

Being socially nothing

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We are discussing civil law on Aboriginal land, land that was unjustly taken from a People who were, and continue to be, unjustly subjected to the crime of colonisation. I pay my respects to the traditional owners and custodians of this land.

For me, the way I looked at the world changed forever when I first read Frantz Fanon, the psychiatrist and great theorist of the confluence between the colonisation of land and the crushing of the spirit.

He consciously opted in to the struggle for social justice. He did not hide behind his science. Rather, in fidelity to the pursuit of objective reality, he took sides with the people he understood to be crushed and silenced.

He identified both the enormity of the problem and the specificity of the solution. *“What counts today,”* he wrote, *“the question which is looming on the horizon, is the need for a redistribution of wealth. Humanity must reply to this question, or be shaken to pieces by it.”* (Fanon 1967:78).

Fanon wrote eloquently of the *“systematic negation of the other person and the furious determination to deny the other person all attributes of humanity”* (Fanon 1967:200).

I want to say a few things about this negation. I want to reflect with you about the people who are made to feel that they are nothing. I think you know who I mean. You know from having sat in a District Court or in the Emergency Waiting Room of a major hospital or a Centrelink office. You know from the person who is used to having everyone walk past her, seeing right through her, while she is sitting on the pavement, asking for a few spare coins but really dreaming of some kind of change.

It’s offensive, isn’t it, to speak of someone as being “socially nothing”. It’s offensive because it strips the veneer away from a society that does not wish to admit that it renders whole groups of people into this condition of social nothingness.

Being socially nothing means not being seen as a member of society. It means being seen only as a threat, as in the case for asylum seekers. The dominant story in Australia appears to be that people legitimately seeking asylum here are a threat to our way of life or to our national security. What we are being taught, even by political leaders who should know better is that this is who asylum seekers are; socially nothing.

Our history, since colonisation, has not only accepted exclusion; it has enshrined it, as structure, as attitude, as instrumental practice.

You are well aware of the disproportionate rate of incarceration of Aboriginal adults and young people in this country.

Being locked up follows hot on the heels of being locked out.

I am reminded of the poem by Jack Davis on the death in custody of 16 year old John Pat in 1983. He writes of the dangerous power of Guddia (or whitefella) law:

*Write of life / the pious said
forget the past / the past is dead.
But all I see / in front of me
is a concrete floor / a cell door / and John Pat.*

*Agh! tear out the page / forget his age
thin skull they cried / that's why he died!
But I can't forget / the silhouette
of a concrete floor / a cell door / and John Pat.*

*The end product / of Guddia law
is a viaduct / for fang and claw,
and a place to dwell / like Roebourne's hell
of a concrete floor / a cell door / and John Pat.*

*He's there - where?
there in their minds now / deep within,
there to prance / a sidelong glance / a silly grin
to remind them all / of a Guddia wall
a concrete floor / a cell door / and John Pat.*

Rather than being listened to, the downtrodden in the prosperous countries of the world are being trodden on even more. Their futures are determined from above. They are told from above what is good for them, how they must improve.

With the exception of a couple of fanatical poverty-deniers who are taken seriously by nobody there is a broad consensus in Australian social science that we do have a serious problem with poverty and disadvantage, that this problem affects the lives of at least 11% of the population, that the causes of poverty are primarily structural rather than behavioural, and that we can, as a society, address these causes.

Feminist writer Carol Hanisch wrote a now famous essay in 1969 entitled *The personal is political*. These words became one of the most important insights not only for the Women's Liberation Movement but for all who are committed to progressive social justice and social change. Changing the world is as deeply personal as it is broadly collective. I have had the joy of knowing many, many women and men who engage in the daily practice of learning the "art of gentle revolution" to use Leunig's beautiful coinage. I love listening to their stories and watching them at work on their oft-disparaged project of building a new society. What is it that distinguishes these people from those who seek to impose solutions to social problems from above? It is that they see themselves as perpetual students. Many, but not all, of them read voraciously. All of them make it their habit to listen to, and learn from, the people in our midst who are crushed by the weight of structures of inequality. They listen to their stories and then they reflect together on how the political emerges in the heart of the personal. It is a two-way movement, though. The political is at the heart of the concrete conditions in which a person lives. Their lives are bound by economic, social and legislative structures. But then the analysis of these conditions gives rise to a personal commitment to change them.

