

**HUMAN RIGHTS AND HUMAN FREEDOMS:  
EXPLORING THE POLITICAL LEADERSHIP OF DON DUNSTAN**

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## **Introduction**

Don Dunstan's politics were the antithesis of the 1950s politics of 'The Lucky Country' or the contemporary obsession with economic (ir)rationalism. He held unequivocally to the view that government must play a civilising and nurturing role to increase human freedoms and celebrate human diversity. His politics were firmly based on ideals of democratic pluralism, constitutionalism and tolerance. He delighted in human diversity, seeing it as the source of cultural richness and civilising progress. For him the stranger was not 'the other', but an interesting variant of 'us'. His social democratic philosophy anticipated in practice what Charles Taylor has more recently theorised as 'the politics of recognition.' It would be presumptuous, of course, to declare that we shall not see his like again. But it is not unreasonable to observe that we do not have his like, today, in parliaments or political parties across Australia.

In this talk I first sketch a moment late in Dunstan's premiership that dramatically highlights the core of the political life that I'm trying to understand. Then I briefly summarise Dunstan's innovative human rights, human freedoms, and public policy achievements. Thirdly, I summarise a broad set of explanations—or theoretical explorations—of why Dunstan was the kind of political leader he was. What I'm trying to do is summarise the thesis of the political biography that I'm writing (*The Outsider as Premier: The Political Leadership of Don Dunstan*).

I

On 21 December 1977, a report on the South Australian Police Force's Special Branch prepared by Acting Justice J. M. White, was handed to the Premier of South Australian,

the Honourable D. A. Dunstan, QC, MP. The Special Branch was responsible for countering politically motivated violence and for providing security for MPs, including State and Commonwealth ministers and '... generally working for the security of the community, the state and the nation.' This included co-operating with the Australian Security and Intelligence Organisation (ASIO) and with similar agencies, both within Australian and overseas. In other words, the SA Police Special Branch belonged to the shadowy world of secret policing and covert Cold War intelligence gathering that is regarded with justifiable suspicion by small 'l' liberals, social-democrats and political dissidents the world over. For reasons I will try to sketch later, Dunstan was inevitably hostile to the spooky pretensions of the Special Branch.

Acting Justice White's report shocked and outraged the Premier. The report stated:

... the Special Branch has maintained records on political, trade union, and other sensitive subject matters for 23 years. Their existence was not mentioned to the government in spite of several requests for information about them. Special Branch believed that it owed a greater loyalty to itself and its own concept of security than to the government.

A bit later in the report—in perhaps what is its most damning section of all—Judge White noted:

Material which I know to be inaccurate and sometimes scandalously inaccurate appears in some dossiers and on some cards. Some of the information appears to have been used in vetting procedures (*italics added*).

This evidence convinced the Premier that the Police Commissioner had deliberately misled him when previously advising his government about the Special Branch. As Dunstan put it in his memoirs:

Quite clearly, from Judge White's report, the answers that were given to me on repeated occasions by the Commissioner of Police were wrong and very seriously wrong.

Salisbury later agreed that '... some of my answers might have been pulled a little.' But, as he noted (in what is arguably one of the more ominous statements in contemporary Australian politics):

... my abiding principle was loyalty to the Crown and the law, not to the elected government of the day, much less to the Premier and Cabinet (*italics added*).

There is no evidence that I can find that the Police Commissioner had provided more candid advice to the State Governor, as the monarch's representative in South Australia, or to any senior judicial officer (say the Chief Justice) about the activities of the Special Branch. At best, his loyalty appears to have been to an abstraction. At worst, it points to an out-moded form of colonial arrogance that in the past has undermined Australian independence and whose residues result in a nostalgia that demeans contemporary Australian democracy.

Harold Salisbury was from Yorkshire. On most contemporary Australian measures, he would appear narrow-minded, conservative, hard working, ideologically (rather than philosophically) loyal, formal, rather tweedy, and (as mentioned above) anachronistically dogmatic about the colonial relationship of the Australian state and Commonwealth governments to Britain. All of this made him especially attractive to some of the Anglophile membership of the Adelaide Club and their allies beyond that salubrious institution.

Dunstan noted that, while Salisbury interviewed well, 'He was not as bright or flexible and was very much more pukka than the others we'd seen.' He was not the favoured candidate, but he was certainly the most available. So he got the job. A compatriot of Salisbury's wrote of him that he was '... a man of burning integrity which, to many, seemed almost old-fashioned and of an honesty of purpose which was unmistakable.' And this observer, a military man, goes on to record his 'qualms' on hearing of Salisbury's appointment to the South Australian Police Force. He doubted Salisbury had the political acumen to match the Australian 'scene'. Those qualms proved to be well founded.

