

## Managing constitutional change from a psychological perspective

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When I look at the issue of constitutional change through a psychological lens, three research perspectives emerge as being both relevant to understanding the impediments to change, and useful in implementing change in a manner which avoids deep divisions in Australian society. The first approach focuses on the belief system of individuals and recognises the difficulty of persuading individuals to take on board a set of beliefs that are inconsistent with those they already hold. I shall call this the cognitive consistency perspective. The second approach emphasises the importance of our identity, who we are and who our significant others are. The social identity perspective redirects our attention away from the individual and her belief system to the individual and her social group. The third approach emerges from a literature that is concerned with people's perceptions of justice and the importance for citizens of having a voice in the process of social change. I shall call this the engagement perspective.

Before describing each of these perspectives and making the link with the implementation of constitutional change, I want to stress the complementarity of the perspectives. Within the discipline of psychology, the perspectives of cognitive consistency, social identity and engagement represent distinct theoretical traditions. What I want to argue is that if the goal is to articulate a method by which individuals can be coopted into a process of major institutional reform, these perspectives should be seen as complementing each other and not as cutting across each other. All have relevance to the way in which at least some of the citizens behave and feel at least some of the time. In practice, we see the way in which effective change agents work on all three fronts simultaneously, trying to sell beliefs to citizens (a) through linking them to deeply held, widely endorsed and enduring beliefs (the cognitive consistency perspective), (b) through capturing the hearts and minds of significant public figures or organisations with whom citizens identify and have allegiances (the social identity perspective), and (c) through giving citizens the opportunity to have their voice heard regardless of whether that voice supports or resists the proposed changes (the engagement perspective). Indeed, it is inconceivable that a smooth social transition that replaces one national institution with another could be achieved without taking into account consistency of beliefs and

coherence of ideology, the support of elites and opinion leaders, and the support of the mass public within a democratic society.

First, I would like to address the issue of engagement because it is the most fundamental of the three processes I have outlined. Engagement refers to the degree to which individuals care about being part of the Australian community and are prepared to invest some effort in fulfilling their obligations of citizenship. If citizens do not feel engaged in the political process and in the changes that are being discussed, the other processes through which beliefs can be sold have an air of emptiness about them, if not oppression. If individuals do not feel involved in the debate about constitutional change, they become passive recipients of whatever social influence washes over them. That passivity is likely to be associated with cynicism. It also can be associated with uncritical absorption of beliefs and attitudes that are permeating the community.

At this point, some of you may be thinking that it is ridiculously idealistic to suggest that engagement is the norm in Australian society and you might want to claim that disengagement is rampant. I do not want to do battle with you on these grounds. I would argue, however, that the level of disengagement in any society is in a state of flux and that all the branches of government play a pivotal role in setting the level at any point in time. The sign of a healthy democracy is one in which disengagement is kept to a minimum.

So how does one deal with the threat of disengagement in a democracy? Those of you who are well versed in rational actor accounts of human behaviour will immediately turn your attention to interests and assume that individuals disengage when their own interests are not being served. There is considerable psychological evidence that the story of engagement or disengagement is not as simple as that. The work of Tom Tyler and his colleagues on procedural justice<sup>16</sup> shows that individuals' perceptions of fairness do not depend simply on achieving the desired outcomes, but also on their being given a hearing and an opportunity to present their point of view.

<sup>16</sup> Tyler, T, *Why People Obey the Law: Procedural Justice, Legitimacy, and Compliance*, Yale University Press, 1990; Tyler, T, and Davis, RM, "Fairness in Groups: Comparing the Self-interest and Social Identity Perspectives" in Mellers, BA, and Baron, J (eds), *Psychological Perspectives on Justice: Theory and Applications*, Cambridge University Press, 1993, p 87; Tyler, TR, and Lind, EA, "A Relational Model of Authority in Groups" (1992) 25 *Advances in Experimental Social Psychology* 115.

