Dear Expert Panel members

2015 Defence White Paper

I am pleased to provide this information to the 2015 Defence White Paper Expert Panel, in my capacity as Australia’s Race Discrimination Commissioner.

The office of Race Discrimination Commissioner was established under the *Racial Discrimination Act 1975* (Cth) (RDA), and exists within the Australian Human Rights Commission. The functions of the Commissioner include promoting an understanding and acceptance of the RDA and conducting programs for the purpose of combating racial discrimination.

I support the correspondence of the Sex Discrimination Commissioner in relation to workforce diversity and offer the following additional comments.

**Australian Defence Force and cultural diversity**

Australia is a multicultural society whose people come from more than 200 different ancestries. About 26 per cent of Australia’s population were born overseas, and an additional 20 per cent have a parent who was born overseas.¹ Nearly 20 per cent of the population speak a language other than English at home.²

In objective terms, the Australian Defence Force’s (ADF) workforce does not reflect the diversity of Australian society. Ninety-five per cent of permanent ADF members were born in Australia, Canada, New Zealand, the United Kingdom or the United States. Only 12 per cent of permanent ADF members were born overseas. Less than 6 per cent of permanent ADF members come from a non-English speaking background.³
There is also the matter of public perception. Based on my work with multicultural communities, I believe some sections of Australian society regard the ADF as containing subcultures that are hostile towards cultural diversity. For example, members of Chinese communities have directly raised with me their concerns about the treatment of Major Ting Li, a member of the ADF’s legal division who was convicted by a court martial for his response to racist comments from a civilian employee of the Department of Defence (Major Li’s conviction was quashed by the High Court in November 2013).  

More generally, negative perceptions of the ADF are reinforced by periodic media reports about racism among ADF personnel. One story aired on the ABC in 2012 allegedly uncovered a private Facebook group of more than 1,000 former and serving ADF members, which featured highly offensive content, including of a racial nature. In January 2014, Fairfax Media alleged that some Navy personnel were members of extremist organisations such as the Australian Defence League. In April 2014, it was reported that up to six members of the Navy either had their employment terminated or were issued with notices to show cause why their employment should not be terminated over racist and anti-Muslim Facebook posts (although a formal investigation did not find any sailor belonged to the Australian Defence League).

Such media reports undoubtedly hinder any ADF efforts to recruit more people from non-Anglo backgrounds. It is widely recognised that an indicator of trust in the defence forces is the willingness of the public to encourage their children to serve under arms. Although the ADF enjoys a high level of public esteem among the general population, built on its history of service, there may be variance among different cultural communities.

The implications of cultural representation go beyond issues of recruitment. As the ADF recognises, ‘reputation and trust are also important elements for capability and in success on operations’. There is, moreover, an intrinsic importance in having national institutions that enjoy public legitimacy. As Australia grows ever more diverse in its composition, and as immigration continues, the stability of our liberal democracy would be well served by having an ADF that reflects our multicultural character.

**The Anzac tradition and citizenship**

Public understanding of Australian history and national identity is profoundly shaped by the Anzac tradition. Some questions have been raised, however, about the relationship between Anzac Day and multiculturalism. In 2012 there were numerous media stories that a report commissioned by the Department of Veterans’ Affairs had warned that the commemoration of the centenary of Anzac Day in 2015 is a ‘double-edged sword’ in a multicultural society, and involves ‘a potential area of divisiveness’.

It would be misleading to suggest that Anzac Day is divisive. The DVA-commissioned report by social research company Colmar Brunton found that there was a low risk of such divisiveness overall, and that there was a generally positive reaction from those interviewed to the centenary commemoration of Anzac Day. It also noted that there is an opportunity for part of the legacy of the Anzac Centenary to include a more harmonious multicultural Australia.
I have not encountered any cultural community that finds Anzac Day offensive, or that objects to honouring national history and tradition. But it is important to consider whether Anzac Day resonates with all Australians. Namely, some people of immigrant background may struggle to understand the meaning of Anzac Day and how they should relate to the Anzac tradition.

