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Silencing Dissent

Non-government organisations and Australian democracy

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Summary

The issue

It is widely accepted that a well-functioning democracy is not limited to elections every three or four years but involves a continuing process of consultation between government and the citizenry. Non-government organisations (NGOs) serve as essential intermediaries between community and government, conveying important information about the needs and preferences of a wide range of groups in the community to governments that would otherwise remain remote and uninformed. NGOs provide a voice for marginalised groups and the means and opportunities for citizens to make claims on government between elections. NGOs are therefore an essential component of a healthy and robust democracy.

This understanding of the role of NGOs has been embedded in Australian political practice for decades. Recently, however, the legitimacy of NGOs and their contribution to democratic processes has been under attack. Questions have been raised about the representativeness of NGOs and the legitimacy of their standing as policy advocates in a liberal representative democracy such as Australia. The attacks on the legitimacy of NGOs have been led by a neo-liberal think tank, the Institute for Public Affairs. The Institute's views are apparently endorsed by the Howard Government which has commissioned that organisation to conduct an audit of how NGOs lobby or work with government departments.

There has been a serious deterioration in relations between the Federal Government and NGOs to the point where many believe they have been 'frozen out' and fear they will have their funding withdrawn. The concerns of the NGO sector were heightened by the proposal by Treasurer Peter Costello to disqualify a charity that engages in advocacy that is other than ancillary or incidental. Despite the recent announcement that the Government will not proceed with most of the draft Charities Bill, and will retain the common law definition of charity, the Tax Office has indicated that if it finds that a charity has a dominant advocacy role then it is likely that its charitable status will be revoked. Charitable status under tax law is an important, and in some cases indispensable, support for NGOs.

NGOs and democracy

Debate is fundamental to the development of good public policy and a well-functioning democracy. Governments that are open to policy debate enhance their own legitimacy and strengthen the democratic credentials of the nation. Dissenting views are an essential aspect of public debate. NGOs serve several important functions in the democratic polity. These include:

- creating deliberative forums;

- representing marginalised and stigmatised groups that otherwise have no public voice;

- providing for those most affected by government decisions to be involved in policy formation and evaluation;

- providing a cost-effective channel for consultation;

- promoting a richer public debate by providing information and opinions that would otherwise not be heard;

- helping keep government accountable to the wider community through their connection to NGOs' broad constituencies; and

- counterbalancing the influence of corporate organisations over government decision making.

These functions do not detract from other institutions of representative democracy but complement and enhance them. Some political scientists have argued that the declining levels of trust and participation in democratic institutions have given rise to a renewed interest in forms of community participation. The legitimacy of NGOs is granted by the communities they represent and it is to these same communities that they must be accountable. Other groups active in policy debates, notably business interests, escape the tests of 'representativeness' demanded of NGOs, despite the fact that they are clearly self-interested.

Threats to NGOs

The renewed interest in participation as a means of reinvigorating democracy has been undermined by the concurrent rise in neo-liberal ideas and 'public choice theory' which sees NGOs as 'selfish and self-serving' interest groups with little representative legitimacy. This neo-liberal worldview rejects the established partnership arrangement between NGOs and government in favour of a competitive model in which non-profit organisations are encouraged to imitate the practices of for-profit enterprises. When governments treat non-profits this way, it appears legitimate to write contracts that prevent them from engaging in public comment and to treat them as self-interested entities.

Signs of this shift were apparent in the Hawke-Keating years, but it was with the election of the Howard Government in 1996 that this view came to dominate policy making processes. Prime Minister Howard himself has challenged the legitimacy and relevance of collective action in the policy sphere, claiming that there is a 'frustrated mainstream in Australia today which sees government decisions increasingly driven by the noisy, self-interested clamour of powerful vested interests', by which he meant organisations such as ACOSS, Greenpeace and women's groups rather than business lobby groups.

As a result of this shift many disadvantaged groups that had taken years to organise themselves sufficiently to have a voice have found themselves increasingly excluded from the policy-making process. There has been a 'hostile, negative and often emotional campaign' to undermine the credibility of NGOs. Tactics include freezing out and de-

funding uncooperative organisations, use of intimidatory methods, and micro-management of relationships between the government and peak organisations.

The survey

To collect information on NGO perceptions of the barriers limiting their ability to participate in public debate, a web-based survey was sent to approximately 750 organisations that have some advocacy role. In total there were 290 responses, 268 (93 per cent) of which identified their organisations. The distribution of respondents by state and main field of activity was consistent with expectations. While they cannot be named, most of the largest and best-known NGOs responded to the survey as did many small and medium-sized ones. We are confident, therefore, that the results from our sample provide a reasonably accurate reflection of the mix of views held by Australian NGOs that engage in advocacy.

Not unexpectedly, NGOs are more likely to be critical than supportive of government policy, both state and Federal. Respondents report that they are more likely to be supportive of the previous rather than the current Federal Government, and that they are more likely to be supportive of current state government policies than those of previous state governments (Table S1). NGOs find the current Federal Government to be less sympathetic to their concerns than the previous Federal Labor Government - 58 per cent say they are often critical of the current Federal Government while only 26 per cent say they were often critical of the previous Government. This fact may explain why the Howard Government has adopted a range of strategies to silence NGOs. A similar though more muted pattern occurs at the state level.

Table S1 Percentage of respondents who believe their organisation's key messages are supportive or critical of government policy

	Current Federal Government	Previous Federal Government	Current state Government	Previous state Government
Often supportive	5	17	11	8
Often critical	58	26	34	47

When asked about their capacity to have their message heard by government, representatives of women's groups are the most likely to believe that their efforts are 'not at all successful' (43 per cent), with only one women's group believing that it has been highly successful. Groups representing families and older people were the most likely to say that they are being heard by government, with 13 per cent reporting they are highly successful and only six per cent reporting no success.

Social justice and welfare groups are divided in their perceptions of the willingness of governments to listen. These groups simultaneously report the equal highest percentage of respondents who believe that they are highly successful in having their message heard by government (13 per cent) and one of the highest proportions of respondents who believe they are not at all successful (28 per cent). There is evidence that this sector

has been divided between those who have aligned themselves with the Federal Government (through, for example, accepting contracts to deliver services) and those that have remained more independent and critical.

The survey asked respondents to indicate the main barriers faced by NGOs in getting their message heard. While 38 per cent said that lack of media interest is 'often' or 'always' a problem, only 18 per cent believe that media indifference is 'rarely' or 'never' a barrier to getting their message heard. Lack of interest by the Federal Government and state governments, on the other hand, is considered to be more of a problem. Three in five (61 per cent) said that the Federal Government is 'often' or 'always' not interested, with only 34 per cent saying the same about state governments.

Among NGOs that receive government support, around 70 per cent report that their government funding restricts their ability to comment on government policy. Many commented on implicit constraints on their ability to speak. In the words of three:

> *We would be unwise to bite the hand that feeds us.*
>
> *The perception is that you toe the line or you risk getting defunded.*
>
> *Peak bodies have had to tread very carefully in terms of retaining funding agreements during the Howard Government.*

It is apparent that self-censorship is as effective as explicit contractual prohibitions.

> *It does have a chilling effect, however, wondering whether critical comment may ultimately affect our funding security.*

It is widely believed among NGOs that the Federal Government, and to a lesser extent state governments, want to silence public debate. It is clear from Figure S1 that only a small minority of respondents believes that debate is encouraged by the Federal Government (nine per cent), with 58 per cent believing that debate is silenced and 33 per cent believing it is tolerated. State governments are perceived less negatively, with around half believing that debate is tolerated and around a quarter each believing that debate is either encouraged or silenced.

Respondents were asked to express their agreement or disagreement with a number of statements about the role of dissenting voices in Australian public debate. Three quarters of respondents (76 per cent) disagreed with the statement that 'current Australian political culture encourages public debate', with one quarter disagreeing strongly. Similarly, three quarters (74 per cent) believe that NGOs are being pressured to make their public statements conform with government policy. Ninety two per cent of respondents said they disagree with the view that dissenting voices are valued by government as part of a robust democracy; 42 per cent strongly disagree. Similarly, 90 per cent of respondents believe that dissenting organisations risk having their funding cut.

The survey responses paint a grim picture of the state of public debate in Australia. Both the survey results and the comments provided by respondents point to a high

degree of coercion on the part of Australian governments with respect to the NGO sector. Although frustration is expressed at state governments, it is apparent that the Federal Government is perceived as being especially intolerant of dissenting voices.

Figure S1 Attitudes of state and Federal governments to debate (%)
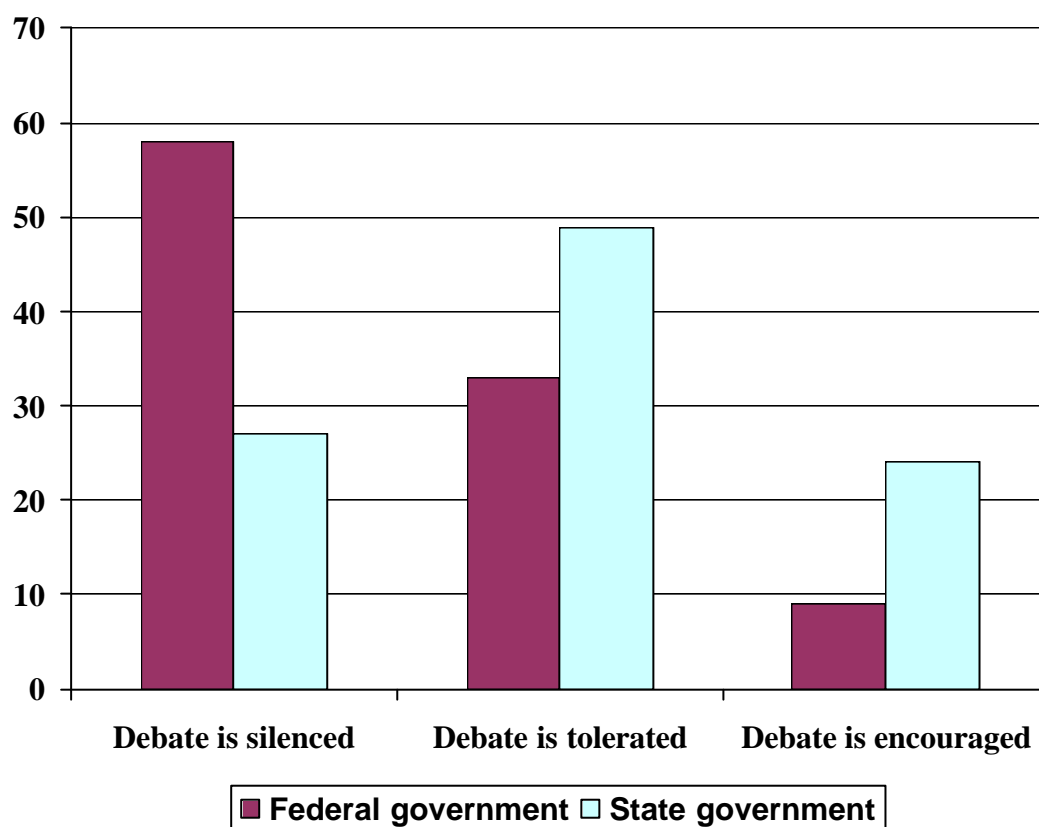
Other means of silencing critics

In addition to the threat of defunding, respondents identified several methods used by government to silence critics. As one respondent stated:

> *It's done very cleverly - by selectively destroying organisations, defunding, public criticism, ministerial interference and criticism, excessive auditing and 'review'.*

This perception of the diverse range of tactics adopted by governments is widely shared. In particular, many respondents singled out the way that the Federal Government seeks to bully, demean and challenge the credibility of its critics, something it does both publicly and privately. Four types of strategy can be identified from the dozens of comments provided. Illustrative quotes are provided here, with many more in the main report.

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Denigration and public criticism

> *The Fed Govt strives to silence or weaken debate by Fed Govt ministers or parliamentarians openly denigrating certain section/s of the community. This influences community opinions even though the community is not in possession of all of the facts.*

> *Automatic visceral attacks on opinions counter to party line.*

> *Persistent dismissal of contrary views by Government; attacks on the credibility of NGOs*

Bullying

> *Reactions to public comment are extreme ... e.g. phone calls from senior staff keen to reduce further public debate.*

> *Threats, bullying, personal attack unless debate is 'commissioned' by and 'controlled' by the Agency.*

Management of consultation processes

> *It is clear from our funding contract with Government that it sees our role not as a peak body in a democratic society but as a mechanism to help the Government 'get its message out' and help the Government implement its policy objectives.*

Diversionary tactics

> *Government is very clever at pre-emptive announcements ... Also clever at keeping the debate on its own terms through public comment, question time in Parliament and denial of problems by consistently producing Government's record rather than considering what still needs to be done.*

Conclusion

On coming to power in 1996, Prime Minister Howard expressed his pleasure at the fact that more people 'feel able to speak a little more freely and a little more openly' because the 'pall of censorship on certain issues has been lifted'. It would appear from the survey results presented here that, contrary to the Prime Minister's view, many NGOs are reluctant, if not afraid, to speak out against the policies of the Howard Government. While state governments are also guilty at times of pressuring NGOs to conform, the Howard Government's willingness to smother dissent poses a disproportionate threat to the democratic process in Australia.

The survey responses indicate that, over the past nine years in particular, the Federal Government has been highly effective at silencing, or at least muting, its critics in civil society. There are grounds for serious concern that the longer this goes on the more difficult it will be to reshape and rebuild the structures of democratic participation. Like

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individual citizens, community groups are being worn down and are increasingly reluctant to engage in the democratic process because they no longer believe that they can make a difference.

Other liberal democracies have recognised the benefits of a more engaged relationship between NGOs and governments. Anything less reduces government accountability, sustains existing inequities in many sectors and communities and, ultimately, diminishes the quality of Australian democracy.
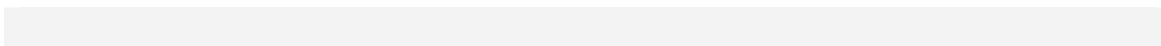
1. Introduction

1.1 Motivation for the study

It is widely acknowledged that public expression of dissenting views forms an essential part of a healthy democracy. On the other hand there is, perhaps, an inherent tendency for governments to feel discomforted when criticised, although some governments have overcome their discomfort and established or supported various independent bodies and forums and have actively sought the views of their critics. However, in recent years, there are more and more signs that governments, and especially the Federal Government, are manifesting increasing intolerance of criticism and have adopted a range of strategies to silence dissenting opinion. Many see the attacks on the ABC as an example of this, including the strident criticisms by the former Minister for Communication, Senator Richard Alston, of the ABC's coverage of the Iraq War.

A report published by The Australia Institute in 2001 identified widespread disquiet amongst university teachers and researchers about the deteriorating state of academic freedom in Australia. Almost all of the respondents to a survey of academics in the social sciences reported a degree of concern, with over one third expressing major concern. A majority (73 per cent) felt that academic freedom had declined over the previous four years, that is, since 1996. Many expressed disquiet at the erosion of their freedom to teach what they thought best and nearly half said they were reluctant to publish contentious research results especially if these were critical of the institutions that provided financial support for their research.