After a Cabinet meeting on Monday, 16 January, 1978, the Police Commissioner was called into the Premier's office at 3.00 PM the next day. At that meeting, the Premier accused the Police Commissioner of knowingly giving him false advice about the Special Branch. Dunstan invited Salisbury to resign immediately. Strenuously protesting his innocence, Commissioner Salisbury declined the invitation, so the Premier with (he claimed) the unanimous backing of Cabinet, dismissed him on the spot. This political act—arguably more than any other single political act—brought immense calumny down on Don Dunstan's political head.

The so-called 'Adelaide establishment' is symbolically focused on the Adelaide Club and the offices of the former Liberal and Country League. It is aligned with some South Australian Liberal political figures, Right wing media commentators, representatives of some 'old' families with a high regard for themselves (a self-regard not always widely shared), some academics, and a few church leaders. These forces rose up in a chorus of condemnation of the sacking of the Police Commissioner. The attacks ranged widely.

At their most plausible, the reactions to the Commissioner's sacking could be seen as sincere (if unjustifiable) concerns about the undermining of established political and legal authority—the rule of law. At their worst (and this is by far the bulk of the attacks) they entailed much rumour-mongering—a deep and malevolent flaw that routinely characterises the Right in South Australia's political culture.

The Police Commissioner's sacking highlights Don Dunstan's liberal politics. As noted in my introduction, he was a sustained advocate of human rights and human freedoms. Spooky agencies were anathema to him—they were, he believed, redolent of political correctness and rigid reaction; they intimated an incipient authoritarian personality, even a totalitarian mindset. He saw any agency infringing rights and freedoms as appropriate political targets for his very effective attacks.

But the responses to the Police Commissioner's sacking also provide a measure of what is an inherent or structural hostility in Australian's hard culture to the great value Dunstan saw in cultural diversity and social pluralism nurtured by appropriate legislation. (A related hostility to diversity is evident in the politics of Pauline Hanson and One Nation.) The responses point to a strongly authoritarian, populist and masculinist streak at the heart of Australia's political culture. This is frequently misunderstood as mateship or egalitarianism but in fact constitutes a gendered ideology constraining white Australian males to conform to xenophobic and sexist stereotypes. Dunstan's politics of human rights and freedoms were conducted with considerable moral courage in the face of this authoritarianism and culturally embedded fear of 'the other.'

Apart from the predictable Tory reactions to the Police Commissioner's sacking, there were some in the labour movement who were also seriously unnerved by it. Some stirrings against his leadership began to take on a new urgency because of the perceived crisis of public confidence in the Premier. On the Left, the ALP began to worry over the emerging

issue of uranium mining at Roxby Downs and this fostered great anguish in the party. On the Right, a moral panic emerged over allegations about Dunstan's complex sexual identity and the imminent exposure of an ignorant and prejudiced understanding of this identity in a book by two yellow press journalists. Eventually these elements came together to bring Dunstan down. They were exacerbated by a terrible personal crisis the Premier faced soon after the death of his wife Adele Koh. Dunstan claimed this crisis was the result of an illness affecting his heart. My research leads me to think otherwise.

And so a remarkable era in Australian public policy reform came to a shuddering halt.

## II

In this section of my talk I summarise the progress in broadening human rights that Dunstan achieved legislatively during his premiership. Time and space do not permit elaboration here: what follows is merely an outline summary of the heart of the forthcoming political biography.

I propose that there are six broad areas in which Dunstan can be identified as an innovator for positioning government as the prime mover in guaranteeing and expanding human rights and freedoms. That puts him squarely at odds with contemporary political orthodoxies. He argued that legislative reform – sustained government intervention, regulation, political education—was without question the best way forward for sustaining and enlarging human rights, at least in the first instance.

### **Aborigines**

John Summers has written: 'Dunstan and his governments were identified with most important innovations in Aboriginal policy in Australia.' Dunstan was profoundly committed to Aboriginal self-determination backed by welfare programs that were to be guided and, if possible, implemented by Aborigines themselves. He was unequivocally opposed to the assimilationist policies of the past. In particular, he innovated in the area of Aboriginal land rights—Mabo would have been inconceivable without Dunstan's earlier proposals for land rights legislation. He put great store by his appointment of Sir Douglas Nichols as the Governor of South Australia. It was a tragedy that Sir Douglas' poor health prevented him from playing an a greater symbolic role in sensitising mainstream Australian culture to the

marginalised and devalued Aboriginal experience. Dunstan also played a major role in placing the issue of Aboriginal affairs squarely on the ALP's policy platform.

## **Racism**

Closely linked to Dunstan's achievements in Aboriginal welfare was his formidable critique of the White Australian Policy. This critique led to innovative reforms in racial discrimination legislation (the first in Australia). These reforms were achieved at the cost of dragging the Labor Party—sometimes kicking and screaming—away from its support for the White Australia Policy. Under Dunstan's tutelage the party became an effective source of political opposition to racism, committed to working for its eradication from the Australian political agenda as a necessary prelude to its being removed from the culture.