Earlier this year, the Prime Minister gave a speech on "closing the gap" on Aboriginal disadvantage. After tabling a report on Government outputs rather than outcomes she went on to intone the tired mantra that the real effort needs to be made by individuals. She didn't acknowledge that they have been pushed out. Rather, they are painted as being dysfunctional, bringing on their own "misfortune".

It is instructive to look at how social expenditure rates in the context of overall spending. While this is not the only measure of social awareness and connectedness, it is a very concrete manifestation of our values. We put our money where our priorities are. As the Compendium of Social Inclusion Indicators, a publication of the Australian Social Inclusion Board, tells us, Australia stands near the bottom of the list of relative social expenditures in comparison with countries in the European Union. In eight instances individual countries had a rate of expenditure that was over 30% of GDP, around one and half times that of Australia.

It's not just about how much is spent though. It is about where and how it is spent. It is about making sure that the spending responds to the stories instead of the spending requiring its own carefully crafted story.

A Vinnies member in the Northern Territory said to me recently that the NT Intervention will go down in history as being as shameful for the Australian Government as the Stolen Generations. No one was consulted, she said. No one was listened to.

But the women and men who are not listened to still have their stories, still carry the knowledge of what has happened, what is happening, and what needs to happen.

Another kind of world is possible because of the truth that is told by those who live on the margins. And if we look a little bit closer, we will see that the “margins” are actually at the heart of our society. It all depends on where you stand.

The poverty they experience is a form of oppression. I believe that we are bound to join in their struggle for liberation, even if our efforts seem paltry and inadequate.

Whether we are thinking of people who are excluded because of their marginal attachment to the labour market, their gender, their cultural and linguistic diversity, the social relations in which their disability is constructed, or their Aboriginality, social exclusion is a structural symptom rather than the effect of a personal choice or a personal deficit.

I want to share a little story from the days in 1996 when, God help me, I was working full-time on a doctoral thesis. I recall sitting on the front porch of our flat in Liverpool, in the South-West of Sydney. I was taking a break, having a quiet smoke, trying to digest what I’d been reading.

Just at that moment, a woman and a man walked past; the man a few steps ahead of the woman, yelling:

“I know people. I’ve been to the factory where they’re made.”

Running inside I wrote this down. Then all but chased after the guy to thank him. His unsolicited utterance crystallized what I was struggling to articulate.

“The factory where they’re made.”

Or unmade.

I thought of the people I knew, starting with my own old man, who had been unmade in the factory. In my dad’s case it was cancer from solvents he was required to use in testing road materials.

How many stories have I heard since then?

People made and pulled apart by social and economic structures that de-humanize, that compartmentalize, that destroy, that humiliate, that blame; people made to feel that lives are worth little, that their position at the bottom of the heap completely excludes and effectively disempowers them.

As far as the intersection between the law and people experiencing exclusion is concerned it is often as if people are being systematically prepared, or made (to adopt the poignant language of my Liverpool informant) for a series of collisions with state instrumentalities of surveillance, control, coercion and, sometime, incarceration. As one solicitor working primarily on Legal Aid cases told me recently: “I love being able to offer some advocacy for

the people who have had no one to advocate for them. The tragedy is that the first time they are offered some advocacy is because they've fallen foul of the law."

The law, of course, develops as a reflection of social relations in a given society with its given economic formation. We do well to remember the anonymous piece of doggerel from 15th century England as the impact of early enclosure laws were being felt by the most vulnerable:

*"The law locks up the man or woman
Who steals the goose from off the common
But leaves the greater villain loose
Who steals the common from under the goose."*

The law does indeed continue to lock up the man or woman who is more likely to be from a disadvantaged background, often starting them on their bleak journey as juveniles. It is no surprise to learn that incarceration often begets even more incarceration rather than even a notional rehabilitation or support. Quite the contrary, the people who have been pushed to the margins, locked out, are either pathologised or criminalised. In either case, they are always problematized.

Professor John McKnight has observed: *"Revolutions begin when people who are defined as problems achieve the power to redefine the problem."*

There is often an incredible presumption that people are incapable of analysing their own situation. This presumption carries with it a handy rejection of the notion of actually providing resources to people to allow them to articulate their analyses and proposed solutions. And yet under the guiding stars of struggle and hope the greatest social reforms have been wrought by grass-roots movements.