Non-government organisations (NGOs) are an essential component of a healthy democracy. Australia has a substantial non-government sector. Using the broadest measure there are as many as 700,000 organisations that provide social services, education and research, cultural and recreational activities, health services, and employment and sectoral support through business and professional associations and unions. Most Australian citizens are involved in at least one NGO, whether it be through union membership, children's sporting clubs or as volunteers in the vast array of non-profit organisations that depend on such labour.

This discussion paper is concerned with the contribution that some types of NGOs make to public debate in Australia. This work, known variously as 'advocacy', 'lobbying', 'activism' and 'political participation' provides an important form of extra-parliamentary representation essential for both a healthy democracy and the generation of good public policy. In recent years, however, this representative function of some NGOs has been strongly criticised by conservative commentators in the USA and Australia.

The present study briefly outlines the structure and history of the non-government sector in Australia (Section 2), and goes on to consider the role that NGOs play in democratic public policy debates (Section 3). A survey of 290 Australian NGOs is described in Section 4 and the results are presented in Section 5.

The various definitions and methodologies that have been applied to the study of NGOs make comparisons across research difficult. It is evident that there is not one single term that can be deployed to capture the wide range of organisations in the non-government

sector. Many of the authors referred to in this paper adopt differing terminology, referring variously to peaks, NGOs, non-profits, interest groups, charities, community sector organisations and so on. However, the purpose of this paper is not to weigh in to such definitional dilemmas. Rather, the authors have chosen to adopt the broad term 'non-government organisations' (NGOs) throughout the paper, bearing in mind that the focus of the research is on those that engage in some form of advocacy among their other functions.

1.2 Threats to NGOs

Attempts to restrict the advocacy or extra-parliamentary representative role of NGOs are not new. However, there appears to be a growing consensus among both policy advocates in NGOs and academics researching in the field that the political environment is becoming increasingly hostile towards this dimension of NGO activity.[1] As Casey and Dalton note:

> New contracting and governance provisions have channeled community sector input into narrow consultative and funding streams which appear to exclude dissenters, and there have been sustained attacks on the integrity of community organisations by conservative think tanks and commentators (Casey and Dalton 2003, p. 2).

The election of the Howard Government in 1996 saw NGO-government relations shift from cool (as a result of the new managerialist focus of the Hawke and Keating Labor Governments) to chilly (with the increasing dominance of the public choice perspective), to frozen-out altogether in the case of some NGO sectors. Examples of the 'freeze-out' that has occurred in the youth and women's NGO sectors are detailed in Boxes 1 and 2. As a result of these shifts in Government focus, relations between many NGOs and the Government are characterised by, at best, suspicion and, at worst, complete break down. The deterioration of these relations appears to have been further hastened by two events in the past 12 months.

In July 2003 the Treasurer, Peter Costello, announced the release of exposure draft legislation on the definition of a charity. The exposure draft of the Charities Bill 2003 states that it is a 'disqualifying purpose' for any charity to have as one of its aims 'the purpose of attempting to change the law or government policy' if it is more than ancillary or incidental to its other purposes (The Parliament of the Commonwealth of Australia 2003, p. 5). Many foundations are able to donate to charitable organisations only because their charitable status allows donations to be tax deductible to the donor, and withdrawing this status would result in the indirect defunding of many NGOs. In other words, lobbying or in any other way engaging in public policy debate, could result in a dramatic loss of income for many charitable organisations. Despite the recent announcement that the Government will not proceed with most of the draft Charities Bill, and will retain the common law definition of charity, many NGOs remain concerned that there will be a crackdown on their charitable status should they continue

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[1] Recent work drawing attention to this phenomenon includes Sawer 2002; Melville 2003; Melville and Perkins 2003; Casey and Dalton 2003; Mowbray 2003, 2004.

Box 1 Silencing young people

In 1998 Australian young people lost the voice of their most effective advocate in the federal policy arena through the defunding of the Australian Youth Policy and Advocacy Coalition (AYPAC).

Formed in 1991 to bring together a range of organisations specifically to 'increase the policy voice of young people' (Sawer 2002, p. 44), AYPAC had been an articulate critic of government policies, both during the Hawke-Keating era and subsequently under the Howard Coalition government.

AYPAC was known for its high quality research and its hard-hitting critique of issues such as the Howard Government's common youth allowance. The organisation was considered the 'representative voice for the interests of young people and youth affairs in Australia' and its work was regarded as 'constructive and professional' by other policy advocates (ACOSS 1998).

Without any consultation or discussions with the organisation, the Howard Government determined that AYPAC was 'out of touch' with young people and terminated its funding agreement as of 30 June 1998. AYPAC was replaced with a poorly resourced roundtable mechanism consisting of handpicked, young individuals, so that the government might avoid what it saw as the 'distorting representative structures' of AYPAC (Sawer 2002, p. 45).

Significantly, however, successive Youth Roundtables have called for the restoration of a body not unlike AYPAC, an organisation that would have continuing existence (rather than just coming together twice a year as does the Roundtable) in order to 'develop policy capacity and conduct policy monitoring' (Sawer 2002, p. 45).

But despite its establishment of the Roundtable, ostensibly as a means of listening to young people, the Howard Government has not heeded this call.

to engage in advocacy work. These fears have been strengthened by a statement from the Board of Taxation (2004 Appendix 7) which has made it clear that if 'the Tax Office receives information [about a charity] which ... confirms the advocacy role as dominant, it is likely that the status will be revoked'.

The Treasurer also asked the Board of Taxation to undertake public consultations on the 'workability' of the definition of a charity as proposed in the draft legislation. The Board received a total of 266 written submissions along with input from meetings with groups and key organisations around the country. Its *Report on the Consultation on the Definition of a Charity* was presented to the Treasurer in December 2003. While the Government has not provided any detailed response to the report (which remains confidential) the 2004-05 Federal Budget did include an announcement that the Government will not proceed with the draft Charities Bill and that the common law meaning of a charity will continue to apply.

Box 2 Silencing women

The Howard Government has not been kind to women's NGOs. Since the election of the Coalition in 1996, a range of women's organisations have perceived themselves to be under threat in relation to their ability to contribute to women's policy debates.

Under the then Minister Assisting the Prime Minister for the Status of Women, Senator Jocelyn Newman, relations between the government and women's NGOs deteriorated rapidly (Sawer 1999, p. 44). There was increasingly tight government control over the Ministerial Roundtables, the main remaining consultative mechanism with women's organisations. At the Roundtable meeting in 1997, Senator Newman told women's organisations they needed to 'get out of the sandpit' and seek funding from mainstream government departments or become self-funding. As Marian Sawer (1999, p. 44) observes, this is 'a hard call for advocacy groups often representing particularly disadvantaged groups of women'.

In 1999 the Howard Government initiated sweeping changes to funding arrangements for the women's NGO sector. The 30 organisations that had been funded under the National Agenda for Women's Grants Program were replaced with three funded 'secretariats', namely the YWCA, the Business and Professional Women's Association and the National Council of Women Australia (NCWA). The Government defended the move by pointing out that organisations tendering for the first three secretariat roles had to demonstrate that they were representative of Australian women by providing evidence of their membership. That the conservative NCWA included several Victorian private school 'old-girl' networks in their membership did not seem to strike anyone in the Government as incongruous or inappropriate (Maddison 2004).

The Howard Government is aware that many women's NGOs are deeply unhappy with the current funding arrangements. In 2001 the Association of Women's Organisations Conference put out a media release that stated that the organisations involved in the conference 'reject the corporatisation of women's representation to government through the current secretariat model, which leads to a loss of pluralism and diversity in the voices being heard by government' (AWOC 2001).

It seems clear that at least one desired outcome of the change in funding arrangements was the silencing of voices that would be critical of government policy. Indeed, the Government has shown no indication that it is willing to listen to concerns such as those voiced by AWOC.

To add to this, in August 2003, it was revealed in *The Weekend Australian* that the Federal Government had commissioned the Institute of Public Affairs (IPA) to conduct an audit of how NGOs lobby or work with government departments. However, given that the IPA is both a strident critic of NGOs (despite its own NGO status) and a 'player (with vested interests) in the very debate upon which it [was] asked to adjudicate', this move was considered highly inappropriate by some NGOs and provoked outrage among them. It was also considered ironic that no public announcement was made about the IPA audit by either the government or the IPA itself, despite the fact that they had been in discussions on the issue since 2002 and especially given the IPA's agitation for 'greater disclosure and accountability by NGOs receiving funding from and working with Government agencies' (Tomar 2003, pp. 4 and 5).[2]

These two inquiry processes – and the unknown outcomes they will produce – are contributing to a heightened sense of uncertainty for many NGOs. As the survey results in Section 5 demonstrate, the current climate is undermining the hitherto productive and respectful relationships between governments and NGOs that should be a part of a robust democracy in which a range of voices are heard and considered.

1.3   NGOs and a healthy democracy

This discussion paper argues that robust public debate on policy issues is essential to a healthy democracy. While Australia is clearly better off than many countries that do not experience our level of democratic freedoms – including freedom of speech – we should not allow ourselves to become complacent in this regard. The perception that the Government is trying to silence its critics remains strong among many NGOs, despite assurances by the former Federal Minister for Family and Community Services, Amanda Vanstone, that such claims are 'ill-informed and ludicrous' (Vanstone 2001).
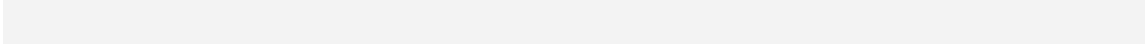
From certain comments that the Prime Minister himself has made, it would seem that he sees himself as a supporter of the type of robust debate that the authors advocate. For example, in relation to discussions of race and racism in Australia, Howard expressed his pleasure in the fact that more people 'feel able to speak a little more freely and a little more openly' because the 'pall of censorship on certain issues has been lifted' (Howard quoted in Kalantzis and Cope 1996). More recently the Prime Minister praised the cricketer Stuart MacGill for his decision not to tour Zimbabwe with the Australian cricket team, claiming that he 'always admired somebody who in his own way, for his own reasons, forms a conscientious objection to something' (Howard quoted in Marshallsea 2004).

Despite these endorsements of a diversity of views, among NGOs there is a strong belief that those who express a 'conscientious objection' to Federal Government policy will be punished. Indeed, many NGOs feel that they are much less able to speak freely and openly than they were prior to 1996. This perception should be taken seriously and demands a considered response. The implications of silencing dissenting voices in

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[2] The hypocrisy of the IPA's position should be clear from the statement on the organisation's website to the effect that 'Unlike some other institutions, we do not accept government funding,' even though the organisation is currently in receipt of Federal Government funds under their contract to 'audit NGOs' (see http://www.ipa.org.au/about.htm).

public policy debates are many. Governments will find themselves unable to ensure the responsiveness of services without communication from NGOs (Casey and Dalton 2003, pp. 3-4), the public policies that governments propose will lack support and legitimacy, and Australia's democratic credentials will be considerably weakened. A renewed respect for the role that NGOs play in enhancing Australian democracy is critical to avoiding these negative consequences and revitalising Australian democracy.

## 2. Non-government organisations in Australia

2.1 Understanding NGOs

The organisations that are the focus of this discussion paper are a subset of the broader category of non-profit organisations that Lyons describes. Not only do many of these non-profits play an important role in the democratic process in Australia, they also play an essential role in the delivery of services and the operation of the economy more generally. Of the estimated 700,000 non-profit organisations in Australia, approximately 380,000 are incorporated in some form and around 35,000 employ staff (Lyons 2001).

Non-profits make a significant contribution to the Australian economy. According to the Australian Bureau of Statistics (ABS), non-profit organisations accounted for $20.8 billion, or 3.3 per cent of GDP in 1999-00. If the value of volunteer labour is taken into account, then the contribution of non-profits to the economy grows to $29.7 billion, or 4.7 per cent of GDP. To put this sector into perspective, the 3.3 per cent contribution to GDP in 1999-00 was greater than the contributions made by the electricity, gas and water industry, the accommodation, cafés and restaurant industry and the cultural and recreational services industry. If the value of volunteer labour is included, the non-profit sector is bigger than both the agriculture and the mining industries (ABS 2002, p. 7).

The non-profit sector is also an important employer in the Australian economy, accounting for 6.8 per cent of total employed persons in 1999-00 (ABS 2002, p. 6). In addition to these employed persons, volunteers provided an estimated 558 million hours of work, the value of which was estimated to be more than $8.8 billion for 1990-00 (ABS 2002, pp. 19-20).

Although non-profits receive funding from a wide range of sources, government funding is the most important (Treasury 2001). Figure 1 shows the distribution of grants to non-profit institutions serving households from all levels of government. According to ABS (2002), the non-profit sector as a whole was in receipt of $13.5 billion in transfers from various levels of government, corporations and individuals. Table 1 provides a breakdown of these funds and demonstrates the overwhelming reliance of non-profits on government for their funding.

While a substantial proportion of NGO funding comes from various levels of government, it is also important to place this contribution in the context of the value of the volunteer labour supplied to non-profit organisations by the community. As discussed above, the ABS estimates that the value of volunteer labour donated to non-profits is in excess of $8.8 billion. Volunteer labour, therefore, contributes almost as much to the NGO sector as do government grants. Nevertheless, most NGOs require funding to facilitate and co-ordinate their volunteer labour force and, although government funding comprises only a portion of total resources, without it many NGOs would be unable to operate effectively. This issue will be discussed in greater detail in Section 3.5 when the impact of government funding on NGO capacity to speak out is discussed.

Figure 1 Grants to non-profit institutions serving households, by purpose (%)
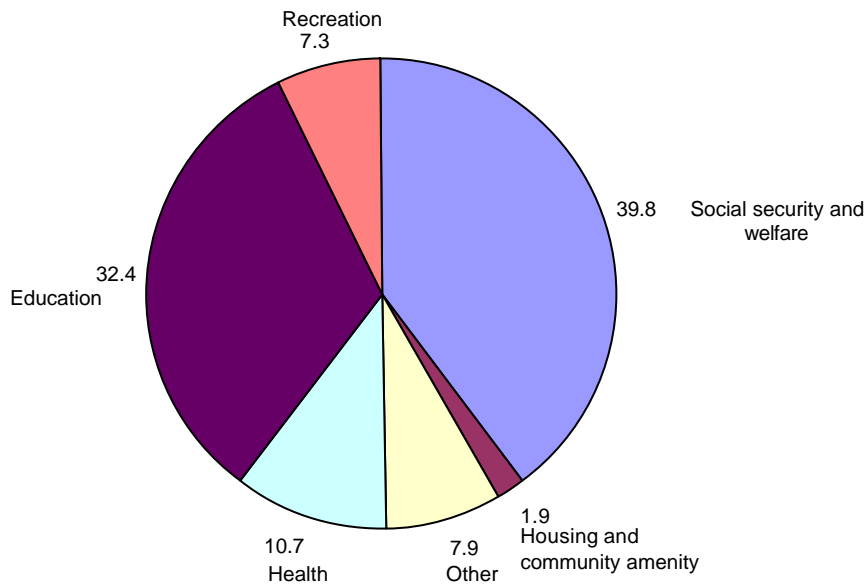
Source: Treasury (2001, p. 51)

Table 1 Transfers to NGOs, 1999-00

Source of funds	$ million
Government grants	10,124
Corporate donations	470
Household donations and membership dues	2,880
Total transfers received by NGOs	13,474

Source: ABS 2002

Defining the NGO sector

A range of definitions has been employed by researchers to describe the NGO sector. The ABS, for example, refers broadly to non-profit institutions (NPIs) and defines them in the following terms:

> They (NPIs) are organisations, they are not-for-profit and non-profit distributing, they are institutionally separate from government, are self governing, and non-compulsory (ABS 2002, p. 6).

