pledge 'allegiance to the flag of the United States and the nation for which it stands', but the Australian citizen generally does not.[55] Haig Beck's earnest post-facto rationale of the emblem at the mast-head, as an unproblematic expression of the nation, thus rings hollow and Ros Hall's 19 *Canberra Landmarks* is apt.

The Parliament as a Poem

Criticism of the building was not confined to the stance of the flag-pole. The Australian philosopher John Passmore condemned the building because it crouched in the hill, ashamed and reclusive. Others, in interpreting the topography of the building, are pleased that the people can walk over the top of the legislators and the executive in a symbolic assertion of popular sovereignty. However, this semiotic point is populist and trite as if the pedestrian skyline is more important than the corridors and chambers of power. The response of the architectural critics was not confined to the shape of the building, but dwelt on the construction of meaning. The shrill response from Australian architectural critics who only won consolation prizes was to seize on the ambiguities of the architecture:

> The obvious ambiguity of the building is a critical issue. The New Parliament House is not a clear statement—that is the last thing any Canberra decision maker wanted on Canberra Hill—but Guirgola believes the building 'elucidates the democratic process' through many 'partial visions'.[56]

This criticism is tendentious as the clearly decision-makers wanted an unambiguous building which was grand, inspirational, nationalistic yet to

scale with the expectations and values of *the people*. They wanted a building which would be accepted and admired. After this opening attack, the critics settled into a sustained demolition of the designer's intentions. The criticisms of the building deepened, grew more complex, more scholastic, more arcane and more interesting.

> Complexity and contradiction seem to be the basic ideas. These ideas ultimately derive not from the early architectural theory of Robert Venturi and Denise Scott-Brown but from the literary criticism of TS Eliot, Cleanth Brooks and William Empson, the New Criticism of the 1950s which claimed that in a creative work—like a poem—contradictions, tensions, paradoxes, ambivalences make it what it is, a unique expression which cannot be paraphrased. In New Criticism, the creative work was viewed as a taut structure of antithesis, oppositions unified by the structure of the work itself. As Cleanth Brooks wrote, 'the poet ... triumphs over the apparently contradictory and conflicting elements of experience by unifying them in a new pattern'.[57]

Fair enough. The metaphor of the building as a poem works to a point; both are structures which bear tensions and contradictions within them and strive to be coherent as a whole.[58] The metaphor derived from the literary movement called New Criticism breaks down when the architectural critic accuses the architectural author of incoherence. At this point the analysis of the building begins to get bitchy and the attack methodologically falters.

> This is the fundamental problem with Guigola's *Parliament*. The ambiguities are obvious—but its [sic] not obvious whether they are tautly contained within the work itself; unpredictably constructed by everyone who experiences the building; simply accidents of the design process of the result of confusion in the architect's mind.

The architectural critic here failingly uses methods of literary criticism as, even if the ambiguities are present, the overall effect is a matter for the readers or users and need not be distilled into a unified, coherent, fixed meaning which stands separately from those who have the experience. Does it matter if the ambiguities ultimately come from clever taut containment or from a muddle? The point is that ambiguity, however derived, is a feature of texts even if unintended. Understanding what Shakespeare, TS Eliot, Abraham Lincoln or section 92, actually meant can be difficult if not impossible to understand if left only to the author of the text to explain. The power of literature, according to a multiplicity of theories, now lies is in the response of the reader, or in the hermeneutic circle, or in the deconstruction of the text or perhaps in the chaos of manifold meanings. So too with the power of architecture which arguably lies in the response of the viewer to judge whether it works or not, with the added imperative that the structure actually remains standing. Unlike architects, poets don't need quantity

surveyors. The ultimate futile gesture in deconstructionist architecture would surely be if the building spontaneously fell down.

In the critical attacks on Guirgola's Parliament, the normative judgement of good or bad art crept into the criticism, disguised as a deeply theorised analysis of the structure of the building/poem.[59] Inside a seemingly committed and disinterested scholarly point about the theory of *New Criticism* came an assault. The modernist literary movement of *New Criticism* was used as a Trojan Horse, out of which the critics leap, intent on knocking Guigola's architectural block off. The weapons were selected from the arsenals of a scholarly critical theory, but the objective was perhaps cruder; an instinctive dislike of the building and revenge. The simile of the building as poem is a nice conceit, but to press the architectural criticism from a source in literary criticism, as to vent only spleen, necessarily faltered as the treatment became more theoretical, more obscure, too attenuated and very interesting. But that is another story not to be pursued here.

Re-Stating the Symbols

New Criticism aside, lets assume that the critical theory of architecture is correct in its first assumption that buildings are about power. Power is about force and ideology mediated by the state. State ideology in Australia is expressed through public buildings and monuments; principally parliaments, post offices and war memorials. The shifting nature of state ideology and institutional legitimation is seen in a comparison of the old war memorials with the newer ones. The older memorials are concerned with our dead and our losses and our heroes. While the Vietnam war memorial in Canberra is simply dedicated 'to those who suffered and died in Vietnam'. Belicose sentiments are disguised and diminished in a greater ambiguity about who suffered and who died. Since Vietnam, the temper of the times is different and the justification for institutions has changed. We have gone from empire, tradition and continuity to nation, egalitarianism and inclusion. The Australian version of nationhood and identity shifts. War memorials are not chosen here as merely a random example. They are the most numerous and deeply felt state-sponsored expressions of Australian national identity. The Memorial at the head of Anzac Parade is the exemplar. To quote Haig Beck again:

> The setting for the parliament's public ceremonial functions is at the front, straddling Walter Burley Griffin's imposing Land Axis—Canberra's ceremonial spine focused on the War Memorial. Parliament and Memorial are axially locked in an urban-scaled symbolic dialogue about patriotism (Memorial) and nationhood (Parliament).[60]

Parliament House is thus resting in a larger spatial and ideological context. The building has external and internal references points. According to Beck, there are three elements to the building: 'The Idea of Australia is distilled in three quintessential signs'. The Flag is the symbol of nation, the Hill is the symbol of place and the Walls are the symbol of human habitation.[61] For Beck: 'Sensing the symbolic meanings of its parts is as important as knowing where you are within the complex. The building has to be legible in terms of its geography, its functions and its symbolism'.[62] The legibility of the building is continuing challenge as official ideologies of the nation are shifting. Parliament must be the bearer of this shift, to remain legitimate, to be able to express the nation. The intended long life of the building presents a problem of continuing relevance in changing circumstances. An imperative of the winning design was to be capable of accommodating changing cultural expectations and experience.

Pamphlets on Parliament

In keeping with the shifting ideologies of political identity and the nation over the last decade, the books and pamphlets about the Parliament have changed as new modes of legitimation for the institutions are sought. The simple introductory pamphlets to the Parliament and its related institutions are central to the evolving story. A series of seven booklets have been produced to introduce the citizen to the Parliament. They were first published in 1987 just prior to the opening of Parliament House and are currently in a 1993 reprint. The series is accompanied by a fold-out chart *How Parliament Makes Laws*. They are:

1. The Commonwealth Parliament—an introduction.
2. The Senate—its role and procedures.
3. The House of Representatives—its role and procedures.
4. Committees of the Commonwealth Parliament.
5. Parliament, the Constitution and the High Court.
6. The Parliament and the Executive Government.
7. The Parliament and Political Parties.

The seven booklets replace the earlier shorter versions of introductory texts. The prior manifestations of these booklets go back to black and white issues whose covers betray the era. In the 1968 edition, the cars parked outside the building are Holdens, Fords and Valiants, with one Volkswagon Beetle and a Morris. The price for the booklet is listed as 10c with 9c postage. The booklet also advertises the third edition of Odgers *Australian Senate Practice*, in hardcover at $4.50 with 29c postage. A colour booklet on *The Mace* published in 1971 tells the story of the long association of the weapon of

war with the English Parliament and how the sergeant-at-arms was bodyguard to Richard I (1157-1199). It was a symbol of Royal Authority. 'The Mace we see today', writes AR Browning Clerk of the House of Representatives, 'was standardised by Royal Decree of Charles I (1600-1649).' The Royal Sergeants at Arms were first assigned to the House of Commons at the end of the 14th century, and during the centuries that the Sergeant's Mace was changing from a weapon of war to an emblem of office, new ideas were forming about its use as a symbol, not only of the Sergeant's power but of the House as well.[63]

The point here is that in their most recent editions the modes of legitimating the role of parliament and the place of democracy have changed from the past. The earlier editions of these booklets are full of the Westminster tradition, the Crown the Mace, the Black Rod, the Sergeant at Arms, the Royal presence. The legitimations of parliament and its authority were historic and imperial. The new series from 1987 concentrates on the processes of the institutions not the artefacts of the Parliament. A deliberate shift has taken place in the portrayal of the Parliament in that the introductory texts now address the question 'how do the institutions work?', rather than 'what is the lineage of the imperial connections?'. The dignity and authority of the Parliament once lay in the long historic association with the Crown and Westminster. The solemnity and significance of the occasion lay in the genealogy of the institution. The mother of Parliaments in the Empire, and Victoria, the mother of the Empire, were the legitimators of the Australian Parliament its habits and customs. That legitimation is no longer employed. The recent editions of the introductory booklets have themes which relate to the Parliament and the people, the symbols of Australia, the appropriateness of the institutions to Australia's current and future needs. They are about democracy and accessibility rather than empire and tradition.

The changing presentation of the Parliament is accompanied by the new iconography of the building. While the old provisional Parliament House was steeped in the symbols of constitutional monarchy the new and permanent Parliament House is resonant of a new sense of national identity which may be called post-colonialism. Thus there are supposed to be many vantage points from which the building may be viewed. There are to be many ways of looking and many ways of finding meaning. The citizen, unaware of Aldo Guirgola, TS Eliot, Cleanth Brookes or New Criticism may say that they don't know much about architecture but know what they like. The political scientist may take architecture seriously as an expression of political power and wish to go inside the building and inside the institution to ask further questions about our position in history and our position in society. The next

chapter is about the context in which political identity is presented in the artefacts of the building. How does Parliament House speak for the nation?

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1. *Australia's New Parliament House* Parliament House Construction Authority, Canberra, 1986.
2. *The Coinage Act* 1909 authorised the replacement of English coinage with Commonwealth issued bronze and silver coins and established a uniform law for Australian tender.
3. Charles T Goodsell, 'The Architecture of Parliaments: Legislative Houses and Political Culture' *British Journal of Political Science* Vol 18, p. 287 (pp. 287–302).
4. The Chifley library at ANU created a temporary shrine to Ben Chifley in 1989 when the toaster, cup and saucer (kindly lent by Fred Daly) and several books by and about Chifley along with images of him were displayed in a glass case, in another small instance of legend-building and secular sanctification. The *Niagara Cafe* in Gundagai also displays sacred objects. In the window are the crockery and cutlery used by Curtin, Chifley, Fadden and O'Sullivan who famously stopped for a midnight dinner in 1942 when they discussed war plans against Japan. A large banner inside the cafe marks 1992 as the fiftieth anniversary of the 'war cabinet' visit to the *Niagara*. The Bradman museum at Bowral serves the same purpose as a shrine to a secular Australian saint and has put out a public appeal for anyone who has an Australian cap that 'the Don' demonstrably wore as there is no extant sample. The stuffed hide of Phar Lap in the Museum of Victoria is more relic-like at it is the actual hide of the beast, like the actual skulls or fingers or ribs of saints. The Australian War Memorial similarly portrays icons and images of saintly practices. The bronze portrayal of Simpson and the Donkey by Peter Corlett is a likeness from the parable of Jesus and the Donkey. Religious relics of bits and pieces of bones and trinkets is paralleled in the large collection of war wounds, preserved in formaldahide, that the Institute of Anatomy originally collected, now kept by the Museum of Australia. Similarly the relics of war are collected by the War Memorial, like the splinters of the cross and the bones of saints.
5. Umberto Eco *The Name of the Rose*, Picador London: 1984, p. 425.
6. *Australia's Parliament House: The Meeting Place of our Nation* Joint House Department, AGPS: Canberra: 1989, p. 2.
7. Progressivism was a late-nineteenth and century early twentieth century political movement which originated in the United States. In the aftermath of the Civil War and Reconstruction (1861–c1874), Progressivism embraced egalitarian democratic and civic values in which the citizen, within the protective envelope of the enlightened state, could achieve highest ideals of self and nation. Franklin Delano Roosevelt's New Deal was one of the direct inheritors of Progressivism. An optimistic movement, it attracted some notable Australians. See Michael Roe *Nine Australian Progressives* UQP, St Lucia: 1986.

8. *Parliament House Canberra Conditions for a Two-Stage Competition* Parliament House Construction Authority Vol 2, April 1979. p. 2.
9. *Conditions for a Two-Stage Competition*, Vol 2. p. 6.
10. *Conditions for a Two-Stage Competition* Vol 2. p. 9. See also 'Security within the Precincts of Australia's Parliament House', The Procedure Office, House of Representatives *The Table* Vol 58, 1990, pp. 31–38. 'Security in the parliamentary context brings into conflict two basic principles of parliament's traditions and usage. On the one hand, there is the undeniable right of people in a parliamentary democracy to observe their representatives. On the other hand, Members and Senators must be provided with conditions which will to perform their duties in safety and without interference.' p. 32. In an extreme situation, the Parliament House Anti-Terrorist Plan allows for the presiding officers of the chambers to meet in the forum of the Commonwealth Crisis Policy Centre p. 33.
11. Conditions for a Two-Stage Competition Vol 2. p. 15.
12. *Program of The Opening of Australia's Parliament House by Her Majesty the Queen* 9 May 1988.
13. Proudfoot takes Guirgola's understanding of Burley Griffin's conception further; 'a correct appreciation of Giurgola's work should recognise its profound connections to the Griffins' original massing for the Capital and the principles of Hellenistic City design, to which Walter and Marion were committed.' *The Secret Plan of Canberra* p. 7.
14. George Augustus Taylor was a *Progressive* who produced several journals of architecture and opinion to reshape the attitude to the built environment in Australia, *Building*, a monthly from 1907, *Construction* a weekly from 1908, and *Australasian Marine Engineer* from 1909. Taylor championed an architecture which was socially critical, sensitive to the locality and the nation and which sought not only to 'write' things but to 'do' things. See Michael Roe, 'George Augustus Taylor' in *Nine Australian Progressives: Vitalism in Bourgeois Social Thought 1890–1960* pp. 185–209. Progressivism was one of the influences and forces in the movement for social change which continued the socialist-democratic ethic of the English Arts and Crafts movement personified in William Morris. Such political sentiments prefigured some of the commitments of the social democratic architecture of the Bauhaus a generation later. The objectives of these intellectual/political episodes were brought into Australian architectural and industrial design and represent a modernist challenge to lineage of imperial authoritarian control of public culture.
15. Roe, 'George Augustus Taylor' p. 191.
16. Tom Lehrer gave up performing as a satirist-singer-songwriter and returned to mathematics because, he said, satire was no longer possible after Henry Kissinger won the Nobel Prize for Peace.
17. For a sustained treatment of the constant reinvention of the past see David Lowenthal, *The Past is a Foreign Country* Cambridge University Press, Cambridge: 1985.

18. From Garry Wills *Inventing America: Jefferson's Declaration of Independence* The Athalone Press, London: 1980. pp. 375 & pp. 376–377.
19. Alexander Cockburn 'Feeling Good Again' *The Corruptions of Empire: Life Studies and the Reagan Era*, Verso London: 1987, p. 234.
20. Peter Spearitt, 'Celebration of a nation: The Triumph of Spectacle' in *Making the Bicentenary* Susan Janson and Stuart Macintyre eds *Australian Historical Studies* Vol 23, No 91, October 1988, p. 7.
21. Paul Kelly, *Bicentennial* from *Under the Sun* reprinted in *Lyrics* Angus and Robertson, Sydney: 1993, p. 74.
22. The Treaty '88 Campaign was one of the discordant voices during the 1988 celebration of a nation. It had twelve objectives including a treaty; inalienable freehold; protection of sacred sites; control over mining on Aboriginal Land; compensation for the loss of lands; international recognition of 'Aborigines as a people'; self-determination; proper continuing management of heritage and land; making the land nuclear free and peaceful and the achieving all the conditions of the International Covenant on Human Rights. On the brutal origins of Australia, Robert Hughes' *Fatal Shore* Pan London, 1988 was an uncompromising Bicentennial best seller. See also Alastair Davidson *The Invisible State: The Formation of the Australian State 1788–1901* Cambridge University Press, Melbourne: 1991.
23. Peter Spearitt, 'Celebration of a nation: The Triumph of Spectacle' p. 3.
24. Marie McNamara 'Parliament House, one of the few highlights says Clark'. *The Age* 24 December 1988.
25. House of Representatives Debates 6 October 1989, p. 754.
26. The final annual report of the Parliament House Construction Authority 1989/90, calculated the cost of the building at February 1990 as $1,079,000,000.
27. CPD(S) 21 August 1980, p. 276–77. The interjector was Senator James Cavanagh, ALP, SA.
28. CPD(S) 21 August 1980, p. 278.
29. Auditor General, *Efficiency Audit Report* Parliament House Construction Authority, p. 14. 'New Parliament House to cost $1bn government admits' *Sydney Morning Herald* 13 January 1987.
30. Sir John Overall and others, 'Assessors' Final Report' Clause 3.30 in CPD(S) 21 August 1980 p. 566.
31. Personal communication with a long-term innocent site-worker and member of the BWIU.
32. Gold logie winner, Norman Gunston, who covered the Dismissal as a journalist on the steps of Parliament House on 11 November 1975, ran a subsequent campaign on his TV show, Norman Gunston for Governor General. He produced a lapel badge and a slogan 'NG for GG'.
33. See *Republican Australia* Geoffrey Dutton ed, Sun Books: Melbourne, 1977.
34. Barry Humphries calls it so in 'Prologue to the Fifties', *Neglected Poems*, Angus and Robertson, Sydney: 1991, p. 38.
35. *Transition* p 8.

36. Peter Corrigan.'Bronze Medal and Brute Steel' *Meanjin* p.40. p.34. The prize was given despite reservations about the 'anti-social or inhuman aspects of the building on passers-by and inmates alike'.
37. Corrigan, 'Bronze Medal and Brute Steel', p. 34.
38. Corrigan, 'Bronze Medal and Brute Steel', p. 37.
39. Corrigan, 'Bronze Medal and Brute Steel', p. 40.
40. Haig Beck, 'The Architecture of Parliament House' *Parliament House Canberra: A Building for a Nation* p. 20.
41. The 1923 select committee did not want to have a moral obligation with the designers.
42. *Expressing Australia: Art in Parliament House* Parliament House Construction Authority, Canberra: 1988, p. 5.
43. The flag-pole was fabricated by BHP 'the big Australian' and assembled by the Builders Labourers Federation which also was responsible for the erection of light towers for the Melbourne Cricket Ground and the Sydney Cricket Ground. Lead by Norm Gallagher the BLF developed a reputation for an intractable attitude to industrial relations as long running disputes interrupted construction on many building sites. A stop-work meeting in the middle of a concrete-pour became a useful bargaining tactic. The clash between the BLF and construction companies, governments, the ACTU, the industrial tribunals and the law courts lead to deregistration, imprisonments, a Royal Commission, and eventual deregistration of the Union. Norm Gallagher was imprisoned and the power of the BLF finally shattered after a titanic political and industrial struggle. That confrontation prefigured the extensive recent industrial relations reforms when collective bargaining and centralised wage fixing gave way to individual contracts. Gallagher, who had 'the sneer of cold command', was convicted of contempt of court for a remark in a doorstop interview that the presence of several hundred BLF members had influenced the court in a not-guilty finding on another matter. What he should have said, to avoid prosecution, was he'd like to thank his brothers for showing their concern in such numbers and that it was God's will that a conviction was not entered.
44. Worth noting here is that the racist right in Australia in the form of National Action and similar fringe groupings also actively appropriated the Eureka Flag and much of the writing of Henry Lawson in the cause of a perpetuating the traditions of a white, nationalist, racist Australia.
45. Noel McLachlan *Waiting for the Revolution: A History of Australian Nationalism* Ringwood Penguin Books, 1989. pp 98–99.
46. L. Fox *Eureka and its Flag* Canterbury 1980.
47. Mike Steketee 'Black see Union Jack as bar to reconciliation' *The Australian* 15 August 1994.
48. Wendy Brady 'Republicanism: An Aboriginal View' *The Republicanism Debate* in Wayne Hudson and David Carter eds Kensington UNSW Press, 1993, p. 146.

49. Henry Reynolds 'Invasion versus settlement debate wears on' *The Australian* 15 August 1994. Reynolds traced the usage of invasion in the period documents to show that the original understanding 1788 in New South Wales and 1803 in Van Diemen's Land was as invasion. To this list may be added the deeply respectable voice of WK Hancock writing in Australia in 1930 Hancock opted for calling his opening chapter 'The Invasion of Australia' and wrote with regard to Aboriginal people and the land itself. 'sometimes the invading British did their wreckers' work with the unnecessary brutality of children... The very soil suffered from the ruthlessness of the invaders.' *Australia* Ernst Benn London 1930 (Brisbane: Jackaranda Press, 1967 p. 21).
50. Mike Steketee, 'Golden girl Freeman backs campaign the change our flag'. *The Australian* 10 November 1994.
51. Bruce Tobin, 'Keating praises Ansett for not flying the flag' *The Age* 30 August 1994.
52. Ian Thomas 'Tails up in Airline Battle' *Financial Review* 5 August 1994. Thomas describes John Diefenbache's design as containing the 'Ansett star'. This feature is known elsewhere as the Federation star. The new livery was launched at the Opera House as symbol trades on symbol for media attention.
53. *Transition* Summer/Autumn 1989 p. 25.
54. *Transition* Summer/Autumn 1989 p. 25.
55. Robert Nelson 'On Post-Colonial nationhood' *Australia Art Monthly* No 69, May 1994, p. 8.
56. The United States Pledge of Allegiance is learnt as catechism by children of the United States, introduced in 1892 to mark the 500 anniversary of Colombus and amid deep industrial turmoil. Equivalent civic obedience has never been successfully inculcated into Australian children.
57. *Transition* summer Autumn 1989 p. 8. Citing, Peter Corrigan, Conrad Hamann, Neil Masterton, Ian McDougall and Peter Brew 'Interview: Aldo Guirgola' *Transition*, 26 Spring 1988, p. 56.
58. Terry Eagleton *Literary Theory: an Introduction* Blackwell London, 46-53 and Cleanth Brooks *The Well-Wrought Urn* Harcourt Brace New York pp. 212-214 cited in Robert Venturi 'Complexity and Contradiction in Architecture' *Museum of Modern Art Papers on Architecture* 1 Museum of Modern Art New York: 1966, pp. 28–29.
59. Architectural and literary movements of late-modernity both dwell on the construction of structure and meaning. The rubrics of deconstruction and post-modernism are paralleled in literature and building. According to Papadakis: 'Few ideas in architecture have created such a stir as deconstruction in the relatively short time since it gained currency and public prominence. Even Jacques Derrida, the main definer of deconstruction, was surprised at the alacrity and enthusiasm with which deconstructive thinking, previously the private reserve of literary criticism, has been applied to those fields.' Andreas Papadakis in *Deconstruction* A.

Papadakis & Maggie Toy eds, Academy Editions London: 1990, p 6. See especially the work of architectural critic Charles Jencks, who in writing of the work of architect Peter Eisenman gives something of the flavour of the association between architecture and the reflective sciences: 'Reflecting changes in the literature of the 60s and changes in philosophy, the movement has been most comprehensively developed ... as a theory of negativity ... always on the look-out for linguistic and philosophical justifications for architecture and having exhausted the use of Structuralism and Chomsky in the 70s has moved from one metaphysics to the next, an indefatigable Ulysses in search of his non-soul a wandering Modernist who has found momentary respite in Nietzsche, Freud and Lacan, before pushing onto further points of enui and alienation.' Charles Jencks in *Deconstruction* , p. 32. This is the critical academic environment within which Romaldo Guirgola and the New and Permanent Parliament House was both constructed and interpreted.

60. For a study of *New Criticism* as an 'inconsistent and sometimes confused movement' see Frank Lentricchia *After the New Criticism* The Athalone Press New York: 1980.
61. Haig Beck 'The Architecture of Parliament House' *Parliament House Canberra: A Building for a Nation* p. 22.
62. Haig Beck 'The Architecture of Parliament House' *Parliament House Canberra: A Building for a Nation* p 20.
63. Haig Beck 'The Architecture of Parliament House' *Parliament House Canberra: A Building for a Nation* p. 21.
64. AR Browning *The Mace*, House of Representatives, AGPS, Canberra: 1970.

