



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

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## Submission Cover Sheet

### Inquiry into Electoral Amendment Bill 2021

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## **Submission to the Electoral Amendment Bill 2021 (ACT)**

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### **Executive Summary**

Democracy is an inherent good. A system of government where the people are responsible, together, for making decisions about our common future is one where we are most likely to make wise decisions for the common good.

Extending opportunities for democratic participation, then, can only be a good thing, and the Green Institute warmly welcomes the ACT Legislative Assembly's proposal to extend the franchise to 16 and 17 year-olds.

Democracy relies on a diversity of views being heard and represented. Increasing diversity improves both the democratic process and the outcomes.

Further, inviting participation by a broad range of people and groups increases their engagement in the democratic process. Increasing engagement of diverse communities increases social cohesion, which is crucial to healthy democracy. This promotes a virtuous cycle of democracy.

Young people have a particular interest in political decisions being made today, and in a healthy democracy as an end in itself. Extending the franchise to 16 and 17 year-olds is crucial for both the democratic process and its outcomes.

The ACT is already a stand-out jurisdiction in Australia, showing how a more proportional electoral system leading to many years of effective shared power can deliver excellent governance and outcomes. Extending the franchise should be seen as a logical next step in the ACT's deepening of democracy.



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## **1. Extending democracy**

Winston Churchill famously said “Democracy is the worst form of government except for all those other forms that have been tried from time to time.”<sup>1</sup>

What this quip unfortunately obscures is that there are numerous forms of democracy, with different forms delivering better and worse outcomes.

The word democracy simply means rule by the people – a system of government where the people make decisions together for their common future. But this raises almost as many questions as it answers. Who are the people? Who gets to take part in the decision-making? And how are the decisions to be made? Does democracy require a degree of direct decision-making? Where decision-making inevitably is delegated to representatives, how should they be selected? Should decisions be made by simple majority, or even by a plurality (the largest group, even if it's less than 50%), or should we strive towards consensus?

The Greens as a political movement (of which the Green Institute is the Australian think tank) are based on the idea that democracy should involve participation by the greatest possible number of people, reflecting and involving the greatest possible diversity of views, all working together towards consensus. This is a difficult and challenging process, but one which has been shown to deliver the best outcomes for people and planet over the long term.

It is no longer particularly controversial to reflect that existing systems of democracy in Australia and around the world, including in the UK and USA (long considered bastions of democracy), are weak and under increasing threat.

Numerous polls show confidence in our democratic systems plunging. One of the most reputable, conducted by the Democracy2025 project of the Museum of Australian Democracy and the University of Canberra, shows Australians' trust in our democracy falling from 85.6% in 2007 to 40.6% in 2018.<sup>2</sup> And there's good reason for the cynicism. A comprehensive analysis by two senior scholars at Princeton and Northwestern Universities, Martin Gilens and Benjamin Page,

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<sup>1</sup> International Churchill Society, <https://winstonchurchill.org/resources/quotes/the-worst-form-of-government/>

<sup>2</sup> Stoker, Evans and Halupka, *Trust and Democracy in Australia*, Democracy 2025 report, 2018, <https://www.democracy2025.gov.au/documents/Democracy2025-report1.pdf>



found that the views of citizens had “little or no... influence” on US government policy. The real influence comes from “economic elites and organized groups representing business interests”.<sup>3</sup> While the USA is further down the path of democratic capture by corporate interests than Australia, the yawning gap between public opinion and government action on issues from climate change to corruption itself reveals similar trends.

It is crucial that those of us who cherish democracy work not just to save the democracy we have, but actively seek to deepen and improve our democratic systems. As the great democracy advocate Frances Moore Lappé wrote:

[L]et’s acknowledge what’s more and more obvious: that our idea of democracy is just way too weak for the job. Then we can get on with the work of bringing to life an emergent, more powerful understanding of democracy that does work because it’s creating a context that reflects what is now clear about human nature: our capacity for cruelty when power is too concentrated, secrecy prevails, and scapegoating ensues, as well as – under the opposite conditions – our capacity for fairness and cooperation as we leave behind the status of whiners and blamers and share in power as doers and creators.<sup>4</sup>