Lyons (2001) found what he describes as the 'third sector' to consist of:

a) all those organisations that are not part of the public or business sectors; or

b) those private organisations:

- that are formed and sustained by groups of people (members) acting voluntarily and without seeking personal profit to provide benefits for themselves or for others;

- that are democratically controlled; and

- where any material benefit gained by a member is proportionate to their use of the organisation.

Lyons also notes, however, that there are large differences *within* the non-profit sector. Lyons' broad definition of the non-profit sector includes sporting clubs, surf lifesaving associations, churches, private schools, reading groups and so on. While there is no doubt that all of these organisations contribute in some way to the diversity and vibrancy of Australian civil society, they do not generally consider themselves to be 'players' in public policy processes. Therefore, the authors considered it inappropriate to ask these types of organisations to participate in the survey as they are not the subject of this discussion paper.

If this broad definition of non-profits is at one end of the spectrum, 'peak organisations' are at the other. Melville and Perkins (2003) define a peak as:

> A non-government organisation whose membership consists of smaller organisations of allied interests. The peak body thus offers a strong voice for the specific community sector in the areas of lobbying and government, community education and information sharing between member groups and interested parties (Melville and Perkins 2003, p. 5).

The concept of a peak body, however, implies a level of organisation and coordination that is not always possible in the NGO sector. Changes in the funding arrangements for some NGOs (including complete defunding in some instances) have made this coordination task even more difficult. Further, a peak organisation can only be created by the sector it represents, meaning such decisions cannot legitimately be made by governments. Thus the change to the secretariat funding model in the women's NGO sector (see Box 2) cannot be understood as the creation of new peak bodies for that sector. On the contrary, the defunding of the Coalition of Australian Participating Organisations of Women (CAPOW!) saw the end of an organisation that was the closest Australia has come to a national or centralised peak women's movement organisation (Maddison 2004).

For these reasons, this study has not relied solely on peak organisations when considering the definition of the NGO sector, nor when inviting organisations to participate in the survey. While peak organisations are indeed among survey respondents, many other NGOs have also participated. The authors recognise that, in the current climate, many smaller, unallied NGOs have a role to play in public policy processes as the non-government sector cannot always manage the level of coordination required under the peaks model.

Melville (1999) notes that:

> Within the political science, social policy, public administration and management and social movement literature, the way in which groups such as

peak bodies are conceptualized is a highly contested issue. It seems to depend on the nature of the constituent group, their size, their historical roots, activist history and pursuit of social justice goals (Melville 1999, p. 5).

The focus of this study is less on what *constitutes* an NGO than on what these organisations *do*. In particular, the authors are concerned with NGOs as 'non-state policy actors' (Sawer and Jupp 1996, p. 82), specifically their roles as 'extra-parliamentary representative bodies' (Sawer 2002). In other words, the paper examines a particular function that NGOs perform, and the implications for Australian society and politics should that function be constrained.

2.2   Changing times, changing roles

From colonial times Australia has relied heavily on the voluntary or non-government sector for the provision of social welfare and has subsidised this sector relatively heavily in order to support this important work (Melville 1999, p. 3). Early public authorities encouraged and supported a wide range of community-based initiatives that served to draw individuals and non-state institutions 'into the machinery of government' (Brennan 1998, pp. 124-5). In fact, the development of the non-government sector in Australia pre-dates any comprehensive or universal welfare provisions by government (Industry Commission 1995).

Over time, however, the role of the non-government sector has evolved from the notion of charitable welfare providers into more professionalised service providers that view policy advocacy as an important part of their role. In relation to peak organisations, with their explicit, sector-wide advocacy function, Melville notes that following the funding of the first such organisation in 1939, there followed a steady increase in the number of funded peak organisations dating from the 1950s and this expansion continued until the 1990s (Melville 1999, Melville and Perkins 2003, p. 1). Public sector reforms in the 1970s saw an increased emphasis on the importance of links between government and community, particularly through enhanced consultation and participation involving NGOs (Brennan 1998, p. 125).

The period since the 1970s has seen further significant changes to the environment in which NGOs are working. Casey and Dalton have identified 'four distinct eras that reflect changes in dominant attitudes to community organisation participation in policy-making' (2003, p. 6). They describe these eras as being marked by 'conflict' (1970-1985), 'consultation' (1980-1995), 'collaboration' (1990-present), and 'citizenship' (from approximately 2000), although there is overlap between the periods. In the conflict era an 'adversarial paradigm' was dominant, but this evolved as government moved to 'incorporate the conflict' in the more consultative period. The rise of the 'New Public Management' (Pollitt 1995, 1997) saw new contradictions emerge in public sector governance as the push for smaller government meant NGOs were asked to collaborate with government as formal service providers. The most recent change has seen governments by-pass NGOs as representatives of groups in the community and instead seek input directly from citizens as a way of 'taking away power from community organisations' and as a 'reflection of the decreasing faith in their capacity to represent citizens' interests' (Casey and Dalton 2003, pp. 6-8).

While it is certainly true that many of these changes have nothing to do with the current

Federal Government – and in fact some significant shifts in the policy-making context began under the previous Federal Labor governments (Orchard 1998, p. 115) – it is equally true that with the election of the Howard Government in 1996 many of these trends were 'greatly amplified' (Sawer 2002, p. 44). The current environment is one of great uncertainly for many NGOs. While they perceive their role as extra-parliamentary representatives to be as important as ever, they are increasingly being called upon by the Government to justify this view. As McDonald and Marston point out, where it was once 'taken for granted as part of the fabric of Australian society', the NGO sector is now operating within 'an extremely turbulent, unstable and highly contested contemporary environment' (McDonald and Marston 2002, p. 3).

In contrast to other liberal democracies, the current Australian Government seems reluctant to address the possible consequences of this situation. While various Australian states are now working to rebuild their relationships with the non-government sector, at the Federal level it appears the freeze-out is continuing.

2.3   Australian NGOs in comparative perspective

In terms of its relative contribution to employment, Australia's non-profit sector is of a similar size to that of the US and larger than that of the UK (Philanthropy Australia 2003). As Melville and Perkins note, however, major obstacles arise when the situation of Australian NGOs is compared with that of similar organisations in other countries because of 'regional differences in defining the role and structures of these organisations'. Despite these difficulties, however, Melville finds it possible to observe some similarities among the NGO sectors in New Zealand, Canada, and the US, where NGOs are closely linked with government service delivery and 'reflect the work of traditional charities' (Melville and Perkins 2003, p. 7). For example, organisations in these countries are more reliant on fundraising and private donations than on government funding. In contrast the NGO sector in Britain is far more dependent on government funding, much like the Australian NGO sector.

There are several recent trends that have some bearing on the shape and influence of the NGO sectors and their relationship with governments in various liberal democracies like Australia. New frameworks for these relationships include the notion of 'partnerships' and 'capacity building' in Canada, a 'compact' in Britain and the notion of 'social coalitions' that has been favoured by the Howard Government here in Australia (Rawsthorne 2004, p. 3). Internationally at least, some of these changes in funding and other areas of NGO-government relations appear to be in response to the recognition of the importance of these relationships, both for service delivery and for a vibrant civil society.

In Canada, for example, NGOs experienced a degree of repositioning as 'special interest groups' under a neo-liberal regime that saw many Canadian NGOs moved 'from the mainstream to the margins' (Sawer 2002, p. 43; IMPACS 2004). More recently the Canadian Government and the NGO sector (called the voluntary sector in Canada) have been working together to develop a partnership-based 'Accord'. The Accord is seen as a mechanism for explicitly involving NGOs in policy development rather than restricting

them to a service delivery role (Edwards 2001, p. 79).[3] Similarly, in the UK, the Blair Government has worked with the voluntary sector to develop a 'Compact' 'designed to help build the partnership between government and the voluntary sector' and recognising specifically the independence of the sector, the need for strategic funding, and the importance of consultation in order to promote better government (National Council for Voluntary Organisations 2001).

While these initiatives in other countries are far from perfect, and certainly not without their critics (for example see Murphy (2002) on the Irish experience and Patten (2001) for more on the Canadian experience), they at least indicate a willingness on the part of governments to deal with NGOs on a more consultative, stable and respectful footing. It would be disingenuous, as ACOSS has argued, for the Australian Federal Government to suggest that it is mimicking these 'best practice' funding arrangements without 'also implementing the extensive process of resourced consultation that led to the "best practice" outcomes in those two countries' (ACOSS 2000, p. 1).

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[3] For more information see the Canadian Voluntary Sector Initiative website at http://www.vsi-isbc.ca/eng/index.cfm

3. Non-government organisations, democracy and public debate

3.1 NGOs and democracy

In their role as extra-parliamentary representatives providing a voice for marginalised groups in Australian society, NGOs can be seen as a necessary component of a healthy and robust democracy. They are 'indispensable intermediaries' between community and government (Melville and Perkins 2003, p. 1), conveying important information about the needs and preferences of a wide range of groups in the community to governments that would otherwise remain remote and uninformed. NGOs provide the means and opportunities for citizens to make claims on government between elections. Indeed, as Verspaandonk has suggested, it is a legitimate expectation that a 'well-functioning democracy' will 'grant citizens the right to be consulted between elections about the work of government' (Verspaandonk 2001, p. 9).

Recently, however, the legitimacy of this expectation has been under attack. Questions have been raised about the representativeness of NGOs and the legitimacy of their standing as policy advocates in a liberal representative democracy such as Australia (Johns 2000). The role that international NGOs played in the defeat of the proposed Multilateral Agreement on Investment in 1998[4] has even seen some North American free-market advocates, such as John Fonte, describe NGOs as central to a global threat to liberal democracy that he labels 'transnational progressivism' (Fonte 2002 cited in Mowbray 2003, 2004). In Australia, the attacks on the legitimacy of NGOs have been led by a neo-liberal think tank, the Institute for Public Affairs (IPA). Mowbray provides a critical view of the IPA perspective:

> The IPA has persisted with the thesis that middle class activists have intruded on what is properly the prerogative of government (and perhaps itself): the shaping of public policy. The IPA has frequently made wild and sneering accusations about NGOs, employing terms such as 'cashed up NGO's', a 'dictatorship of the articulate' and a 'tyranny of the minorities', 'mail-order memberships of the wealthy left, content to buy their activism, and get on with their consumer lifestyle' and so on. Such populist language mirrors that used by free-market advocacy groups internationally (Mowbray 2004, pp. 4-5).

But there are clearly two sides to this debate. A recent edition of *Background Briefing* on ABC Radio National summed up the opposing views on NGOs: 'While some see them as synonymous with democracy in action, others see them as unrepresentative, ideological and their role meddlesome' (Australian Broadcasting Corporation 2004). In the face of the apparent hostility of attacks like that being mounted by the IPA, it seems appropriate to discuss, and even defend, the legitimate role that NGOs have long played in serving and enhancing Australian democracy.

3.2 Neo-liberalism and the 'democratic deficit'

Democracy remains, as Winston Churchill observed, the 'least worst' form of government. As such, it contains an insurmountable deficit – what Hindess (2002)

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[4] For more on the defeat of the MAI see Mowbray (2003) and Goodman and Ranald (2000).

describes as the 'deficit by design' – which should be understood as the 'normal condition of representative government'. Hindess argues that the acceptance of representative government has an essential contradiction at its heart: 'while celebrating the original democratic idea of rule by the people it also endorses that traditional hostility to democracy' that is informed by a fundamental 'distrust of the people'. The institutions of representative democracy, such as 'elections, political parties, representative assemblies and public service bureaucracies' are a direct contribution to the deficit in that they 'can also be seen as excluding the people from the practical work of government' (Hindess 2002, p. 33). The recognition of this deficit has contributed to a 'new interest in participation' in public policy processes as liberal democracies attempt to combat declining levels of trust in their administrations and shore up the legitimacy of their regimes (Bishop and Davis 2002, p. 15).

This renewed interest in participation as a response to the democratic deficit has, however, been complicated by the concurrent trends of economic rationalism and neo-liberalism in public sector management. Rather than attempting to ameliorate the inevitable deficit in Australian representative democracy, recent years have seen 'an erosion of democratic institutions and policy-making processes under a neo-liberal regime' (Melville and Perkins 2003, p. 108). Lyons argues that governments 'under the influence of neo-liberal ideas' are:

> …walking away from the somewhat fractious partnership arrangements that they had with nonprofits in several fields, especially community services, in favour of competitive models for allocating government support. These new arrangements tend to favour large over small organisations and, in some cases, for-profits over nonprofits. Even if they do not, they encourage nonprofits to imitate for-profits. Increasingly, governments seek to use contracts to prevent the practice of public-serving nonprofits advocating on behalf of those groups to whom they provide services (Lyons 2001, p. 224).

In other words, the democratic deficit has been exacerbated by neo-liberal approaches to government-NGO relations and the resulting 'jettisoning of interest integrating and opinion framing roles by the major parties' which 'leaves a worrying gap in policy-making capacities' (Marsh 1999, p. 8). Others concur with this view. Melville argues that 'an increased interest in neo-liberal political as well as neo-classical economic theories' has had a 'marked impact on the nature of the relationship of third sector organisations with the state'. Furthermore:

> The often fragile but mutually beneficial interlocking relationships, established policy networks and methods of consultation, which have existed between state agencies and service providers are being reshaped in ways which seriously undermine access of these groups to the political and policy making process (Melville 1999, p. 2).

There is a growing consensus among scholars in this area that public choice theory has had a profound influence on the state actors – both politicians and bureaucrats – who

exert influence in the domain of government-NGO relations[5]. Public choice theory uses the lens of neo-classical economics to view the actions of NGOs in the domain of public policy making. According to this view, governments are at great risk of being 'perverted' (May 2001, p. 254) by 'selfish and self-serving' interest groups with little representational legitimacy (Marsh 1999, p. 6). In the public choice paradigm, actions such as policy advocacy, participation and consultation should be avoided, as they are little more than a ruse designed to disguise the purely self-interested motives of the 'well-organised minorities' (Sawer and Jupp 1996, p. 84) that dominate Australian NGOs. The true motivation of these organisations is really to seek additional funding and greater power and influence for their members – what is known disparagingly as 'rent-seeking' (Orchard 1998, p. 114). The irony of this view seems to be lost on the majority of its proponents who ignore the fact that, as Brennan points out, 'those supposedly feathering their own nests are among the worst-paid members of the workforce' (Brennan 1998, p. 134).

While public choice theory first began to influence public policy makers at around the same time as the economic rationalism of the Hawke and Keating Governments, it was with the election of the Howard Government in 1996 that it came truly to dominate public policy making processes. Melville argues that the election of John Howard:

> …ushered in an era of politics which challenges the legitimacy and practice of collective political action in the policy-making arena … In practice this has translated into denying a whole range of interest groups from gaining access to the Prime Minister, Cabinet Ministers and even public servants. Many disadvantaged groups who had fought for a long period of time to have a voice in the policy-making arena now find themselves increasingly shut out of these same political processes (Melville 1999, p. 3).