4

Speaking for the Nation

As Selective as Myths

> It is not the literal past which rules us, save possibly in a biological sense. It is images of the past. These are often as highly structured and selective as myths. Images and symbolic constructs of the past are imprinted, almost in a manner of genetic information, on our sensibility. Each new historical era mirrors itself in the picture and active mythology of its past or or a past borrowed from other cultures. It tests the sense of identity, or regress or new achievement, against the past. The echoes by which a society seeks to determine the reach, the logic and authority of its own voice, come from the rear.

With these words George Steiner begins his fine essay *In Bluebeards Castle: Notes Towards a Redefinition of Culture.*[1] Steiner was responding to TS Eliot's *Notes Towards a Definition of Culture,* written in 1948, a book 'gray with the shock of recent barbarism'. Steiner, like Eliot, was making a plea for order confronted by cultural fragmentation and institutional disintegration. Institutions and culture are interdependent, Steiner argued, and the logic of their relationship is derived from how the past is understood. Identity, for nations, is fashioned from a sense of historical achievement, crucially combined with national mythologies. The logic of institutions, of the culture they inhabit and collective identity that is expressed is derived from the rear, from the past.

Parliament House is a replete expression of national identity and the 'Australian spirit'. The building is steeped in the long-running contradictory struggle between the several Australian mentalities. The building is implicated in the irresolvable quest for identity, not because of the qualities of the achievement nor the internationalism of the project nor the success or failure of the architecture, but because of the context in which it dwells. The building, in Steiner's words, is 'an aspect of our position in history and society'. The building is central to the history of Australian identity. It is an official arbiter of what is to be silently left behind and what is to be emphatically brought forward. It is composed of 'highly structured and selective myths'. The building is yet another instance, perhaps the boldest yet, of that continuing historical national mission which is the pursuit of the Australian identity, of what might be inelegantly called 'Australianity'. It is the symbol of the nation, etc etc. It is the expression of Australia, etc etc. The building and all it contains is explicable in this context. In other respects the building is the apotheosis of *the monument.*

The erection of monuments in Australian history has been about selective forgetting as well as selective remembering. Don Watson has observed that the building of monuments is a way of putting 'an end to the

questioning'.[2] Yet the Australian mentality is shaped by worrying over the Australian mentality. The national identity is a national anxiety. As Russell Ward wrote in 1958, 'over the last seventy-odd years millions of words have been written about Australian nationalism and the Australian character'. In the years since 1958, surely billions of words and tonnes of concrete have been added to the enquiry into what Ward called 'the development of this national *mystique*'.[3]

This chapter is about the way that the received notion of Australian national character have shifted to a new perception of identity. Parliament House is a monument which expresses the changing sense of identity. The architecture of national identity is derived from an evolving historiography. That is, the presentation of symbols of the nation and identity in official architecture, in the formal buildings of the state, are drawn from the way history has been written. Myths.

Outside the office of the President of the Senate, in a glass case, is a photograph taken at Yea in 1926, of three fella's who are tree fellers, Sam Mudford, Jack Race and Nick Egan. These blokes embody the Australian Legend, 'the national *mystique*'. They are iconic. Vance Palmer wrote of the birth of that character in *The Legend of the 'Nineties* and linked the origins of the Australian Labor Party with that immaculate moment. Henry Lawson wrote about men, like Mudford, Race and Egan, in his poem of 1889, 'The Mountain Splitter':[4]

> He comes of a hardy old immigrant race,
> And he feels not the rain nor the drouth.
> His sinews are tougher than wire; and his face
> Has been tanned by the sun of the south.
>
> Now doomed to be shorn of its glory at last,
> Is the stately old tree he attacks;
> Its moments of life he is numbering fast
> With the keen steady strokes of his axe.
>
> ...
>
> A lover of comfort and cronies is he;
> And when the day's work is behind.
> A fire, and a yarn and a billy of tea,
> At the hut of the splitter you'll find.

In the opening pages of *The Australian Legend* Russel Ward distilled the essence of that pioneering national character. That pioneering book defined

the 'Australian spirit' and linked it to the bush ethos, convictism, the fair-go and mateship.[5]

> According to the myth the typical Australian is a practical man, rough and ready in his manners and quick to decry any appearance of affectation in others. He is a great improviser, ever willing to 'have a go' at anything, but willing too to be content with a task done in a way that is near enough'. Though capable of great exertion in an emergency, he normally feels no impulse to work hard without good cause. He swears hard and consistently, gambles heavily and often, drinks deeply on occasion. Though he is 'the world's best confidence man' he is usually taciturn rather than talkative, one who endures stoically rather than one who acts busily. He is a hard case, sceptical about the value of religion and of intellectual and cultural pursuits generally. He believes that Jack is not only as good as his master but, at least in principle, a good deal better, and so he is a great knocker of eminent people unless, as in the case of his sporting heroes, they are distinguished by physical prowess. He is a fiercely independent person who hates officiousness and authority, especially when these qualities are embodied in military officers and policemen. Yet he is very hospitable and, above all, will stick to his mates through thick and thin, even if he thinks they may be in the wrong.

The photograph of 'the myth' as represented by the mountain splitters is as prominently displayed as any in the building. Yet its significance in Parliament House lies in its rarity. Parliament House has been constructed to systematically and comprehensively contradict the long-received version of national character emitted from that image. The Australian legend, it has been long understood, is diminished and reconsidered among new and more diverse imagery. That encompassing older version of the Australian character is surpassed in a new quest for identity.

Restating Identity: Faces in the Street

The building is an emphatic restatement of the old and central identifying myths of the nation. The Anglo-Celtic masculinist, parochial, exclusivist, racist, xenophobic past, exemplified by the dark side of tribal mateship, as exposed by Australian historiography over the past decade, is deliberately and comprehensively diminished in the new and permanent Parliament House.[6] Similarly any suggestion of the colonial, loyalist, cringing, Anglophilic, conception of Australia as a displaced inferior English culture is surpassed. The root and branch reconstruction of Australian history in recent decades has provoked the reconstruction of Australian consciousness. This is evident in comparing the two Parliament House building. The history of Australia was once defined as the doings of Empire-men who filled the blank blushing pink spaces on the map of the Commonwealth. Provisional Parliament House was built on the assumptions of that version of history. The exclusions and omissions of that account of the past are evident in the early construction of the Australian history which only began as a

professional academic activity in 1916 at Melbourne University with Ernest Scott's little book *The Short History of Australia.*[7]

> This Short History of Australia begins with a blank space on the map, and ends with the record of a new name on the map, that of Anzac. It endeavours to elucidate the way in which the country was discovered, why and how it was settled, the development of civilized society within it, its political and social progress, mode of government and relations historical and actual, with the Empire of which it forms a part... History is a record of the doings of men living in communities, not of blind, nerveless forces.

The manufacture of history which, to the near-exclusion of all others, once privileged heroic men; the governor, the pioneer, the explorer, the squatter, the soldier, the statesman, the politician, the engineer, the bishop and the judge. That version of history was later rethought and rewritten. Such old men's colonial nationalism was overthrown by the emergence of historians (now known as the Old Left) who wrote the history of Australia about workers, and drew from popular ballads and stories of the currency lads who we were told resented the stamp of Imperial authority. The selective presentation of history and character, from *terra nullius* to the 'Anzac spirit', long endured yet was eventually comprehensively challenged and systematically remade. Rewriting the past in the 1950s and 1960s initially brought forth convicts, bushrangers, sundowners, shearers, drovers, unionists, larrikins and mates. Ernest Scott's 1916 story of a fragment of Empire was displaced by Russell Ward's 1958 *Australian Legend* which in turn was overturned by Humphrey McQueen's 1970 *A New Brittania.* The New Left histories of the 1970s rewrote the legend.[8] Conflict was introduced in the writing of Australian history and the story of a seamless development of the nation was exposed as a 'whig' fantasy. The next generation of Australian historians wrote about women, Aborigines and Torres Strait Islanders, Chinese, Pacific Islanders, migrants and the natural environment. Those who had not even been marginalia in the earlier histories became central figures.

Manning Clark wrote in the introduction of McQueen's book: 'Every generation writes its own history.'[9] Indeed, and every generation reproduces or remakes its founding myths and renovates its defining national monuments. Feminist and post-colonial history accordingly rewrote the white man's burden. The construction of the past determines not only the formations of identity but of architecture and symbol as well. The construction of history is not a matter of assembling the facts to tell the truth as any such selection, whether consciously ordered or not, demands questions about *which* facts and *who* counts. Our understanding of what matters is constantly recreated and the past is constantly remade. This an elementary point about ideology, power and *all* versions of history.

Clark was chosen by the Parliament House Construction Authority to assemble an anthology of prose and poetic quotations from the literature of Australia which would collectively define, express, encompass, reveal, embody and articulate Australian identity. As the exemplary Australian historian, he was chosen to find the words which bespeak the nation. The collection is the Parliament's own liturgy of the nation. The quotation accompanying the photograph of Sam Mudford, Jack Race and Nick Egan, outside the office of the President of the Senate, is taken from Francis Adams *Australian Essays* of 1886.[10]

> The people of Australia breath free; it does not feel the weight of the great division of the Middle-class that is above it, the well-to-do and the gentlemen. Workingmen here do not go slouching down the streets, as they do in England, crushed under the sense of inferiority ... This is a true republic, the truest, as I take it, in the world. In England the average man feels that he is inferior; in America he feels that he is a superior; in Australia he feels that he is an equal. That is indeed delightful.

So real Australians breath free, do not slouch down the street, nor doff their hats to military chaps, nor tug their forelocks to the bunyip aristocracy.[11] That quotation is the preferred view of the Australian character, but equally a quotation could have been selected to accompany the photograph which revealed another side of men who made Australia. The revisionist school of Australian history shows mateship to be Janus-faced. Loyalty to ones mates was frequently accompanied by bastardry towards women, Aborigines, Chinese and others.[12] The masculinist achievements were mirrored by masculinist exclusions. Mateship equals tribalism. Why not accompany that photograph, or another one, with the following early twentieth-century quotation?[13]

> Whether you were a manager or a yard-builder, if you employed a black-fellow and he ran away, you had to go and get him back...
>
> When you caught him you were expected to give him a bashing. If you did not, then the boss was likely to sack you for 'spoiling natives'. A reputation for being 'hard on blacks' was worth a dollar a week extra to a stockman—and that was big money on wages in those days.
>
> We did not know what the Aborigines thought about it all. We would never have dreamed of asking them. They were tolerated on the face of the earth only to do what we told them and if any of them turned 'cheeky' well, we knew just how to deal with that.

The national character was contained in the Australian Legend which excluded more people than it included and those surplus to requirements were often badly treated. In the words of Russel Ward, 'the Australian spirit is somehow intimately connected with the bush and that it derives rather more from the common folk than the respectable and cultivated sections of

society.' That may be so, but the common folk were Anglo-Celtic men. It is now a truism to identify the absence of women, Aborigines and 'others'. History, as it was once written, did not record their presence, their work, their pain and their triumphs. Clark himself wrote a *mea culpa* for his sins of omission in beginning the great *History of Australia* with the coming of the white man. Women and Aborigines did not loom large on the pages of the early volumes. They did not make that history. So, monuments to the nation must now include the hitherto excluded whether it be a six volume history or the biggest building in the country.

The older idea of a 'national character', perhaps personified in the drover, the shearer and the timber-getter, has given way to the idea of 'national identity' in post-colonial times. *Character* has been gradually replaced by the concept of *Identity* which invites others, who were not of the *Legend*, to join in and exemplify the nation: Aborigines, women, ethnic others and those hidden faces in the street, gay men, lesbians, the disabled, the elderly.[14] The multicultural promise of tolerance, the liberal promise of freedom, the socialist promise of equality, the democratic promise of egalitarianism, have permitted the hitherto excluded to now have an observable presence in the national mentalities. The rewriting of Australian history over the last generation has written those people into the story, those who from the earliest times had been unremittingly written out.

Notably, the texts about the monument which is Parliament House do not state that it expresses *character* but rather it projects *identity*. Old Parliament House had manifold references to the British cultural lineage amid the heritage of parliamentary government. New Parliament House, to the contrary, is heavily resonant with an indigenous national identity, both Aboriginal and non-Aboriginal. That indigenous identity is imagined in the building. In Nugget Coombs' account of democracy, the test of the good society is not just the existence of the institutions of representative government alone, but a question of how the least favoured in the society are accommodated. His test of the good society in Australia, his test of whether Australian is a nice place to live, is how women, Aborigines and the land are treated. The two Parliament buildings stand as a splendid contrast. The old building down the hill and the new building up in the hill are differentiated by tokens of exclusiveness and inclusion, symbolic of an old fashioned Empire and a new fashioned parliamentary state.

Old History in an Old Building

'People who write books ought to be shut up.'[15]

George V

Outside old Parliament House is a statue of King George V, *Rex Imperator*, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, Defender of the Faith, Emperor of India, 1910-1936. St George, mounted on a giant cubist stone steed, guards his back. An embossed crown is fixed to one side between King George and St George. The statue is rendered Australian by nine monumental *bas* relief discs attached to its sides which commemorate the main men of the Federal movement (Barton, Parkes and Griffith) the first Governor-General the Duke and Duchess of Cornwall and York and the soldiers, sailors, airmen and nurses who gave their lives for King and Country in the Great War. King George and his guardian once stood opposite the entrance of Parliament House, but were moved aside when the War Memorial was erected and the 'axis of the nation' was created. The line-of-sight view from the steps of the legislature to the steps of the memorial was to remain uninterrupted, even by the King for whom the dying was done. The stone edifice is now isolated behind a chain-wire fence and was once wrapped in plastic orange ribbons played out by builders labourers to warn the unwitting of a hazard nearby. Barbed-wire tops the fence. The base of the statue is decaying and shards of stone have dropped from the facades. It needs repair.

The neglect of *Rex Imperator* continues as seemingly the guardians of the parliamentary triangle do not know quite what to do with this great lump of undying imperial fealty. Clearly the public, the citizens, ignore it too. Inside old Parliament House the main space is called Kings Hall where a statute of George V stands on a plinth, dressed the garb of high Empire.[16] The walls of that room were once burdened by the gigantic portrait by George Lambert of H.M. King Edward VII and his horse (unlike Caligula, the British monarch was not constitutionally empowered to make appointments to the Senate). The King and his horse are now interred in a storage shed in Kingston and the file is perhaps stamped, 'Never to be released'. Like Russia's bronze, stone and oil Lenins, the sheer size and weight of such monuments to eternal affection cease to be glorious and become merely a storage problem.

The opening of Parliament House on 9 May 1988 was not the first simulated parliamentary occasion. The opening of Parliament House on 9 May 1927 was a simulation passed off as a constitutionally significant moment. The Duke of York who cut the ribbon was later King George VI, but as son of the Monarch he had no constitutional significance in the Australian Commonwealth. The ceremony was constitutionally empty, but it was

mocked up as an the opening of Parliament under a 'special Commission' from his father King George V, *Imperator Rex*.[17]

> I am commanded by the King to say that his thoughts are with you in this hour. Today's historic occasion brings back the vivid memories of that other 9th of May, twenty six years ago, when the Duke of Cornwall and York, His Majesty, opened the first Parliament of the Commonwealth.

Imperial and monarchical moments were matched by trappings. Names and things which indicated the presence of the monarch in the constitution were incorporated into the built fabric and the ceremonial occasions of old Parliament House. They have since become historical items reserved to the museum of the Parliament.

Mounted above the entrance of the old building is the Australian coat of arms on the left and the British coat of arms on the right. Just as the High Court building has the British and Australian coats of arms etched into the east and west windows to suggest a balance of Australian and British influences in the law, so old Parliament House has a balance of Australian and British political or constitutional influences represented in the coats of arms. This privileging of the British influence has been a strong theme in the characterisation of the Australian system. The Australian form of government was long thought of as a British derivative which may or may not adequately measure up to the Westminster model. Unfortunately that long tradition of interpreting the Australian system of government as British distorted the conception of the Constitution. Parliamentary practice is rightly seen to have been derived from a British heritage, but the Constitution itself is based largely on United States federalism. The written constitutional arrangements have little to do with a British model, even though several generations of political scientists and historians relentlessly interpreted the system of government as if it were. Parliamentary precedents were confused with constitutional principles. The Australian Constitution was long considered to be primarily about responsible government rather than primarily about federalism. The misconception is, alas, still perpetuated. The introduction to the little green $2.50 copy of the Constitution is so misleading as to be wrong. In the introduction, under the heading 'Summary of the Constitution', the question is asked:

> How may the Constitution be summed up? Its most important feature is that it establishes a government consisting of three branches—the legislative, the executive and the judicial branch, and it provides that the legislative and executive and judicial powers are to be exercised by these branches.

The summary continues in this vein without even mentioning federalism and thereby misses the point. Surely the most important feature of the Constitution is that it establishes a federal system with a division of powers

between the states and the commonwealth. The point of the written Constitution is federalism. This lacuna originated, in part, with an excessive loyalty to the idea of the Mother Parliament. It was perpetuated in the relentless celebration of a tangible British heritage. Wigs, gowns, the jabot, cuffs and bib, the Speaker's chair, the despatch boxes, Black Rod, Sergeant at Arms, the Mace, Westminster Red and Westminster Green. These objects were fundamental to a translation of Westminster traditions to Australia and were enthusiastically adopted from the transition to self-government in the 1850s. The Westminster heritage is inherent to government in Australia, but the internal arrangements of the Parliament are not the central organising principle of the Australian Constitution. The written Constitution is primarily about federalism, not responsible Westminster type government.

The presence of a tangible heritage has been crucial to the evolution of Australian government and the concrete objects, customs and practices of the Parliament, derived from the Mother Parliament, are contextually significant. The Speaker's chair was given to the Commonwealth in 1927 at the zenith, arguably, of the British Imperial fantasy. It is a faithful replica of the Speaker's chair of the House of Commons which was created by Augustus Pugin, the English designer and architect who was the main proponent of nineteenth century Gothic revivalism and a precursor of the deeply influential English Arts and Crafts movement, later personified in William Morris. During the 1840s Pugin designed most of the woodwork for the Houses of Parliament at Westminster and with the principal architect Sir Charles Barry, was responsible the whole Parliament building including the clocktower for Big Ben.[18] The replica of Pugin's Speaker's chair given to Australia was physically steeped in English constitutional history and imperial achievement. The Royal Arms, the lion, the shield and the unicorn, which surmount the canopy of the chair are taken from the oak beams of Westminster Hall, rebuilt by Richard II in the last years of his reign (1377-1399).[19] The hinged flaps are from Nelson's flagship at Trafalgar, HMS Victory. The Marquess of Salisbury made the presentation in 1927:

> Even the materials of which the chair is composed speaks of some of the greatest moments of British history. It will remind you of a glorious period in British history when a great hero of the sea added lustre to British arms, and you will be reminded by it also of an old building, representing in the highest degree the triumph of British art, which stands in the historic setting of Westminster, and has been the scene of many mighty deeds and events. ... this chair, in its material, and in its significance is a personification of our institutions in the Old Country.'[20]

The back of the chair contains many delicately worked linen-fold panels each with a carved wreath and entwined cord each and the monogram 'V.R.' *Victoria Regina*. The folded ribbon is inscribed: '*Manus Justa, Nardus,*

Memor et Fidelis Mens Conscia Recti' and on the reverse jamb '*Nec Prece nec Pretio Libertas in Legibus Hostis Honori Invidia Laus Deo*' Which means: 'That which deals justly is a sweet-smelling ointment. A heedful and faithful mind is conscious of righteousness. Justice is influenced neither by entreaties or gifts. Liberty lies in the laws. Liberty is the enemy of honour. Praise be to God.'[21] The Marquis continued:

> If we work in that spirit, then the symbol, which I shall unveil before, you, will stand for all time as the embodiment of the ordered government of a great people, and as an example to the rest of the world of what the political traditions and administrative genius of the British people can accomplish.

Sir Littleton Groom, Speaker of the House of Representatives, responded enthusiastically in emphasising the ethereal connections with the great British traditions, of which Australia was a continuation:

> It will long be treasured by the people of Australia as one of their most sacred historic possessions...
>
> It speaks also, from the historic associations connected with it, of the great statesmen who have spoken and offered their views before such a chair in the mother of Parliaments. We in this land are ever grateful to those statesmen, great men of the past, who by their wisdom, judgment, and foresight have rendered it possible to build up this Empire on the stable foundation of self-governing communities. We are not forgetful of our past. We know, as far as we are concerned in Australia, that the history of our people does not begin from the date of the occupation of this continent by the British. For the proper understanding of our very existence and what rights and privileges we possess, we have to go back to that island across the seas.
>
> When we gaze upon this Chair we shall be ever mindful of those traditions, and will be careful that Australia will derive from this Chair in this building fresh inspirations to enable us to follow in the steps of your great land.[22]

According to Earle Page, leader of the Country Party and deputy Prime Minister the 'establishment of this national capital will do much to promote an all-Australian sentiment' and the tangible links with the past would give Australia a higher inspiration:

> The material of which the Chair is constructed, quite apart from its beautiful workmanship, makes it of special interest to us. Part of its wood we understand has been drawn from Westminster. It will always be a reminder of the wisdom of the statesmen of that great Parliament, and the eloquence of its orators...
>
> [The Victory ...] is of special interest to us. The sight of British oak, drawn from that source, will not only remind us always of the steadfast character of the British people, in prosperity or adversity, but also of the national victory of Trafalgar, as the outcome of which the Empire has had undisputed supremacy of the seas for the last century and a quarter. ... We feel that a Chair, drawn from such sources, will afford inspiration to our statesmen, and assist us to build

gradually a tradition which will be not unworthy of those with which the mother of Parliaments endowed us at the beginning of our national existence. [23]

Black History and a New Building

If the citizen crosses the road in front of old Parliament House and looks to the distance across Lake Burley Griffin, the War Memorial can be seen at the foot of Mt Ainslie. Immediately to the left a demountable shed stands between the citizen and the statue of George V. The shed, a small companion tent or sometimes two, a few pieces of furniture and a 44 gallon drum for a fire, are the contemporary incarnation of the Aboriginal tent embassy, first established in 1970. The tent embassy was funded initially by 10,000 sales of Ted Egan's $2 song *Gurindji Blues*, sung by the young Galarrwuy Yunipingu who was the translator of the Yirkala petition, later chair of the Northern Land Council and Australian of the Year in 1978. With Wenten Rabanta he presented the Burunga statement to Prime Minister Hawke in 1991. He is also brother to Mandaway Yunipingu, the lead singer of *Yothu Yindi* and another Australia of the Year in 1992. So both Mandaway and Galarrwuy have a formal presence in the Parliament in that they are recorded in the book of Australians of the Year on display in the foyer of the building.

But the the *Gurindji Blues* was written and recorded in another era. It is about the longest strike in Australian industrial history at Lord Vestey's Wave Hill station, near the Victoria River, in the Northern Territory. Although the Gurindji stockmen were paid in rations not wages they went on strike to recover their land. The strike was eventually resolved as Gough Whitlam symbolically poured a handful of sand into the cupped hands of Vincent Lingiarri as a gesture of the return of country. The Gurindji Land claim was the first achieved under *The Northern Territory Land Rights Act* 1976. But that was later, for when the embassy was first established in 1970 it was abruptly removed with force by New South Wales police who were brought into the Australian Capital Territory as 'specials' by the McMahon Government to deal with the 'problem'. The legendary Redfern figure Mum Shirl spoke to her biographer Roberta Sykes of her experience of the embassy.