Elinor Ostrom, who won the Nobel Prize for Economics in 2009 for her detailed research on effective management of common pool resources, demonstrated that broad participation in decision-making leads to better outcomes. The people on the ground have the best information, from various perspectives, and the greatest capacity to manage that information and those perspectives. Ostrom’s research shows that, when more voices are involved, decisions are more likely to be long-lasting as they are built on trust; and they are more likely to be high-quality as they are stress-tested, scrutinised, challenged, and improved, through a process of “learn[ing] how to dissect and harness complexity, rather than eliminate it”.<sup>5</sup>

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<sup>3</sup> Martin Gilens and Benjamin I Page, ‘Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens’, *Perspectives on Politics*, September 2014, 564-581, p564 and 565.

<sup>4</sup> Frances Moore Lappé, *EcoMind: Changing the Way We Think to Create the World We Want*, Nation Books, 2011, p153.

<sup>5</sup> Elinor Ostrom, ‘A General Framework for Analyzing Sustainability of Social-Ecological Systems’, *Science*, Vol 325, Issue 5939, July 2009, 419-422, p420.



Extending opportunities for democratic participation, then, can only be a good thing. The greater the diversity of views heard and represented in democratic conversations the better both the process and the outcomes will be. Extending the democratic franchise – though voting is only one part of democracy – is an important step in deepening and improving our democratic systems.

Further, as Ostrom's research shows, inviting participation by a broad range of people and groups increases their engagement in the democratic process. Increasing engagement of diverse communities increases social cohesion, which is crucial to healthy democracy. This promotes a virtuous cycle of democracy.

## **2. The youth voice is crucial**

So many of the issues that politics in the 2020s is faced with have long-term implications. Whether it's the climate crisis or housing affordability, transport investment or urban planning, the decisions being made in the ACT Legislative Assembly will have tremendous impacts for decades to come. It's the younger generation who will live with the results of these decisions for the longest.

Surely, then, it is crucial that the voices of young people are heard loud and clear. We should be inviting young people to take part in the democratic process, and have their views reflected in the Assembly's decision-making.

It's note-worthy that each attempt throughout history to extend the franchise has been met with a similar chorus of objections by those at that time wielding power. When men without property, women, First Nations people, won the right to vote after long struggles, they had to contend with offensive claims that they were unable to make sensible and informed decisions, that they were immature or uneducated or untrustworthy.

No Member of the ACT Legislative Assembly today would consider such arguments about women, men without property or Indigenous people worthy of anything but contempt. The same contempt should be applied to the idea that 16 and 17 year-olds would bring less informed thoughtfulness, maturity or trustworthiness to their vote than those 18 and over.

We trust 16 and 17 year-olds to work, to drive cars and to responsibly engage in consensual sexual activity. While the ACT is currently planning to increase the



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minimum age of criminal responsibility from 10 to 14, there is no question that we consider 16 and 17 year-olds responsible for any criminal behaviour. We should also trust them to vote.

### **3. A step in an ongoing process**

The ACT is already in some ways at the forefront of democracy in Australia. The Territory's excellent Hare-Clark electoral system has delivered a diverse array of views and representatives in the Assembly over its history, with power-sharing parliaments in all but one term since self-government. This has seen conservative and progressive governments, with the support and participation of Independents, Greens and micro parties, including in cabinet. The negotiation that power-sharing parliaments have necessitated has seen important innovations in practice, such as written governing agreements and innovative cabinet processes, as well as in outcomes.

In addition, like many jurisdictions around the world, the ACT has been experimenting with participatory democracy, with Citizens' Juries on key issues, ongoing community panels, and deep involvement of citizens in development of neighbourhood parks and playgrounds, for example.

In the context of the threats to democracy in Australia and globally, the extension of the franchise to 16 and 17 year-olds should be seen as one step in an ongoing process of supporting, strengthening and deepening democracy in the ACT.

### **Conclusion**

The *Electoral Amendment Bill 2021* tabled by MLAs Andrew Braddock and Johnathan Davis is a commendably simple and straight-forward proposal to extend the voting franchise to younger people in the ACT.

If we believe in democracy as an inherent good, we should believe in deepening democracy, and in extending opportunities to participate to more people.

The Green Institute urges all Members of the Legislative Assembly to support this Bill so it can pass into law with unanimous support, peacefully and positively extending the franchise.