The exclusion of NGOs from public policy debates is justified as being in the best interests of good government, the public interest and even democracy itself. As Sawer argues 'extra-parliamentary forms of representation and consultation have been redefined as special-interest pleading rather than as more inclusive forms of democratic decision-making' (Sawer 2002, p. 43). The formal institutions of representative democracy – far from being considered to be in deficit – are seen as the most appropriate means of protecting the majority from a self-interested, but noisy, minority.

What the public choice perspective ignores, however, are the important democratic functions that NGOs play, particularly in terms of extra-parliamentary modes of representation for marginalised groups. Sawer summarises these democratic functions as follows:

- recognition of multiple forms of political identity mobilised by new social movements;

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[5] A few scholars who have made this point in recent years include Mowbray 2003; May 2001, p. 254; Pixley 1998, p. 138; Brennan 1998, p. 133; Marsh 1999, p. 6; Orchard 1998, p. 114; and Sawer and Jupp 1996.

- creation of deliberative forums through which the policy claims of new constituencies can be crystallised;

- representation of marginalised and stigmatised groups that are not 'vote winners' and would otherwise lack voice;

- involvement in policy process of those most affected by government decisions, the groups most reliant on government intervention for equality of life chances; and

- development of communicative or policy capacity on the part of bodies representing the resource-poor sections of the community (Sawer 2002, p. 41).

These functions can all be considered to offer some degree of compensation for the democratic deficit in our parliamentary system of representative democracy. Indeed, society would be 'palpably poorer' without such organisations (Lyons 2001, p. 204).

Sawer is only one among many analysts to offer such a list. An independent review of peak NGOs by RPR Organisational Consultants in 1996 provided a similar inventory, claiming that 'national peak community organisations':

- 'provide a cost effective channel for consultation with, and access to, the views of disadvantaged or marginalised groups to improve the development and design of policy and programs;

- provide a source of expertise and knowledge in relation to the needs and circumstances of specific groups in the community, both directly and through their membership networks;

- promote public debate which is essential to sound policy formation and implementation in a participatory democracy;

- offer an efficient source of dialogue at the national level on issues which may impact across states and territories, and across the non-government sector;

- provide a vehicle through which government can work to enhance the quality and efficiency of its human service programs, at relatively little cost to government;

- assist in the process of accountability of government to the wider community, by providing feedback on the impacts of policy and programs on specific groups in the community;

- contribute directly or indirectly to the resolution or alleviation of specific social and health problems in a way which is cost effective for governments;

- present important perspectives and information which can counter or balance the views put forward by other organised interests;

- facilitate wider community understanding of government policies and programs; [and]

- offer an efficient vehicle for disseminating information on government initiatives'
(RPR 1996, p. 6 cited in ACOSS 2000, pp. 2-3).

Two of these democratic functions are of particular note, especially given the current hostility towards the advocacy role of NGOs. The fact that NGOs are considered to provide a vehicle for enhancing government accountability to the community is especially significant given that it is on the grounds of their own accountability that NGOs are likely to be attacked by governments. Similarly, the fact that NGOs are recognised as playing an important role in presenting perspectives and information from a non-corporate perspective is an important acknowledgement of the fact that there is a need for balance in policy debates. Without extra-parliamentary representation from NGOs, it is quite probable that many marginalised groups would have their voices drowned out by the well-resourced corporate organisations that so often have the ear of governments.

Similar conclusions can be found in a wide range of sources that note the role played by NGOs in liberal democracies. NGOs provide 'democratic legitimacy' when they are involved in public policy processes that see citizens as central to solving community problems (Rawsthorne 2004, p. 4); they reduce the social isolation that leaves people vulnerable to xenophobic and racist appeals (Pixley 1998, p. 143); and they enhance public accountability and participation through opening up state administration to a democratically conceived 'citizen-based community' (Yeatman 1998, pp. 3, 17). In other words, far from being anathema to democracy, as public choice theorists would have it, there is widespread support for the view that the extra-parliamentary representative role that NGOs play when they act as advocates in public policy processes is, in fact, essential to a healthy democracy.

But regardless of the abundant evidence to support this view of the democratic enhancement that NGOs offer, the influence of public choice theory and neo-liberalism more generally, has served to de-legitimise their role as advocates in public policy debates. The implications of this de-legitimisation are considered in the next section.

3.3   De-legitimising the representative role of NGOs

Campaigns to de-legitimise the standing of NGOs in public policy processes and in democracy more broadly – such as that undertaken by the IPA – 'rely tactically on trying to undermine the substantial credibility of NGOs through a hostile, negative, and often emotional, public campaign' (Mowbray 2003, p. 6). At the heart of these attacks is the claim that NGOs are not representative; that rather than representing the interests of, for example, poor people, NGOs are actually representing the interests of those 'who work with the poor – the "welfare industry"' (May 2001, p. 254). Those leading these attacks present the view that such NGOs 'exercise disproportionate influence' through working as a 'conspiratorial elite, meeting in the rooms and restaurants of Canberra, making deals to suit their own agendas' (Sawer and Zappalà 2001, p. 286). The goal of these campaigns to discredit NGOs is to ensure their exclusion from public policy debates because of an apparent lack of legitimate, representative standing.

Melville comments on a number of ways in which this de-legitimisation of NGOs has taken effect, from 'deliberate defunding of organisations to significant changes in the micro-management of relationships between ministers, public servants and peak

representatives' (Melville and Perkins 2003, p. iii). Sawer and Zappalà (2001, p. 291) note the 'increased pressure to conform to government agendas' and the 'general downgrading of the value assigned to community-based advocacy' that NGOs are facing as their general legitimacy declines in the eyes of some sectors of government administration.

It seems to be a sign of the times that the legitimacy of NGOs has become so highly contested. The neo-liberal agenda suggests a reconfiguration of existing institutional arrangements based on changing conceptions of the role of government and the relationship between government and non-government players in democratic policy processes. As McDonald and Marston (2002, p. 3) argue, in the '"welfare society" of neo-liberal ascendancy… there are no "natural players" in the sense that was once presumed, and no given set of institutional arrangements.' In this climate attempts to de-legitimise the role of NGOs have a far greater chance of success and this threat should be taken very seriously indeed.

NGOs themselves, however, have a clear understanding of the source of their legitimacy. As ACOSS argued in its response to the Commonwealth Department of Community Services discussion paper on the funding of peak bodies:

> The starting point of any consideration of public funding arrangements for peak bodies must be a real understanding that they are autonomous organisations that arise from genuine community demand and need. Their legitimacy derives only from genuine community demand and need. Their legitimacy derives only from their own community constituencies; it cannot be conferred by any other source, including government (ACOSS 2000, p. 2).

In other words, NGO legitimacy is granted to them by the communities they represent and it is to these same communities that they make themselves accountable.

Successive government enquiries have endorsed this view of NGOs as providing an important means of representation for disadvantaged groups in the community. In 1991 the House of Representatives Standing Committee on Community Affairs (HORSCCA) released its report on the funding of peak health and community organisations. The report recommended:

> Continued Commonwealth funding for national secretariats of non-government health, housing and community services organisations on the basis that public education, public debate and community consultation assist the development of appropriate policies and programs, especially where disadvantaged groups are concerned (HORSCCA 1991, p. 18).

Similarly, in 1995, the Industry Commission, mandated by the Federal Government to inquire into Charitable Organisations, released the report on its findings. The announcement of this inquiry had 'sent a nervous shiver down the collective spine of the non-government welfare sector' due to the fact that the Commission was seen by many NGOs as 'an instrument of neoclassical economic surgery' (Ernst 1998, p. 219). Nevertheless the Industry Commission report, like the HORSCCA report, recognised the legitimate role of peak community sector organisations as 'representative

organisations' that provide 'advocacy and representation (among other duties) … for its members and other interested parties' (Industry Commission 1995, p. 181).

The representation of marginalised groups and interests through a 'vibrant and healthy non-government sector' is an essential part of a democratic society. As Melville argues: 'The state needs to ensure the advocacy and representation of marginal and disadvantaged groups who often are locked out of the policy-making process' (2003, p. 110). The long history of government funding for NGOs, and the findings of successive government reports that endorse the legitimacy of this representative function, are recognition that strengthening 'weak voices' through representation is a characteristic of good democracy (Sawer 2002, p. 39). This function of NGOs does not detract from the other institutions of representative democracy. Rather it complements those institutions and is recognition of the fact that 'multiple institutions or modes of representation are required to ensure that different aspects of the individual citizen are represented in policy discourse' (Sawer 2002, p. 40).

It is interesting to consider the different standards of 'representativeness' that apply to NGOs and the for-profit sector. Sawer notes that there has been a 'sustained concern' over what is seen as the 'authenticity' of organisations claiming to represent particular groups. Specifically this has manifested itself in 'organisational requirements that representatives share characteristics of their constituency (for example disability or youth or HIV status)' (Sawer 2002, p. 43). Sawer argues that:

> The Howard attack on special interest groups was by implication an attack on the extra-parliamentary forms of representation that had enabled more sections of the community to have a voice in policy development. The legitimacy of peak bodies was undermined through suggestions that they did not represent their supposed constituencies and that they distorted grass-roots opinion. There was a new privileging of non-deliberative forms of consultation over extra-parliamentary forms of representation, market research over policy capacity building, talk-back radio over round tables and peak bodies' (Sawer 2002, p. 44).

By contrast, groups that are active in public policy debates and escape these tests of representativeness include 'business interests, the legal fraternity … the "money market" and global capital' (Rawsthorne 2004, p. 6). The legitimacy of the role that these groups play in public policy debates is rarely questioned by government, despite the fact that the 'political, economic and policy agendas some of these organisations pursue would be held by others to be just as self-interested and self-seeking' as any goal that could be attributed to NGOs (May 1996, p. 269).

Only the continued funding of NGOs has allowed them to represent their constituencies in a manner that is 'comparable in sophistication' to the business and free-market advocates so favoured by government (Sawer 2002, p. 39). As Lyons argues, it makes sense for governments to fund NGOs in their advocacy role 'in the interests of equity' because 'middle-class interests and business groups can afford to lobby in their interests [but] disadvantaged groups need government funds to do so' (Lyons 2001, p. 222). Nevertheless, with the election of the Howard Government, and the Prime Minister's stated goal of 'governing for the mainstream' in particular (see Barns, below), it was obvious that equity was no longer the focus. It rapidly became clear that it was not only

the representative status of NGOs that was being questioned but also 'whether sections of the community outside the mainstream (such as lesbians) should be represented at all' (Sawer 2002, p. 48).

The Prime Minister outlined his goal of 'governing for the mainstream' in a speech he gave in 1995, shortly before his election in 1996. The speech, entitled *The Role of Government: A Modern Liberal Approach* clearly articulates the neo-liberal, public choice perspective of self-seeking, special interest groups capturing the policy process. Howard argued that there was a:

> …frustrated mainstream in Australia today which sees government decisions increasingly driven by the noisy, self-interested clamour of powerful vested interests with scant regard for the national interest.
>
> The power of one mainstream has been diminished by this government's reactions to the force of a few interest groups.
>
> Many Australians in the mainstream feel completely powerless to compete with such groups, who seem to have the ear completely of the government on major issues …
>
> These trends reflect a style of government which will change profoundly under the Liberal and National Parties….
>
> Increasingly Australians have been exhorted to think of themselves as members of sub-groups. The focus so often has been on where we are different – not on what we have in common.
>
> In the process our sense of community has been severely damaged (Howard cited in Barns 2004).

But by 'repositioning equality-seeking groups as special interests outside the mainstream' in this way, the Howard Government has utilised a form of 'wedge politics' that has been much favoured in recent times by the Republican Party in the US. Rather than building an inclusive democratic community, 'wedge politics' plays on the community's existing 'suspicions, fears and resentments of difference' which are 'turned against the pursuit of social justice or of more inclusive forms of democracy' (Sawer 2002, p. 43).

For Marsh, however, this view of the representative role of NGOs – and indeed this view of Australian society more generally – is seriously misleading:

> …the image of the contemporary Australian community as a kind of vast silent majority with a noisy fringe of pressure groups is fundamentally wrong. Talk of a 'new class' as some alien sectional minority subverting the public interest in favour of selfish and unrepresentative concerns is fundamentally wrong. And the idea that Australian society has been taken over by 'politically correct' discourse to the exclusions of a majoritarian but muted voice is also fundamentally wrong (Marsh 1999, p. 9).

Yet despite the error of the current government's view of the role of NGOs in Australia, it is this view that has taken hold and come to dominate NGO-government relations in recent years, a situation with serious implications for the health of Australian democracy. As Melville and Perkins argue:

> This situation must be addressed to ensure that the voices of marginalised and low-income people are incorporated into policies which have a critical impact on their day-to-day lives, living standards, and social, cultural and political rights (Melville and Perkins 2003, p. viii).

A re-orientation of our understanding of democracy is required. A healthy democracy should be understood as requiring public debate and deliberation among diverse voices including a valued non-government sector which is recognised as legitimately representing marginalised groups in the community.

3.4   The role of public debate in a robust democracy

Debate is essential to the development of good public policy. Creating a climate of 'participatory governance' recognises that there is a range of needs and perspectives that should be considered in the determination of any policy outcome. Edwards describes participatory governance as being about:

> Collaborative relationships; specifically about the role of non-government players, beyond delivering services to a role in the policy development process. It requires structures and arrangements which support effective relationships across public, private and community sectors as they collaborate in decision-making processes towards agreed objectives (Edwards 2002, p. 52).

This view of policy deliberation as a structured, resourced and valued *process*, is at odds with what currently constitutes public policy debate in Australia. The authors do not view some of the recent 'debates', initiated by what one of our survey respondents terms 'grenade lobbing' by the Prime Minister, as contributing to participatory governance. What this respondent is suggesting is that the Prime Minister regularly makes inflammatory public statements as a means of distracting people from the core issues at hand. This sort of wedge politics is evident in examples such as the Prime Minister's recent comments concerning a supposed 'lack of values' in Australian public schools.[6] Comments of this nature undermine the possibilities of a constructive, inclusive and democratic policy process, and narrow the terms of the public debate.

A democratic policy process requires a shift away from 'paternalistic and top-down conceptions of state administration' to a more open, inclusive and participatory model (Yeatman 1998, p. 17). It can even be argued that 'democratic legitimacy' itself rests on

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[6] In January this year the Prime Minister observed that the fact that almost 40 per cent of teenagers now attend private secondary schools, and one in three Australian children overall do not attend public schools, was due to their parents' belief that 'government schools have become too politically correct and too values neutral' (Howard quoted in Maiden 2004). His comments sparked an uproar, with many public school teachers and education unions condemning the Prime Minister's views. The ensuing debate was focussed solely on the presence (or otherwise) of values in public schools, at the expense of broader considerations relating to the funding of public schools, unequal access to education resources and so on.

'the character and quality of public deliberation, and the relationship between public deliberation and state decision-making' (Patten 2001, p. 239 cited in Rawsthorne 2004, p. 4). Clearly, while there is a range of possible approaches to public participation in policy and decision-making processes that imply an array of values and choices for both state and non-state policy actors (Bishop and Davis 2002, pp. 14, 16), it is equally clear that there are ethical as well as sensible or practical reasons for government to choose to initiate a consultative policy process (Kane and Bishop 2002).