> What I saw up there would put a shock onto anyone . . . It was most unexpected that the police would begin to belt up the women. They punched them, knocked them to the ground and then jumped on their guts. I couldn't believe my eyes. All this was taking place right outside the Parliament House, that great white building where I was told the laws were made and the country governed.[24]

The tent embassy is now a shed embassy (also dubbed the 'ATCO embassy') and is a feature of the museum and gallery which is old Parliament House.[25] The explanation for the presence of that shed/embassy is painted on a sign on the side of the shed in English and Chinese. A permanent sign on the lawn

welcomes visitors inside. The word *Sovereignty* is written in big blue letters on the side of the shed. The ambassadors of the Aboriginal embassy have casually, yet deliberately, appropriated the crowning word of British imperial destiny, the defining term of the British monarchy and the central concept of British state. Nearby a chain-wire fence surrounds the decaying base of the statue of the former Sovereign, George V. So what does 'sovereignty' now denote? Australian sovereignty, as a matter of constitutional faith and political principle, is much contested. Was it achieved in 1901 with Federation? Or in 1942 with the adoption of the Statute of Westminster? Or in 1986 with the Australia Acts?[26] Whatever the political provenance of the term, the word and the concept of *sovereignty* now alludes to Aboriginal land and self-determination not to the crown, the monarch, primogeniture and patrilineal succession. Public land may still be called crown land but it is no longer terra *nullius*.

That scene—the Sovereignty sign and the neglected statue of the Sovereign—is a marker of changing times. The old Parliament House was abandoned, its trappings of Empire were all left behind, except for the mace, the black rod, the despatch boxes of the House of Representatives, some wigs and gowns and other bits and pieces. An extended debate even took place over the demolition or preservation of the building. Former Prime Minister John Gorton favoured demolition at one stage. Once its existence was thankfully secured, the debate continued over its use as a museum, government offices, an art gallery or something else. It has subsequently become a museum and a gallery and maintained its rightful place in the the Parliamentary triangle, on the 'axis of the nation', between the new Parliament and the War Memorial and amongst the National Library, the National Gallery, the High Court, the National Science Centre, the War Memorial, Treasury and Foreign Affairs and Trade. It is an important pavilion in the Canberra theme park of 'Australian Democracy and National Identity'.

Above the entrance of old Parliament House are two coats of arms, the Lion and the Unicorn and the Kangaroo and the Emu. In notable contrast the new Parliament House displays just one coat of arms, one version is above the public entrance and another above the ministerial entrance. Designed by Robin Blau, they are made of stainless steel and 'based on the skeleton-like designs of Aboriginal rock paintings'.[27] No British coat of arms is evident in the new Parliament. No portraits of the Queen or symbols of British state are observable. John Dowie's bronze statue of a somewhat wind-blown leaning Queen stands in Queen's Terrace outside the Queen's Cafe but no other image of Her is to be readily seen in the building.[28] The main spaces are called the Members Hall and the Great Hall not King's nor Queen's Hall.

The systematic removal of images of the Queen and Empire from an Australian parliamentary presence was thus achieved achieved in moving House, but the process began earlier. One of Whitlam's first acts as Prime Minister was to remove the Queen from the spines of Parliamentary Debates.

From this:

Commonwealth of Australia
Parliamentary Debates
Representatives
10 October to 26 October 1972
21 Eliz 11
Volume House of Representatives 81
27th Parliament 2nd session
Commonwealth Parliamentary Library

To this:

Parliamentary Debates
Representatives
27 February to 29 March 1973
Volume House of Representatives 82
Pages 1-953
1st Session 1st Period
Australian Parliamentary Library

Becoming Australian

The new building and its trappings speak in Australian idioms about identity as expressed in the landscape, through Aboriginality and in multiculturalism, according to the strictures of new history. The rewriting of Australian history thus has a physical tangible presence. The most notable presences in the building are the collection of artwork and the structural decorations which resound with the references to Aborigines and the Australian landscape. Multiculturalism was the theme of the opening ceremony and is featured in the building. The issue of gender equality is not as evident and is a source of continuing debate.

Multiculturalism, although much contested in the 1980s, informed the theme of the opening ceremony. Consistent with the official imperatives of the bicentenary, diversity was celebrated. The religious ceremony was ecumenical and the blessings were spoken in several tongues. Prayers were offered by: The Most Reverend EB Clancy, Catholic Archbishop of Sydney; his Eminence the Most Reverend Stylianos, Primate of the Greek Orthodox Church of Australia; Rabbi Ronald Lubofsky, Senior Minister of St Kilda

Hebrew Congregation; Dr MA El-Erian, Chief Adviser to the Federation of Islamic Councils of Australia; The Most Reverend John Grinrod, Primate of Australia and Anglican Archbishop of Brisbane; The Reverend Ian Tanner President of the Uniting Church of Australia. Prayers were recited in English, Greek, Hebrew and Arabic.

The musical program was ethnically diverse. The *Royal Anthem* was played, followed by the *National Anthem* and *On the Banks of the Condamine*, Other songs and tunes were performed including something called a 'quodlibet' of Australian tunes and folk songs including *Bound for South Australia, Billy Barlow, Moreton Bay, The Convict Maid, The Drover's Dream, The Dying Stockman, The Shores of Botany Bay and The Stockrider's Song*. So the Australian Legend was well represented. Performances in the Forecourt, prior to the opening, included Franklyn B Paverty, a Canberra bush band; Sirocco, a folk ensemble who play a prodigious variety of ethnically diverse music; the Aboriginal Islander Dance Theatre and John Williamson, with his true-blue Australian argot. The official program was an expression of diversity; participation was an act of inclusion and active multiculturalism.[29] The opening ceremony stressed that the making of the building was of the people by the people and for the people. The texts on the building also make the point about the many cultures represented by workers on site during the construction stage. 'Reflecting the ethnic diversity of the country, the work force of some 10 000 was drawn from more than 30 cultural backgrounds.'[30] The figure *thirty* appears somewhat randomly chosen as the current public document *Australia's Parliament House*, available at the introduction desk in the foyer, has inflated that number to 'workers from 50 different ethnic backgrounds'.

Multiculturalism is also a theme of the Parliament House collection of artwork which speaks about national identity. If names suggest ethnicity then there is a multicultural presence in the purchased artwork: Seham Abi-Elias, Judith Alexandrovics, Jonas Balsaitis, Loius Buvelot, Heja Chong, Gunter Christman, Augustne Dall'Ava, Lucia Desi, Sigi Gabri, Rafael Gurvich, Stanislaw Halpern, Euen Heng, Vincas Jomantus, Franz Kempf, Theo Koning, Les Kossatz, Johannes Kuhnen, Bruno Leti, Steven Lojewski, Klaus Moje, Jon Molvig, Heinz Moritz, Setsuko Ogishi, Timo Panjunen, Sergio Redegalli, Julio Santos, Marc Sauvage, Jan Sensbergs, Mitsuo Shoji, Hiroe Swen, Immants Tillers, Hahn Tran, Vicki Varvaressos, Danila Vassilieff, Barbara Zerbini. Also there is Bill Brown, Geoffrey Brown, Jan Brown, Leonard Brown and Mike Brown.

Landscape and Aboriginality are strong elements in the imagery of the Parliament and thus are indicative of the new times. The indigenous presence is an attempt to redefine Australia in a post-colonial world. 'The

evocation of the land is central to the Parliament House collection'.[31] Australian woods are used throughout the building except for ebony in floor in the Great Hall. The marquetry of Australian flora by Retter and Bishop is featured in the entrance hall and in the cabinet room. Arthur Boyd's painting of a bush scene was turned into a tapestry of Australian wool. It hangs in the Great Hall. The colours of the chambers are Australian bush and central desert colours of green and red. Mandy Martin's painting in the Main Committee room is a vast imaginary brooding landscape of the desert and the coastline meeting. Marea Gazzard's *Mingarri (little Olgas)* in the Ministerial courtyard, Ewa Pachucka's sculpture *Fossilised architectural landscape*, David Wright's stain-glass *Dream of birth in a landscape* and Sally Robinson's *Kakadu* are some of many representations of the land.

So the practice of using Australian materials, Australian artists and Australian craft-workers was adhered to where possible, but limits were reached. The columns in the entrance hall represent Australian trees but as no Australian marble of a suitable quality was available the importation of blond and green Italian marble was necessary. Geological nationalism had to give way in that instance to superior European quality. *Australia's Parliament House Information Sheet* claims that '90% of the materials used in the construction of Parliament House are Australian'. That may be so, but it is reminiscent of an incident involving Gough Whitlam, a speech, a reception and a glass of champagne. After making a speech about Australia and nationality Whitlam was observed to prefer a glass of French champagne to an Australian vintage. He was challenged on this apparent inconsistency Gough, paused, sipped and replied 'Yes, but when it touches my lips it becomes Australian'. *Vin Gough!* So it is with Italian marble. It becomes Australian.

The Art of Reconciliation

The Aboriginal presence in Parliament House is large and layered. According to *Expressing Australia*.[32]

> The Aboriginal song of the earth resounds through the building, strongly voiced in the major commission of the Forecourt mosaic, an ancient tradition, fabricated for the first time in solid granite, and echoing in paintings on canvas and bark from central Australia and in unique ceramic work by Thancoupie.

A resounding presence of Aboriginal art and politics in the building seeks to compensate for what Toni Robertson refered to in the title of a 1985 artwork purchased by the Parliament. Robertson's screenprint is entitled *Economic Landscape No 3, The marginalisation of Aboriginal people*. Numerous figures are pictured in a landscape, the central characters are businessmen in shirts and ties being filmed by a TV crew, Aboriginal people and the Aboriginal flag

are grouped in the far distance and in the near foreground, the print is framed with a repeated Department of Social Security logo, *DSS*. The marginalisation of Aborigines has been strenuously addressed in the purchasing and curatorial policies of the Parliament House collection.

Unlike the old building, which had no Aboriginal presence, the new Parliament is replete with political and artistic artefacts Aboriginal Australia. The largest and most immediate image from Aboriginal Australia is Michael Tjakamarra Nelson's mosaic on forecourt of Parliament House. Nelson's mosaic dominates the forecourt of the Parliament while the original canvas from which the design was copied hangs in the Prime Minister's office at the opposite end of the building. On public display under glass are the *Yirrkala Petition* of 1963 from Nabalco on the Gove Peninsula in Eastern Arnhem Land which was the formal beginnings of the Land Rights movement. The *Barunga Statement* of 12 June 1988, which was hung in Parliament House on 20 December 1991. Its unveiling was Prime Minister Hawke's final act as Prime Minister. The statement was presented to the Prime Minister by Gularrway Yunipingu for Northern Lands Council and Wenten Rabuntja for Central Lands Council and in unveiling it Hawke said that, 'There shall be a treaty negotiated between the Aboriginal People and the government on behalf of all the people of Australia'. An indication of the presence of Aboriginal people in the building is outside the office of Aboriginal Affairs Minister Robert Tickner is an Aboriginal Flag and a small gallery of art including Western Desert dot painting, six carved animals from Pitjantjantjarra lands of central Australia among them a snake and a goanna, and two carved Tiwi Island figures. On the shelves of the Library is another monument to Aboriginal Australia. With the fourteen volumes of official report and the formal response by government is the proceedings of the Deaths in Custody royal commission. The red-bound proceedings are recorded in 149 folio-size volumes of evidence bound, which take up 4.5 metres of shelf space. Nearby are the 47 reports to date on land claims in the Northern Territory.

Wesley Walter's portrait of Senator Neville Bonner (Liberal Queensland 1971-1983) hangs among the collection of the Historic Memorial Committee along with Prime Ministers, Speakers, Presidents and notable members of Parliament and Royal personages. The general collection of artwork is well stocked with Aboriginal art in a traditional style. Many Aboriginal artists are represented:

Peter Bandjuljul, (Djinang people)

Johnny Bulun Bulun (Ganalbingu people of Central Arnhem land)

Tony Dhanyula (Buyuykuilmirri/Liyagawumirri people)

Djawida, (Gunwinggu people)
Durndiwuy Wanambi (Dhuwal people)
Walter Ebatarinja
Harry Mauraguda (Gunwinggu people)
George Milpurrurru (Ganalbingu of Central Arnhem land)
Bob Bilinjarra-Nabegeyo (Gunwinggu people)
Albert Namatjira (Arente people)
Alexander Nganjmira (Gunwinggu people)
Robin Nganjmira (Gunwinggu people)
Thompson Nganjmira (Gunwinggu people)
Jimmy Pike (Walmadjari people)
Thancoupie (Thanaquith people)
Michael Tjakamarra Nelson (Warlpiri people)
Maxie Tjampitjinpa (Warlpiri people)
Uta Uta Tjangala (Pintupi people)
Clifford Possum Tjapaltjarri (Armatyerre/Arrernte people)
Paddy Carrol Tjungurrayi (Warlpiri/Arrernte people)
Two Bob Tjungurrayi (Warlpiri/Loritja people)
Willie Tjungurrayi (Pintupi people)
Charlie Tarawa Tjungurrayi (Pintupi people)

The presentation of Aboriginality is also found in Ray Arnold's image of Jack Davis and an excerpt from Davis' poem *Integration* from another era in bureaucratic arrangements.[33] The image hangs in the public cafeteria and is available as one of the five Parliament House prints, sold at nominal price to allow visitors to have access to some artistic images of the Parliament. Davis' poem is an evocation of the puzzlements and misunderstandings of black-white relations and of the possibility of clarity:

> Let these two worlds combine,
> Yours and mine.
> The door between us is not locked,
> Just ajar.
> There is no need for the mocking
> or the mocked to stand afar
> With wounded pride
> Or angry mind,
> Or to build a wall to crouch and hide,

To cry or sneer behind.

This is ours together,
This nation—
No need for separation.
Its tome to learn
Let us forget the hurt,
Join hands and reach
With hearts that yearn.

Your world and mine
Is small.
The past is done.
Let us stand together,
Wide and tall
And with God will smile upon us each
And all
And everyone.

The representation of Aborigines in the Parliament House collection takes place in the context of changing beliefs about Australian history. The past is redefined in order to more adequately understand the present. In the case of Australia's black history the task was identified by Whitlam in his speech in the Blacktown Civic Centre on 13 November 1972 which began, 'Men and Women of Australia ...

> Let us never forget this: Australia's real test as far as the rest of the world, and particularly our region, is concerned is the role we create for our own Aborigines. In this sense, and it is a very real sense, the Aborigines are our true link with our region. More than any foreign aid programme more than any international obligation which we meet or forfeit, more than any part we may play in any treaty or agreement or alliance, Australia's treatment of her aboriginal people will be the thing upon which the rest of the world will judge Australia and Australians—not just now but in the greater perspective of history. The world will little note, nor long remember, Australia's part in the Vietnam intervention.[34]

Whitlam had adopted Lincoln's words at Gettysburg, 'the world will little note nor long remember what we say here, but it can never forget what they did here'. For Whitlam, the Vietnam war would be little remembered in the greater perspective of history compared with the question of the treatment of Aborigines and Lincoln's proposition that all people must be created equal.

During the debate on the Native Title Bill the remark was often made that such legislation on behalf of Aboriginal people is commendable, but an indication of a real change would be the arrival of legislators who were

Aborigines to take their place in the Parliament. The anecdotal response to the artwork by Aboriginal people visiting the Parliament is consistent with that remark. The recognition of the presence and prior occupation of Aboriginal people in artwork, the Yirkala petition and the Baranga statement is commendable, but power is the issue. Similarly, the debate about women in political life and in the Parliament is about symbolic and actual presence.

A Woman's Place

The long-running Senate display 'Trust the Women', curated by Ann Millar, recorded the presence of women in the Commonwealth Parliament.[35] The 1993 *Parliamentary Handbook* lists 37 female Senators and 23 female members of the House of Representatives since federation. To that date there have been a total of 446 Senators and 880 members of the people's house. That is 60 women from a total of 1326 since 1901. In the thirty seventh Parliament, fifteen female Senators and thirteen female members of the House of Representatives were elected. Three women have joined the Parliament since 1993 the election.

The belief that the ALP has promoted women far more strongly than other parties is not demonstrated by the figures. Of the sixty female MPs to 1993, there have been 25 ALP, 22 Liberals, seven Democrats, three Greens, one Nuclear Disarmament, one independent (labor) and one National.[36] As a proportion of total members representing the party (since women first entered the Parliament) all parties but the Country/National Party must be ahead of the ALP.

In 1992, of 43 surveyed countries of women in the lower house, Australia was nineteenth behind Bangladesh 10.3%, Canada 13.2%, China 21.3%, Costa Rica, 12.3%, Cuba 33.9%, Czechoslovakia, 25.4%, Germany, 20.5%, Great Britain, 9.2%, Hong Kong 11.5%, Israel 9.0%, Netherlands, 22.7%, Norway 35.7%, Philippines 8.9%, Poland 9.1%, Spain 13.4%, Switzerland 17.5%, USSR 15.7% Unites States 10.8%. Women in the upper house, Australia at 25.0%, was third only to former Czechoslovakia 29.3% and the Netherlands 28%.[37]

The presence of women in the Parliament is emerging as a major issue of equality, fairness and cultural expectation.[38] Marian Simms regards the recent revival of interest by political science in processes of preselection to be inspired by feminism.[39] The obvious question is 'why so few women?' In seeking an answer Simms rejected the simplistic market account which relies on a model of supply and demand which must conclude that either there are not enough women who are willing to run for office or there is an insufficient demand by the parties for female candidates. According to the market model,

equilibrium is reached simply when the electors have chosen. Like all versions of the market model, the power of other structural and ideological factors are ignored in the over-arching self-satisfying logic of supply and demand. Simms regards the market model as simplistic and takes the question of the absence of women in Parliament much further—to address what she refers to as the 'iron law of andrachy'—and the 'range of factors which have restricted the participation of women in parliamentary politics'. Simms' empirical research is sustained by a more general cultural critique advanced against the masculine domination of state and corporate institutions and the gendered control of public space. She persuasively argues that the dominant interpretation of parliamentary politics in Australia uncritically maintains an account based on sex roles rather than an analysis of the gendered nature of institutions. The difference between sex role and gender accounts lies in a conception of the nature of politics rather than in the sex of the participant. Interpreting *what* is done and understanding *how* it is done are the revealing questions rather than simply asking *who* is doing it. A gendered analysis brings other questions to bear on how politics is prosecuted rather than how many happen to be wearing frocks.[40] A gendered account would question the Parliament's absence of child care facilities; the combative, antagonistic character of debate; the celebration of the cults of leadership and mateship; the media obsession with domination, strategy and personality rather than policy, achievement and delivery.

Dame Enid Lyons found when she entered the Parliament in 1943 that there were no toilets for women. Janine Haines, on leaving in 1990, complained that while the plumbing was differently arranged not much else had changed. The facilities for women are still not adequate. For a building which has been constructed with such attention to detail and function the lack of child-care facilities in the original plan must indicate a gendered architectural plan. Would female architects have omitted a dedicated child-care area? While the advertising of Parliament as a national monument to be visited when in Canberra emphasises the parents room, but the Parliament has no child care for working parents in the building.[41] However, Lizzy Walters, the long-standing Hairdresser to the Parliament, says that business greatly increased with the influx of female members and staff from the late 1980s. If hair-care is gendered then, by rights, business ought to improve.

A Queen's Man?

Perhaps the most subtle and indicative example of the shift from Crown to Nation is the changed imagery and legitimation of the Governor-General. The Governor-General is of course part of the Parliament as the

representative of the Crown. Section 1 of the Constitution vests the legislative power of the Commonwealth in the Parliament 'which shall consist of the Queen, the Senate and the House of Representatives'. Section 2 identifies the Governor-General as 'Her Majesty's representative in the Commonwealth' who 'shall have and may exercise in the Commonwealth during the Queen's pleasure, but subject to this Constitution such functions and powers of the Queen, as Her Majesty may be pleased to assign to him.' Since Sir John did his duty, as Sir Garfield Barwick put it, the office has changed. Sir Zelman Cowen, Sir Ninian Stephen and Bill Hayden were shrewd appointments who have shrewdly operated. Sir John Kerr was the last Viceroy (as Gough Whitlam calls the Governor-General) to wear top hat and tails, with sash and decorations. The cartoonist Ron Tandberg of the Fairfax press made great play of those accoutrements of office. In ridiculing the office, cartoonists added to the pressure to remake the institution. No more epaulettes, cocked hats, sashes and gongs. The Governor-General now mostly wears a sensible business suit. Similarly Gordon Reid, Davis Macaughey, Roma Mitchell and James Plimsoll pursued the same strategy as state governors. A subtle but profound shift has taken place in the symbolism of the heads of state. The Governor-General is now the Australian people's representative to the Queen and *he* personifies the nation. He is no longer the Queen's representative to the Australian Parliament.[42]

The comparison of the contending imagery of the role can be seen in the official photographs in the 1993 *Parliamentary Handbook* of the Governor-General and the Administrator. The Administrator deputises in the Governor-General's absence. The Administrator, His Excellency General Sir Philip Harvey Bennett Governor of Tasmania, is pictured in full military and official regalia, jet black uniform with red and gold collar, heavy gold embroided epaulettes with crowns and bars, thick gold woven lanyard on his right shoulder, eight medals (some with clasps) and five insignia on his breast, a gold and crimson sash at his waist and a ceremonial sword held in a white-gloved hand. Sir Philip's honours and decorations are listed on the opposite page with his career details: Commander of the Order of Australia, Knight Commander of the Order of the British Empire, Distinguished Service Order, Knight of the Order of St John of Jerusalem. The preceding photograph is of the Governor-General. The Honourable Bill Hayden is pictured in a business suit with a small pin in his lapel. His career is detailed on the opposite page and he lists among his interests, avid reading, music, golf and fly-fishing. Mr Hayden is the first Australian Governor-General who is not a Knight, Baron, Viscount, Earl or Duke. Then, as Mr Hayden said, 'The Governor General should be put in his proper place—as a ceremonial figure on leave from the Merry Wives of Windsor'.[43]

The historic party differences between Labor and conservatives concerning the persona of Governor-General and the Governors is linked to the history of emergent autonomy. Labor appointees to the office have caused more disquiet than conservative government appointees. Sir Isaac Isaacs, appointed by the Scullin government, was controversial because he was Australian born. Sir William McKell, appointed by the Chifley government, was controversial because he had been an ALP state leader. Bill Hayden, appointed by the Hawke government, was controversial for the same reason, but less so than those predecessors. 'Australianising' the office has accompanied the gradual campaign of disengaging the Constitution from Britain as appeals to the Privy Council have been progressively discontinued since the late 1960s and the *Australia Acts* 1986 severed remaining ties.[44] The physical presentation of public figures has also been construed as an indicator of real Australianess. Ben Chifley famously did not own a dinner suit, and the book of the 50th anniversary of the ALP derided Sir Richard Casey for his eighteen suits and compared him with a real Australian dressed in work clothes and a battered felt hat. Couture was an indicator of the class war. Sir John Kerr's morning dress, top hat and tails thus became a political target so the trappings of office change. According to Galligan,[45]

> the dignified as well as the the efficient parts of the English model have evolved to suit Australian popular sentiment . . . The previous Governor-General, Sir Ninian Stephen, articulated his primary symbolic function not as representing the Queen in Australia but as representing 'the Australian nation and people'.

Galligan records that Sir Ninian Stephen's successor Bill Hayden emphasised that the office was becoming more Australian and in his view it now represents 'the cohesiveness of Australian society'. The domestication of other symbols was coterminous with the shift in the perception of the office of Governor-General. Other changes have occurred. Imperial honours were replaced with Australian honours by successive state and Commonwealth governments in the 1980s, a change which was seemingly endorsed by a request from the Queen.[46] A new oath which omitted reference to the Queen was used for the first time at the 1994 Australia Day citizenship ceremony.

Symbolic politics affects the nature of Australian institutions from official oaths to private protests, from the most formal official portraits to the most expensive national monuments. George Steiner is right in that societies define themselves—find a voice—in listening to echoes from the past. Yothu Yindi's *Tribal Voice* helped define the relationship between black and white Australia in the aftermath of the Deaths in Custody Royal Commission, in the aftermath of *Mabo vs Queensland No 2* and as the *Native Title Act 1994* came into being. Aboriginality is a strong theme in the decorations of the new and Permanent Parliament House while the only Aboriginal presence at the

old House was the illegal shanty of the tent embassy. The change is symbolic. As Steiner put it, 'the echoes by which a society seeks to determine the reach, the logic and authority of its own voice, come from the rear'. In becoming Australian it depends on those voices to which we might listen. So while identity is one of the two themes of Parliament House the other is democracy, the expression of democratic values. The remaining chapters address the question of the reach the logic and the authority of the Parliament in the general context of an Australian democratic culture.