## **Women and equal opportunities**

Helen Mills has written: 'A characteristic feature of the Dunstan government's approach to social justice had been the emphasis on using law as a tool for promoting equality of opportunity.' First and foremost, this was in the area of women's rights and female equality. He set up the first Equal Opportunity Unit in an Australian government. He was the first to appoint a Women's Adviser to assist his government to promote equality of women. His was the first government in the world to introduce legislation designed to outlaw rape in marriage. This latter achievement was singular, because his greatest opposition came not from his conservative opponents in parliament (though they were vociferous enough) but from the labour movement—particularly the Trade Union Movement which threatened a revolt over this issue. Dunstan threatened an election on the issue and stared them down. He also took the lead in offering legislative protection to ethnic minorities. He encouraged his Attorney-General, Peter Duncan, to introduce the first serious and comprehensive homosexual decriminalisation legislation seen in this country.

## **Constitutional reform**

On coming to office in the late sixties, Dunstan was confronted by an undemocratic Upper House with a narrow property franchise in the South Australian Parliament. He effectively campaigned to reform the South Australian constitution, making the Legislative Council a 'one vote, one value' House (so effectively in fact that, to his credit, the Liberal leader Steele Hall was won over by the reform arguments). Dunstan told me that he

always saw this as merely a first step. The second step was to be towards abolishing the Upper House altogether—a commendable policy that the ALP should be promoting in every State in this country. (This is a lesson that could well be taken on board by the Hempel Enquiry into constitutional reform in Victoria.)

Dunstan was also very active in criminal law reform, enabling the leadership of Justice Roma Mitchell to flourish in this area. As Attorney General he had appointed Justice Mitchell to the Supreme Court of South Australia—the first female judge in a superior court in this country. Under Justice Mitchell's direction (as Criminal Law Reform Commissioner) he legislated for reforms in the criminal law. All of these important changes became models for other states and for the Commonwealth

### **Consumer protection**

The fifth area that he was very effective in was consumer protection legislation. He argued that the rights of people purchasing goods and services needed to be protected to guarantee the quality of those goods and services. Despite some frenetic opposition (especially from the used car industry) this became a model, not just for Australia but in many European countries. Today Australian consumers rather take for granted the consumer protection laws they enjoy. Even in an era of mindless deregulation, consumer protection remains an area of public policy concern. We have the Dunstan Governments to thank for this.

### **Industrial democracy**

Dunstan firmly believed that legally prescribed democratic and consultative procedures should be put in place to permit dialogue and information and knowledge to pass backwards and forwards between management and workers. He argued that this would enhance production rates and standards and economic growth. He saw them as the way forward for an economy establishing itself in a globalising world. It was one of his considerable regrets at the end of his premiership that he wasn't able to legislate into practice the ideals he had for carrying out this comprehensive industrial relations reform. Much of the mindless adversarialism that routinely poisons work-place relations in Australia could well be obviated by the kinds of reforms that Dunstan was trying to achieve in this area. It is time to put the Dunstan proposals back on the Australian public policy agenda.

As noted in my introduction, Don Dunstan's belief in human rights came out of his very passionate commitment to the idea that social pluralism, individuality, and human freedoms were the basis for constructing a successful and civilised society in which people could be both productive and happy. He was deeply disturbed by policy trends that diminished the role of government leaving important areas of economic and social policy to the dictates of the market. He said to me towards the end of his life:

'Look, we are constantly surrounded these days by economic rationalists, saying: 'It's the economy, stupid!' Well it's not. My reply to these so-called rationalists is: 'It's society, stupid!' Society comes first and the economy will come after that. People pitted against ruthless market forces won't ever be happy and so they can't produce well in an inequitable economy. If we don't wake up to this soon – and by we I mean the Labor Party—we are going to inflict great, possibly permanent, damage on the Australian people and the Australian economy.'

As a necessary adjunct to his commitments to human rights and freedoms, Don Dunstan believed that it was both possible and essential to legislate to maintain the quality of peoples' lives. He believed that even if we have all the freedoms in the world yet we are obliged to inhabit a grey cultural environment, we won't be able to make creative use of our freedoms. So he strongly promoted the arts, education and life style issues – first and foremost to enable people to enjoy their freedoms, diversities and complementarities. His own love of fine food wine, good music, drama, literature and painting reflected his passionate belief that to be fully human is to live freely and happily in a humane and civilised environment. The contrast with today's orthodoxies – where pitiless slogans like 'mutual obligation' abound and governments of every hue routinely jettison their responsibilities for maintaining quality of life matters – could not be more stark.