There are, for example, many benefits available to governments that choose the consultative, participatory path. Aside from finding themselves in a 'better position to explain and justify their decisions' (the practical dimension), governments that choose to open up policy debates will also find themselves holding stronger 'democratic credentials' (the ethical dimension) (Kane and Bishop 2002, p. 88). In what Yeatman calls the 'partnership model' of state administration, democratic accountability is enhanced in an environment where 'the policy process is seen as needing the input of *all* those who contribute to making it happen' (1998, p. 20). Governments can show themselves to be 'open and trustworthy', thus enhancing the legitimacy of government in general and thereby creating a stronger democracy (Rawsthorne 2004, p. 5).

The result is the sort of 'good policy' that a 'properly functioning liberal democracy' *should* produce. The type of processes that result in such policy involve 'continuous negotiation' between the many players who may have a stake in the outcome and who may bring to the table various levels of power and influence (Kane and Bishop 2002, p. 87). Such a view is in stark contrast to the public choice perspective that currently dominates policy forums (Sawer and Zappalà 2001, p. 287). Yet, as Marsh reminds us, an uncertain global political environment means that there is an increased need for 'capacities to frame and develop public and interest group opinion' (1999, p. 10).

Developing this capacity, however, requires an acceptance of disagreements. Through a process of discussion and deliberation, different 'interests and sensibilities must be given equal respect, if not necessarily equal weight' (Marsh 1999, p. 88). In contrast to the experiences of many NGOs in this survey, dissenting voices should be encouraged rather than silenced. If consultation is seen as 'mere tokenism', it is likely that those who have tried to participate in the process in a meaningful way will come to 'view the whole process with a cynical eye and refuse to recognise the legitimacy of its outputs' (Marsh 1999, p. 88). As Melville and Perkins argue, the democratic functions that NGOs perform, including 'debate and input into policy', remain undervalued. Further, any attempt to censor or limit NGO input to policy debates through restrictive funding contracts, stage-managed policy debates or the continuing threat of defunding dissenting organisations 'should be seen as anathema to the tenets and practices of liberal democratic institutions and processes' (Melville and Perkins 2003, p. 97).

The determination of public policy outcomes should therefore be seen as an ongoing process in which debate, deliberation and even dissent are considered to be constitutive elements. Ensuring that the voices of 'unpopular or disadvantaged minorities … are heard in the development of public policies which affect them' is necessary for political equality (Hindess 2002, p. 3). And this should be seen as a serious matter affecting all sectors of society, not just marginalised or disadvantaged groups. As Brennan points out:

> By breaking the ties between policy-makers, service providers, funding bodies and community activists, governments may, in fact, be cutting off an important source of information about the needs and aspirations of some citizens, and thus diminishing the general good of the whole community (Brennan 1998, p. 131).

However, the current dominance of neo-liberalism in Australian politics means that public policy processes remain captured by the 'self-interest' rhetoric of public choice theory and its attendant hostility towards NGOs. The result is that, rather than finding themselves supported in their efforts to contribute to Australian democracy through participation in consultation and debate, many Australian NGOs are instead forced to choose between their role as extra-parliamentary representatives and their actual survival.

3.5   Implications for NGO-government relations

As the results of this survey, discussed in Section 5, demonstrate, the current climate of hostility towards the representative role of NGOs has serious, negative implications for NGO-government relations. While the question of how this representation should occur has 'often been a point of conflict between governments and peak bodies' (Sawer 2002, p. 42), the current climate leaves NGOs highly vulnerable to 'political punishment by governments that don't appreciate articulate and insistent policy advocacy on behalf of disadvantaged people' (May 1996, p. 269). In contrast, it is likely that relations between NGOs and government would greatly improve if governments accepted the extra-parliamentary advocacy role of NGOs as a 'fundamental part of the democratic process' and saw NGOs as 'an asset rather than a liability to government' (Melville and Perkins 2003, p. 109).

NGOs currently find themselves under intense pressure from a number of sources. From the early 1990s there has been a growing insistence on the part of governments that NGOs move from a collective organisational structure to a more corporate model through a process known as 'capacity building'. This approach includes attempts to reduce the number of NGOs with standing in public policy consultation processes. In the case of women's NGOs, for example, the move from the National Agenda for Women's Grants Program, (under which around 30 organisations were funded in 1995-96) to the current secretariat model (which initially saw three and recently four organisations funded) was described by the then head of the Office for the Status of Women, Pru Goward, as an attempt to 'professionalise the women's movement' (Australian Broadcasting Corporation 1999). Goward argued that, in the Government's opinion, too many women's NGOs had been funded under the old arrangements. Defunded organisations included Coalition of Activist Lesbians-Australia, the Association of Non-English Speaking Background Women of Australia and the Women's Electoral Lobby.

Changes in the policy processes, with an emphasis on executive dominance, have also seen a demand for new policy networks that are more exclusive and provide a more 'united voice'. This pressure to consolidate the voice of NGOs has resulted in some strange forced alliances, such as community-based child care associations and commercial child care providers being required to come under the same peak body. Such arrangements have resulted in many NGOs finding that their 'ability to represent

the interests of constituents was severely compromised' (Sawer 2002, p. 46) at the same time as they are being increasingly called upon to justify their representative status.

Funding agreements, too, are being re-written with a view to curtailing the extra-parliamentary representative functions of many NGOs. The three women's organisations that were initially funded under the new secretariat model in 1999 found the following clauses in their funding agreements:

> 14   Commonwealth Approval
>
> 14.1   The Organisation shall not make any public announcement, statement, publish or release any agreement material produced as part of the national Secretariat Services provided by the Organisation without the prior approval of the Commonwealth in writing.
>
> 14.2   The Commonwealth and the Organisation enter this agreement in the spirit of cooperation and a desire to increase an effective dialogue on issues affecting women. In keeping with this, the Organisations will take reasonable steps to bring to the attention of the Commonwealth in a timely manner any other public announcement, statement, publication or release of information not relating to agreement material on issues affecting women (cited in Sawer 2002, p. 46).

According to Lyons (2003a) such contractual arrangements can be found in many fields of human service provision and serve to undermine NGO-government relations such that they 'bear no resemblance' to the partnership model that governments like to talk about.

Such contracts are:

> …designed to shift all risk to the service provider and apply almost no constraints on the government. They are grossly unequal and in the view of independent lawyers are generally unconscionable. They are inflexible and discourage any possibility of system-wide learning. They use intellectual property law to prevent any form of advocacy by the funded organisation (Lyons 2003a, p. 6).
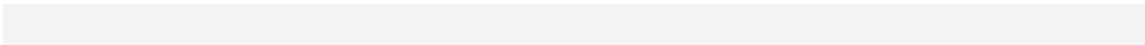
Perhaps of greatest concern to NGOs, however, are the funding cutbacks that in many instances threaten their very existence. As Boxes 1 and 2 illustrate, these threats to organisations that are critical of current government policy are very real indeed. And, as Sawer (2002) notes, the current defunding regime has 'particularly affected peaks representing the poorest Australians'. Sawer draws particular attention to the case of National Shelter and quotes the chairman at the time of the organisation's defunding:

> National Shelter has been resourced by successive governments for 23 years. The axing of a national consumer voice in the midst of housing policy upheaval can only be read as the Minister's inability to accept criticism or hear alternate views (cited in Sawer 2002, p. 44).

Such examples are distinctly at odds with the view of robust democracy and the role that NGOs play in enhancing that democracy outlined by this paper thus far. Indeed it

seems entirely contradictory for governments to fund NGOs 'to act on behalf of the community', only to withdraw their funding whenever these same organisations advocate or lobby on a controversial issue as part of this 'representative and consultative process' (Melville and Perkins 2003, p. 88).

The implications of this state of affairs are serious, and, should the situation continue unchecked, suggest negative consequences both for dissenting organisations and for Australian democracy as a whole. As the Human Rights Council of Australia notes, the threats to dissenting organisations that have characterised NGO-government relations in recent years 'are undermining the vitality of Australian democracy and the independence of civil society' (HRCA 2004, p. 3). Without NGOs - properly funded, resourced and supported, and invited to participate in a policy process which respects their views even when dissenting from government opinion - both the quality of our democracy and the quality of our public policy making will be considerably poorer (Sawer 2002, p. 48).

4.   The survey

In order to collect information on NGO perceptions of the barriers limiting their ability to participate in public debate, the authors developed a web-based survey and electronic distribution strategy. This section outlines the method used for the survey and describes how the responses were collected, collated and analysed.

4.1   The web-based survey

Surveys administered by way of email and the internet are a well-established technique (Comley 1996; Mann and Stewart 2000). The questionnaire on which the web-based survey is based was developed by the authors in consultation with other researchers. Drafts of the questionnaire were discussed with some NGOs to ensure the questions accurately reflected the types of work they do. Social Change Online, a Sydney-based company specialising in the development of websites for communication purposes, converted the questionnaire into an interactive website. The survey form is reproduced in Appendix 1.

The principal reasons for the selection of a web-based survey included the ease it provides for respondents as well as the facility it gives to automatic data entry and the minimisation of printing, collation and postage costs. It also allowed respondents to be notified by email and enabled them to go straight to the interactive link with the website hosting the survey.

An extensive list of email address was compiled from a broad range of sources with a view to obtaining a large sample representing the diversity of NGOs according to area of interest, size, organisational type and location. The invitation to complete the survey was emailed to approximately 750 organisations. Given the low costs associated with distributing the electronic invitation and collating the data, the objective was to contact as many NGOs with some advocacy role as feasible. In order to assemble contact information for the list of invitees, the categories of NGOs listed in Question 25 of the survey was used as a basis for searching the web for those with an apparent interest in participating in public debate. Lists of invitees were often found on the websites of organisations with similar interests. Several directories of NGOs were also used.

The invitation to participate was delivered in two parts. A brief covering email (see Appendix 2) provided some background on The Australia Institute, the purpose of the survey, a link to the survey website and a phone number for organisations requiring further information. Attached to this email was a longer letter of introduction with more information about the survey. This letter is provided in Appendix 2. Both the short covering email and the longer letter of invitation made it clear that the survey was to be completed by representatives of NGOs rather than individuals acting on their own behalf. This message was repeated in the 'welcome page' of the survey website. The sub heading 'Who should do this survey?' states:

> If you represent an NGO which participates in state or national public policy debates, we ask you to complete this survey. ….

Please do not complete this survey if your organisation focuses solely on providing services to members or if your organisation focuses solely on local issues.

The survey form and the accompanying letter stressed that all responses would be treated in strict confidence. This strategy appears to have been highly successful as 93 per cent of respondents were willing to provide their name and the name of the organisation they represented thus providing an opportunity to check for bogus responses. Of the respondents, one who worked for a state government agency was excluded as being obviously outside the scope of the survey.

4.2 Description of the sample

In total there were 290 responses to the web-based survey, 268 (93 per cent) of which identified their organisations. A random selection of 20 respondents was chosen for verification by telephone. All of the respondents contacted by the research team confirmed that they had completed the survey on behalf of their organisations.

Table 2 provides a breakdown of the numbers of responding organisations by state beside the corresponding share of the Australian population living in that state. It is apparent that the distribution of responses provides a reasonable reflection of the distribution of the population, although, as might be expected for the nation's capital, a higher proportion of responses have come from the ACT than its population warrants. Table 2 allows a first check on the representativeness of the sample.

Table 2 Percentage of respondents from each state

State	Share of respondents %	Share of Australian population %
NSW	32	34
VIC	22	25
QLD	12	19
ACT	11	2
SA	8	8
WA	7	10
TAS	5	2
NT	3	1

Table 3 provides data on the eight fields in which the respondents' organisations are principally involved. The questionnaire asked respondents to choose the 'main field in which your organisation works' from 17 options and presented the opportunity to specify 'other' as well (see Question 25 of the survey in Appendix 1). For greater ease of analysis these options have been aggregated into the eight categories reported in Table 3 (for concordance between categories see Appendix 3). It is not possible to compare the sample against the distribution of all NGOs between these categories, not

least because the survey was targeted at those NGOs that include advocacy as one of their activities, but nothing in Table 3 appears anomalous.

Finally, efforts at ensuring that both large and small NGOs were included in the survey appear to have been rewarded with a good mix of sizes among the 290 responses. While they cannot be named, most of the largest and best known NGOs responded to the survey as did many small and medium-sized organisations. We are confident, therefore, that the results for our sample provide a reasonably accurate reflection of the mix of views of Australian NGOs that engage in advocacy.

Table 3 Percentage of respondents by main field

Main field	%
Social justice/welfare	27
Family/youth/older people	15
Environment	12
Human rights	11
Disability and mental health	11
Women's issues	9
Education and student welfare	6
Other	9

5. Results of the survey

5.1 The activities of NGOs

NGOs can seek to inform public debate through a wide range of mechanisms. Figure 2, shows the percentage of respondents who described the various methods used 'often' or 'always' to get their message heard. It reveals that the most commonly used method is to communicate with their members (82 per cent). The next most frequently used methods include meeting with public servants (64 per cent) and making submissions to government inquiries (58 per cent). Organising public meetings (19 per cent), writing letters to the editor (12 per cent) and organising public protests (five per cent) are the least common methods used by NGOs to get their message heard.

Figure 2 Methods used 'often' or 'always' by NGOs to get their message heard (%)
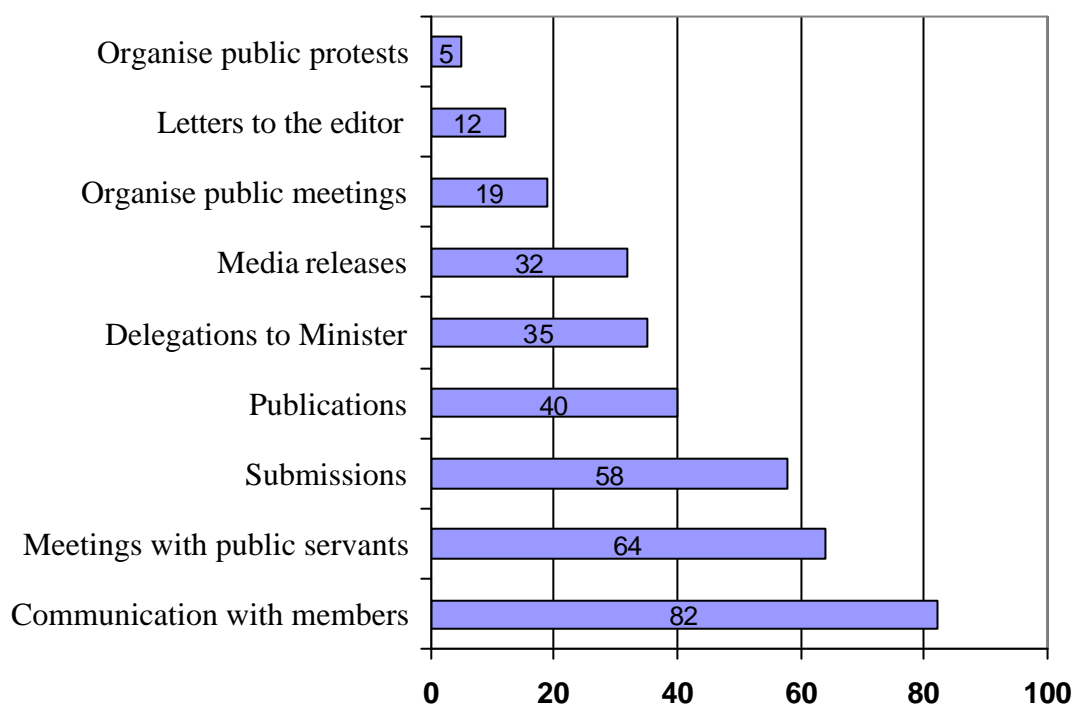
These results indicate that NGOs play an active and constructive role in the public policy process with effort being primarily directed towards informing NGO members, public servants and politicians. While public protests and letters to the editor are, by definition, more likely to be noticed by the public at large, the data collected from the survey respondents signify that NGOs in fact appear more inclined to use less visible efforts to inform public debates.