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1. George Steiner *In Bluebeards Castle: Some Notes Towards a Re-Definition of Culture*. London: Faber and Faber, 1971, p. 13. TS Eliot *Notes Towards a Definition of Culture* London: Faber and Faber, 1948.
2. Don Watson, cited in Tom Griffiths 'Past Silences: Aborigines and convicts in our history-making' *Pastiche: Reflections on 19th Century Australia* Penny Russell and Richard White eds, Allen and Unwin: Sydney, 1994, p. 7.
3. Russel Ward *The Australian Legend* Sydney: Angus and Robertson, Sydney 1958, pp. 1–2. See also Tim Rowse *Liberalism and Australian National Character* Kibble Books: Malmsbury, 1978.
4. From, Henry Lawson, 'The Mountain Splitter' *Collected Verse* vol 1, 1885-1900 Colin Roderick ed, Angus and Robertson: Sydney, 1967, p. 30.
5. Russel Ward *The Australian Legend* : pp. 1–2.
6. See for starters, Marilyn Lake 'The Politics of respectability: Identifying the masculinist context'. *Historical Studies*, Vol 22, No 86, April 1986. and Elaine Thompson, chapter five in *Fair Enough Egalitariansim in Australia*, 'The other side of Mateship', pp. 132–154.
7. Ernest Scott, *The Short History of Australia* Melbourne: Oxford University Press, 1916. p v. For an account of Scott's contribution to making Australia see Stuart Macintyre, *A History for a Nation: Ernest Scott and the Making of Australian History* Melbourne: Melbourne University Press, 1994.
8. For a brief account of the renovations of the New-Left see Rob Pascoe, *The Manufacture of Australian History* Melbourne: Oxford University Press, pp 139–160.
9. Manning Clark, 'Forward' in Humphrey McQueen, *A New Britannia* Ringwood: Penguin, 1970.
10. Francis Adams *Australian Essays* Melbourne 1886. p. 33.
11. Daniel Henry Deniehy's phrase inspired one of the five Parliament House prints which are available to the public at the nominal price of $2.
12. The origins of mateship in convictism are explored by Robert Hughes *The Fatal Shore*. for an account of women in Australian history see Patricia Grimshaw, Maralyn Lake, Ann McGrath & Marian Quartly, *Creating Australia: 1788–1990*. McPhee Gribble: Ringwood, 1994.
13. Reynolds is quoting a drover from early twentieth century recollections. Henry Reynolds *Frontier* Allen and Unwin: Sydney, 1987, p. 70.
14. Jan Pettman *Living in the Margins* Sydney: Allen and Unwin, 1994.
15. Quoted in Fulford *Hanover to Windsor* p. 176.

16. Bertram Mackneils statue was unveiled on 9 May 1927.
17. Journals of the Senate 9 May 1927. reprinted in *An Introduction to the Australian Federal Parliament* Prepared under instructions from Senator the Honourable Sir Alister McMullin KCMG President of the Senate Angus and Robertson: Sydney, 1959. pp. 118–119.
18. Robert Cooke *The Palace of Westminster: Houses of Parliament* Burton Skira Ltd London, 1987. King Richard II paid for the rebuilding of the Hall by forcing affluent subjects to sign a blank charter (cheque) which would afterwards be filled in with a figure the King thought appropriate. Sir Thomas Haxey criticised the Kings fiscal methods and was condemned to death and only saved after intervention by a number of Bishops on his behalf. p. 30.
19. The Great Hall of Sydney University, built in 1859 by William Blacket, is an echo of Westminster Hall in the ceiling construction, proportions and atmosphere.
20. Parliament of the Commonwealth of Australia, *Report on the Presentation of Speaker's Chair Canberra*, 11 October 1926, Empire Parliamentary Association, Government Printer, Melbourne: 1926 pp. 6–7
21. Parliament of the Commonwealth of Australia, *Report on the Presentation of Speaker's Chair Canberra*, p. 2
22. Parliament of the Commonwealth of Australia, *Report on the Presentation of Speaker's Chair Canberra*, pp. 9–11.
23. Parliament of the Commonwealth of Australia, *Report on the Presentation of Speaker's Chair Canberra*, p. 14
24. Roberta Sykes *Mum Shirl* Melbourne 1981, p. 79. Mum Shirl is Colleen Shirley Perry MBE, a leader of the Aboriginal community and a worker on behalf of Aboriginal people in Sydney. Sykes was arrested at the tent embassy in 1970. In 1994 she was given the Australian Human Rights Award in recognition of 30 years work for the cause. Also during 1994 a portrait of Mum Shirl and her children was exhibited in old Parliament House in an exhibition in the National Portrait Gallery marking the International Year of the Family.
25. *Canberra Times* 13 May 1994. Article and photo about the removal of the Atco embassy.
26. The Australian Constitution is untidy on some of these matters as while Australia now has 'complete' constitutional autonomy, certain constitutional provisions still notionally allows the Queen to exercise her powers under the Constitution. Section 59 states: 'The Queen may disallow any law within one year from the Governor-Generals' assent, and such disallowance on being made known by the Governor-General by speech or message to each of the Houses of Parliament, or by proclamation, shall annul the law from the day when the disallowance is so made known.'
27. *Australia's Parliament House Information Sheet*. The 'skeleton-like' paintings are known as X-ray painting by the Gagaju in Arnhem Land.

28. Dowie's bronze was a commissioned gift not from any agency of the state but from a private organisation the Order of Australia Association. Thus the Parliament had no direct commissioning role. Official invitation to the Opening of Parliament House Canberra by Her Majesty the Queen Monday 9 May 11.00 am. Cover has Australian Coat of Arms and the interior had a line drawing of the building and flag pole and no crown or royal insignia.
29. Program for the Opening of Australia's Parliament House by Her Majesty the Queen 9 May 1988.
30. *Australia's Parliament House: The Meeting Place of our Nation,* p. 8.
31. *Expressing Australia* p. 10.
32. *Expressing Australia* p. 27.
33. Jack Davis 'Integration' *The First Born and other Poems* Angus and Robertson: Sydney, 1970.
34. Graham Freudenberg *A Certain Granduer: Gough Whitlam in Politics* Melbourne: Macmillan, 234.
35. Ann Millar *Trust the Women* Department of the Senate: Canberra, 1993.
36. Six members changed party designation like Dame Enid Lyons, UAP-Liberal and Janet Powell Democrat-Independent. I have placed them according to their major affiliation.
37. Barbara J Nelson and Najma Chowdhury eds *Women and Politics Worldwide* Yale University Press, New Haven, 1994, p. 774.
38. For accounts of women in politics in Australia see Marian Sawer 'Locked Out or Locked In? Women and Politics in Australia', Barbara J Nelson and Najma Chowdhury eds *Women and Politics Worldwide* pp. 73–91. and Ann Curthoys 'Australian Feminism since 1970' *Australian Women: Contemporary Feminist Thought*, Norma Grieve and Ailsa Burns eds Melbourne: Oxford University Press, 1994, pp. 14–28.
39. Marian Simms, 'Women and the Secret Garden of Politics: Preselection, Political Parties and Political Science', *Australian Women: Contemporary Feminist Thought*, Norma Grieve and Ailsa Burns eds Melbourne: Oxford University Press, 1994, 236–248 p 240.
40. In September, 1994 the ALP introduced a national policy to nominate women in 35% of winnable seats by the year 2000 with variations above that figure in state branches (Tasmania 40% and the ACT 50%). The Democrats have more women than men in the Senate and the Greens Senators have all been women. The Liberal Party is similarly seeking female candidates but not applying any formal requirements. The National Party Womens Federal Council meeting in September 1994 listed the issue for discussion but the main National Party 1994 Federal Conference 'Rebuilding the Family—Rebuilding Australia' listed no agenda item pertaining directly to women.
41. 'Parliament House Canberra: come in and be dazzled' says the advertisement. 'Excellent disabled and parent facilities ... World Class Architecture and Your Seat of Government'. *This Month in and around Canberra* November 1994, p. 3.

42. To date no woman has been appointed Governor-General. Two women have been appointed as State Governors.
43. *The Age* 14 November 1981.
44. Brian Galligan 'Australia' in *Sovereigns and Surrogates: Constitutional Heads of State in the Commonwealth*, David Butler and DA Low eds New York: St Martines Press, 1991 pp 61–107.
45. Galligan, 'Australia' p. 61, quoting Sir Ninian Stephen from 'Depicting a nation To its People' *Weekend Australian* 7–8 January 1989.
46. Galligan 'Australia' pp. 62–64.

5

The Culture of Democracy

And the Cult of the Anniversary:

Australia 87: East Timor 3

In keeping with the late-modern obsession with anniversaries, the year 1994 is deemed to be the 2,500 anniversary of the birth of democracy. That conventional reason alone, meaningless as it is, should be sufficient justification to look at the Australian polity and to pose questions about claimed democratic credentials. As part of the ritual of the anniversary the date itself cannot, of course, pass uncontested and Simon Hornblower has challenged the truism that Athens was the birthplace of democracy in 508 BC. He stirs the possum by citing Plutach's *Life of Lycurgus* which describes participatory government in Sparta a full century ahead of Athens. Sparta allowed for the exercise of popular sovereignty in regular assemblies by 600BC and probably earlier.[1] If Hornblower is correct then we have missed the anniversary by a century. Notwithstanding the debate over dates, 1994 was also the centenary of the universal franchise in South Australia, the tenth anniversary of compulsory voting for Aborigines, the twenty fifth anniversary of Woodstock and the man on the moon, the fiftieth anniversary of the birth of the Liberal Party and the invasion of Normandy and the nineteenth anniversary of the invasion of East Timor. Democracy, like war, needs its dates lest we forget 11 November.[2]

Marketing strategies alone invite a discussion of democratic values against the backdrop of historic pageantry. Channel Four in Britain has accordingly produced a television series on the history of democracy for the anniversary while the ABC produced both a television and a radio series for the fiftieth anniversary of the Liberal Party. Scholarly pursuits also now require marketing strategies as the demands on our collective and individual attention, public and private finances, personal and institutional patience, require a convincing justification. An anniversary is the contemporary superior reason to write, speak, display and levy a charge. Grabbing and holding the attention of even the interested bystander has an urgency as information overload, too much noise and the mediocrity of most messages hinder even the good citizen's attempt to be sufficiently well informed to give active consent to the state. Information must be well designed to get the message over in the allotted 15 minutes, at most. For broadcast news the recommended allowance for television is 30 seconds and perhaps 15 seconds for radio while ten column centimetres for print will have to do the job. However, the marketing strategy of the *anniversary* justifies the extended reflective moment, the feature article, the special issue, the documentary and the commemorative book of the series. A specially struck medallion and a T shirt are sure sales. There is no yet known T shirt of 2500 years of

democracy, but there is one for the centenary of the women's vote and one which commemorates two hundred years of T shirts for Land Rights. The T shirt, with slogan, is the brief mass media equivalent of the book; both are commodities with something to say which do better with a plausible marketing strategy in a round number, as the Constitutional Centenary Foundation seems well aware.

Anniversaries are a good enough reason to question democratic history and the current situation. There are better ones, however, than the conceit of a manufactured occasion; namely the necessity of eternal vigilance to keep the bastards honest. If left to a marketing strategy alone, the cycle of inquiry would only be determined by the happenstance of the notable anniversary rather than the inherent value of the question. Nevertheless, to mark the 2500 anniversary of democracy, *New Statesman and Society*, asked the questions about the global state of democratic achievement and published the results as a democracy audit.[3] All countries of the world, and several disputed provinces, are ranked with a percentage score according to a set of democratic criteria. The worst cases are Iraq and Afghanistan which score 3/100 only. Also on 3% is East Timor. The magazine notes in regard to East Timor that 'perhaps 200,000 inhabitants have been killed by the Indonesian army using modern British and US arms. No independent groupings allowed and elections seem inconceivable.' Just ahead of the three worst cases are Equatorial Guinea (4), Sudan (4), Somalia (4), Syria (5), Haiti (5), Burundi/Rwanda (5—before the genocide), Tibet (5), North Korea (5) and Tajikistan (6). The best are Finland (90), Iceland (89), Austria (89), Portugal (89), New Zealand (89) and Greece (88). Australia comes equal seventh with a score of 87%, tied with France, Germany and Switzerland. The usual comparative countries, the United States (84) and Canada (84), were behind, Ireland (86), Luxemburg (86), Malta (86), Denmark (85), Norway (85) and Sweden (85). The United Kingdom scored 75, which was equal 41st place overall, with Poland and Uruguay and behind *inter alia*, Spain (84), Costa Rica (82), the Czech Republic (82), Hungary (82), Belize (80) Italy (79), Trinidad and Tobago (79), Japan (78), Grenada (78) and Benin (77), and just ahead of Botswana (74), Argentina (74), Mongolia (73) and Nicaragua (72).

The New *Statesman and Society* democracy audit was conducted by a panel of academics, journalists and human rights campaigners, who assessed every country and a few enclaves of doubtful status, Iraqi Kurdistan, Kashmir and East Timor. The methodology of the survey involved applying a check-list of ten factors to minimise subjectivity: (1) free, fair and frequent elections for the head of government; (2) free, fair and frequent elections for the legislature; (3) a wide franchise with high turnout; (4) open political discussion and education on participation and citizenship; (5) freedom to

organise political groups; (6) freedom of expression and freedom of the media to criticise the government and present a wide range of opinion; (7) an opposition with the opportunity to put its case to the people; (8) rights for minorities and the opportunity for their participation in the political processes; (9) an independent judiciary, the rule of law and protection from arbitrary arrest and torture; (10) social and economic rights to property, association, choice of residence, and reasonable living standard. A 'weighting' was added for 'special factors' of inconvenience like famine and war.

The democracy audit is of course fraught with methodological difficulties which are usually judged so considerable that the quantitative task is more comfortably avoided. Many organisations, both government and non-government, from Amnesty International and Greenpeace to the World Bank, the International Monetary Fund and innumerable state agencies, regularly undertake specialist qualitative internationally comparative surveys which cover all things from human rights and criminology to environmental protection, economic activity and consumer confidence. For instance a 1994 World Bank survey ranked Australia fifteenth on the table of competitive economies on the assumption that the higher on the table the better. This type of economic survey is familiar.[4] Yet, such a bold and simple idea as the democracy audit is uncommon. While the measurement is a rough guide only and the margins can be debated the comparisons are nevertheless still useful. The possibility of any country tumbling down the register is far more likely than a rapid rise. Like the opinion polls of Australian parliamentary politics, the fall from grace is more easily achieved than sublime ascension. The Australian result in the democracy audit is creditable with room for improvement. Institutions aside, surely once the weather is taken into account, Australia would come perhaps third after Portugal and Greece.

Agents of Democracy

But how is democracy to be assessed in Australia by Australians for Australians? As argued Parliament House as a building makes bold claims about the its overall place in the scheme of things and about nature and status of democracy. The question which must follow this claim is obvious, does it tell the truth? Is the Parliament the necessary and sufficient condition of democracy in one country? An objective of this essay is to distinguish the parliament from democracy and to place the institution in the wider context of the corporate-bureaucratic-state with the purpose of identifying more clearly both the character of the Parliament and the democratic qualities of the Australian polity. Frequently democracy and the Parliament are discussed as if they are co-extensive, as if they are one and the same, as if

democracy is the Parliament and the Parliament is democracy, as if the Parliament is the necessary and sufficient condition for democracy. Australia claims to be a democracy and indeed, by most measures, is a democracy but, as if to contradict this commonplace point, the Parliament is often analysed as a captive of executive government, unable to function properly because of the power of the party system, or the power of capital or the power of the bureaucracy or because of other structural constraints. The remaining chapters address these questions and seek to place the Parliament in the general context of an Australian democratic culture.

Democracy is not an easy concept to adequately express briefly. It can be as broadly conceived as the history of the life-world and as narrowly defined as an empirical report on the particular institutions of particular states. Raymond Williams identified the shifting respectability of the appellation of 'democracy' over time. For Plato and Aristotle democracy carried potent dangers and was not to be encouraged. The Diggers and Levellers of seventeenth century England, inspired by a theological equality, were initially encouraged by Cromwell then efficiently crushed. Even by the late-nineteenth century the term *democrat* carried little approbation in polite society. At the time of the drafting of the Australian constitution the democrats were often damned as interfering with good government; they were a menace those who were prudent, practical and sensible. Democrats in late Victorian times were akin commies in the 1950s, hippies and women's libbers in the 1960s, peaceniks in the 1970s and greenies in the 1980s. They were tolerated barely by the ruling class but considered at best gauche at worst revolutionary. But we're all democrats now. *New Statesman and Society* began its 1994 audit with the amazing, unqualified yet seemingly true proposition that 'every country claims to be democratic'. Even the most despotic regimes invoke the will of the people even in selectively exercising murderous policies against them. The legitimating liberal myth of consent, when exercised by the state, has been extended into a justifying some terrible depredations of the soul.

In English speaking world, since the restoration of Charles II in 1660 or alternatively since the *coup* against James II in 1688, the parliament has been the key institution of the state, however ill-assembled. According to David Judge, 'So comprehensively did parliament occupy its central position in the state's institutional structure that in 1689 its legal supremacy was asserted within that structure, thus effectively consigning the monarch and the courts to a subordinate position.'[5] One of the measures of the enduring centrality and dominance of the parliament in the democratic state is the tendency to neglect other measures of democracy in favour of a continuing analysis of the entrails, organs, limbs, mind, psyche, and soul of that body.

The debate about democracy, often confined by the confined epistemologies of facts-based political science, dwells in narrow estimations of the character of parliament. The parliament is readily evaluated because it is an identifiable enduring thing which can be measured. The facts about the institution are more obviously examinable than questions about the nature of democracy. The nature of democracy is less susceptible to empirical testing than the numbers in parliament. Criticism of the parliament is also easier to sustain than an interrogation of the lived democratic experience. Democracy is messy, it is fluid, contingent and culturally dependent, but the parliament is concrete, glass and numbers. Rigorous testing requires something which can be rigorously tested. So the rigorous diagnosticians of democracy examine the parliament for stress fractures and transparency before perhaps laying blame for a chronic condition of decline.

While the parliament is necessary, it is not a sufficient condition of a democracy. Parliament and democracy are not co-extensive; they need to be separated conceptually and methodologically. The perception that parliaments are failing can partly be explained in the realisation that they are not delivering what they promise. Parliaments lay claim to a central place in society and the state and make bold claims about their importance as the essence of democracy and the expressions of the nation. Yet there is disquiet about their role and effectiveness. There is disbelief about the parliamentary propaganda of inclusion and representation. They are not delivering because while they claim a central position in the democratic society they are systematically fettered, suspended within a corporate bureaucratic state, unwilling and unable to break free of that condition. Attempts at reform, prompted by shrill attacks, are periodic and ineffective.

The Australian Parliament is not what it could have been for a number of reasons. Parliament fulfils a range of functions of which representing the people is minor, close to vanishing point, yet that function is proclaimed as the *raison d'etre* of its being. Australia has achieved a democratic condition and maintains it through two factors apart from the sheer existence of the national parliament. First, a culture of democracy has developed. Second, a set of democratic institutions and practices exist outside parliament. The common interpretive practice, in texts about parliament, is to run these two points together with the fact of representative government as if there were a necessary relationship between them.

This essay is not about the internal organisation of the parliament, its mechanisms or essential features, it is about the concept of democracy and the place of the parliament in a culture of democracy. Individuals who occupy the place will be quick to defend the institution in the solipsistic error that a criticism of the institution is a criticism of the individuals who inhabit the

institution. The parliamentary virtues of individual members is not the issue as they are structurally unable to solve the problem. The point is that there are structural reasons which explain the condition of the parliament which are derived from the complexity of government in an internationalised corporate state.

The Canberra Times 11 October 1994

Minister dismisses Amnesty criticism

The Minister for Foreign Affairs, Gareth Evans, has rejected Amnesty's attack on the Government's record on human rights in East Timor. Amnesty's secretary, Pierre Sane, said there was no evidence Australia's 'quiet diplomacy' on human rights had any impact on countries like Indonesia.

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1. Simon Hornblower, 'The Creation and Development of Democratic Institutions in Ancient Greece' in *Democracy: The Unfinished Journey 508 BC to AD 1993* John Dunn ed, Oxford University Press: Oxford, 1993, pp. 1–16.
2. Next year is also the 500 anniversary of the founding of the Ignorantine—an order founded in 1495 by the Bretheren of Saint Jean de dieu to minister to the sick poor.
3. 'Bite the Ballot: 2500 years of democracy' *New Statesman and Society* Vol 7, No 300, April 1994.
4. *Financial Review* 8 September 1994.
5. David Judge, *The Parliamentary State* Sage: London 1993 p. 195.

6

Political Physicians

And the Diagnosis of Democracy

'Democracy is good. I say this because all other systems are worse.'
Jawaharlal Nehru

'It has been said that democracy is the worst form of government except for all those other forms which have been tried from time to time.'
Winston Churchill

'Democracy is the name we give to people each time we need them.'
Robert Flers:

'Democracy simply means bludgeoning of the people by the people for the people.'
Oscar Wilde

'Democracy can lead to a terrible muddle and should be restricted. '
John Elliot
[Former Federal President of the Liberal Party, The Age 17 March 1988.]

World's Worst Practice (Except for all the Rest)

Most people seem to be worried about the Parliament. That is, most people who answer survey questions or write learned books and informed articles in academic and opinionated journals. Under inquiry, who would lean back, feet on the desk, stretch and say: 'Yeah, the Australian Parliament's humming—you know—world's best practice'?

Political scientists, constitutional lawyers, political journalists, parliamentarians and parliamentary officers are seemingly all cautious about the operations and effectiveness of parliamentary government. Differing opinions come with differing reasoning and, as Tom Paine said of the English constitution, 'every political physician will advise different medicine'.[1] Poor general health is often the diagnosis and chronic illness often the second opinion. The main argument being put by political scientists is that modern liberal parliamentary systems, including Australia, are not delivering what they promised. The great modern movement for popular sovereignty, built on foundations in mass industrial society, has delivered institutions which have gradually become available to popular occupation arguably in proportion to the gradual diminution of their effective power. The tendency to treat the parliament as an effective self-contained institution, free to freely determine outcomes, ignores the imperatives of international political economy and the leviathan of labyrinthine bureaucratic state-power. Despite the mystifications of liberal consent theory, which are so well propagated in Australia, the parliament is not an institution somehow free to act on popular will. This implicitly is recognised in the question always put by the media following the budget and all major policy statements: 'What does the market think?' The people get a chance to think at the next election—and not before—so the registration of an anthropomorphic market response is more direct, more urgent and of more concern than the response of that other great modern abstraction, 'the people'. The personification of the market into a sentient creature, to be interrogated for an opinion, is exemplary of the contemporary saturating cult of finance capitalism.[2]

This chapter is concerned with the general arguments which are advanced about the short-comings and failings of the parliamentary system and the extent to which the debates about parliamentary democracy are divorced from a more proper appreciation of the meaning of democracy. The limits of representative democracy as generally experienced in parliamentary systems need to be recognised in addressing

the particular difficulties which face the Australian parliament as there is a widespread belief, amongst political scientists and parliamentarians, that the parliamentary system is not performing as it should. There is a deep anxiety about the role of parliament, both inside the institution and outside. The relevance of parliament is questioned as is its relationship with other arms of government. Australia, confronted with the malaise of parliament, is not alone as representative institutions in western countries are generally under criticism. Or, to restate the proposition in reverse, if comparable institutions are criticised for failing to deliver the promises of liberal democracy, why should the Australian parliament be exempt? If the parliament is in decline is that an inexorable condition?

Segments of the Parliamentary State

The problems of modern representative institutions cannot be resolved through the application of simple stipulated solutions. Reports, essays, books and lectures may identify a range of intractable issues and lament the lack of action. If only 'common sense' was used (whatever that is) and simple good will was exercised, then the chronic problems could be resolved. The parliament is a complex institution and is not reducible to such simple solutions. Scholars who study the parliament are often reluctant to draw sweeping conclusions, or even draw general propositions about problems and solutions, in explicit recognition of the complexity of the issues and the institutions.[3] The problem of accounting arises, in part, because the parliament is not a single institutions, but a collection of competing institutions, inhabited by actors who structurally have contending interests. The parliament is usually spoken of and written about as if it is a whole single thing. Yet under close critical examination, it is fragmented, it is a collection of several bodies. As an institution it is less than the sum of its parts and arguably is no more than the building itself. It is a set of institutions with the same postal address linked by corridors, glass walk-ways and constitutional imperatives.