As the German poet, Bertolt Brecht, put it so well:

*The compassion of the oppressed for the
oppressed is indispensable. It is the world's one hope.*

Without the organised analysis and agitation of the people we would never have seen gains in the fields of industrial rights, women's rights, the establishment and public funding of refuges for women and young people, tenants' rights, environmental justice, workers compensation, citizenship rights for Aboriginal people and so on.

In the years of the Great Depression when the families of the unemployed were being thrown out of their homes by the landlords a movement of resistance sprang up against these evictions. People gathered around the home of the soon-to-be evicted family and fought back against the police force sent to carry out the law.

From home after home the families were evicted by the law and the women and men and the children and their goods were forced to make the street their home while their supporters had the intellectual honesty to never stop being shocked by this brutality.

People were radicalized by reality, by their concrete analysis of the concrete conditions. Good policy was born from such struggles.

The 1975 Commission of Inquiry into Poverty noted that:

'If poverty is seen as a result of structural inequality within society, any serious attempt to eliminate poverty must seek to change those conditions which produce it.'

The greatest power for progressive social change lies precisely with the excluded. But not, as some claim, by individually addressing their own exclusion as if it were a private malady. As the writer Isabel Allende expressed it through the voice of one her characters:

"...it was not a question of changing our personal situation, but that of society as a whole."

It was the French sociologist, Pierre Bourdieu, who spoke of the Right Hand of the State as the expression of the values and desires of the market, as opposed to what he called the Left Hand of the State, being "the trace, within the state, of the social struggles of the past."

At the hands of a market that puts profits before people, people are forced underground. They resurface in our prisons or on our streets. They're forced to hock their furnishings, their personal possessions. They seek consolation in the arms of loan sharks and payday lenders.

Charity may well tide them over until their next crisis. It is justice, only justice, however, that will fulfil their long-term dreams.

As you know, a relatively minor legal problem, if left unresolved, is capable of turning into a much bigger problem. Each time a person experiences a problem, they become increasingly more likely to experience additional problems. Consequently, failure to address legal issues, particularly at an early stage, can lead to entrenched disadvantage – debt, family violence, and homelessness.

Italian political theorist, Domenico Losurdo wrote:

"Democracy cannot be defined by abstracting the fate of the excluded."

In the wake of the NT Intervention, Aboriginal Elder, Rev Dr Djiniyini Gondara put the same precept with greater immediacy, saying:

"Inequality cannot be addressed by the removal of control from affected people over their lives and their land."

When you've even got the OECD berating us for the level of our unemployment benefit, worrying that it is counterproductive to a participation agenda, surely we should be sitting up and taking notice.

It is indefensible that we continue to expect a single unemployed person to survive on \$34 a day, a daily battle that is waged from below the poverty line.

It is indefensible that over the past 11 years the unemployment benefit has fallen from 54% to 45% of the after-tax minimum wage. At this rate, by 2050, the single Newstart Allowance will be 1/3 of pension.

What is poverty in a prosperous nation? It is the majority world peaking through the holes in the tawdry coverlets of the consumerist economy. It is the scent of disorder and disharmony that offends the senses of those who want only to be protected from the truth.

Our problem is not the bad behavior of a so-called moral underclass. Our problem is inequality. When we deny that this is the problem we end up looking for solutions in all the wrong places. We also end up re-framing the question incorrectly, so that it becomes a question of participation, or productivity, or compliance, or aspiration.

So we end up with solutions that worsen the problem of inequality. As if compulsory income inadequacy, or its accursed cousin compulsory income management, could actually help create the space for dignity and liberation! We should note here that compulsory income inadequacy occurs on both sides of the employment/unemployment divide.

When we ask the social question, we find the seeds of the social, and therefore political, solution.

Let us be clear. You don't build a community by attacking its people's dignity. You don't build a community up by putting its people down! You don't create social inclusion by further excluding people and reducing their choices even more, watching over them even more, controlling them even more.

As Lilla Watson and a group of Aboriginal activists in Queensland put it so beautifully:

"If you have come to help me you are wasting your time.

But if you have come because your liberation is bound up with mine then let us work together."