### III

Finally, I want to ask how we may begin to explain this unorthodox yet remarkably successful Australian political leader?

I suggest, first, that we need to engage in what Judith Brett highlights as political biography, an area that is now largely ignored in social science curricula in Australian universities. As Brett explains, political biography and its attendant methodologies in psycho-politics ought to be a necessary part of the explanatory tools used by

contemporary public policy analysts. The example of Dunstan's political leadership shows how significantly the personal can be political when it comes to pioneering innovations in the ways governments enact legislation of lasting consequence in human rights arenas.

## **The outsider**

Psycho-social and political outsiders broadly conform to one of two possible trajectories in response to their marginalisation in mainstream cultures.

**Either:** they become mad or bad, reacting angrily and violently to their marginalisation and exclusion. Many of them become anti-social, dysfunctional. Social exclusion can be relentlessly criminogenic or psychopathological.

**Or:** some outsiders respond very differently to their marginalisation. They react against their exclusions in a positive way. They reject playing dysfunctional roles. These outsiders are the great creative thinkers and artists in society – they are often the sources of significant social progress.

Don Dunstan belonged to the second category of outsider. His complex personality, his personal history, and the legal expertise he brought into the labour movement contrived to make him an outsider from the outset. The ALP that he joined was steeped in a reactionary and patriarchal conservatism and a culture of working class resentment of 'bourgeois' manners. How did this man not only survive but also lead in this context? An explanation needs to be located, first, in his sense of self – identity—that marked him off (sometimes quite cruelly) from mainstream society. The task is to show how the policy innovations emerged from both the public persona and the private man.

## **The public emotions**

In *The Public Emotions* Graham Little shows how the private sentiments of ordinary people can, at certain junctures, create a shared public world of intense feeling and emotion (eg, following the death of the Princess of Wales). This public emotion has significant political ramifications. Little's view is that effective political leadership needs to handle these emotions with sensitivity and intelligence.

Out of his experiences as an outsider Dunstan connected with the public emotions with a rare sensitivity. One brief event illustrates this connectedness. At one stage a publicity-manipulating crank prophesied that a tidal wave would engulf Adelaide, apparently to punish the city for its sinfulness. It was a prediction that genuinely alarmed some gullible sections of the community (especially some ethnic communities whose small grasp of the English language led to genuine misunderstandings about the reliability of the prediction as broadcast in a sensationalising media). Dunstan dealt with the resulting public emotions with a mixture of reassurance and wit that swiftly defused the situation. (This included jauntily drinking a glass of champagne on the Glenelg jetty, surrounded by amused media figures and members of the public, when the inundation was predicted to happen: the moment took on a particularly festive air.) While roundly lampooning the crank he went to some pains to reassure people of the falseness of the prediction, calming the public emotions that could have been destructive to a minority of frightened if simple people whose peace of mind Dunstan nonetheless cared about very deeply indeed.

### **The politics of recognition**

Dunstan simultaneously practised 'the politics of recognition.' In a justly famous essay Charles Taylor notes:

A number of strands in contemporary politics turn on the need, sometimes the demand, for recognition. The need, it can be argued, is one of the driving forces behind nationalist movements in politics and the demand comes to the fore in a number of ways in today's politics on behalf of minority or subaltern groups, in some forms of feminism and in what is today called the politics of multiculturalism.

Taylor concludes: 'Due recognition is not just a courtesy we owe people, it's a vital human need'.

Dunstan understood the politics of recognition well, at an intuitive level. This gives us a clue to his uniqueness in the context of Australian political leadership. His interpretation of the politics of recognition arose from his capacity (may be it was a need) to identify with people from whom he felt estranged or with those he felt were suffering in ways that he could help alleviate. His politics were grounded in a remarkable capacity for empathy and compassion. He recognised and reacted strongly against the humiliations experienced by ordinary people struggling to accommodate inappropriate stereotypes,

and unjust legal threats and sanctions. He especially loathed the commonplace tyrannies of conventional opinion and prevailing prejudice exercised daily over individuals and minorities unfairly marginalised by their own communities.

## **Conclusion**

Dunstan's politics of recognition reflect a style of leadership I want to label as attached. Attached political leaders are like Antonio Gramsci's 'organic intellectuals.' Their political strategies and legislative priorities emerge from a highly humanistic praxis (theory informed by direct experience). They exist in the context of what Gramsci called 'the compassion of the moment'—meaning suffering with, experience of, the survival struggles of ordinary people in everyday life.

So I submit that in Don Dunstan we are faced with an extra-ordinary Australian political leader whose commitment to human rights and human freedoms has yet to be matched in Australian politics. His status as an outsider, his connecting with the public emotions, and his practising of the politics of recognition distinguish him as a unique leader in Australian public policy reform. Today's Australian political leaders have much to learn from his example.

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