The segmentation of the parliament in Australia is even an architectural feature, as the symbol in the hill inhabits three buildings on the same site which are joined by space-station walk-ways and common vaulted spaces. The parliament is a collection of separate bodies which, when grouped together, are called the parliament. 'Parliament' is a collective noun for disparate constitutional entities: The Queen and the Governor-General, the Prime Minister, the Cabinet, the House of Representatives, the Senate, the committees, the parties, the officers, the five (or perhaps soon four) parliamentary departments and the workers.[4] They collectively comprise the parliament, but it is not a collective body in

any operable sense. The parliament is a 'they' not an 'it'. They are not really engaged in any collective endeavour other than its primary operational function—the linking practice of passing laws—sausage making, as David Lovell put it, borrowing Bismark's tribute to the mysterious production of legislative smallgoods, 'Laws are like sausages. It is better not to see them being made'.[5] Parliament is a set of institutions which more or less occupies a common venue and centres on law making. Just as a university is a set of people with a common grievance about parking so the parliament is a set institutions with a common cafeteria.

Nevertheless parliaments are written about in the critical literature when teasing out the relationship between democratic principles and the institution. A developing international literature now reconsiders and recontests the place of the parliament in the democracy. Much of the highly theoretical Left and New Left critiques of bourgeois democracy is now considered otiose. Writing in 1989, at the time of the fall of the Wall, John Keane argued that: 'Actively functioning parliaments are a necessary condition to democratic regimes, precisely because of their capacity for provoking public debate, criticising governments and resisting their monopoly and abuse of power ... This point ... is seriously neglected by the insurrectionary socialist tradition'.[6] Trotsky had influentially rejected such revisionist views as 'parliamentary cretinism'. With the 1989 collapse of the regimes of the Eastern bloc, whether they be regarded as proletarian democracies, embryonic socialist societies or distorted state-capitalist dictatorships, the western debate about institutional democracy was mercifully freed from the tainted red herrings of the Eastern alternative. Eastern European regimes were not a viable alternative and their disappearance allowed a new focus on the nature of democracy. A growing critical literature can now place parliaments in wider economic contexts of state power and the limitations of representative democracy can be more clearly identified.[7] In Australia the debate about citizenship, democracy, inclusion, state-power and economic reform now takes place without reference to socialism. Few would regard the Hawke-Keating regime as a socialist government and the word is evaporating from the political vocabulary in Australia.[8]

In considering the place of parliaments in late-modern states, the reasonable and obvious assumption is initially made that complex internationalised polities cannot be run by direct popular will. The claims for 'democracy' and 'representation' so earnestly made by legislatures and legislators can therefore be no more than statements of good faith and good intentions. Parliament serves many functions but the primary claim of representing the people, as somehow a distillation of democracy, cannot

plausibly be maintained. One of the important roles, and one which leaves the parliament open to criticism, is that its formalism as a debating place is only a theatrical device of the thoroughly administered state. Executive and bureaucratic power has long eclipsed legislative power so the expression of the people's representatives in the formulation of policy and law is a myth of the liberal state. In different terms over the past decade, Arblaster, Bowles & Gintis, Dahl, Duncan, Dunn, Gould, Green, Held, Hirst, Judge, Macpherson, Mendus, Norton, Pateman, Phillips and Williams amongst a host of others have brought a heavy critique to the liberal voluntarist myths of the people's legislature running a consensual neutral state.[9]

An Elective Dictatorship?

A resonant, captivating phrase which distils the contemporary parliamentary state is Hailsham's remark that Britain is an 'elective dictatorship'. Jean Jacques Rousseau's original 1776 opinion was updated by Quinton Hogg Hailsham in 1978, who is worth quoting at length:

> I have never suggested that freedom is dead in Britain. But it has diminished, and a principal cause of its impairment has been, in truth, the absolute legislative power confided in Parliament, concentrated in the hands of a government armed with a parliamentary majority, briefed and served by the professionalism of the Civil Service, and given a more than equal chance of self-perpetuation by the adroit use of the power of dissolution. When such a government is indoctrinated with the false political doctrine of mandate and manifesto, or when it is perpetuated in office until a suitable moment for dissolution occurs by an unprincipled bargain by another party equally threatened with electoral defeat, the expression 'elective dictatorship' is certainly not a contradiction in terms, though it may contain an element of meaning of where we are heading rather than a statement of despair at where we have arrived.[10]

This idea, 'newly' expressed by Hailsham is nonetheless an old thought which Rousseau had advanced in 1776 in *The Social Contract*:[11]

> The people of England regards itself as free; but it is grossly mistaken; it is free only during the election of members of parliament. As soon as they are elected, slavery overtakes it, and it is nothing. The use it makes of the short moments of liberty it enjoys shows indeed that it deserves to lose them.

Plus ca change.

In analysing the British parliament in the entire political-social-corporate-bureaucratic economy David Judge called his book *The Parliamentary State*. However, his 'is not a book about the internal workings of parliament'. Judge writes that it is time to again take parliament seriously by revitalising the older tradition, exemplified by

Laski, Low and Redlich, of locating parliament within a state system and within a wider context of political forces and ideas.[12] He too is concerned with the big picture:

> The large questions, the wider horizons of politics—of the state and the exercise of state power—have often been avoided or forgotten. Indeed, it is instructive to note that there was once a British academic tradition which posed grand questions, which sought to locate parliamentary development and the contemporary operation of parliament within the context of wider political forces and ideas.

Judge separates the concepts of democracy and representation from the parliament. Parliamentarism, he writes, is derived from the representative assembly which is at 'the heart of the state system'. The surrounding 'historical principles of representation consent, limited and legitimate government, intrinsically have little to do with democracy'. Over the centuries, the parliamentary state, the liberal democratic state, has appropriated these principles and welded them in the institution of the parliament as if it democracy was thus magnificently achieved *tout court*. The principle of representation was fused with consent which combine to legitimate government policies and allow for a change of regime. The executive is thus joined by the conduit of the assembly, however representative, with the political nation. The political regime is thus legitimated. The parliament as a representative body does not derive its legitimacy from its powers, but from the notion of consent being transmitted through parliamentarians to the government which acts. The formative events of history and a continuing memory of them is the device of enduring legitimation. The theory of the state and authority which is thus derived becomes the constitutional rock on which the houses of parliament are built. Magna Carta, The English Civil war 1640s, the triumph of the parliament (read 'people' in modern times), the glorious bloodless revolution of 1688, the act of union 1701, the expansion of the franchise in the nineteenth and early twentieth centuries, the trimming of the power of the House of Lords in 1911 and 1949, amongst other important moments, become the stuff of legitimate government. Judge is concerned with the limits of democracy and the opportunities which the parliamentary state creates. Quoting Beetham, he concludes that 'the representative institutions of liberal democracy "have proved necessary to the survival of democracy in the era of mass politics"'.[13]

The Australian political legacy is historically inseparable from that experience, but also departs from it as Australian institutions developed from the achievement of self-government, the extension of the franchise to men then women, Federation, the introduction of proportional representation in the Senate, the abolition of the white Australia policy

and the inclusion of all Aboriginal and Torres Strait Islanders on the electoral roll. The facts of history are interpreted within a theory of the state from which constitutional principles are derived and parliamentary practices are developed, sustained by a machinery of government and the juggernauts of law and the security forces. Thus modern democratic government in the Anglo-Australian tradition is achieved!

The Limits of Representative Government

Part of the anxiety over the role of the parliament is that the contending parts which comprise it are in constant institutional conflict. The parliamentarians are themselves members of government or of opposition parties, ministers, aspiring ministers or backbenchers, and nearly always subject to rigid party control. Governments and party hierarchies are unwilling to empower the parliament with sufficient power to challenge the executive or the party leadership, although the Senate Committee structure is doing that haltingly. However, both the House of Representatives as an institution, and the Executive as a centre of power, are *prima facie* hostile to the Senate. Furthermore the ALP has objected to the Senate for almost a century. Thus Keating's coy wooing:

> You want a Minister from the House of Representatives to wander over to the unrepresentative chamber and account for himself. You have to be joking. Whether the Treasurer wished to go there or not, I would forbid him going to the Senate to account to this unrepresentative swill over there...[14]

The Prime Minister does not imply perforce that the lower house was somehow 'representative swill'. The next day he famously called the Senate 'a pack of pansies'. So, school children and grown-ups get upset about question-time and mistake theatre and rhetorical wrestling for law-making and public policy work. The duty of Parliament, under section 51, is to make laws for the 'peace order and good government of the Commonwealth'. Given the expanding scope of judicial review is may just be possible in the future to successfully challenge any law on the basis that the parliament has not actually achieved good government.[15] At present this clause of the Constitution is not considered justiciable and the High Court would surely desist from such a usurpation of legislative power. The public expresses disquiet about good government when there are antics in the House. In an attempt to counter the perception of disorder, the Parliament seeks to promote a deeper public understanding and places great stress on its dignity and authority. Amongst other things it maintains a Parliamentary Education Office and funds the annual Political Studies Fellowship to teach and write about the parliamentary system. But Parliament is perhaps protesting too loudly about its meaning and symbolic importance in order to compensate for a lack of

power and to give false expression to inclusion and participation. Parliaments in general are struggling with problems of participation, processes and authority. The Australian Parliament is not unique in this respect. The general failings of parliamentary systems have been forensically examined by Paul Hirst his book *Representative Democracy and its Limits*.

Hirst crucially distinguishes democracy from representative democracy as experienced in modern western polities. He acknowledges the historical and localised importance of direct democracy and emphasises the point that decision-making on that model, although effective, cheap and empowering, can only work on very small scale communities. Hirst reiterates the unequalled might of representative democracy as a mode of legitimating government action. Representative democracy is such a powerful tool for legitimating the actions of government that no serious politician, even having just lost an election, will question it. Democracy is deemed an unquestionable good and representative democracy is identified with democracy. To challenge the dominant idiom appears to be political heresy, but such a challenge perhaps needs to be mounted in the name of democracy. The dominant idiom—representative democracy as democracy—arguably serves to legitimate modern big government and to restrain it hardly at all, with the qualification that the Australian form of government on this count is more restricted than the Westminster model, as the division of powers and the separation of powers are more potent devices under the Australian Constitution.

Hirst, like Nugget Coombs, grapples with the difficulty of giving expression to the meaning of democracy and settles for the sentiment of 'government by the people', bolstered by a claim for pluralism which recognises the variety of mechanisms and even a variety of doctrines of democracy for its maintenance. For Hirst, there is an elemental distinction between the democracy and representative democracy. The distinction is, he recognises, almost always lost except to political scientists who worry about that sort of thing. The commonplace level of political discourse, where the legitimation of existing institutions is politically effective, persists in a sublime disregard of academic political science and abstract political theory. The legitimation of existing institutions of representative government as 'democracy' *tout court* is an obstacle to reforms which could make modern government more accountable, and therefore more effective. The contradictions between democratic doctrine and modern governmental practice need to be

appreciated for, however obvious they may be to the academy, they have barely registered with most political practitioners or citizens.

In trying to illuminate the distinctions between democracy and the particular form of contemporary representative democracy we experience, Hirst makes three points which relate to the Australian situation. First, that the distinction is lost between the selection of people at election and the selection of a body of policy and law that is subsequently enacted. In choosing candidates there is an assumption of choosing the policies, thus the contentious idea of a *mandate* develops, which is sometimes used in Australian political discourse. The voters select some of the persons who make law and decisions but the citizens cannot choose the decisions. The rejection of personnel at elections is only conditional on the narrow choice of other persons selected by party organisational processes. The policy choices at elections are usually narrow and the great homily of electoral politics is sustained that governments lose elections, oppositions do not win them. An election is only a choice between a small set of given alternatives determined by the major party structures. While the people's choice is an expression of popular will about candidates, it cannot be a choice about policy and law.

The second point that Hirst makes is that if governments are popularly elected then they are able to maintain the belief that policy and law will tend not to offend individual rights because the will of the majority is being enacted. In the Australian context, this is the Benthamite calculus that government is about providing the greatest happiness for the greatest number. Similarly, if rights are only determined by consent then the infringement of rights will be rare. This argument is tied to the older proposition, maintained by Robert Menzies amongst others, that the Parliament is the guardian of rights and a Bill of Rights is neither desirable nor necessary.

Hirst's third point about the contradictions between democracy and representative democracy concerns electoral systems. There is a circularity in representation. There is no way of testing the representativeness of one system without comparing it with another. There is no pure system according to Hirst. Instead there are packages. The alteration of components of the package will change the outcomes. In the packages consist of voting systems, electoral boundaries, degrees of suffrage, types of assembly and laws governing political parties. In the Australian case may be added the richness, complexity and depth of the federal system and inter-governmental relations. Furthermore, in the Australian situation there are contending claims of legitimacy which are inherent contained in a federal system in which the states and the people

of the states are represented in the Commonwealth Parliament. Also the Senate is empowered through an elaborate and precise electoral system which gives it a quality of representation different to, and arguably superior to, the two-party-preferred electoral system of the lower house. Australian representative democracy also allows the decisive interventions of judicial review. An alteration to any of these components will change the outcomes considerably. Thus the package idea of representative democracy is a rich idea in assessing the democratic nature of the polity.

According to Paul Hirst 'parliamentarism and representative democracy are a creation of nineteenth-century liberalism struggling to cope with the political realities of the late twentieth century.'[16] He continues:

> [W]e all know there is no such thing as democracy pure and simple, even if we restrict the meaning of the concept narrowly to representative government. On the contrary, we constantly contest the meaning of the word democracy and in doing so accept that there is a wide variety of political mechanisms concealed behind it.

Democracy means a broadly agreed combination of political mechanisms, voting systems, types of representative assembly, forms of control of governmental agency, and regulative and constitutional-legal framework. Such combinations have either definite deliberate political consequences or are endorsed because of the effects they are perceived to have, which is to keep regimes in power:

> Such combinations of political forces are never even-handed; they represent different political forces more or less adequately; they may virtually prohibit others from being formed; they give governments greater or lesser power etc. 'Democracy' is an eminently questionable good in the sense that different institutional frameworks favour different social and political forces, *but* the *status quo* is attacked and defended in terms of claims to its being less or more 'democratic'.

There is an excessive concentration on types of electoral systems in calculating democracy. Thus the debate is limited and a general comprehension of the overall system accordingly suffers.

> Such debate centres on the who can vote, how often, by what mechanisms, and for what candidates. It takes as the primary objective the selection of personnel to form the membership of rule and decision making bodies. But seldom it takes the objective further and assesses democraticness by what those representative personnel do. That is obvious—they make rules, laws, decisions, etc., according to the constitutional procedures laid down.

While the arguments of Judge and Hirst are addressed to British politics, they are readily translated into the Australian political context.

Australian political scientists have worried about same questions: HC Coombs in *Return of Scarcity*, John Matthews in *Age of Democracy*, John Burnheim in *Is Democracy Possible?*, Carole Pateman in *The Problem of Political Obligation*, Gaze and Jones in *Law, Liberty and Democracy in Australia.* Academic writers have long addressed these problems. The Parliament of Australia accordingly has an identity crisis. This crisis is no different in general terms from that of any institution of representative government, with only local variations. The next section is concerned with some of the arguments about the parliamentary state in Australia, and is particularly concerned with the limited nature of the debate of the meaning of democracy in Australia. Hirst's criticism of representative democracy in general, that it is excessively concerned with electoral systems is applicable in Australia as other important measures of a democratic state are lost. The omission is not just a scholarly sin but is repeated in the signal reports by responsible agencies and special bodies, like the Constitutional Centenary Foundation which specifically commission defining accounts of the Australian parliamentary state.

Democracy and the Australian Parliamentary State

The general sense of malaise about Parliament, and its uncomfortable fit with the promise of democracy, is reproduced in the Australian context about the Australian situation. There is a broad recognition that, with exceptions, Australia is a politically lucky country. The obvious exception has been and continues to be the social, political, economic and health conditions of indigenous people. They remain 'the unlucky Australians', as Frank Hardy called his 1969 book on the Gurindji. A second possible exception to a general Australian political good fortune was the 1975 constitutional crisis which briefly threatened the institutions and practices of the parliamentary state. Yet the seeming absence of any serious lasting effect of that crisis is perhaps more good luck. It may also be too soon to tell. The trap can still be set. Despite the torrent of constitutional and political literature on the rights and the wrongs of 1975 the contest, twenty years later, can be declared a technical draw, a matter for judgement.[17] The precedent is available for the Governor General and the Senate, but the negative consequences would suggest a repeat performance would best be avoided. As the Queen of England and Australia only maintains reserve powers by not exercising them, so perhaps this is the case with the Governor General. A third exception is the potential disaster to those who are the long-term unemployed, in being effectively disenfranchised, permanently impoverished, doomed to a

cycle of dependency and interred within the forms and files of state agencies; they are the DSS lifers. But still, they can always vote differently at the next election if they are unhappy.

Even with these qualifications, the parliamentary system in Australia is not celebrated by most writers. Scholarly books on parliamentary democracy and commissioned reports on the nature of institutions are uncertain in approaching the question of what democracy in Australia means and how the Parliament fits. A dubiousness about the Parliament is evident. If any overall judgment can be construed from the literature which worries over the Parliament, the collective view is that while the system still functions tolerably well, the tendencies are worrying. There is, however, a great missing question. If, for a range of reasons, the Parliament is *not* democracy in action then what does democracy mean in Australia? What have Australian writers said about the nature of democracy in Australia? When this question is posed generally there remains an enveloping silence.

Graham Maddox has written broadly and well on Australian politics and democratic theory. He writes authoritatively about the western intellectual and political tradition and endeavours to apply that diagnosis to the contemporary Australian situation. 'In order to assess the quality of Australian Democracy' writes Maddox in his book *Australian Democracy* 'it will be useful to point out some styles of democracy from the tapestry of the tradition. We shall then be in a better position to fit the Australian experience into the wider backdrop'. He allots space to an extensive assessment of that backdrop and concludes that:

> Nor is there any satisfactory definitions of democracy, since its term is the paradigm case of the 'essentially contested concept', or one about which there is no agreed meaning. This is not to say, however, that the word lacks content; in fact it is one of the richest concepts in the heritage of political thought. It was invented by the Greeks but to the it was a label for a complex set of institutions, customs, practices and values which were themselves the product of a considerable history.[18]

Maddox then gives a thumb-nail sketch of types of democracy: direct, classical, contractual, pluralist and participatory. This is preparatory to an account of Australian democracy, but he donates only one and a half pages to that topic! After a long preparation the central question of the meaning of democracy in Australia remains undeveloped. The rest of the book is about the parliamentary state, and covers the usual topics; constitutionalism, federalism, government and parliament, parties leadership, groups, ideas and doctrines. So, again the same problem is encountered. The central question about the nature of democracy is

avoided in an extended treatment of the institutions of the parliamentary state. Maddox writes about democracy thoughtfully and at length, but 'Australian Democracy' gets short shrift.

Who owns The Parliament?

Yet another extreme is David Solomon's book with the reassuring, if perhaps complacent title, *The People's Palace: Parliament in Modern Australia* which is about the functions of the Parliament and contains virtually no discussion of the concept of democracy in Australia. For Solomon, Parliament is democracy. The book is an introductory text on the functions and organisation of the Parliament in which the central contestable claim in the title is not addressed, except in one paragraph in the last page but two. 'Critics complain', wrote Solomon at the last gasp, 'that the parliamentary system no longer plays its proper role in the political processes of the nation'.[19] He then listed a score of problems which the Parliament chronically experiences and concludes that 'developments in the past decade or so have met many of these criticisms.' The Parliament was once upon a time failing because [deep breath]: It rubber stamps legislation proposed by the government and the pubic service; discourages private member bills and rarely approves such bills; is dominated by political leaders who similarly dominate election campaigns; is overwhelmed by considerations of party; individual members cannot be heard and make no impact on party determinations; pressures of work and time mean that legislation is not adequately scrutinised; too much legislation is delegated to the executive and subsequent regulation-making cannot be scrutinised by Parliament; increasing secrecy in government affect defence and foreign affairs issues; the majority party dominates committees and parliament does not sit long enough in the year. Such criticisms are comprehensive and enduring. Have they really been solved in recent years? Solomon's book is clearly intended as an introductory text on the parliament, but his blithe conclusion is contrary to much of the developing analytical accounts of the relations between Parliament and democracy.

Solomon in his last paragraphs advances a republican argument for the Constitution and the Parliament and reiterates the hoariest oldest chestnut (or is it a gumnut?) about democracy and government. A liberal nostrum is maintained and propagated about the Parliament that it somehow belongs to the people. If this is true at all then it is in the most remote and abstracted form. Such consent is surely an abstraction like Hobbes' cession of original consent to the Sovereign, or the doctrinal commission of original sin, or the patriotic dying done in the trenches for

God, England, Harry and St George, or the individual citizen's authority over the police who are servants of the state which is administered through acts of Parliament and responsible ministers who govern as the people's elected representatives who are accountable through the democratic process of free and fair elections. These are legal, moral and political fictions. The people surely do not have a sense of owning the Parliament any more than they have a sense of owning the Hume highway, or the Westgate bridge, or parking meters, Blue Poles, light poles, 51% of a Qantas 747, the local post office, or the Telecom tower on Black Mountain. These things are owned by the people in an abstract sense, but there can be no direct sense of control over decision-making or even necessarily of effective access. The people who come to Parliament House are called *visitors*. While the parliamentary security people comment anecdotaly that visitors are impressed and have a clearer sense of value for money, there is no suggestion that the people have a sense of ownership of the Parliament or Parliament House. They just visit it occasionally and pay taxes to foot the bill. So Solomon repeats the great myths of the liberal state in his closing lines:

> What is lost sight of is the pivotal importance of the Commonwealth Parliament in the national political system. Parliament alone provides the democratic link in the system. It belongs to the people, not to the Government, not to the state. In Britain the Parliament in the Palace of Westminster won its powers from the king slowly over the centuries. The Constitution of the Commonwealth begins by declaring that the people of the various colonies had agreed to unite in one indissoluble federal commonwealth. This was not mere rhetoric; the proposals were approved in referendum of the people.
>
> In eighty five years since the creation of the Commonwealth, the people's representatives have not always insisted that the Parliament should play its proper role in the political system. But the structure which they have created allows the Australian people to determine just how important their Parliament should be.

The end of Solomon's book is marked by an enigmatic and important question; he seems to disbelieve his own cheery propositions. The structure 'allows the Australian people to determine just how important their Parliament should be'? What does that mean?

Dean Jaensch admonishes us to take notice of the importance of *Getting Our Houses in Order*. Jaensch opens the argument with the assumption that 'there is something very wrong with parliamentary democracy in Australia'. Members of Parliament are often heard to complain about the public reaction to them and the institutions they inhabit. They have cause to be concerned, writes Jaensch.[20] The book is an

acute and challenging treatment of the short-comings and failings of parliamentary democracy, yet the meaning democracy is again taken as given. There is no discussion of that central question. The book is concerned with the relationship between the executive, the legislature and the bureaucracy, with the conventions of Westminster and theories of representation. There is unfortunately no assessment of what democracy may mean.

Interpretation of the relationship between democracy and representative government in Australia is perhaps most disappointing in a text produced by the Constitutional Centenary Foundation with the promising title; *Representing the Parliament: The role of parliament in Australian Democracy*. The opening lines auger well for addressing the elusive problems of democracy:

> Parliament is central to democratic government in Australia. Democratic government means literally government by the people. Many countries, including Australia, accept without question that government must be democratic.

This is a good start, but the report rapidly dissolves into the old shibboleths including the claim that Parliament in Australia is supreme and that it 'ultimately controls the activities of government and the public sector'. Parliament in Australia is not supreme, never has been and was never constitutionally intended to be so. The division of powers, the judicial review powers of the High Court, the reserve powers of the Governor-General and subordination to the party system are deliberate structural barriers to the supremacy of Parliament. This gross error (usually corrected at Pol Sci 1 level) in interpreting the Australian Commonwealth Parliament flows from the obsolete mantra that the Australian system derives from Westminster. This is not so. The Australian system derives constitutionally from North America. The primary constitutional feature of Australian government is federalism, not responsible government. The internal arrangement of the Parliament is of course derived from English habits, but that is a different and more trivial technical matter. All analysts of the Australian system of government should understand this basic point by now. The powers of the Parliament, its overall place in the democracy, what it can do and cannot do, where it goes from here cannot be answered by looking simply to the responsible government model. Nor does Parliament in any operational sense 'ultimately control the government and the public sector'. That claim can only be advanced in the most abstract and notional sense and international financial movements pay scant attention to the alleged ultimate control of the public sector. Understanding the Parliament and

accounting for its role in late modern times is hampered by the repetition of idealisations such as these shibboleths as if they are true. The Constitutional Centenary Foundation report fails to adequately account for 'The role of Parliament in Australian Democracy', as the subtitle announces, because its asks the wrong question. The report inquires into Parliament (yet again) whereas it should have asked what is democracy? Democracy is assumed too easily. Once that question is posed then the associated question can be asked: How is the Parliament central to democracy in Australia? This question is addressed in the next chapter before embarking on the final argument about democracy in Australia.