NGOs were also asked to describe their main audience. The results are shown in Figure 3. Consistent with the data provided in Figure 2, the survey respondents reported that the main audience for NGOs comprises specific groups in the community (71 per cent). The general community was reported as being the main audience for respondents in 60 per cent of cases, suggesting that NGOs see the creation of broader community awareness of the issues of concern to them as an important objective. State and Federal

politicians are also an important audience for the respondents, with state government ministers being the most sought after (55 per cent).

Figure 3 Main audience 'often' or 'always' targeted by NGOs (%)
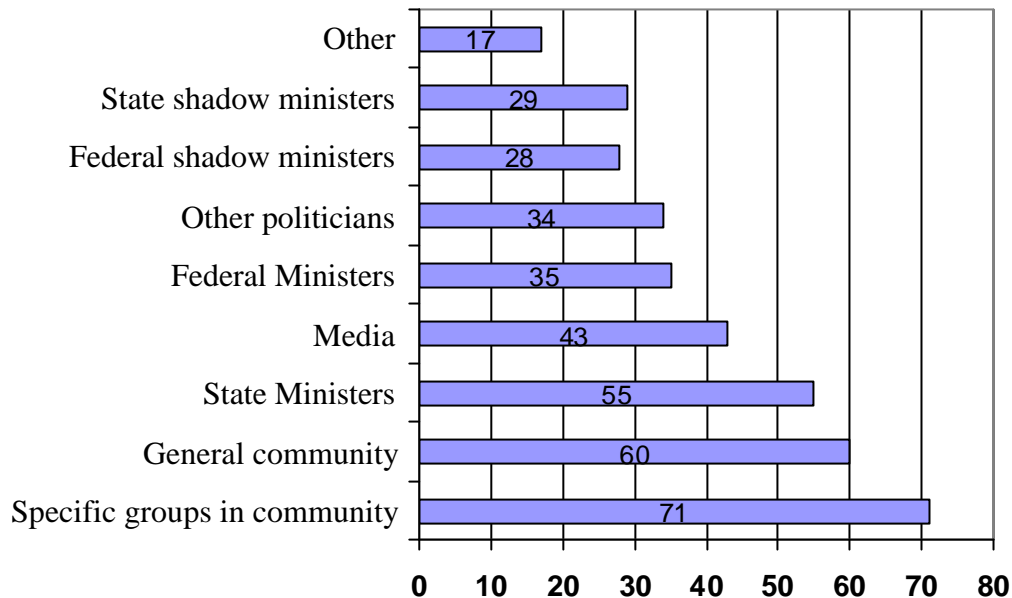
5.2   Support for government policy

Frequent contact with politicians does not, however, always translate into support for government policies. Table 4 shows the percentage of respondents who consider that their organisation's key messages are either supportive or critical of government policy 'often' or 'always'. Not unexpectedly, NGOs are more likely to be critical than supportive of government policy, both State and Federal. Respondents report that they are more likely to be supportive of the previous rather than the current Federal Government, and that they are more likely to be supportive of current state government policies than those of previous state governments. NGOs find the current Federal Coalition Government to be less sympathetic to their concerns than the previous Federal Labor Government - 58 per cent say they are often critical of the current Federal Government while only 26 per cent say they were often critical of the previous Labor Government. This fact that may explain why (as we will see) the Howard Government has adopted a range of strategies aimed at silencing NGOs.

A similar though more muted pattern occurs at the state level - 34 per cent say they are often critical of the current state government, Labor in each case, while 47 per cent say they were often critical of the previous government which, depending on how this is interpreted, probably means Liberal, National or Coalition governments.

Table 4 Percentage of respondents who believe their organisation's key messages are supportive or critical of government policy

	Current Federal Government	Previous Federal Government	Current State. Government	Previous State Government
Often supportive	5	17	11	8
Often critical	58	26	34	47

5.3   Getting the message heard

Figure 4 displays NGO perceptions of their capacity to have their message heard by government, ranging from not at all successful to highly successful. Representatives of women's groups who responded to the survey are the most likely to believe that they are 'not at all successful' in getting their message heard by government (43 per cent) with only one women's group believing that it is highly successful in getting its message heard by government.

Figure 4 Perceptions of NGO success in having their message heard by government (%)
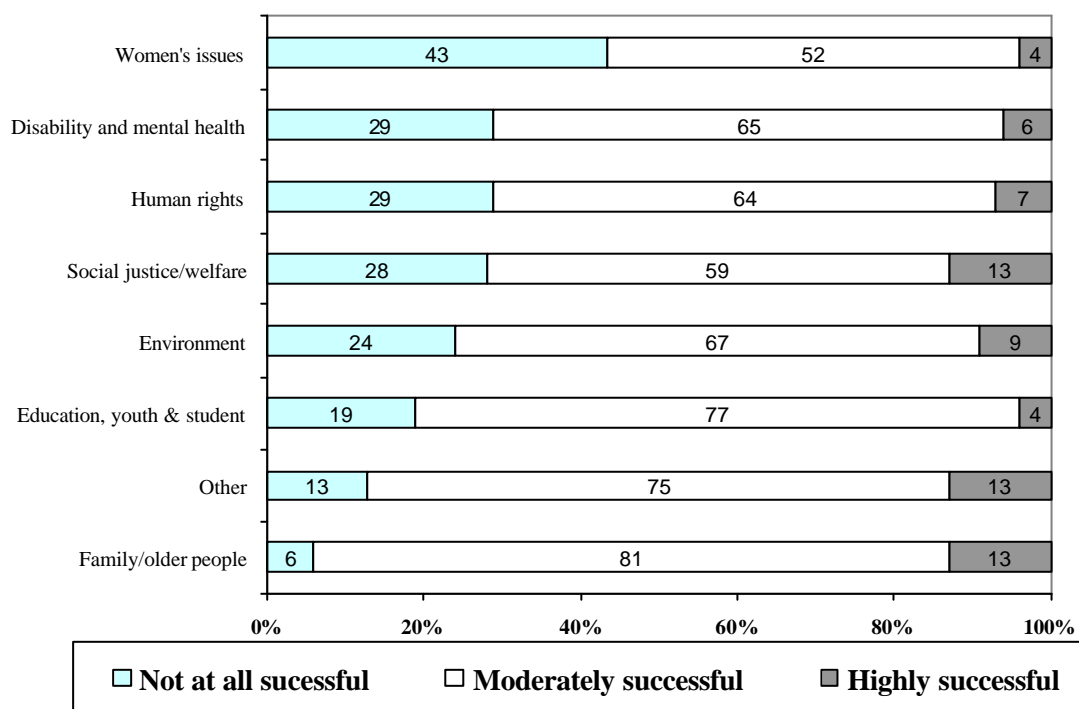
Groups representing families and older people were the most likely to claim that they are being heard by government, with 13 per cent saying they are highly successful and only six per cent reporting no success. Disability, mental health and human rights groups appear more likely to believe that their messages are not being heard. The social justice and welfare groups, on the other hand, appear to be the most divided in their perceptions of the willingness of governments to listen. These groups simultaneously report the equal highest percentage of respondents who believe that they are very

successful in having their message heard by government (13 per cent) and one of the highest proportions of respondents who believe they are not at all successful (28 per cent). As we will see, there is evidence that this sector has been divided between those who have aligned themselves with the Federal Government (through, for example, accepting contracts to deliver services) and those that have remained more independent and critical.

Perhaps paradoxically, as reported in Table 5 the majority of respondents believe that, over time, their organisations have become *more* successful in getting their message heard. Around four in five environment organisations and groups representing family and older people consider that they have become more successful at being heard during the last five years. However, this question, rather than focusing on government receptiveness, was directed at uncovering how successful NGOs are at having their message heard more broadly in the community. Growing public awareness therefore, rather than improved access to policy makers, may be the cause of such high estimates of increased performance. As one respondent put it:

> *While we have become more organised in our delegations, I feel that the governments have become less interested in what we are saying and [are] choosing to listen to those that are telling them what they want to hear.*

Table 5 Percentage of respondents who believe their NGO is becoming more successful in getting its message heard

	Over the last 5 years	Over the last 10 years
Social justice/welfare	61	72
Environment	78	83
Family/older people	83	81
Human rights	48	48
Disability and mental health	61	61
Women's issues	48	58
Education/youth and student welfare	63	71
Other	87	95

Involvement in government consultation processes is widespread among respondents, with 93 per cent having participated in such processes. Respondents were asked to indicate the forms of consultation they have been involved in and the responses are summarised in Table 6.

The most common form of consultation engaged in by respondents is the preparation of written submissions, with the least common being involvement in focus groups (63 per cent). Few respondents reported receiving government assistance to facilitate their participation. When asked to describe a representative example of the involvement of their organisation in a government consultation process, 76 per cent stated that they received no government assistance, while only five per cent said that their costs were fully met. Thus it would appear that Australian governments are not particularly

interested in facilitating participation on the part of NGOs, even when such participation serves to improve the quality of the policy formulation process.

Table 6 Forms of consultation engaged in by NGOs (%)

Form of consultation	%
Roundtable meetings	84
Focus groups	63
Written submissions	92
Appearances at inquiries	68

While the majority of respondents believed that their involvement in the consultation process was constructive (71 per cent), a majority also believed that their concerns were not reflected in current government policy (53 per cent). Some respondents reported positive outcomes:

> *Issues relevant to rural…communities were highlighted and taken into account.*

However, most respondents who said their concerns were recognised, described only minor changes in policy as a result:

> *In some small ways, yes. An increase in the flexibility of service delivery has been driven by consultation with both providers and clients; however the 'bigger' picture is still being driven from Canberra.*

> *In one of our issues it was only when we took the government to Court was there any recognition that a problem existed. That said, problems are still there.*

> *Legislative outcomes reflected our submissions/position in part.*

> *Sometimes - in very generic ways. More of a drip drip approach. Media coverage of an issue probably more important but a range of approaches is needed.*

5.4   Barriers to being heard

The survey asked respondents to specify the main barriers faced by NGOs in getting their message heard. Table 7 shows that while 82 per cent said that lack of media interest was 'sometimes', 'always' or 'often' a problem, only 18 per cent believe that media indifference was 'never' or 'rarely' a barrier to getting their message heard. Lack of interest by the Federal Government and state governments, on the other hand, was considered to be more of a problem with, respectively, 92 per cent and 86 per cent of respondents stating that it was a problem sometimes or more often. Three in five (61 per cent) said that the Federal Government is often or always not interested, with only 34 per cent saying the same about state governments.

Lack of analytical and media relations resources were reported as being a barrier 'often' or 'always' by nearly 50 per cent of respondents. Given the widespread use of volunteer

labour in the NGO sector, it is not surprising that so many face such difficulties, especially when the need is for timely contributions to ongoing public debate.

Table 7 Main barriers to NGOs getting their message heard (%)

	Never	Rarely	Sometimes	Often	Always
Media not interested	1	17	44	37	1
Federal Government not interested	1	6	32	50	11
State government not interested	2	12	52	28	6
Lack of analytical resources	3	14	35	37	11
Lack of media liaison resources	5	18	29	33	16
Your funding agreement restricts your ability to comment on government policy	43	23	21	8	6

While 43 per cent of NGOs say that their funding agreements never restrict their ability to comment on government policy, the converse is that 57 per cent believe that government funding, at least on occasions, restricts their ability to fully participate in public debate. This result is consistent with the findings of Sawer (2002) and Melville and Perkins (2003) discussed above. It appears that NGOs which operate independently of government funding do not face constraints similar to those that do depend on government funding. But they recognise that they may be constrained if they were to accept government funding. As one respondent said:

> *We don't take government funding so we can criticise them.*

NGOs in receipt of government funding can be divided into two groups, those that experience constraints on their ability to comment on government policy and those that do not. Table 8 provides data on the views of government-funded NGOs concerning the potential for that funding to silence their voices. The percentages of respondents who answered 'rarely', 'sometimes', 'often' or 'always' have been summed to provide the 'ever' column. (The percentages do not add to 100 per cent as some NGOs that provided data on their source of funding did not respond to the question about barriers to getting their message heard.) It is clear that the higher the level of government funding, the more constrained NGOs feel. Among those fully or partially funded by government, around 70 per cent reported that, at times, their government funding restricted their ability to comment on government policy.

Table 8 Percentage of NGOs that believe that government funding restricts their ability to comment on government policy, by type of government funding

Funding type	Never	Rarely	Sometimes	Often	Always	Ever[a]
Fully funded	23	25	26	12	9	72
Partially funded	27	31	26	7	3	67
Specific funding	45	18	16	11	5	50

a. 'Ever' includes 'rarely' to 'always'.

In describing the impact of government funding on their ability to comment publicly on government policy, a number of respondents referred to specific requirements either to inform the government of their intention to make public comment or to refrain from making critical comment altogether.

> *The Government must be given warning before we issue a public statement.*

> *(Organisation) must seek ministerial approval before making public comments that may in any way be critical of the Government.*

> *(We) cannot lobby or criticise Federal Government and the Department through which we are funded.*

> *(Organisation) must inform Department of media release and copy before actual release.*

> *Some service agreements include a clause saying we cannot criticise government.*

> *Our government funding was removed because we were seen to be 'anti-government'.*

Many organisations, on the other hand, refer to the existence of implicit constraints on their ability to criticise government policy.

> *Common sense dictates that you don't bite the hand that feeds you, even if the meal is meagre!*

> *We would be unwise to bite the hand that feeds us.*

> *The agreement doesn't state this but it is obvious if you rock the boat it will come back to bite you on the rear end.*

> *We are very wary of publishing information or views for fear of 'biting the hand that feeds you', and have, obliquely, been warned of this in the past.*

> *Although this is not written into the funding agreement it is often made clear that organisations that 'bite the hand that feeds them' take the risk of being defunded.*

It is remarkable that so many used the metaphor of biting the hand that feeds them. Other NGOs use different language to make the same point.

> *(We) have learned to tread carefully or to join with other organisations in lobbying on issues of mutual concern.*

> *Not stated BUT it is implied and future funding opportunities would certainly be unlikely.*

> *The perception is that you toe the line or you risk getting defunded.*

> *Peak bodies have had to tread very carefully in terms of retaining funding
> agreements during the Howard Government.*

> *Although not explicit in the funding agreement, experience in the sector has
> shown government can respond negatively to criticism and withdraw or refuse
> funding.*

Clearly, self-censorship is likely to be the result of such explicit and implicit forms of
government coercion.