In work that I have done on compliance with nursing home regulations with John Braithwaite, Toni Makkai and Diane Gibson from the Research School of Social Sciences,<sup>17</sup> disengagement was recognised as a posture that individuals used to separate themselves from the mainstream and protect themselves from processes that not only were critical of their performance but were disrespectful of them as individuals. This set of papers emphasised the importance of the social bond between regulator and regulatee. If the regulatee was treated with trust and respect, they were more likely to come into compliance with the legislation. It is important to emphasise that in these studies, the regulator and the regulatee barely knew each other. The social bond was not based on intimate shared knowledge or agreement, it was simply based on regulatees being treated as if they were trustworthy people and worthy of respect, even when they were out of compliance with the regulations. The transmission of a message of "I believe you are trustworthy and worthy of respect" opened dialogue between parties with different interests which, in turn, paved the way for future compliance. If we translate these findings into the context of constitutional reform, we would argue that politicians and those involved in the different branches of government have to work hard at building bonds of trust and respect with the community if they aspire to have citizens engaged in the process of change.

Failures in efforts to engage citizens in constitutional debates explains, in part, why some people will not seek out information about changing the constitution and remain apathetic or withdrawn on the subject. Another part of the explanation comes from the social identity perspective: disengagement becomes contagious and people do not get involved because significant others in their lives are not involved. But what about those who are engaged in the process of constitutional reform? How do they form their beliefs and attitudes?

Social identity theorists such as Henri Tajfel<sup>18</sup> and John Turner<sup>19</sup> have put forward a perspective that argues that people do not like to be alone in

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- 17 Braithwaite, J, and Makkai, T, "Trust and Compliance" (1994) 4 *Policing and Society* 1; Braithwaite, V, Braithwaite, J, Gibson, D, and Makkai, T, "Regulatory Styles, Motivational Postures and Nursing Home Compliance" (1994) 16 *Law and Policy* 363; Braithwaite, V, "Games of Engagement: Postures within the Regulatory Community" (1995) 17 *Law and Policy* 225
- 18 Tajfel, H, *Differentiation Between Social Groups: Studies in the Social Psychology of Intergroup Relations*, Academic Press for the European Association of Experimental Social Psychology, 1978.
- 19 Turner, JC, *Rediscovering the Social Group: A Self-Categorization Theory*, Basil Blackwell, 1987.

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the beliefs that they hold. They need to have confirmation from others that their views are correct and so they develop affinities with groups of individuals who think as they do. Group identity thereby shapes the beliefs and actions of individuals and is further consolidated by choosing out-groups that make the defining characteristics of the in-group more salient. When we apply this theoretical perspective to the problem of constitutional change, we can understand how individuals can adopt short-cut strategies for engaging in the constitutional debate. They can take on board the views of significant others, in particular, the leaders or authority figures in the groups to which they belong. These groups can be large and formal, such as political parties, or they can be small and enduring, such as families, or they can be short-lived yet intense, such as work groups.

It seems reasonable to postulate that belief change through social identity is going to be most powerful when individuals do not have enough information on a subject or when the costs of weighing up the information for themselves is large. I do not want you to interpret this as an argument for achieving social change through the restriction of information, however. I want to argue that it threatens peaceful social change. Political debates invariably revolve around two political positions: the left and the right. Each side typically defines itself in terms of what it stands for and, as social identity theory would predict, in terms of its distance from the opposing camp. The left and right sides of politics engage in institutionalised adversarial posturing. If citizens are not encouraged to seek and understand issues for themselves, they are left with little option but to take the short-cut strategy of adopting the beliefs of their preferred party or opting out completely. For those who choose to be engaged in the political process, this strategy is likely to lead to deep-seated divisions on the issue of constitutional change, divisions that are already clear in the community on the subject of whether or not the Queen should be Head of State in Australia.

The social identity perspective explains why we find children adopting the views of their parents, why members of a political party converge on a similar view and why members of particular work groups often express similar perspectives on an issue. This model of belief formation and change gives little recognition to the role of reasoned debate among diverse groups and individuals, something that many of you would regard as being at the heart of the democratic process.

The third perspective which stems from the cognitive consistency tradition<sup>20</sup> offers some hope of reasoned debate informing the formation of beliefs about constitutional change. The idea underlying this theory is that individuals feel uncomfortable if their beliefs and their behaviours are not consistent with each other. For this reason, individuals will resist new beliefs that are contrary to their old beliefs or that challenge their validity in some way. Thus far, this approach gives a message of gloom rather than hope, the message that conservatives will only accept amended or new conservative beliefs and liberals will only accept amended or new liberal beliefs. In other words, conservatives will always reject liberal arguments and liberals will always reject conservative arguments because they are inconsistent with regular patterns of seeing and interpreting the world.