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1. Tom Paine: 'The constitution ... is so exceedingly complex, that the nation may suffer for years together without being able to discover in which part the fault lies, some will say in one and some in another, and every political physician will advise a different medicine.' So wrote the bourgeois radical Tom Paine in 1776, in *Common Sense* p. 69.
2. I thank Natasha Davis for an extended critique of this aspect of media market fetishism.
3. For a summary see, David Lovell, *The Sausage Makers? Parliamentarians as legislator,* Political Studies Fellow Monograph No 1, Parliamentary Research Service: Canberra, 1994. pp. ix-x & xiii–xviii.
4. At the time of writing a bill was before the Senate, having passed the House of Representatives, with the purpose of merging the Parliamentary Reporting Service with the Library. The Department of the House of Representatives does the house keeping chores for that chamber, similarly the Department of the Senate, the Joint House Department looks after sprinklers, the cafeteria, security and getting the flag up the pole, amongst other coordinating tasks.
5. David Lovell, *The Sausage Makers?* p. viii.
6. John Keane *Democracy and Civil Society* Verso London, 1988 p. 182.
7. The literature of the New Left, especially from Britain in regard to Parliament, influenced by French structuralism and neo-Marxist theories of ideology, interpreted the institutions of the state, especially the Parliament as an instrument of the ruling class. The government, no matter the political colour, was the executive board of the ruling class and electors, alienated people, were structurally unable to abstract themselves from class relations. The recent critical literature mediates structural analysis with an empirically grounded institutional critique.
8. One of the few recent usages of Keating socialist government is in the introduction to Naomi Wolfe *Fire with Fire* Chatto and Windus: London, 1993, p. xiv.
9. Anthony Arblaster, *Democracy* Open University, Milton Keynes: 1987. Samuel Bowles & Herbert Gintis, *Democracy and Capitalism: Property, Community and the Contradictions of Modern Social Thought* Basic Books New York: 1986. Robert A Dahl, *Dilemmas of Pluralist Democracy: Autonomy vs Control* Yale University Press, New Haven: 1982. Graeme

Duncan, ed. *Democratic theory and practice*, Cambridge University Press, Cambridge, 1983. John Dunn, ed, *Democracy: The Unfinished Journey 508BC-AD 1993* Oxford University Press, Oxford: 1993. Carol C Gould *Rethinking Democracy: Freedom and social cooperation in politics economics and society* Cambridge University Press, Cambridge 1988. Philip Green, *Retrieving Democracy: In search of Civic Equality*, Methuen London: 1985. David Held, *Models of Democracy* Polity Press Cambridge, 1987. David Held, *Prospects for Democracy: North, East, South, West* Polity Press, Cambridge, 1993. Paul Hirst, *Representative Democracy and its Limits*, Basil Blackwell, Cambridge: 1990. David Judge *The Parliamentary State* Sage Publications: London, 1993. CB Macpherson, *Democratic Theory: Essays in Retrieval* Clarendon Press, Oxford: 1973. Susan Mendus. Philip Norton, *Does Parliament Matter?* Harvester Wheatsheaf, Hemel Hempstead, 1993. Carol Pateman. Anne Phillips, *Engendering Democracy* Cambridge University Press, Cambridge, 1991. Raymond Williams, *Towards 2000 Penguin*, Harmondsworth: 1983.

10. Quinton Hogg, *The Dilemma of Democracy* , 1978.
11. Jean Jacques Rousseau *The Social Contract* GDH Cole ed, Everyman's Library, JM Dent & Sons: London no date, Book III, Chapter 15, p. 83.
12. David Judge *The Parliamentary State* Sage Publications: London, 1993 p 1. He is citing Harold Laski, *Parliamentary Government in England* Allen and Unwin, 1938; S. Low *The Governance of England* Fischer and Unwin 1904 and J. Redlich *The Procedure of the House of Commons: A Study of its History and Present Form*, Constable London, 1908.
13. Judge, p. 216. D. Beetham, 'Liberal Democracy and the Limits of Democratisation' *Political Studies* Vol 40, 1992, Special Issue pp. 40–53.
14. House of Representatives 4 November 1992 p. 2547.
15. The Australian Constitution Annotated. Compiled and Annotated by the Attorney-General's department Canberra: AGPS, 1980, p. 46.
16. Paul Hirst *Law Socialism Democracy,* Allen & Unwin London, 1986, pp. 109–112.
17. Whitlam now interprets the dismissal as the original moment of late-modern Australian republicanism, the Whitlamite moment. 'A Day of remembrance for irrelevant British monarch', *The Australian* 12–13 November 1994.
18. Graham Maddox *Australian Democracy in theory and practice* 2nd edn, Longman Cheshire Melbourne: 1991. p. 64.
19. David Solomon *The People's Palace: Parliament in Modern Australia* Melbourne: Melbourne University Press, 1986. p. 187–88.
20. Dean Jaensch *Getting Our Houses in Order* Ringwood: Penguin 1986 p. ix.

7

Manque

The Coodabeen Parliament

Manque (manke). 1841 [Fr.,pa. pple. of *manquer* fall short (of).] That [which] might have been but is not.

Those were the Days

The view has been widely promulgated that Parliament is in decline. Since Disraeli, and perhaps before, there has been a recurrent, and often unspecified complaint, about the ineluctable subsidence of the legislature into a condition of chronic irrelevance. Such arguments have been ill-conceived mostly and have been accompanied by a general pessimism about national life and civilisation. The early prophets of parliamentary doom were influenced by a feeling of general entropy exemplified in Osbert Spengler's *Decline of the West*. Modernity and social-democracy, according to this view, were somehow a cause and a symptom of the decay of civilisation.

This chapter is concerned with the common lament that Parliament is in decline, a thesis that is widely repeated yet under analysis is unsustainable. The assumption of decline presupposes an earlier happier brighter succeeding age when men of substance and integrity selflessly deliberated upon the things that matter and arrived at disinterested conclusions in the general interest—it evokes a time when God was an Englishman. The argument of decline infers an elevated innocent past, before the fall. However, the parliamentary furniture in this prior moment included institutionalised racism, restrictive property qualifications for the franchise, plural voting and the exclusion of women from the electoral rolls and elective office. Parliamentary nostalgia of this type contradicts the value of inclusive participatory politics. The provenance of that halcyon memory is surely dubious for these reasons alone. A critique of the shibboleth of decline, and those who peddle that nostrum, does not by default restore the estimation of the contemporary Parliament as a fully realised institution. Another explanation of seemingly permanent disappointment of the Parliament is that it has always been so. The Parliament promises much yet has never risen to that Olympian dignity it hankers. Thus *manque* is a better explanation than decline. Manque meaning 'that which could have been but is not'. The Parliament is a *coodabeen*; that which could have been but is not.

This chapter is concerned, first with the provenance of the decline of Parliament argument. In addressing this argument the intention is to develop the basis for addressing problems with the parliamentary process and the institutional and informal powers of decision-making.

The Decline of Parliament?

AV Dicey, writing in 1900, at the coincident moment when the Commonwealth Parliament was created, was worried that, 'Faith in Parliaments has undergone an eclipse ... the moral authority and prestige of representative government has diminished'. 'Parliamentarism', while not an English term according to Dicey, 'expresses an idea ... namely, the moral breakdown of Parliamentary government.'[1] He thought the causes of the discredit were several; representative government had robbed Parliament of much prestige, expected blessings did not derive from broadened representation, circumstances of modern life divested assemblies of dignity, the tyranny of minorities was a malady and the wishes of the nation were not represented. Finally, Parliaments were performing work for which they were by nature unfit.

James Bryce was a friend and colleague of Dicey. He too was an august and famous Victorian. Now little known, James Bryce was considered among the very few greatest Englishmen, an Olympian elder statesman of Albion and the Empire. He was an archetype that the nineteenth-century historical imagination created, a great man of history. Bryce, through his monumental work of 1885 *The American Commonwealth*, had been the most influential single figure in shaping the collective opinion of the members of the Australian Federal Conventions from which the Australian constitution emerged during the 1890s.[2] *The American Commonwealth* was written in the wake of the Civil War and shows much optimism about the Unites States and its reconstructed institutions. By 1921, Bryce was gloomy about the conditions of parliaments in general and the colonial parliaments in particular, including Australia. In *Modern Democracies* he considered that parliaments had waned:

> Every traveller who, curious in political affairs, inquires in the countries which he visits how their legislative bodies are working, receives from the elder men the same discouraging answer. They tell him, in terms much the same everywhere, that there is less brilliant speaking than in the days of their own youth, that the tone and manners has declined, that the best citizens are less disposed to enter the Chamber, that its proceedings are less fully reported and excite less interest, that a seat in it confers less social status, and that, for one reason or another , the respect felt for it has waned.

These are the now familiar terms of complaint and such opinions are still aired; members are less brilliant, the least best citizens enter legislatures, the debates are poor and general status has declined. The situation, for Bryce, was even worse in the colonies where democracy was more advanced and the lower classes were a bit too uppity for his liking:

> In the new overseas democracies - Canada, Australia, and New Zealand, we cannot, except perhaps in New Zealand, now talk of a falling off for the level was never high. Corruption is rare, but the standard both of tone and manners and of intellectual attainment is not worthy of communities where everybody is well off and well educated, and where grave problems of legislation call for constructive ability.
>
> The spirit of democratic equality has made the masses of the people less deferential to the class whence legislators used to be drawn, and legislatures are today filled from all classes except the very poorest. This is in some respects a gain, for it enables popular wishes to be better expressed, but it makes a difference to Parliamentary habits. In England, for example, the old 'country gentleman', who used to form more than half the house of Commons and from whom many brilliant figures came, are now a small minority. Constituencies are everywhere larger than formerly, owing to the growth of population and to universal suffrage; while the personal qualities of a candidate do less to commend him to electors who are apt to vote at the bidding of a party or because the candidate is lavish in his promises.

Members now include fewer 'country gentlemen' and the newer class of members do not really know how to behave in an appropriately parliamentary manner so the 'Olympian dignity' of legislators is compromised.

> 'Scenes' are made the most of, and the disorders which mark them have made a painful impression. Legislators, no longer conventionally supposed to dwell in an Olympian dignity, set little store by the standards of decorum that prevailed when, as in France and England two generations ago, a large proportion of the chamber belonged to the same cultivated social circles, and recognized an etiquette which prescribed the maintenance of certain forms of politeness ... This stiffening or hardening of the modes of doing business has made parliamentary deliberations seem more and more of a game, and less and less a consultation by the leaders of the nation on matters of public welfare.

Bryce here furnished a classic statement of the decline of parliament and one since reiterated again and again, albeit usually without his assumption of the value to the masses of a host of 'country gentleman'. Bryce's general sentiment has been reproduced in more recent times. An Australian instance of the decline of parliament thesis was expressed by the House of Representatives Standing Committee on Long Term Strategies which published an issues paper in 1992 entitled an 'Inquiry into Australia as an Information Society: The role of Parliament in an age of Executive dominance'. The paper begins with an assumed truism:

> The declining relevance of parliament has become a topic of discussion in recent times. Among the public there is widespread cynicism about many aspects of parliamentary government, and among members of parliament

> themselves a common feeling of frustration and helplessness. Much of the disenchantment stems from the feeling that is the executive which dominates parliamentary proceedings and restricts the capacity of members to debate issues and make decisions.

The paper then quoted a report from the Senate Select Committee on Parliament's Appropriation and Staffing which concluded:[3]

> A common source of concern to all parliaments is the growing imbalance in the relationship between the Parliament and the Executive, the rapidly increasing power and influence of the Executive, the need for Parliament to strengthen its oversight and check Executive activity, and the concurrent need of the Parliament to regain or assert greater independence and autonomy in regard to its own internal arrangements.

The 1988 *First Report of the Constitutional Commission* also asserted unambiguously that parliament was in decline.[4] The argument was asserted as if it were an objective fact. Under the general heading of 'Parliamentary government in Australia', a range of standard objective definitional points were made under a number of subheadings and considered as part of the terms of reference. The subheadings are, as reported: responsible government; the provisions of the Constitution; the courts and responsible government; the Senate and responsible government; the reserve powers of the Crown; the resolutions of the constitutional convention; inter-governmental arrangements; the decline of parliament. The *decline of parliament* was itemised along with the other objective features of 'Parliamentary government in Australia' as if it were a mere fact. There is no suggestion in the Constitutional Commission Report that the concocted idea of the decline of parliament may not fit methodologically with reported and uncontested facts about the structural features of government such as responsibility and constitutional powers. The assumption was stated without even a question mark hanging at the end. The decline of parliament is thus habitually assumed to be a teleological truth. Furthermore, the Constitutional Commission Report did not even address the argument of decline, but placed emphasis narrowly on the relationship between the Executive and the Legislature in the context of the dominance of political parties. Other modes of parliamentary subordination were not considered. In the view of the Constitutional Commission,

> It has often been argued that the system of responsible government ... does not operate as suggested to put Parliament in a position to control the Executive. It is asserted that the power position is precisely the reverse, namely the Government in fact controls the House or Houses which contain a majority of its supporters. This is a result of a number of factors, including the discipline of modern political parties, the extension of statutory power

> given to the Government, Ministers, officials and statutory bodies as a result of the expansion and increasing complexity of governmental affairs, and the power of the Prime Minister to cause the dissolution of Parliament and general election.

The Report briefly noted some important developments which have affected the role and function of Parliament, such as the rise of political parties as a fixture in the parliamentary system, the significance of the Senate committee system and the role of the Ombudsman. The Report concluded that most of the checks on the Executive that have developed have 'not involved any strengthening of parliamentary control.' None of the Commissions eight recommendations relating to 'Parliamentary government in Australia' addressed the question of the decline of parliament. So, in the final instance, the condition of the Parliament in decline was abandoned by the Constitutional Commission as inevitable, untreatable and unexamined.

Political scientists also generally adopt the decline of parliament thesis. Emy and Hughes argue in *Australian Politics: Realities in Conflict,* under the subheading of 'The decline of parliament', that ministerial responsibility depends on the strength of Parliament as an institution.[5] The concept of accountability and the reality of democratic control over the executive are dependent on the strength of the Parliament. For fifty years, they say, the decline of parliament has been lamented in Westminster-type systems and such claims have a 'hollow mechanical tone about them'. Nevertheless, the criticisms of the Westminster Parliament equally apply to Australia. The conduct of parliamentary government in Australia has been realised, they say, 'only imperfectly'. 'The Commonwealth Parliament has never enjoyed any tradition or memories of independence and status. It is always been an adjunct to, even a creature of the executive.' Furthermore the condition of government in Australia is historically received, as a function of the administered cercarial-state, created from convictism.

> The weakness of Parliament reflects the circumstances of a society which was organised and indeed created from above by action of the state. Executive authorities, then and now, have presumed to enjoy some kind of primary over-riding responsibility to govern, to develop, to secure Australian territory. Parliament is simply part of the base from which they govern.

For Emy and Hughes, the idea that authority actually flows to the Executive from the people through the Parliament is 'itself only part of the state's official legitimating ideology' and the house has 'never *made*, still less unmade, the executive in any real sense'. Legislation is mechanically passed and the terms 'sausage-machine' and 'rubber-stamp'

are not inappropriate. Emy and Hughes are explicit in their criticism of the emptiness of the parliamentary process.

> [The executive] governs 'through' parliament' only to the extent that Parliament remains part of the formal law-making process. Parliament is now really part of the framework of legitimacy required by the executive in this kind of constitutional state and sometimes, one feels, tolerated only to the extent that its legitimation function contributes to stable government. Not surprisingly, these circumstances detract from the reality of a chain of public accountability. Beyond that, the lack of Parliament as an institution, amounts to a serious lacuna in the operation of a liberal-democratic state.

Emy and Hughes regard this as such a feature that it 'again suggests that democratic values do not have as firm a hold as one might assume in this society.' Yet this claim is surely is only so if the Parliament is conceived as the summation of democracy. They make the obvious point that this is not just an Australian condition, all liberal-democratic legislatures suffer the problem of meaning, legitimacy and credibility to a greater or lesser degree. They are pessimistic about reform, with the qualification that the Senate committee system offers some hope in restraining executive dominance of the legislature. They list the usual criticisms of the Parliament including, the partisan Speakership, the deterioration of Question Time, the tone and level of proceedings, which all contribute to the general conclusion that the standing and significance of the Parliament is open to serious questioning, notwithstanding the efforts of some individual members and some committees, notably the Public Accounts Committee. They conclude, in contrast to Solomon's *The People's Palace*, that the reasons for this situation are deep-seated and therefore not likely to be simply fixed soon. More seriously 'one can see a possible, emerging link between a further decline in the status of the legislature and a decline in the regime's overall legitimacy, which represents a serious long-term weakness in the political system.' This is not perhaps overstating the case as the increasing power of the Executive was the central unifying theme of the Reid and Forrest historical survey of the Commonwealth Parliament which was a long reflective look on the development of the institution since Federation.[6]

Like Emy and Hughes, Reid and Forrest see the attempts to strengthen the Parliament as coming largely through the committee system and of the Senate system in particular. The Senate Procedure Committee reported in June 1994 on the new committee structure to be adopted in order to meet the evolving needs of the Senate. The Procedure Committee proposed a refurbishment of the committee system in order to be more responsive to the composition of the Senate and to be more efficient by using fewer select committees in preference to a more efficient

standing committee system. Such changes would improve the overall performance and coherence of the committee system. While this has been one of the proud areas of parliamentary activity there is little or no indication of the effectiveness of reporting of committees, as there is no ongoing audit of the implementation of committee findings.

The Control of Political Decision-Making

The shifts which have taken place in the control of political decision-making has diminished the significance of the parliament in the political process. In accounting for changes in Britain, David Held has argued that three major reasons are evident and they all apply to Australia. First, in binding together the powerful forces of political-economy the recent tendency to include extra-parliamentary bodies in policy decision-making removes, or at least alters, the central controlling role of the Parliament. The Parliament's primary roles of policy determination and political articulation has been eroded so, 'the passage of a bill through the legislature is more than ever before a mere process of rubber stamping'.[7] This point is pertinent to Australia because of the importance of the Accord since 1983 and the formal accommodation of extra-parliamentary interests in the policy formulation and implementation process. The direct British comparison with Australia needs the heavy qualification that the federal division of powers and a powerful democratic Senate bears no comparison with the unitary British state and the House of Lords which is a cipher that can play no part in a legitimated democratic state.

Second, for Held, territorial representation in the Parliament is no longer the most significant mode of interest articulation and protection. Other bodies of an extra-parliamentary character are organised to express interests and exert pressure on government and members of Parliament. In Held's words, 'Extra-parliamentary forces have become the central domain of decision making'. In his account of the Hawke era *The End of Certainty,* Paul Kelly placed a strategic-political gloss on such structural-institutional change in the arrangement of extra-parliamentary forces. For Kelly, the revived ALP combined Whitlam's moderation, Hayden's economic rationality and Wran's pragmatism in a new model.

> Its foundations were the two great tactics which the Labor Party devised in the 1980s to secure electoral success. The first was a new basis of cooperation between the party and the trade union movement, and the second was the creation of new links and alliances with the business and financial community.[8]

These extra-parliamentary forces occupied the citadel when the Hawke government held the Economic Summit in the House of Representatives

chamber. That event saw a curious symbolic surrender of the principle of representative government (by party and territory) to extra-parliamentary government (by interests and organisations). Why did the Parliament permit an *ad hoc,* constitutionally nonexistent, extra-parliamentary body to occupy the chamber of the people in a nationally televised event? Actual conventional government through the Parliament gave way to simulated virtual government as the networks and nodes of institutional power were displayed. The continuing version of the summit has been the incorporation of diverse interest groups into advisory or decision-making bodies which has both allowed the channelled ventilation of major policy and political arguments and bound pressure groups and political fragments into consensus strategies.[9]

The opposition Liberal/National Coalition has sought to exploit periodically the relationship of government to such interests in order to expose a supposed collusion against *the individual.* The weakness of this argument is founded in a liberal assumption of social order which presupposes that the political community—the electorate—is composed of autonomous individuals who act in their own best interests. A model of the electorate is better conceived as composed of superordinate special interests rather than singular individuals. The more powerful interests (including business interests) are structured *into* the polity. Reciprocal dependent relationships are maintained with government. The general alienation of such interests by the Liberal Party is a common explanation for the loss of the 1993 election. The significance of this point lies in understanding that political and economic interests do not relate to the structures of government through the mere guiles of 'the political strategy', as Kelly suggests in his influential book, but through the institutional demands of extra-parliamentary representation. The point is not about cunning political plans but about organisational power and institutional change. The ALP governments over the past decade seems to have appreciated the importance of structure more fully in their policy-making and electioneering than the Coalition parties. A Liberal appeal to a notional electorate of autonomous individuals pursuing self-interest is misconceived in comparison with an appeal to an electorate conceived as multiple layers of social and economic interests. For Emy and Hughes again, in the Australian context, the 'tendency of modern governments to bypass Parliament by pursuing major interest groups on a range of economic issues in the name of 'development' reinforces this concern for the ultimate reality of *parliamentary* government'.[10]

Third, for Held the scope for individual members of a territorially organised representative institution to exercise influence is diminishing.

Citizens have less chance of influencing political outcomes as political participation becomes organised around policy-making elites which maintain direct links with the Executive or exert direct pressure on governing parties. In short, concludes Held, the parliament and the citizen are 'undermined by economic changes, political pressures and organisational developments'. Law making is shaped by 'flexible', informal processes which are not regularised by constitutional processes. These new institutional configurations of government leave the parliamentary processes as a largely symbolic legitimating authority. Strike three. The specific Australian case is different from Britain, but the general points of Held's argument apply, even if real and substantial changes can be wrought to legislation in the Senate as instanced by the 1993 *Native Title Act*. Yet even with that Act, as if to demonstrate the general point, its refashioned contours were determined by extra-parliamentary forces and much political virtue was claimed by the government accordingly. A political virtue was made from the argument that the Parliament responded directly to extra-parliamentary groups, perhaps rightly so.

So, is parliament in decline? My answer is, No! The question is wrong. Parliament, just like cricket, never had a golden age of grace, elegance and fair play on a level field. There was always cheating, sledging, ball-tampering, secret betting, imaginative interpretation of the rules, chucking and something special kept in the skipper's pocket. In both sport and politics, television cameras expose the sleights of hand more readily as, in times past, the perpetrators were seldom caught in the act. Parliaments have always operated under considerable constraints and have been coerced or influenced by immensely powerful external political-economic forces. Any critical analysis of power, institutions, class interests and power-elites will contradict the simplistic voluntaristic notion of representative government as an expression of the people's will through their elected representatives. However, this simple version is still relentlessly advanced by the official organs of the Parliament, that somehow the people's will is expressed through an institution which symbolises democracy.

Seemingly an alternative simple account of the Parliament cannot be stated in the brochures and the introductory texts. This version says that the Parliament is a legitimating theatre which ritualistically and symbolically approves or marginally alters decisions which are made by the Executive under the influence of extra-parliamentary bureaucratic, political and corporate forces. The institution cannot be placed in that light as its legitimacy is then undermined and the alleged decline

continues. Bryce's mystification of the Parliament, in the age of Queen Victoria, is implicitly paralleled by later Australian statements that the institution is not what it once was. If decline has not taken place, there is nonetheless a continuing perception of decline and the cliche continues to circulate. Expectations are high that parliaments will live up to their own inflated publicity and elevated promise. The institution, rather than declining, is perhaps symptomatically doomed to under-perform, to forever disappoint. The Parliament is not what it might have been. Thus, parliamentary *manque* is a more persuasive explanation than decline; that which could have been but is not.