> *It does have a chilling effect, however, wondering whether critical comment may
> ultimately affect our funding security.*

Respondents were asked two separate questions about the impact of government
funding on their ability to criticise government policy. The data reported in Tables 7 and
8 were drawn from responses to Question 10 which asked how often, from never to
always, they encountered certain barriers to getting their message across. As reported in
Table 7, 57 per cent of all respondents replied that government funding limited their
capacity to speak out, at least on occasion. Of NGOs actually receiving government
funding, the proportion is substantially higher, with 72 per cent of those fully funded by
government saying that their funding, at times, constrains their ability to criticise
government (Table 8).

Additional information relating to the impact of government funding on the capacity of
NGOs to comment on government policy was elicited by Question 20, which asked: 'If
applicable, does your funding agreement restrict your organisation's capacity to make
public comment on government policy?' The results are reported in Table 9.

**Table 9 Percentage of NGOs where funding agreement restricts their capacity to
comment on government policy, by type of government funding**

Funding source	%
Fully funded	21
Partially funded	28
Specific funding	21

It is apparent from the comments accompanying the responses that, although their
funding agreements do not formally restrict their ability to comment publicly, it remains
prudent on the part of NGOs to censor themselves. The following comments are all
drawn from organisations that do not have restrictive funding agreements with
government.

> *But in reality it is very difficult for our organisation to really be honest all the
> time.*

> *It shouldn't but often it does.*

> *Not as yet but expect it to be added in new service agreement. Also I am wary to
> criticise as some outspoken organisations have been defunded in past.*

Not specifically - but not encouraged.

But one needs to be circumspect, timely and appropriate in any actions.

In theory … (clearly governments rarely like being criticised).

We are required to give advance notice etc of press releases but not banned from these activities. While our funding contract may not impose restrictions we certainly have a sense within the organisation that we should walk a fine line in terms of criticism.

No written proscription but unwritten suggestions.

But there are limitations - we try to be careful so commenting on public policy does not result in a loss of funding (as happened to other organisations).

However government officers have been highly critical of NGOs that receive Govt funding who advocate against Govt policy.

Another observed:

To have no government funding is liberating - I previously ran [another organisation] and found the reliance on government funding to be restrictive in a range of ways.

The interpretation of the responses to Question 20 reported in Table 9 should, therefore, be informed by both the responses to Question 10 (reported in Tables 7 and 8) as well as by the comments that accompanied negative responses to Question 20. The figures reported in Table 9 are likely to represent organisations having explicit contractual restrictions that prevent them from publicly criticising government. As reported in Tables 7 and 8, however, the coercive impact of government funding is actually much broader. Finally, as will be discussed in more detail below, 90 per cent of respondents agreed with the proposition that 'dissenting organisations risk having their funding cut'.

The survey also sought information on the funding arrangements of NGOs. While 29 per cent of respondent NGOs were fully funded, 24 per cent received no funding (Table 10). The most common arrangement is partial funding (33 per cent) with only 14 per cent receiving specific purpose funding as their only source of government support.

Table 10 Government funding of NGOs (%)

Form of funding	%
Fully funded	29
Partially funded	33
Specific funding	14
No Funding	24

Table 11 provides data on the sources of funding for the 86 per cent of respondents receiving some form of government support. It shows that, most commonly, NGOs receive both state and Federal government funding (47 per cent), followed by state government funding only (33 per cent) and Federal Government funding only (20 percent). State governments can potentially therefore exert funding pressure over 80 per cent of the respondent NGOs, with 67 per cent vulnerable to funding pressure from the Federal Government.

Table 11 Type and source of NGO funding (%)

	Federal	State	Both
Fully funded	7	11	20
Partially funded	7	18	20
Specific funding	6	5	7
Total	20	34	47

5.5   NGO perceptions of the government attitude to dissent

The data presented above suggest that governments employ a range of explicit and implicit methods to quieten or silence dissenting NGO voices. Among NGOs it is widely believed that the Federal Government, and to a lesser extent state governments, want to silence public debate. Based on responses to Que stions 22 and 23, Figure 5 provides data on the perceptions of NGOs regarding the attitudes of state and Federal governments to debate in Australia. It reports the percentage of respondents who believe that debate is silenced, tolerated or encouraged.

It is clear from Figure 5 that only a small minority of respondents believes that debate is encouraged by the Federal Government (nine per cent), with 58 per cent believing that debate is silenced and 33 per cent believing it is tolerated. State governments, on the other hand, are perceived less negatively, with around half believing that debate is tolerated and around a quarter each believing that debate is either encouraged or silenced.

Figure 5 Attitudes of state and Federal governments to debate (%)
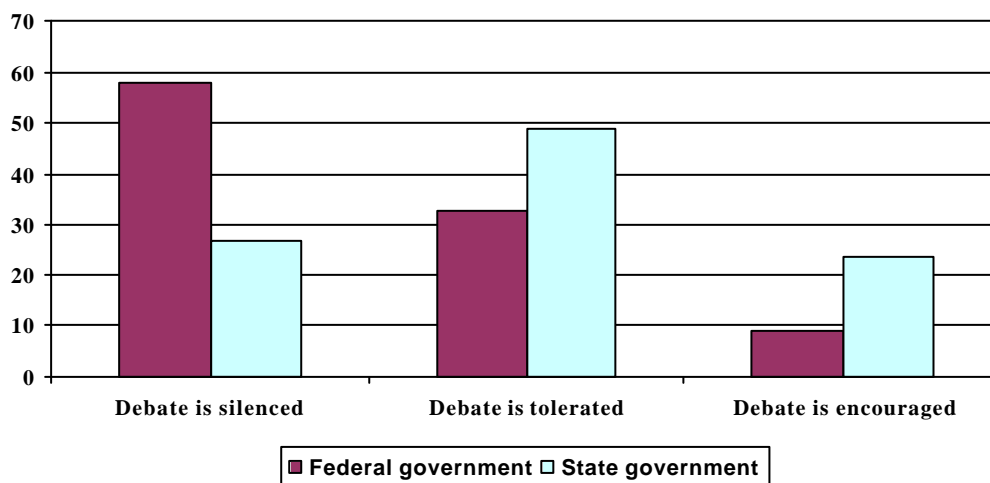
Respondents were asked to express their agreement or disagreement with a number of statements about the role of dissenting voices in Australian public debate (Question 24). The responses are reported in Table 12. More than three quarters of respondents (76 per cent) disagreed with the statement that 'current Australian political culture encourages public debate', with one quarter disagreeing strongly. Similarly, three quarters (74 per cent) believe that NGOs are being pressured to make their public statements conform with government policy.

Table 12 NGO perceptions of the role of difference and dissent in Australian public debate (%)

	Strongly disagree	Disagree	Agree	Strongly agree
Current Australian political culture encourages public debate	25	51	20	3
NGOs are being pressured to amend their public statements to bring them in line with current government policy	3	23	57	17
The Australian media provides a forum for a range of perspectives in public policy debates	13	46	37	3
Individuals and organisations that dissent from current government policy are valued by the government as a part of a robust democracy	42	50	6	2
Dissenting organisations and individuals risk having their government funding cut	3	7	61	29

We have argued that dissenting voices have an important role to play in both the policy development process and the effective operation of a democratic society. In a functioning democracy words rather than weapons are used to resolve differences and achieve change. In a country of over 20 million people it is unrealistic to expect all voices to be heard equally, but the inability of some groups to make themselves heard at all should not be confused with active efforts to silence articulate critics. NGOs are roughly evenly divided over whether the media provides a forum for a range of perspectives, but there is an overwhelming belief that governments do not tolerate dissent. Ninety two per cent of respondents said they disagree with the view that dissenting voices are valued by government as part of a robust democracy; 42 per cent strongly disagree. Similarly, 90 per cent of respondents believe that dissenting voices risk having their funding cut (Table 12).

The data reported above paints a grim picture of the state of public debate in Australia. Both the survey results and the comments provided by respondents point to a high degree of coercion on the part of Australian governments with respect to the NGO sector. Although frustration is expressed at state governments, it is apparent that the Federal Government is perceived as being especially intolerant of dissenting voices.

5.6   Additional methods of silencing NGOs

While much has been said about the role of funding in silencing debate, many survey respondents also referred to the use of more subtle strategies. For example, in providing evidence of the Government's attitude to public debate, one respondent stated:

> *It's done very cleverly - by selectively destroying organisations, defunding, public criticism, ministerial interference and criticism, excessive auditing and 'review'.*

This perception of the diverse range of tactics adopted by governments is widely shared. The following comments all refer to the Federal Government and were provided as evidence in response to Question 22, which sought respondents' views on the Federal Government's attitude to public debate. A large number of responses is included in order to provide evidence of both the diversity of strategies employed by the Federal Government and the widespread concern relating to some of those strategies. In particular, many respondents singled out the way the Federal Government seeks to bully, demean and challenge the credibility of its critics, something it does both publicly and privately. Four types of strategy can be identified from the dozens of comments provided. Each of the comments included below is drawn from a different survey response.

Several commented on how the Government uses public criticisms to denigrate and intimidate its critics.

> *The Fed Govt strives to silence or weaken debate by Fed Govt ministers or parliamentarians openly denigrating certain section/s of the community. This influences community opinions even though the community is not in possession of all of the facts.*

> *Automatic visceral attacks on opinions counter to party line.*

> *Ongoing attempts to undermine and demoralise civil society generally and particular sectors of the community that dissent; ongoing attempts to install lackeys in all key positions; ongoing attempts to intimidate people/groups/ organisations e.g. ABC; ongoing attempts to restrict funding; ongoing attempts to marginalise dissent by labelling it 'extreme' etc; ongoing attempts to set a narrow agenda e.g. the 'war on terror'.*

> *Government spin that ridicules opinions that it doesn't agree with.*

> *It criticises media organisations that challenge it e.g. the ABC and if it can cuts funding.*

> *… people disagreeing with government policy are invariably discredited.*

> *Persistent dismissal of contrary views by Government; attacks on the credibility of NGOs; ideologically driven assertions in the area of social policy.*

> *Informed debate is consistently stifled, at least on illicit drug issues. This is usually done by bandying accusations around that someone is 'soft on drugs'*

etc. There are a number of recent examples of this in the Federal Parliament directed at opposition members. The evidence base is ignored and instead the focus is on rhetoric.

Media reports attempts by our organisation to gain entry to forums; dismissal of some of our views as 'bleeding heart'.

Dismissal of different views by Government.

Others refer to bullying tactics used by the Government.

We have seen copies of letters sent to media outlets by government officials advising them not to publish any information sent by our organisation or there would be adverse consequences.

Reactions to public comment are extreme … e.g. phone calls from senior staff keen to reduce further public debate.

[The Minister's] office contacted us by telephone following a media release put out by our office to bully us into retracting our statement as we allegedly didn't have evidence.

Threats, bullying, personal attack unless debate is 'commissioned' by and 'controlled' by the Agency.

At other times the pressure is less blatant and involves management of consultation processes.

It is clear from our funding contract with Government that it sees our role not as a peak body in a democratic society but as a mechanism to help the Government 'get its message out' and help the Government implement its policy objectives.

Making certain that public representatives appointed to government advisory committees and regulatory bodies are friends of the Government who will be loyal to the interests of the Government over and above the interests of the public. Those who are known to have blown the whistle are never reappointed to ministerial committees or regulatory bodies as the public representative.

We are aware that the Federal Government, and most governments, attempt to 'manage' news. In our own case we received a letter from a Federal Minister asking us to focus on 'positive news' in our publications. We replied and rejected this suggestion.

Recent example of our national peak body having been told it was not allowed to use our Government funded quarterly magazine to carry an article on evidence-based information and comment that gave a counter position and view to the Federal Government's (policy). We have been actively silenced in this regard.

Some respondents refer to tricks and diversionary tactics used by the Federal Government.

Control of consultation processes; the way the government seeks to manipulate public opinion; the massaging of information.

When something related to the types of issues we deal with gets so bad that it becomes something that the media picks up on the Government has a tendency to change the topic and get the media to focus on something else before the Government has to respond.

Debate is manipulated and the political differences between the states and the Commonwealth are mercilessly exploited - almost above all other interests.

Government is very clever at pre-emptive announcements (eg. announcement of education funding only hours after the Poverty report was tabled in the senate). Also clever at keeping the debate on its own terms through public comment, question time in Parliament and denial of problems by consistently producing Government's record rather than considering what still needs to be done.

At least one NGO responding to the survey appears to have been subject to all of these tactics. Its comments on the survey provide a useful summary.

1. Have been warned by federal department employee that our organisation cannot be involved in any activist groups & cannot lobby or criticize the government.

2. Employees names and organisational details are passed to senior staff and ministers if organisation is seen to act 'inappropriately'.

3. Have seen federal government employees attend interagencies and management meetings to ensure organisation is kept in line.

4. Have been warned about network emails being circulated.

5. Have seen organisations funded from same program being defunded for being critical.

6. Am involved with a peak body, with which the federal government employees refuse to work with because we surveyed co-workers on effects of government department restructure. The department sent a letter (yes in writing!) saying they refuse to deal with us.

As the above responses suggest, many survey respondents believe that their role in public debate has been marginalised through a wide range of sophisticated media and public perception strategies. Bullying, public efforts to demean and disparage dissenting voices, attempts to 'muddy the waters', creating media distractions to deflect attention away from critics, all appear to be part of the Government's armoury in the public debate battle. And, according to the respondents at least, all have been successful in reducing the public's access to open policy debate.

6.   Conclusion

NGOs play an indispensable role in Australian public debate. They raise awareness, help develop good policy and mobilise voices that would not otherwise be heard. It is clear from the analysis above, however, that the vast majority of NGOs are of the view that not only is their potential to contribute to society often overlooked by Australian governments, but that their involvement in public discourse is often actively discouraged.

The survey results presented in this report depict widespread alarm among NGOs about their lack of ability to speak in support of those they represent without risking revenge in the form of personal abuse from Government representatives, public disparagement and withdrawal of funding. Nine out of ten NGOs surveyed do not believe that individuals and organisations that dissent from current government views are valued by the Government as part of a robust democracy. And nine out of ten believe that dissenting organisations risk having their funding cut.

On coming to power in 1996, Prime Minister Howard expressed his pleasure at the fact that more people 'feel able to speak a little more freely and a little more openly' because the 'pall of censorship on certain issues has been lifted' (quoted in Kalantzis and Cope 1996). More recently the Prime Minister praised the cricketer Stuart MacGill for his decision not to tour Zimbabwe with the Australian cricket team, claiming that he 'always admired somebody who in his own way, for his own reasons, forms a conscientious objection to something' (quoted in Marshallsea 2004).

It would appear from the survey results presented above, however, that while the Prime Minister may express such preferences, many NGOs are reluctant, if not afraid, to speak out against the policies of the Howard Government. While state governments are also guilty at times of pressuring NGOs to conform, the Howard Government's willingness to stifle dissent poses a disproportionate threat to the democratic process in Australia.

NGOs, and non-profit organisations more generally, contribute to Australian society in many ways. They are service providers, support networks, social and sporting clubs and advocates. It is in this last role that NGOs make their most substantial contribution to Australian democracy through their advocacy work in public policy debates where they provide a voice for marginalised groups and interests. However, it is also in this advocacy role that NGOs find themselves most significantly under-resourced and therefore most reliant on government funding. Reliance on government funding typically means reliance on the goodwill of a Minister and, as the quotations provided in the previous section indicated, many NGOs are all too aware of the dangers associated with biting the hand that feeds them.