To some extent, this may reflect the particular emphasis that media places on the familial aspects of Anzac commemoration. Understandably, the ancestral or atavistic dimensions of Anzac Day can capture the most attention: those with forebears who have served in the Australian military, for obvious reasons, find 25 April to be deeply personal and profound.

To ensure that Anzac Day can speak to all Australians, every effort should be made to articulate the civic character of the occasion. Anzac Day should be a day to remember the contributions of past citizens, soberly and solemnly. It should prompt in all Australians, regardless of their background, a reflection on the sacrifices that citizenship may demand of us in extremis.

Lieutenant General David Morrison, AO, Chief of the Australian Army has rightly noted the importance of having mature public conversations about the meaning of Anzac:

> Some regard any criticism of the Anzacs as a form of treason. This is actually immature and unhelpful. The Anzacs justifiably will continue to be revered. But those who use their service to bludgeon conformity to a narrow ideal of what an Australian, especially an Australian soldier, should be, deliver harm not homage to Anzac. If Anzac is our most potent national myth, and I believe that it is, then it must be inclusive and expansive. It must offer intangible and universal values to all Australians. Fortunately I believe it is capacious enough to achieve this.¹⁰

I share Lieutenant General Morrison’s sentiments. National days are only as powerful as what they say about nations themselves.

Indeed, the Anzac tradition should be a generous and unifying story. It should symbolise an ethos of egalitarianism and mateship that animates our national life. It should serve to remind us that when we are at our best, we are prepared to think about something greater than ourselves, to place duty above interest.¹¹

**National Anti-Racism Partnership and Strategy**

The Australian Human Rights Commission leads the National Anti-Racism Partnership, which was established under the Australian Government’s multicultural policy, *The People of Australia.*¹²

The partnership consists of a number of federal government departments (Attorney-General’s Department, Department of Social Services, Department of Prime Minister and Cabinet) and bodies representing multicultural and Aboriginal and Torres Strait Islander communities (Federation of Ethnic Communities’ Councils of Australia, National Congress of Australia’s First Peoples, and the now-defunct Australian Multicultural Council).
The partnership developed the National Anti-Racism Strategy, which was launched in August 2012, and is the first national initiative dedicated to anti-racism in Australia and is underpinned by research, consultation and evaluation. The Strategy is an ongoing policy program.

A key initiative of the Strategy is a public awareness campaign, ‘Racism. It Stops With Me’ (http://itstopswithme.humanrights.gov.au). The campaign seeks to empower people to stand up to racial discrimination, and highlights practical action that can be pursued by individuals and organisations.

Among other things, the campaign invites organisations to demonstrate their commitment to anti-racism and undertake specific activities to support their stance against racism. To date, more than 300 organisations have committed to ‘Racism. It Stops with Me’, including leading companies, national sporting bodies, universities, local councils and community-based organisations.

Through the Strategy and the campaign, there is a timely opportunity for the ADF to demonstrate its commitment to combating racial prejudice and discrimination. I would welcome the three services of the ADF joining public organisations such as the Australian Federal Police, Victoria Police, NSW Police and South Australia Police, which have joined as supporters of ‘Racism. It Stops with Me’.

Yours sincerely

Dr Tim Soutphommasane
Race Discrimination Commissioner

T +61 2 9284 9835
F +61 2 9284 9794
E tim.soutphommasane@humanrights.gov.au

5 Report by H Cooper and N Tugwell, ‘Facebook group reveals ugly side of Defence Force Culture’, ABC TV, 7.30, 28 February 2012.


10 Lieutenant General David Morrison, AO, Chief of the Australian Army, ‘Speech: Anzac – What were we fighting for? Remarks by Chief of the Australian Army, Australian Human Rights Commission Seminar, 1 May 2014’.

11 For further discussion of Anzac and multicultural Australia, see T Soutphommasane, ‘Where does Anzac day fit in a culturally diverse Australia?’, The Age, 23 April 2012; T Soutphommasane, Don’t go back to where you came from: why multiculturalism works (2012); and T Soutphommasane, Reclaiming patriotism: nation-building for Australian progressives (2009).
