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WHEN ELEPHANTS MATE

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By the autumn of 1983 the Australian economy was sick, public life was characterised by unseemly displays of ill will, people were frightened by industrial conflict, and the Fraser government had lost its way. A new Messiah, Mr Hawke, offered us a new political bromide, consensus. It seemed to be an alternative to accepting the disciplines necessary to put right what was wrong. Now is a good time to repeat earlier warnings about it.

Although Mr. Hawke's consensus was a far cry from the traditions of Westminster and of British justice, few people understood this. Most voters did not think about "consensus"; they felt about it. The best families work by consensus but what works for a small group, with intimate knowledge of each other, living in mutual trust and indeed love, is not suitable for the conduct of wider society, where a framework of simple but certain laws are necessary.

In any human society there is a measure of agreement. Consensus, in the sense of widely accepted goals (peace, justice and prosperity) and widely accepted rules (honesty, and respect for the law), is the cement, missing in places like Lebanon, which holds society together but it is not a guide to policy. There is no consensus in any useful meaning of the word if I agree to pay protection money to the mafia. There is a kind of consensus if I want a box of matches and a shopkeeper wants to sell me them but it need not involve the government. This market place consensus is the basis of any economy.

There is no possibility of a government consulting everyone about every issue. All a Government can do is reach consensus with those with the power to deliver or frustrate an agreement. Usually the power to deliver block support is the power to coerce. Mr Hawke points to goal consensus and uses it to justify policies which cannot command such broad support. From "everyone feels such and such", he moves to "everyone who could put a spanner in the works will go along with such and such". His consensus is not the common feeling of society but the common interest of the powerful. Its consequences are summarised in the African saying, "When elephants mate the grass gets crushed".

When the powerful interests are assembled on summits or in the more traditional smoke filled rooms, it is not surprising that they seek even more coercive power - more union preference, more tariff, wider monopoly for Telecom etc.

Politics has always involved attempts to reach agreement among the powerful groups to deliver more than half the votes. The price most often paid is in other people's wealth. Good politics is, however, much more than that; it involves conflict in defence of the public interest. The public interest includes those Jeffersonian principles which defend the individual members of the public from their governments - even democratically elected governments. It involves leadership, public education, the development and reinforcement of values, a pointing of the way.

Corporatism is a form of government by agreement of the powerful interests. It was common in Europe, being most fully developed in Italy between the wars. It has been defined as:

...the voluntary, co-operative regulation of conflicts over economic and social issues through highly structured and inter-penetrated sets of political relationships by business, unions and the state, augmented at times by political parties.

Mr Hawke's new consensus is built on co-operation among big unions, big companies and government; implying a government voice in union councils and in company board rooms, and also implying a union and business voice in government. The Accord is a new level of union control of government. With our Industrial Relations Club, industry councils, party conference decisions and summit meetings we have much of the paraphernalia of a corporate state.

Before Hawke came along, representatives of big companies, big unions, and industries had successfully waited on, fawned on, and threatened Ministers, but the rhetoric of Liberal and Labor Governments had eschewed favouritism in principle. Now a virtue is made of it.

When, as sometimes happens, some one group's behaviour impinges on legitimate freedoms, the government is expected to enforce general laws applicable to all. Yet so much have we accepted corporatist behaviour, that the following passage, found in the Hancock Industrial Relations Report, has not yet caused an outpouring of scorn and protest.

The analogy with civil litigants and sporting contestants ignores a major ingredient of the industrial relations scene - the phenomenon of power. If we ask why litigants and sportsmen usually accept the adjudicators' decisions, we find part of the answer in the ethics accepted by the disputants; but part, too lies in their relative weakness. The two factors are inter-related: the ethic of accepting decisions gains strength from the difficulty of doing other wise. By contrast, trade unions are, to varying degrees, centres of power:

The assumption that the powerful, because they are powerful, ought not to be equal before the law is an outrage that shakes the traditions of Magna Carta, of the enlightenment, of Westminster democracy and of liberal society. Are the trade unions, or for that matter big corporations or any other groups, like political parties, to be encouraged to assume the extra legal privileges the barons once claimed? Unwelcome costs are loaded by some people with power on to others without it, but instead of condemnation, delimitation and restriction of that power, our elected government facilitates and eulogises it.

However superficially attractive, consensus is not a substitute for a clear legal framework which protects minorities, including that smallest of minorities - the individual.