But this does not have to be the case. The hand of government need not be a punitive hand that threatens to remove funding or to create other obstacles to NGO participation in policy debates. It is possible for the hand of government to be offered in partnership, or as a pat on the back for a job well done. A mature and responsible government should not seek to silence dissenting voices, but should welcome the airing of a wide range of perspectives in the development and evaluation of public policies.

The survey responses reported above indicate that, over the past nine years in particular, a pattern has emerged in which the Federal Government has set out to stifle democratic debate. It has been highly effective at silencing, or at least muting, its critics in civil society. There are grounds for serious concern that the longer this goes on, the harder it will be to reshape and rebuild the processes and structures of democratic participation. Like individual citizens, community groups are being worn down and are increasingly reluctant to engage in the democratic process because they no longer believe that they can make a difference.

Other liberal democracies have recognised the benefits of a more engaged relationship between NGOs and governments. Anything less reduces government accountability, sustains existing inequities in many sectors and communities and, ultimately, diminishes the quality of Australian democracy.

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Appendix 1 The survey
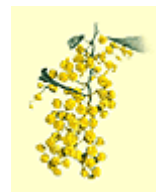
The Role of NGOs in Australian Public Debate

Survey
Organisation details (optional)
All information provided in this survey will be treated in the strictest confidence. While we would like you to provide some information about your organisation these questions are optional

Name	
Name of Organisation	
Address	
Suburb/Town	
State	Select
Postcode	

1. What methods does your organisation use to get your message heard? (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Media releases	⊙	⊙	⊙	⊙	⊙
Submissions to government inquiries	⊙	⊙	⊙	⊙	⊙

	Never	Rarely	Sometimes	Often	Always
Letters to the editor	⊙	⊙	⊙	⊙	⊙
Participate in delegations to minister, shadow ministers etc	⊙	⊙	⊙	⊙	⊙
Meetings with public servants	⊙	⊙	⊙	⊙	⊙
Organise public meetings	⊙	⊙	⊙	⊙	⊙
Organise public protests	⊙	⊙	⊙	⊙	⊙
Communication with members	⊙	⊙	⊙	⊙	⊙
Publication of research / reports / data	⊙	⊙	⊙	⊙	⊙

2. Who would you describe as your main audience? (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Federal Government ministers	⊙	⊙	⊙	⊙	⊙
Federal shadow ministers	⊙	⊙	⊙	⊙	⊙
State government ministers	⊙	⊙	⊙	⊙	⊙
State shadow ministers	⊙	⊙	⊙	⊙	⊙
Other politicians	⊙	⊙	⊙	⊙	⊙
Media	⊙	⊙	⊙	⊙	⊙
General community	⊙	⊙	⊙	⊙	⊙
Specific groups in the community	⊙	⊙	⊙	⊙	⊙

	Never	Rarely	Sometimes	Often	Always
Other (describe)	☐	☐	☐	☐	☐

3. Thinking about current Federal Government policy with which your organisation is concerned, in general, are your organisation's key messages: (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Supportive of government policy	☐	☐	☐	☐	☐
Critical of government policy	☐	☐	☐	☐	☐
Not related to government policy	☐	☐	☐	☐	☐
Other (describe)	☐	☐	☐	☐	☐

4. Thinking about current state Government policy with which your organisation is concerned, in general, are your organisation's key messages: (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Supportive of government policy	☐	☐	☐	☐	☐
Critical of government policy	☐	☐	☐	☐	☐
Not related to government policy	☐	☐	☐	☐	☐
Other (describe)	☐	☐	☐	☐	☐

5. Thinking about the relevant policies of the previous Federal Labor Government (i.e. before the 1996 election) in general, were your organisation's key messages: (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Supportive of government policy	☐	☐	☐	☐	☐

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	Never	Rarely	Sometimes	Often	Always
Critical of government policy	☐	☐	☐	☐	☐
Not related to government policy	☐	☐	☐	☐	☐
Other (describe) [____]	☐	☐	☐	☐	☐

6. Thinking about the relevant policies of the previous government in your state, in general, were your organisation's key messages: (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Supportive of government policy	☐	☐	☐	☐	☐
Critical of government policy	☐	☐	☐	☐	☐
Not related to government policy	☐	☐	☐	☐	☐
Other (describe) [____]	☐	☐	☐	☐	☐

7. Thinking about the last 12 months, how successful do you feel that your organisation has been in having your key messages heard by Government?

Not at all successful	☐
Moderately successful	☐
Highly successful	☐

8. Over the last five years, do you feel that your organisation has become more or less successful in having your messages heard?
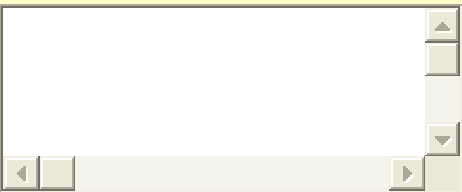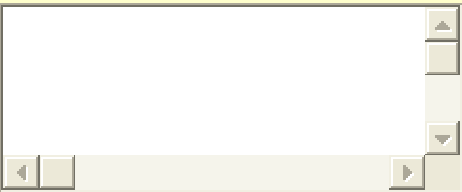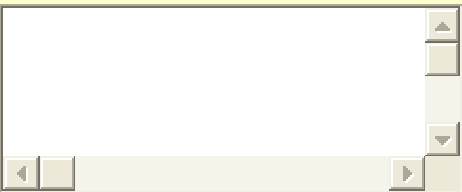
More	☐
Less	☐

How can you tell?	

9. Over the last ten years, do you feel that your organisation has become more or less successful in having your messages heard?

More	⬚

Less	⬚

How can you tell?	

10. What do you perceive to be the main barriers to getting your messages heard? (Select one answer per item. Answer as many items as are relevant.)

	Never	Rarely	Sometimes	Often	Always
Media not interested	⬚	⬚	⬚	⬚	⬚
Federal government not interested	⬚	⬚	⬚	⬚	⬚
State government not interested	⬚	⬚	⬚	⬚	⬚
Lack of analytical resources	⬚	⬚	⬚	⬚	⬚
Lack of media liaison resources	⬚	⬚	⬚	⬚	⬚
Your funding agreement restricts your ability to comment on government policy	⬚	⬚	⬚	⬚	⬚
Other (describe)	⬚	⬚	⬚	⬚	⬚

11. Have you ever been involved in a government consultation process?

Yes	⬤
No	⬤ (If no go to Q 19)

12. If yes, which level of government? (Choose as many as apply)

Federal	☐
State	☐
Local	☐

13. If yes, what form did this consultation take? (Choose as many as apply)

Roundtable meeting	☐
Focus group	☐
Written submission	☐
Appearance at a government inquiry/hearing	☐
Other (describe) [ ]	☐

14. Thinking about a representative example of your organisation's participation in a government consultation process, please describe the resources that your organisation required to be able to participate effectively in this process (e.g. preparation/research, liaison with members, employing consultant, travel funds). Please state whether the example relates to a state or Federal Government process

[text box]

15. Was government assistance provided in order to meet the costs of such involvement?

Yes, costs were fully met	⬚
Yes, costs were partially met	⬚
No assistance was provided	⬚

16. How did your participation in this process come about?

Invitation from government	⬚
Own initiative	⬚
Responded to call for submission	⬚
Other (describe) [____]	⬚

17. Do you feel that your involvement in this process

was productive	⬚
was counter-productive	⬚
had no impact	⬚
Why?	[ ]

18. Do you see the concerns that your organisation raised during this process reflected in current government policy?

Yes	⬚
No	⬚

If yes, in what ways?	[text box]

19. Does your organisation currently receive any government funding?

No	○
Yes, fully funded	○	○ State ○ Federal ○ Both
Yes, partially funded	○	○ State ○ Federal ○ Both
Yes, specific project funding only	○	○ State ○ Federal ○ Both

20. If applicable, does your funding agreement restrict your organisation's capacity to make public comment on government policy?

No	○
Yes	○
If yes, what are these restrictions?	[text box]

21. Has your organisation received government funding in the past ten years which it no longer receives?

No	○
Yes	○	○ State ○ Federal

If yes, when did you lose your funding and what reasons were you given for the cessation of your funding? Do you think there were other reasons?	

22. In your area of interest, what do you think is the current Federal Government's attitude to public debate?

	Debate is actively silenced		Debate is tolerated		Debate is actively encouraged
	1	2	3	4	5

What evidence have you seen of this?	

23. In your area of interest, what do you think is your current state Government's attitude to debate?

	Debate is actively silenced		Debate is tolerated		Debate is actively encouraged
	1	2	3	4	5

What evidence have you seen of this?	

24. Please indicate your response to the following statements: (Select one answer per item. Answer as many items as are relevant.)

	Strongly disagree	Disagree	Agree	Strongly agree
a) Current Australian political culture encourages public debate				

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b) NGOs are being pressured to amend their public statements to bring them in line with current government policy	☐	☐	☐	☐
c) The Australian media provides a forum for a range of perspectives in public policy debates	☐	☐	☐	☐
d) Individuals and organisations that dissent from current government policy are valued by the government as a part of a robust democracy	☐	☐	☐	☐
e) Dissenting organisations and individuals risk having their government funding cut	☐	☐	☐	☐

Finally some questions about your organisation. This information will remain confidential and will not be used to identify you in any way.

25. What would you describe as the main field in which your organisation is works?

Social justice ☐	Environment ☐
Human rights ☐	Indigenous rights ☐
Employment services ☐	Youth issues ☐
Children ☐	Immigration or refugees ☐
Multicultural ☐	Family ☐
Education ☐	Older people ☐
Women's issues ☐	Student welfare/rights ☐
Disability services ☐	Mental health ☐
Social welfare/policy advocacy ☐	Other (describe) ☐

26. What kinds of activities does your organisation engage in (tick more than one if appropriate)?

Service provision	☐
Research	☐
Advocacy	☐
Lobbying	☐
Education / public awareness	☐
Others (describe) [ ]	☐

27. Are you a state or national organisation

State	◯	Select ▼
National	◯	
Both	◯	

28. Do you have any other comments or observations that you would like to make about the role of NGOs and their relationships with governments in Australia?

[text area]

In order to prevent automatic survey responses being generated please enter verification number exactly as it appears (in upper case) before submitting your answers.

TAI2004 [   ] Submit your answers

Your information will not be passed on to any other company or used for any other reasons other than site evaluation purposes.

Thankyou.

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Appendix 2 Invitations to participate in the survey

Respondents were invited to participate via a covering email and a longer letter of invitation. Both of these are produced below.

Covering email

Survey of the barriers faced by NGOs in having their voices heard

The Australia Institute is currently conducting a survey of the role played by NGOs in Australian public debate. The Institute is seeking to examine the methods used by organisations to get their message out to politicians, the media and/or the public at large. The research will also explore how organisations describe their success, or failure, in this regard and what they see as the main barriers to having their message heard.

The Institute is interested in hearing from organisations involved in public or political debate that seek to have their message heard at the state or federal level. All such organisations are strongly encouraged to participate in the survey. Any information provided will be treated in the strictest confidence. Although organisations will be asked to identify themselves, all identifying information is optional.

To participate in the survey please ask a representative of your organisation to go to http://aus-institute.socialchange.net.au/

It should only take around 10 minutes to complete. Please participate as soon as possible, the survey will close on April 30.

If you require any additional information please call Richard Denniss on

(02) 6249 6221

Letter of invitation

Dear Colleagues

We are writing to ask you to participate in a survey being conducted by The Australia Institute on the role and performance of non-government organisations (NGOs) in Australian public debate. The survey can be accessed at:

http://aus-institute.socialchange.net.au/

NGOs have historically played an important role in informing individuals, the media and politicians about issues of concern to them. The purpose of this survey is to collect information on how NGOs see their role, and how they evaluate their effectiveness in making themselves heard. We are also interested in your perceptions of the obstacles NGOs may face in performing this role.

The Australia Institute is an independently funded public interest think tank based in Canberra. Its role is to promote, through research, a more just, sustainable and peaceful Australia. This research is being funded by the Institute's own resources and will result in the publication of a publicly available discussion paper. We are working with Dr Sarah Maddison from the School of Politics and International Relations at the University of NSW.

All responses to the survey will be dealt with in the strictest confidence. The names and responses of individual organisations will not be revealed. It would help us if you could include the name of your organisation, but if you would prefer complete anonymity we are still keen to have your response. The survey responses will only be seen by the researchers directly involved in the project and, after the publication of the report, the survey forms will be destroyed.

We would greatly appreciate your assistance with this project. We estimate that it will only take approximately 10-15 minutes to complete the survey. We require completed surveys by 30 April, 2004.

Please feel free to contact the project co-ordinator Richard Denniss on (02) 6249 6221 if you have any questions, require any additional information or would like a hard copy of the survey form.

Yours sincerely

Clive Hamilton	Mary Crooks	Michael Raper
Executive Director	Executive Director	President
The Australia Institute	Victorian Women's Trust Chair	National Welfare Rights Network Director
1 April 2004	The Australia Institute	The Australia Institute

Appendix 3 Concordance between NGO categories

Categories used in the Discussion Paper	Options provided for respondents in the survey form
Social justice/welfare	Social justice
	Social welfare/policy advocacy
	Employment services
Environment	Environment
Family/older people	Family
	Older people
	Children
Human rights	Human rights
	Multicultural
	Indigenous rights
	Immigration and/or refugees
Disability and mental health	Disability services
	Mental health
Women's issues	Women's issues
Education/youth and student welfare	Education
	Student welfare/rights
	Youth issues
Other	Other

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THE AUSTRALIA INSTITUTE LTD
FOR A JUST, SUSTAINABLE, PEACEFUL FUTURE

The Australia Institute promotes a more just, sustainable and peaceful society through research, publication and vigorous participation in public debate.

The Australia Institute is an independent non-profit public policy research centre. It carries out research and policy analysis and participates in public debates on economic, social and environmental issues. It undertakes research commissioned and paid for by philanthropic trusts, governments, business, unions and community organisations.

The Institute is wholly independent and not affiliated with any other organisation. As an Approved Research Institute, donations to its Research Fund are tax deductible for the donor.

Philosophy

The Institute was established in 1994 by a number of individuals from various sections of the community. They share a deep concern about the impact on Australian society of the priority given to a narrow definition of economic efficiency over community, environmental and ethical considerations in public and private decision-making. A better balance is urgently needed.

The Directors, while sharing a broad set of values, do not have a fixed view of the policies that the Institute should advocate. Unconstrained by ideologies of the past, the purpose of the Institute is to help create a vision of a more just, sustainable and peaceful Australian society and to develop and promote that vision in a pragmatic and effective way.

Membership

Membership is a valuable means of contributing to the objectives of the Institute. The annual fee is $80 (with a discount for low-income earners). Members receive the *Newsletter*, published four times a year, and are entitled to Institute papers free of charge on request. They also receive discounted admission to some Institute functions.

If you would like to purchase our publications or support The Australia Institute through membership or donation please contact:

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ANU ACT 0200
Tel: (02) 6125 1270 Fax: (02) 6125 1277
Email: mail@tai.org.au

Website: www.tai.org.au

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Discussion papers available from The Australia Institute