Moulding the Rulers: the Australian Parliamentary State

> 'At the birth of societies,' says Montesquieu, 'the rulers of Republics, establish institutions, and afterwards the institutions mould the rulers'.
>
> Jean Jacques Rousseau, *The Social Contract*:[11]

The problematic condition of the Parliament is not, thankfully, the whole story of democracy. Indeed other democratic indicators are present in the Australian polity. Politics and social relations are believed to be generally open, tolerant and fair. This is heartening. Australia may be a democratic society, yet it is also a technocratic society, governed through iron laws of bureaucracy, financed through a budget system which is incomprehensible to almost everyone and suspended in an abstract sleepless electronic economy whose markets must be soothed and tended by a nebulous corporate state, which is disciplined through an expensive and remote judicial system and publicised by a huge and unaccountable media. Democracy—popularly sovereignty—supposedly resides in a Parliament yet that institution is widely regarded as struggling or even failing in the face of Executive and party power. The Parliament is in eclipse. In a complex, corporate bureaucratic state with an open internationalised economy, the notion that government is of the people for the people and by the people seems, at best, quaint. The Parliament is supposedly the link between the people and ruling institutions and reasons must be sought to account for its problems.

Seven reasons for parliamentary manque can be advanced, one for each point of the federation star on the blue ensign. First, a modern disillusionment with government and parliament has developed, as for instance expressed by Nugget Coombs from personal experience, and by other writers from empirical and theoretical arguments. Second, through the dominance of executive government over Parliament. Third, through the dominance of party government over Parliament. Fourth, through the

dominance of bureaucracy over Parliament. Fifth, and peculiar to Canberra, is the peculiarity of Canberra and its remoteness both geographical and conceptual from *real* Australia. Sixth, the perceived and actual surrender of the economy to international market forces, the internationalisation of law and economy and the vastness of the administered state. Seventh, the media portrayal of Parliament is said to bring the whole institution into disrepute, yet the media also sustains a collective popular faith in the institutions and those who command them. We are seduced by beautiful lies, as John Forbes poetically remarked. The seven reasons for parliamentary manque are registered here without elaborate development.

1. Disillusion

Hugh Mackay is described as 'Australia's best known social researcher, with a message for us all'.[12] He has built a reputation for qualitative research about what 'middle Australia thinks'. This intelligence is of interest to marketers and politicians and they are prepared to pay for it. During 1994, in the wake of his best-seller *Reinventing Australia*, Mackay has become a media icon, a Greek chorus of the nation. He has become a social science faith-healer. He speaks on radio and writes his weekly newspaper column in *The Australian* with mixture of genuine humility and dubious omniscience about the deep thought of middle Australia—the Australians who are not so much forgotten as too well remembered. The long string of *Mackay Reports* are the basis of his reputation and considerable authority. He listens to conversations about the things that matter to people and reports attitudes with sliced verbatim quotations stitched into the assessments. Thus, from reading the Mackay Reports we can know what Australia thinks. For example:

The Mackay Report *The Australian Dream* June 1990 p 27.

> The Mackay Report/Keynote#1: The Post Election Mood clearly indicated the declining esteem in which Australians hold their politicians, and the rising despair which exists in the community concerning the state of politics in this country. The present study [The Australian Dream] elicited similar sentiments and revealed that one of the dreams which Australians do still dream is that there could be a 'truer democracy' and, most particularly, 'more visionary leadership'.

The Mackay Report *What do I believe in?* September 1992 p 57.

> The contemporary Australian community finds it increasingly difficult to take politicians seriously—let alone to trust them.

The Mackay Report *Power and Responsibility* December 1983 p. 14.

> Australians generally have low regard for politicians. They believe that people who enter parliament are often those who were not successful in their own right. 'Good blokes don't go into politics' is still a widely held belief in the Australian electorate.
>
> Australians are inclined to believe that power corrupts, and that politicians are unlikely to retain whatever integrity they may have had when they first entered parliament.

The Mackay Report *Power and Responsibility* December 1983 p. 14.

> In particular, the amount of time spent in parliament attacking individuals on the other side of the House is regarded as a symptom of the effect that parliamentarians are quite prepared to waste a great deal of time which otherwise might be spent running the country.

Members of Parliament of course are sensitive to this criticism and detect it perhaps far better than the researchers and pollsters. They are also perhaps heartened to think that, if they spent less time ruining each other, they could spend more time 'running the country', as *the people* say. Occasionally members openly express disquiet about the place of politicians and the Parliament in the public estimation as Senator Valentine did in her final speech to the Senate:[13]

> Unfortunately, in this Senate a lot of time is wasted on party game playing. That is one of the reasons for the great disillusionment in the community. ... I believe that far too much time is wasted here by playing party political games and not getting on with the issues that are of importance to people in the community. I sometimes think that politicians are so far removed from their constituents that they do not really know how hard people are hurting, or what issues are of concern to people, because we spend hours and hours in here wasting time on point scoring.

Australian parliamentarians can draw succour from the knowledge that they are not alone. All polities seemingly suffer from the same problem of the dismal reputation and estimation of elected representatives. Schneier and Gross make the point rather strenuously in the opening of their encyclopaedic work *Congress Today*.[14]

> Judging from the public opinion polls and the press, the American people do not hold the Congress in high regard. Opinion polls have rather consistently ranked the Congress near the bottom of those institutions inspiring public trust.

As noted, the impression Nugget Coombs developed as a result of his experience on the Royal Commission into Australian Government Administration was of the disillusion and estrangement of the people from the parliamentary process. This is now a truism cheaply reiterated in countless newspaper columns, talk-back radio programs, journalistic

homilies and corridor asides. Politicians and people believe it to be true, therefore it is true.

2. The Executive

The domination of executive over the parliament is now a well established analytical point about parliament in Australia and in Westminster style parliaments generally.

In Australia over the last generation this contest has centred on the new challenge which the Senate presents to the Executive and its poodle, the House of Representatives. The dominance of the Executive diminishes the role of the parliament as a whole.

3. Mates and Machines

The Mackay Report *Power and Responsibility* December 1983 p 14

> Australian parliaments are seen as being so tightly in the grip of party politics that the idea of members of parliament representing the views of their electorates is often described as 'laughable'.
>
> The influence of party politics is thought to be counter productive to the development of parliament as a really powerful institution.

Australian parliamentary government is now generally called responsible party government. The freedom of parliament to act independently of political parties is so limited as to be nonexistent. The control of parties over parliamentary politics contributes to the diminution of the Parliament as a deliberative institution. The careful sculpting of preselections and party rules ensure that battles are not unnecessarily made public but ironically the result is an apprehension that deals are stitched up behind closed doors, leaving party members and electors outside. This is best exemplified and indeed prized in the culture of the NSW Right, which is not so much a geographical expression as a way of life:

Fia Cumming's book *Mates* gives an uncommon insight into the darker corners of Australian party politics.[15]

> In political circles, the term 'NSW Right' draws emotion from all sides. To those of similar thinking, it represents the best of efficient, hard-nosed democratic politics, the moderate element of the Australian Labor Party in its most virile form. But to opponents, both within the Labor Party and outside it, the NSW Right is the epitome of the dark side of politics; because it is and has been so ruthless in devastating those very opponents.

As former Speaker of the House of Representatives and leading light of the right, Leo McLeay remarked, 'Loyalty was the name of the game. It was a tribal system.'[16]

4. Bureaucratic Power and Complex Government

The capacity of Parliament to defend rights, contain the bureaucracy, oversee activity and preserve transparency in administration has been overwhelmed by the size and complexity the corporate bureaucratic state. The consequence is twofold. First, new institutions need to be created by the Parliament to undertake that role and second, the effectiveness of parliament to undertake that task is further diminished. While the Parliament creates new avenues of appeal and protection it is seen to be further removed from the capacity to protect citizens interests.

5. The Peculiarity of Canberra

Canberra itself is a symbol of remoteness of government. Commonly derided as an 'artificial city'—as if any cities are natural—there is a lurking resentment in the breast of Australian's about the national capital. The denizens of the bureaucracy and of the city are considered pampered, removed, unworldly, arbitrary. Governing a large federation by representative government in a purpose-built city defies the original value of democracy. James Madison, an author of the Unites States Constitution and of its classic defence *The Federalist,* argues that the best form of government was a republic of small republics. Richard Carlton's notorious *60 Minutes* report on Canberra, a city of luxury and comfort, both played on the stereotype of the city and reinforced it with an ability few in the media could command. Meanwhile *The Canberra Times* occasionally reports on anxiety in Canberra about Canberra. 'Canberra needs to shed its image as a city responsible for all the decisions made by the federal government', according to a poll conducted by the Canberra Business Council. It also found that Canberra was a great place to live and raise a family. The image of Canberra was however a 'negative'. The Business Council recommended that as decisions made in Washington are ascribed to *Capitol Hill*, so decisions in Australia 'should be ascribed to *Parliament House*'.[17]

6. Globalisation

A feature of late-modern times is the increasing globalisation of economies and the consequent removal of political blame. The argument presented by governments and bureaucracy, over the last decade, is that the Australian economy is now so open to international forces that the capacity of either government or parliament to influence outcomes is very limited. Economic responsibility has been removed to the international sphere, as the judgment of the market becomes economically and morally superior to political control.

The machinery of public finance and economic management, over which the government selectively seeks to exercise some control, are all but incomprehensible to the citizenry. The relationship between the consumer price index, the current account, net foreign debt, bond yields, the all ordinaries index, the Oz dollar, the US dollar, the Yen, the trade weighted index, interest rates, corporate tax rates, fiscal and monetary policy and market confidence, is difficult for most punters to grasp. The mystification of the great machine of the economy is presented every night on the News, but is of no direct interest to most people. Do the market movements matter: is the Hang Seng up or down, is the Nikei and the Dow up or down, what of the ten day average of the Oz Dollar and fluctuations in the gold price? Do they matter? As the abstract market has become a central motif of news and current affairs so a public familiarity with the language increases but comprehension does not. The abstract market is dwelt upon, and when conceptually linked with economic management in a global economy, so the belief develops that while no one is in control no one is to blame.

The Mackay Report *The Recession Mentality* May 1991 p. 13.

> As the recession mentality takes hold in the Australian community, a curious phenomenon can be observed. Earlier signs of anger towards politicians, economists, business leaders, or others who might have seemed appropriate targets for 'blame' appears to have subsided.
>
> To some extent, the 'blaming' mentality has given way to a general acceptance of the fact that Australia is suffering a recession which is virtually world-wide, and that the recession is an inevitable consequence of 'factors beyond our control'.

The Mackay Report *Power and Responsibility* December 1983 p. 15.

> One of the strongest impressions to emerge from this study was that middle-class Australians have very little faith in the power of governments—particularly the Federal Government. It was generally assumed that governments are relatively ineffectual, that they are at the mercy of economic influences largely beyond their control, and that they respond to pressure groups which may be quite unrepresentative of the voice of the people.

So the government is not to blame because it is not in control. Still less is the Parliament to blame or to be responsible or to be able to act. In a complex economy, the Parliament is redundant.

7. Media, Seduction and True Believers

John Forbes' poem is about the relationship between the leader, the media and the watcher. It is about voyeurism, sado-masochism, true belief, beautiful lies and consent. It is about the mediation of power politics and faith.[18]

'Watching the Treasurer'

I want to believe the beautiful lies
the past spreads out like a feast.

Television is full of them & inside
their beauty you can act: Paul Keating's

bottom lip trembles then recovers,
like the exchange rate under pressure

bouyed up as the words come out–
elegant apostle of necessity, meaning

what rich Americans want, his world is
like a poem, contemplating that utopia

no philosopher could argue with, where
what seems, is—& what your words describe

you know exists, under a few millimetres
of invisible cosmetic, bathed

in a milky white fluorescent glow.

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3. Parliament's Appropriations and Staffing: Report of the Senate Select Committee, Parliamentary paper No 151, 1981, p viii.
4. First Report of the Constitutional Commission Canberra: AGPS 1988. p 141–143.
5. Hugh Emy and Owen Hughes Australian Politics: Realities in Conflict, p. 32319–322.
6. GS Reid and Martin Forest Australia's Commonwealth Parliament 1901–1988: Ten Perspectives Melbourne University Press, Melbourne:1989.
7. David Held, Models of Democracy Polity Press Oxford, 1987, p 217.
8. Paul Kelly The End of Certainty: The Story of the 1980s, Sydney, Allen & Unwin 1992, p. 17.
9. Ian Marsh 'Strategies for governing: Bargained Consensus, 'king hits' and coalition building' in Governing in the 1990s: The agenda for the decade, Ian Marsh ed, Melbourne Longman Cheshire 1993, pp. 376–424. Fred Gruen and Michelle Grattan Managing Government: Labor's Achievements and

Failures Melbourne: Longman Cheshire, 1993, especially chapter four 'Managing Pressure Groups'.

10. Hugh Emy and Owen Hughes Australian Politics: Realities in Conflict, p. 323.
11. Jean Jacques Rousseau The Social Contract: p 35.
12. Kate Legge, 'Is Anybody Listening' *The Australian Magazine*, 1–2 October 1994, pp. 14-20.
13. 19 December 1991. Senate Volume 150 36th parl 1st session 4th period pp 5173–74. The context of this was that the Senate had spent two hours about 8.15 to 10.15 debating the naming of Senator Kemp for a breach of paragraph 3 of standing order 203 as he was laughing. Senator Colston, Deputy President of the Senate had named Senator Kemp for that breach of the standing orders. Senator Coulter, Democrat South Australia, moved the expulsion. The opposition moved a no confidence motion in the Deputy President and lost the division. Senate was in a shambles and the word 'rabble' was deemed to be unparliamentary. The context was on the that day Paul Keating replaced Bob Hawke as Prime Minister and the opposition had brought a motion 'to note the reward to the architect of the recession and that 19 December be known as a national day of shame'. The Senate took two hours to resolve the debate.
14. Edward V. Schneier & Bertram Gross *Congress Today* St Martin's Press New York 1993, p. 2.
15. Fia Cumming Mates: *Five Champions of the Labor Right* Allen & Unwin, Sydney, 1991, p. 2.
16. Fia Cumming, *Mates* p. 211.
17. Steven Corby 'Political Image must go: poll' *The Canberra Times* 14 November 1994.
18. John Forbes, *The Stunned Mullet* Sydney: Hale and Iremonger, 1988.

8

A Nice Place

Peace, Order, Good Government and Democracy in Australia

'Politics in Australia, which is largely peaceful, is really about fantasy and faith'.

Robert Manne to Philip Adams, *Late Night Live*, ABC Radio National, 31 August 1994.

'Making Australia a nice place to live.'

Paul Keating 13 March 1993.

Australia has one of the great democratic constitutions of the world. It was voted on by the Australian people. It provides checks and balances against the abuse of power, and has allowed Australia to evolve into a fully independent nation. We believe that the stability of our system of government will be an important source of certainty as we face the 21st century.

The Things That Matter: Coalition Goals, September 1994. p 57.

Australia Unruptured

Australia is one of the oldest continuing democracies and one of the few countries to have maintained an unruptured constitutional history from the foundation of the state. After self-government was invented and adopted, the Australian colonies engaged in what were at the time regarded as a series experiments of a progressive political character.[1] South Australia became the first polity in the world to adopt a universal franchise. Then Australia became the second nation-state after New Zealand to do so. Payment of members, the secret ballot and the development of complex and fair electoral systems were reforms which followed. The refinement of electoral systems has continued so that, at the federal level at least with proportional representation in the Senate, there is rarely a complaint that any party is disenfranchised due to the actual mechanics of the electoral procedure. By contemporary and historic standards, Australian government is peaceful. The parliamentary process works smoothly enough. There is no threat of military involvement in Australian government. Changes of government happen routinely, with much shredding, but without destabilising either the polity or the economy. Riots are rare and political protest is mostly non-violent.[2] If these are measures of a good state then the Australian political system is an outstanding success. The continuing challenge in managing instruments of the state, like the Constitution, is to allow change without rupture and to maintain stability in coping with internal and external forces of an internationalised political-economy amid shifting social and cultural expectations. The Parliament is the keystone of the democratic state. Expectations about its performance are accordingly high.

This chapter is about the nature of democracy in Australia. The Parliament is of course essential to the existence of a democratic state and society, but other cultural and institutional ingredients are also required. The usual measure of a democracy is the presence of a freely fairly elected legislature, but given the constraints by which such a body is definitionally confined there need to be other indicators. The chapter is concerned with the constellation of other necessary cultural and institutional factors for a democratic society. The Australian Constitution charges the Parliament with the responsibilities of 'peace, order and good government'. Formal constitutional design is elementary to the achievement of such qualities, yet those qualities cannot be merely legislated, they must be derived from the expectations, beliefs and behaviour of the citizens. Constitutions and institutions can assist in the

creation of a good society, but not without the practices of fairness and the lived assumption of egalitarianism. The vagueness and confinements of the Australian Constitution would not guarantee anything without a popular willingness to make it work. Constitutions are not blue-prints or manuals for a society, they are a only a rough guide to government and without popular faith no constitution will work, least of all the Australian version. A cultural expectation of democracy underpins the institutions of the Australian state. Democracy rests in habits, in the peaceful nature of the state, in the machinery of elective government and, importantly, in the web of institutions which allow protections and provide opportunities for the citizen.

Changes in Australian culture have necessitated changes in the organisation of government and institutions. Parliament may well symbolise democracy yet it is no longer the singularly important democratic institution, indeed, in significant respects the Parliament is not democratic at all. The characterisation of Australia as a democratic society rests in the shifting arrangement of a diverse set of institutions which has seen the relative diminution of importance of Parliament. The multiplication of institutions to protect and promote democratic values has unintentionally contributed to the diminishing the place of Parliament. Parliament has changed over the last generation as its democratic claims seemingly depreciate, and other functions and legitimations then become relatively more important, such as political theatre, accountability, recruitment and law-making. The frequent admonition to revive the Parliament—to increase its importance—appears forlorn.

Democracy in Australia in the nineteenth century was identifiable wholly with the Parliament and the surrounding myths. Historically, the way to achieve a democratic society was through reform of the Parliament, as the central institution of the state, to allow free, fair access to all. For the Labor Party, in its early years, the ballot was democracy. Free and equal participation in elections would allow democracy and fairness to be achieved. This was the assumption of Chartists, the ensuing labour movement and women who agitated for the suffrage. In the nineteenth century, democracy was about the twin objectives of the manhood suffrage and the payment of members so that working men, with no independent wealth, could take their place in the legislatures.[3] In the early to mid-twentieth century democracy was about the female franchise, representation and the refinement of electoral systems. During the 1960s and early 1970s, the debate was over the age of enfranchisement and the age of conscription. Those under 21 years of age

were considered old enough to handle an M16 in the jungles of Indo-China yet, absurdly, too young to handle a ballot paper and pencil in a polling booth.[4]

Since the franchise was fully extended, the continuing debate about Parliament and representation has centred on the development of alternative systems and institutions which create and maintain equity and as Parliament (of itself) oddly becomes increasingly unable to secure democratic values. The inability of Parliament to achieve the nominal objective of securing democracy has resulted in the development of a range of other arenas of democratic activity. Democracy in Australia has developed multiple forms or layers. The ideal of democracy being secured through a majoritarian centralised parliamentary state (a view once fervently held by the ALP) has now been completely surpassed, as the elective dictatorship is understood to be the lamentable consequence. If an accessible Parliament was once the sum of democracy, it is now only a prerequisite. The institution of the Parliament is a necessary, but not sufficient, condition as its existence does not of itself amount to democratic government.

This democratic character of the Australian polity can be seen through four indicators. First, a point worth making but little remarked upon, is the general absence of political violence. Second, the formal indicators of democracy and representative government are, with few exceptions, all present. These two factors give Australia comparatively sound democratic credentials. The third factor is the multiplication of institutions and practices which can mitigate the effects of the administered mass society and the depredations of the parliamentary-corporate-state. The fourth point is the cultural practice of democracy. In the absence of a culture of democracy, institutions and legal rights are only stones and parchment.

Political Violence

The sustained absence of political violence in Australia is a strong indicator of the success of the governments and Parliament in creating what Aristotle called 'the good society' and contributes to 'making Australia a nice place to live'. Since Federation, there have been incidents of political violence and long episodes of selective repression, but generally Australia has been free from terrorism or organised violent protest, both in comparison with other countries and as a relative domestic measure. Australia is a pacific society, if consistent police brutality at demonstrations is ignored along with the indelicacies of the prison system, and if domestic violence and the systemic violence in and

around Aboriginal society is all defined as apolitical. State and Commonwealth police have frequently deployed violent or extreme techniques in dealing with both civil protest and ordinary policing; the Victorian police force attack on peaceful demonstrators at Richmond school in 1994, the Tasmanian police inaction in witnessing the 'battle of Farmhouse creek' in 1985 and the evidence to the Deaths in Custody Royal Commission represent different places on the spectrum of official violence.

However, violence systematically directed against the state and its officers is rare. There has been an occasional bombing against police or judges, but none against politicians or Parliaments, few riots and only three known assassination attempts since 1868 when Edward O'Farrell, poor mad Edward, shot a royal person—the Duke of Edinburgh—and was then hanged by the New South Wales government amidst a loyalist frenzy against fenianism.[5] In 1923, Percy Brookfield, the Industrial Socialist Labor League member for Sturt in the New South Wales Parliament, was fatally wounded by misadventure on the railway station in Broken Hill trying to disarm a Russian emigre, Koorman Tamayoff, who had already shot two people. His death was seemingly accidental. Then, in 1966, Peter Kocan shot Arthur Calwell without great harm and was convicted and gaoled. The closed car window deflected and slowed the gun-shot sufficiently that Calwell only suffered minor injury from glass and bullet fragments. Kocan later became an Australian minor writer. In 1969, Jim Cairns and his wife were subjected to seriously assault in their home and left unconscious. In 1989, Senator Richardson was jostled by angry timber workers in Ravenhoe, as he knowingly went into the loggers den to explain why the destruction of tropical rain-forests had to stop. In 1994 the Adelaide office of the National Crime Authority was bombed leaving one officer dead. The Prime Minister condemned the action as unAustralian as it was such an uncommon instance of violent criminal political engagement.[6]

On 5 September 1994, John Newman, the ALP member for Cabramatta in the NSW Parliament, was murdered by unknown assailants outside his home. Australia has thus experienced the first assassination of a person elected to public office.

Despite these incidents a relative calm over Australia has generally been achieved. This calm has been secured through the legitimating influence of institutions of the state and the most important institution in this

regard is a Parliament created freely and fairly. Terrorist incidents directly involving the Parliament are nonexistent or at least not publicly known. The closest incident to a security threat to the Commonwealth Parliament was the rude entrance of a four-wheel drive which smashed through the front doors. With an alleged bomb on board, the Mitsubishi was parked in the Great Hall, for a few tense hours in 1990, its progress through the Parliament arrested by a rope and bollard which became tangled around the wheel and axle. The only apparent lasting effects of that incident are a scored floor and the placement of two enormous earthen-ware pots at each of the three restricted entrances to the building to deter any further occurrences of illegal parking and damage to Commonwealth property. The Parliament has a Joint House contingency plan for dealing with security threats but no publicly known cause to exercise that plan has been experienced to date. The *Parliament House Communications Directory* carries on the inside cover a 'check-list' for 'threatening telephone calls.' 'This form should be used when dealing with threatening telephone calls and forwarded to the Parliament House Security Controller'. The check list has spaces available to be filled in with 'exact words used', 'threats by bomb' and to persons and circumstantial 'information on the caller'.

Otherwise a few minor incidents in the public galleries have taken place over the years.[7] The former Clerk of the House of Representatives, AR Browning, records that since 1920 some thirty incidents of interference in the business of the Chamber. In 1920, several women interjected and threw broadsheets into the chamber. Again in 1970, women chained themselves to the railings and interjected from the gallery while the sitting was suspended for 37 minutes. In 1973, the speaker was obliged to take action due to audible hissing from the press gallery during question time. In 1975, attendants were instructed to remove signs from the public gallery. In 1981 an egg was thrown into the chamber and then table tennis balls and pamphlets were thrown the following year in separate incidents. In 1983, flowers were thrown. The following year a banner was unfurled. Then on 25 November 1985, a person dressed as a chicken entered the chamber. Browning notes that this person was assumed to be a member, but was not conclusively identified. The chicken left the chamber and was not apprehended. Bruce Goodluck the Liberal member for Franklin (1975-1993), was suspected. In 1988, a demonstration by workers was marked by a number of them bursting through the closed doors of the old building. The only other incident of note was in 1987, when a man leapt into the from the public gallery addressed some words (of an unspecified nature) to a Minister before

being escorted from the chamber. These incidents hardly constitute a Guy Fawkes menace to the Parliament. The very banality of this point is one indicator of the effectiveness of democracy in Australia.