I want to challenge this way of thinking through introducing you to what I call the value balance model of political evaluations.<sup>21</sup> The central propositions of the model are as follows. First, there are a limited number of values that enjoy wide consensus in the community.<sup>22</sup> These values are principles or standards that transcend specific objects and situations. We believe that these standards have universal applicability, and that others should follow them as well as ourselves.<sup>23</sup>

The second proposition is that these values cluster together to form two major value orientations, harmony and security. The harmony value orientation brings together values such as a world at peace, greater economic equality, equal opportunity for all, human dignity, rule by the people, international cooperation, a good life for others, social progress, preserving the natural environment and a world of beauty. These values share the theme of peaceful cooperation, a world view that is often associated with the left side of politics. The security value orientation brings together national security, national economic development, national greatness and the rule of law. The world view being offered here has more to do with order and

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20 Festinger, L, *A Theory of Cognitive Dissonance*, Row Peterson, 1957; Abelson, RP, "Whatever Became of Consistency Theory?" (1983) 9 *Personality and Social Psychology Bulletin* 37.

21 Braithwaite, V, "Beyond Rokeach's Equality-Freedom Model: Two-dimensional Values in a One-dimensional World" (1994) 50 *Journal of Social Issues* 67; Braithwaite, V, "The Value Balance Model of Political Evaluations", submitted for publication, 1995.

22 Braithwaite, V, and Blamey, R, "Value Consensus and Difference: Compatible and Complementary Goals", submitted for publication, 1995.

23 Scott, WA, *Values and Organizations: A Study of Fraternities and Sororities*, Rand McNally, 1965.

stability and with protection from those who might cause harm and injury, a world view that is often associated with the right side of politics.

The third proposition, and the most important within the present context, is that for the majority of citizens, these two value orientations of security and harmony exist side by side. If we imagine two lines that intersect at right angles to each other, one representing security and the other harmony, we can split the population into four groups. Those who place high importance on security and low importance on harmony are called the security oriented. They can be expected to adopt conservative positions on political issues and this is exactly what they tend to do. Those who place high importance on harmony and low importance on security are called the harmony oriented. They tend to adopt liberal positions on political issues. Those who place high importance on both harmony and security are called dualists, while those with a low commitment to both dimensions are called moral relativists.

Most people in the community fall into the categories of dualist and moral relativist. At this stage we know more about dualists than moral relativists, except for the fact that moral relativists display a greater degree of disengagement from the political process than dualists. For the remainder of this chapter, I want to focus on the citizens whom I call dualists, those who claim a commitment to both harmony and security values at the political level.

The interesting feature in the psychology of the dualist is that she is subscribing to what many of you would think of as left and right values simultaneously. This group has traditionally sat in the middle of the left-right political continuum and it has often been assumed that her views are incoherent and naive.

My research offers a different interpretation, along the following lines. Most people in our society believe that both security and harmony values are important. Understandably, they would like to maximise both, but if they are to do so, they are forced to engage in a political system that adheres to adversarial game playing involving the right against the left. The central idea that I am putting forward here is that disappointments about individuals not taking their citizenship responsibilities seriously should not be blindly translated as shame on citizens. The cause of the problem may well be an adversarial political system that is playing a game that is not responsive to the needs of a significant proportion of its citizens, those who value both harmony and security considerations in political decision-making.

What are the implications of this work for peaceful constitutional change? The major implication is that debates about constitutional reform

should involve spokespersons taking all the values off the shelf in their analysis of what change would mean for Australian society. If one is in favour of constitutional change, there is little to be gained from ignoring the way in which changing the constitution threatens the security of citizens. Security concerns loom large among those who oppose change. Will we end up as a dictatorship? Will we lose our individual freedom? Will there be social and political chaos? Change threatens basic values of security.

If, on the other hand, one is opposed to constitutional reform, there is little to be gained by ignoring multiculturalism, principles of equality and human dignity, and the need to build social cohesion among disparate groups. Building such cohesion is going to involve social change at some level. Failure to recognise these views will threaten values of societal harmony and cooperation.

The beliefs that Australians hold, the tenacity with which they hold them and their willingness to change those beliefs will depend largely on the degree to which debates about constitutional change deal directly with these hard issues. Superficial debate and political point-scoring will do little to move individuals toward change and will bring with it considerable risk. The risk is one of increases in the degree to which citizens treat each other as in-groups and out-groups, increases in levels of mistrust and resistance, and also, ultimately, increases in levels of disengagement from the political process.