Australia is lucky to have developed into a relatively open, tolerant, good humoured country given the horror of the original condition in which the moral and exchange economy was run on rum, sodomy and the lash and life itself, for both the guards and the guarded, was nasty, poor, brutish, solitary and short. Flogging triangles, solitary confinement and genocide did not auger well for the eventual creation of a good society. Australia was not a particularly nice place to live for *lags* and Aborigines within the frontier. Australia, wrote Robert Hughes, was 'a pad for sketching the immense Gulags of the twentieth century'. The strange birth of colonial democracy, in John Hirst's phrase, and ensuing democratic achievements should not therefore be underestimated.[8] The 1938 and 1988 bicentenaries effectively ignored the convict origins of New South Wales and opted for variations on the theme of building and celebrating the nation.[9] One of the achievements of the nation, and one of the great central themes of Australian historical study, has been building democratic customs and institutions from unlikely origins, creating a peaceful society from a bloody violent beginning.[10] At some stage in the nineteenth century, Australians got the knack of democracy.

Ballot Boxes and other Accoutrements

That said, the second point of this chapter is to recognise the elaborate mechanisms for creating a Parliament and a government including, free elections, fair electoral systems and open access to office. The *New Statesman and Society* democracy audit is an entertainment, but is asking most serious questions. On all the regular measures Australia is an effective democratic polity and politically peaceful. The right to vote, free fair regular elections, a low deposit for candidates, paid members of Parliament, the removal of property qualifications for electors and candidates, fair voting systems including proportional representation are all entrenched in legislation if not constitutionally. The Australian Electoral Commission is a mundane bureaucratic agency, yet it is also a spectacular and precious institution which defines a democratic society. The 1992-93 Annual report of the AEC gives an indication of the care given to the elaborate machinery of free and fair elections. The Electoral Commissioner reported:[11]

> As Australia's electoral system requires compulsory enrolment and voting, the commission goes to great lengths to provide facilities and services that enable eligible electors to enrol and vote with minimum inconvenience. The

> 1993 election was facilitated by the continued refinement of its processes and service delivery an all key areas. These include enrolment services, the setting up and staffing of appropriately located polling places which handled 10.2 million voters throughout the country in a ten hour period, and the provision of voting facilities for electors living in remote areas, or who are in hospitals or prisons of who are overseas—including the Antarctic (voting took place on board the supply ship, Icebird, while at sea between Base and Heard Island).
>
> Of concern have been assertions that fraudulent enrolment and multiple voting activities are common. It is, of course, of vital importance that the integrity of the electoral system be maintained. The commission works to maximise the integrity of the system within the legislative framework, and will investigate possible malpractice if some reasonable evidence is put before it. The assertions of malpractice are, however, usually made on the basis of hearsay and without real evidence of fraudulent activity. It concerns me that unwarranted damage can be done to the public's confidence in our electoral process through the publicity given to unfounded allegations.

If free and fair elections, diligently administered, is a measure, then Australia is a democratic polity. Prior to the 1993 election David Malouf spoke about election day as a festival of democracy which he said was his favourite national day. The great electoral machinery rolls out in school halls, church halls, town halls and memorial halls accompanied by cake stalls, endless cups of tea, grocery shopping and an air of expectation as spruikers and posters are everywhere. The quiet significance of the peaceful achievements of democracy should not be underestimated.

The machinery of elections are governed by laws and regulations and the High Court, as the court of disputed returns, is the final arbiter of the processes of representative democracy. The democracy is marred by two High Court decisions in particular. The notable impairment of the democratic qualifications and eligibility for electors and candidates is the High Court judgement *R v Pearson; ex parte Sipka* and *Sykes v Cleary*.[12]

Following the closing of the polls prior to the 1983 election, the High Court in its wisdom decided that the right to vote was restricted to those who were enrolled for the first federal election only.[13] At the time of writing, the right to vote in Australia is only constitutionally guarantied to those Australians who are 113 years of age and were eligible to vote for a state parliament in 1902. Nor, probably is the Commonwealth Parliament constrained from denying the vote to anyone on the grounds of race, sex or insufficient property.[14] In Cleary's case the prohibition on candidates holding an office of profit under the Crown was construed to be applicable to a person on leave from a teaching position in the Victorian Education Department. These black-letter law judgements are a

regrettable curiosity from a Bench which is prepared to read freedom of expression out of the implied democratic values inherent in the Constitution, by virtue of its character as a foundational document of a free and democratic society, in the complete absence of the words which actually allow for free speech. The stricture of an office of profit under the Crown, meaning a teacher on leave, seemingly defies an imaginative democratic interpretation. The closure on the eligibility for office on the technical reasoning of what constitutes an office of profit is a judgment which has mostly escaped the condemnation it richly deserves on democratic grounds. This judgment is a serious denial of democratic polity. Whole categories of people are now denied the right to stand for office, unless they are prepared to resign from employment in the public sphere unless there is special legislation to protect their specific position as well as their general employment. The Constitution arguably should be changed either by the High Court or by referendum in this and several other matters.

The formal indicators of a democratic society are present in Australia; the absence of military involvement in politics; the rule of law; free, fair, regular elections; a constitutional balance of powers; right to a fair trial and the assumption of equality before the law; the jury system; the open access of the citizens to public office; accountability of the government in a variety of ways; freedom of movement and religion, amongst others. Other indicators of a democratic society are present in Australia but in contingent ways, such as the right to free association, freedom of assembly, freedom of speech and just compensation for the seizure of property.[15] These contingent rights are the sort that would be present in a Bill of Rights and are not guarantied in either or both federal or state jurisdictions.[16]

Instead new institutions have been created, such as, in the federal sphere, the Administrative Appeals Tribunal under a general umbrella called the 'new administrative law'.[17] The responsiveness of the Executive has also been enhanced by federal and some State legislation providing for freedom of information. At the same time, the courts have, over the past two decades, greatly expanded their power to review executive and administrative action and to reduce the power of the Executive to refuse, in the course of litigation, to disclose documents and other information on the ground that to do so would not be in the pubic interest. The tendency, therefore, has been to look outside Parliament to supervise and control the Executive.

Webs of Protection: Skeins of Representation

In response to democratic and bureaucratic forces there has developed, in Australia, a web of representative and protective institutions. Just as government has created a phalanx of government business enterprises because the competing demands and complexity of the market are beyond the means of the older departmental arrangements, so the institutions of democracy are also hived off. The claims of Parliament as the most important democratic institution is therefore contestable and dependent on contingent facts like the balance of power in the Senate. Also cultural expectations of fairness and equality underpin the rationale of institutions; rule of law, jury system, investigative journalism, access to welfare, affordable justice, the evolution of multiculturalism. Institutions which enhance democratic protection and representation are: Ombudsman, ATSIC, State governments, Local governments, Electoral systems (especially proportional representation), the Anti-discrimination and equal opportunity Act, Human Rights Commission, Royal Commissions (such as the Deaths in Custody Commission), Administrative Appeal Tribunal, freedom of speech, freedom of religion, freedom of information, whistle-blowing, international treaties, UN charters[18], the Auditor-General, legal aid, freedom of movement, section 92. A Bill of Rights could help. While these institutions add to the range of possibilities for the citizen, access to them is not always free and 'administrative charges' can effectively deny that access.

With this range of institutions, some created recently, there is a diffusion of sovereignty and power in Australia. These institutions have been developed as an extension of the principle of the separation of powers and because the Parliament does not, and cannot *of itself,* protect democratic rights. In this context, Menzies' idea of the Westminster system providing freedom and democracy is redundant. So Hailsham's argument about the elective dictatorship (of the British government) does not apply in Australia, but that is not to say that parliamentary democracy in Australia is working satisfactorily.

The Access to Justice Advisory Committee reported in 1994. The committee was created, according to the Minister for Justice, in response to a 'crisis of confidence in the institutions fundamental to the rule of law in a democratic society'. The terms of reference stated *inter alia*:[19]

> The Access to Justice Advisory Committee will be appointed by the Attorney General and the Minister for Justice to make recommendations for reform of the administration of the commonwealth justice and legal system in order to enhance access to justice and render the system fairer, more efficient and more effective.

The committee reported that 'We have been specifically asked to direct attention to initiatives that the Commonwealth can take ... to make the justice system, 'fairer, simpler and more affordable'.[20]

Few would disagree with the objective of equality before the law. Yet the Australian legal system has in the past been an instrument of discrimination and even suppression in relation to disadvantaged groups.

The report noted that this applied and 'to some respect continues' to apply to Aboriginal and Torres Strait Islander people and has given rise to gender bias. In addition, forms of disadvantage and discrimination have been experienced by non-English-speaking people in their dealings with the legal system.

Access to justice is a form of protective democracy but forms of representative democracy other than the parliamentary system are also under development in Australia. The House of Representatives Standing Committee on Aboriginal Affairs report *Our Future—Our Selves* reported how some Aboriginal communities are incorporated under local government acts to remain at a distance from government control to enhance self-determination. Funding can then be secured through the States Grants (Financial Assistance) Act. This development is consistent with recommendation 199 of the Deaths in Custody Report: 'That government recognise that a variety of organisational structures have developed or been adapted by Aboriginal people to deliver services including local government-type services to Aboriginal communities.' These include community councils recognised as local government authorities, outstation resource centres, Aboriginal land councils and cooperatives and other bodies incorporated under Commonwealth, State and Territory legislation as councils or associations.

Such a system of overlapping spheres of authority allows for the possibility of several forms of authority with no single one as the last resort: popular, parliamentary, judicial, vice regal, executive, party, bureaucratic, corporate and market forces all shape the institutions of the state and of politics. What has developed are a set 'more available' institutions of protection and representation. Formal positive rights may be present or not, but the significance of their existence is validated in the custom and practices of the political and juridical institutions. Their presence is also crucially determined by the expectations of enforcement in the culture of the society. The formal presence of positive rights and protective institutions is also determined by strong forces of the state and the economy. The institutions of government are suspended within larger state systems, the domestic/international economy, the bureaucracy, and the formative industries of media and the law.

The Australian Cultural Assumption of Democracy

The gift to Australia by the Returned Services League to mark the 1988 bicentenary is a sculpture by Ann Ferguson and Peter Corlett. In is placed in the north-eastern corner of the Parliament House block. It's on the left approaching from Kings Avenue. It is a big broken square of black granite decorated with the four bronze hats of the armed services.[21] The inscription reads: 'Look around you, they fought for this—a gift to the people of Australia from the Returned Services League in Memory of the Fallen for the Bicentenary, 1988'. The four hats are the slouch hat, a sailor's cap, an airforce cap and a nurses veil. It is an echo of the four figures in the corners of the Hall of Remembrance across the water at the War Memorial. Napier Waller's mosaics and stained glass windows express values of the nation at arms, personified in the Soldier, Sailor, Airman and Nurse. Corlett was also the sculptor who produced the life-size Simpson and his donkey up the road by the Stone of Remembrance. Simpson and the donkey, bearing a wounded Anzac, is a definitional expression of national character with its the assumptions of identity and spirit; heroism under fire and selfless dedication to known and unknown mates.

The point of the RSL black block, which resonates with the sentiments of the larger memorials, is that egalitarianism and democratic values are taken to be the basis of the Australian state. The words inscribed in stone are the most recent version of what the sacrifice, death and mayhem was about. The nation-state is justified, in the RSL monument, in democratic values etched into stone. The monument directly links the sacrifice with the establishment and maintenance of the institutions of representative democracy. Democracy is then further entrenched as a cultural value. Yet Australians seemingly have an expectation of qualified democracy and a limited faith in the capacity of government to deliver what is promised. Ambivalence towards the Constitution and government is combined with a willingness to suspend disbelief at election times, perhaps in the resigned belief that whoever you vote for a politician always wins.

A cultural assumption of democracy is derived from the labour tradition and from a liberal polity. There are historic moments of democratic egalitarian celebration; the Communist Party Referendum, the rejection of conscription in 1917, the abandonment of plural voting, the adoption of the universal suffrage, the passage of the 1967 referendum, equal pay cases, the abolition of the property franchise, the passage of the Native Title Bill and any number of greater and lesser incidents.

Institutions only work because there is an expectation that they will work for the people. The changing definition of who constitutes the people has been a matter of calling the bluff of liberalism when women, Aborigines, Torres Strait Islanders, Chinese and gay men ask 'what about me'? So Lord Bryce's country gentleman is still one of the people, but he is only one of the people. Bryce's golden age of Parliament never existed. His parliamentary dreaming actively excluded most people from participation in electoral politics in preserving matters of state for country gentlemen. Parliament may not have been completely transformed since Bryce's time but the culture in which is suspended has been. The cultural context of the Parliament is surely the point. For this reason an endless internal examination of the institution will not advance our understanding of the democracy, as it is the cultural attributes of the society which give form to the institutions of the state.

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1. W Pember Reeves State Experiments in Australian and New Zealand. Grant Richards: 1902.
2. James Warden, 'Jacking up: Styles of Protest in Australia' in *The Abundant Culture: Meaning and Significance in Everyday Australia* David Headon, Joy Hooton & Donald Horne eds Allen and Unwin: Sydney, 1995.
3. Jon *The Nineteenth Century* Unwin Hyman London: 1989.Roper *Democracy and its critics: Anglo-American Democratic Thought in the Nineteenth Century* Unwin Hyman London: 1989.
4. Chris Puplick, 1971, 'Lowering Australia's Voting Age' *Politics 6* (2) pp 188–200.
5. Keith Amos *The Fenians in Australia* 1865–1880 UNSW Press, Kensington, 1988. Robert Travers *The Phantom Fenians of New South Wales* Kangaroo Press Kenthurst: 1986.
6. Other unAustralian incidents are the Hilton Hotel bombing, the Walsh Street shooting of police in Melbourne and the Queen Street bombing in Melbourne.
7. Browning *House of Representatives Practice* pp 161–163.
8. For accounts of the original condition see Robert Hughes *The Fatal Shore* Ringwood, Penguin, 1987, p. 162. and Alastair Davidson *The Invisible State* Melbourne, Cambridge University Press, 1991. John Hirst *The Strange Birth of Colonial Democracy* Sydney, Allen & Unwin, 1988.
9. See the volumes *Australians 1938* and *Australians 1988* from the bicentennial history project *Australians A Historical Library* Sydney: 10 volumes, Sydney, Fairfax, Syme and Weldon Associates, 1987.
10. The depression of the 1890s and the big strikes lead Henry Lawson to warn the bosses that the fault would not be theirs if blood should stain the wattle. One of the mysteries of Australian history is the relatively peaceful passage

of the 1930s depression when 'the peoples flag in deepest red, drenched in the blood of martyrs dead' could well have been hoisted over the barricades.

11. Australian Electoral Commission Annual Report 1992–93 Australian Government Publishing Service, Canberra, pp vii–viii.
12. R v Pearson; ex parte Sipka (1983) 152 254 and Sykes v Cleary No 2 (1992) ALR M. Coper *Sydney Law Review* June 1994.
13. The constitutional requirement, that no adult person with a right to vote in State elections shall be prevented from voting in elections for the Federal parliament now has no practical effect: it was a transitional requirement which offered constitutional protection only to those persons who had acquired the right to vote prior to the introduction of the first uniform Commonwealth franchise on 12 June 1902. Halsbury's *Laws of Australia* [90–480].
14. See Halsbury's *Laws of Australia* [90–490]. *Attorney-General* (CTH); Ex rel McKinley v Commonwealth (1975) 135 CLR 1 at 44 per Gibbs J, at 56–57 per Stephen J; 7 *Australian Law Reports* p. 593.
15. NF Douglas 'Freedom of Expression under the Australian Constitution' *University of NSW Law Journal* vol 16, No 2, 1993, pp. 315–350.
16. Philip Alston, ed. *Towards an Australian Bill of Rights* Human Rights and Equal Opportunity Commission & Centre for International Public Law Canberra 1994.
17. John Griffiths, 'Australian Administrative Law: Institutions, Reforms and Impact' Public Administration 63 445 1985. The new administrative law comprises the *Ombudsman Act 1976*, *the Administrative Decisions (Judicial Review) Act 1977*, the *Administrative Appeals Tribunal Act 1975* and the *Freedom of Information Act 1982*. For a review of the last see Senate Standing Committee on Legal and Constitutional Affairs, Freedom of Information Act *Report on the Operation and Administration of the Freedom of Information Legislation*, Canberra AGPS, 1987.
18. Declan O'Donovan, 'The Economic and Social Council' pp. 107–125, Philip Alston, The Commission on Human Rights', pp. 126–210, Torkel Opsahl, 'The Human Rights Committee', pp. 369–443, Philip Alston, 'The Committee on Economic, Social and Cultural Rights', pp. 473–508. *The United Nations and Human Rights: A Critical Appraisal* Clarendon Press, Oxford, 1992.
19. *Access to Justice*: An Action Plan Access to Justice Advisory Committee Report Commonwealth of Australia Canberra 1994, p. xxiii.
20. *Access to Justice: An Action Plan* p. xxix–xxxii.
21. Peter Corlett and Ann Ferguson were the sculptors. The black granite sculpture is fatally flawed by also being a drinking fountain. A dopey utilitarian use-function spoils the simple granduer of the monument. The drinking fountain is a good idea and many country towns and older suburbs have public monuments which are drinking fountains but to turn a sculpture into a drinking fountain was ill-judged. It is not too late to remove the tap and block the plumbing.

9

Prints

The Last Word

Daniel Henry Deniehy liked a drink. He liked it so much it killed him. But, before he died at the age of 37 in 1865, a broken hopeless alcoholic, he had been a member of the New South Wales Legislative Assembly and an orator. He was a currency lad who developed a career as a newspaper editor, a big reputation as a public speaker and a Swiftian literary style.[1] It was he who coined the term 'the bunyip aristocracy'. In a speech denouncing Mr Wentworth's Constitution Bill, delivered in the Victoria Theatre in Pitt Street Sydney, Deniehy was one of many attacking the exclusivist, conservative Constitution Bill of 1854.[2] He said he found it difficult to classify the 'mushroom order of nobility' presented by the Australian pretenders to grandeur. They could not, he thought, 'aspire to the miserable and effete dignity of the worn-out grandees of continental Europe', those who 'even in rags had the antiquity of birth to point to', but in Australia even the most skilled naturalist would be at a loss to 'assign them to a place in the great human family'. Their oddity said Deniehy was another typical specimen of the contrariness of the Antipodes.

> Here they all knew that the common water-mole was transformed into the duck-billed platypus; and in some distant emulation of this degeneracy, he supposed that they were to be favoured with a bunyip aristocracy.

Deniehy was not denouncing the bunyip as such, but the aristocratic pretence which sought to transfer English hierarchies and snobberies to Australia. Deniehy said he was proud of Botany Bay and argued for an aristocracy of common-people, which would not 'resemble that of William the Bastard but of Jack the Strapper'. He argued for a constitution of free institutions and appealed to his audience for two things; first, an 'indignant denunciation of any tampering with the freedom and purity of the elective principal, the only basis on which sound government could be built' and second, to 'regard well the future destinies of their country'. He was arguing for the planting of a democratic culture. For Dan Deniehy was a romantic and a republican.[3] He was also a precursor to the strident radical nationalism of the 1890s. His style of aggressive Australian sentiment emerged more widely and more fully in the pages of the *Bulletin* in the decade prior to Federation. That attitude eventually informed the Australian Legend as presented by Ward in 1958. In these respects, if no other, Deniehy is an important figure in the lineage of a particular sort of Australian identity.

Deniehy also happens to occupy a specific place in Parliament House in Canberra. His bunyip aristocracy quotation was one of the six chosen by the Parliament for the Parliament House print project in which artists selected and illustrated quotes from Manning Clark's representative selection. The print are sold at a nominal price of $2 to the visitors, to the

citizens, as an emblem of the institution. The 'bunyip aristocracy' print takes its place with other defining statements including a print by Ray Arnold called *cultural convergence divergence* which is a portrait of Jack Davis etched in words and contour lines, above his poem *Integration*, which was written in a time before Vincent Lingiarri's handful of sand.[4] Another print by Ray Arnold portrays a portrait of Henry Parkes, similarly in words and images, above a quotation from the Melbourne Conference of 1890 which expresses the British-Australian relationship. The quote is a nice counter-point to the currency lad Deniehy from a loyal son of the Empire:

> Why should not the name of an Australian be equal to that of a Briton? Why should not the name of an Australian sailor be equal to that of a British sailor? Why should not the name of an Australian citizen be equal to that of a citizen of the proudest nation under the sun? All those grand objects would be promoted by a national organisation. But there is something more. Make yourselves a united people, appear before the world as one, and the dream of going *home* should die away' We should create an Australian home.

Moreover, just like Deniehy's reference to the duck-billed platypus and Antipodean contrariness there are two versions in prints by Bea Maddock and Jorg Smeisser of Marcus Clarke's cognition of the bizarre: 'In Australia alone is to be found the Grotesque and the Weird, the strange scribblings of nature learning to write ... the subtle charm of this fantastic land of monstrosities ... the phantasmogoria of that wild dreamland termed the Bush ... the poet of our desolation begins to comprehend ...'

Another print by Bea Maddock represents a poem which could well have been written for the convicts at Botany Bay, the lads at Anzac Cove, for Sam Mudford, Jack Race and Nick Egan, the tree fellers at Yea or for the Drover's Wife, as it is about building the nation, it is about the mystification and myth-making of national identity:

I am he
Who paved the way,
That you might walk
At your ease today;
I was the conscript
Sent to hell
To make the desert
The living well;
I bore the heat,
I blazed the track—
Furrowed and bloody
Upon my back
I split the rock;
I felled the tree:

The Nation was
Because of me ...

So, at every turn, the building is about national identity. The prints have been selected as representative of the Parliament as the central institution of the Nation. They are deliberately made available to the people as a keepsake, a souvenir a memento. So the title of this essay *A Bunyip Democracy* is intended to evoke that association between the symbolism of the building, the statements of culture inherent to it and the reproduction of Australian identity which is one of the two central themes of the institution which is Parliament House. More importantly, the essay and its title is concerned with the arrangements of properly formed political institutions in relationship with that ceaseless Australian fossicking over identity. The essay is about the attempts to give an official national account of identity in art, architecture, literature and the institutions of government.

In attacking Wentworth's Constitution Bill, Dan Deniehy promoted the idea of elective institutions of government grounded in a democratic culture. That theme has also been my theme. The Parliament may be the symbol of democracy in Australia, but it is no longer the single exemplary institution of democracy as it was in Deniehy's day. Democracy must necessarily have adequate formal institutions, but more importantly it is needs be carried as a cultural attribute, resting in a plethora of symbols, bodies, laws, customs, relationships and attitudes. Anxiety about the Parliament will not diminish readily. Concern will continue about how well it performs, how well it keeps its balance under the strong influence of other public and private institutions, how adequately the written Constitution evolves in changing times and how well the centre can hold. One answer to the problems confronting the Parliament is to enquire more deeply, more insistently, into foundations of the institution in the beliefs and practices of democracy as *that* is the ancient principle, now twenty-five centuries old, which is the basis of the Australian polity. Australian Democracy is a creature often spoken of yet too rarely identified and described. That is the rough beast, slouching towards a billabong, which we should more closely investigate.

Meanwhile back at the Parliament the leadership crisis continues and we now cross for a market response ...

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1. Like Johathon Swift in, for instance, *The Tale of a Tub*, Deniehy wrote political satire. His essay *How I became the Attorney-General of New Barataria* was indignantly inspired by the appointment of Sir Lyttleton Holyoake Bayley at Attorney General of NSW after just two months residence in the colony. Like Swift, he invented comedic names for his

characters, *Wriggle*, Sir Charles Cowper 'wiggle the slippery they used to call him', *Tiptop*, William Bede Dalley , *Twank*, Deniehy, *Port Innocence*, Port Jackson, *Budgee* Mudgee.

2. EA Martin, *The Life and Speeches of Daniel Henry Deniehy* George Robertson and Co, Melbourne: 1884, pp. 51–56.
3. David Headon 'Sons of the Morning': Daniel Henry Deniehy's trustees of the coming republic' in *Crown or Country: The Traditions of Australian Republicanism* D. Headon, J. Warden and B. Gammage eds Allen & Unwin, St Leonards, 1993, pp. 53–68.
4. See chapter 4 above.

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