

A FREE AND COMMUNAL FUTURE:
PRECONDITION FOR A JUST SOCIETY

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The Foenander Lecture

The Foenander Lecture in Industrial Relations has been established to commemorate the life of Dr. Orwell de Ruyter Foenander. Orwell Foenander had a long and distinguished association with the University of Melbourne which began with his attendance as a student of law in 1909 and ended only with his death on February 22, 1985 at the age of ninety-four. Throughout this long period of association Orwell served the University with great distinction. He obtained first-place and the award of the Supreme Court Prize in the final honours examination in law in 1914. Thereafter he occupied a number of University positions, including a part-time lectureship in Economics and Industrial Relations, and eventually Associate Professor and Head of the Department of Industrial Relations in the Faculty of Commerce. For much of this time he was also a tutor in Ormond College.

Apart from his teaching and administration, Orwell's main academic achievement was in pioneering the study of Australian industrial relations, and in particular the study of the operation of the systems of conciliation and arbitration. This interest developed from advice given to him by the founder of federal arbitration, Henry Bournes Higgins, during World War I. In the period from 1937 to 1970, Orwell published no less than eleven books on industrial regulation. To this splendid achievement must be added the numerous papers and articles published by Orwell in international and local journals.

Orwell Foenander continued his formal association with the University and the Faculty of Economics and Commerce after his retirement in 1957. He worked as a part-time teacher in the Faculty until 1969, and thereafter continued to give the benefit of his extensive learning and experience to Faculty members through his frequent visits to the University.

Thanks for the welcome and it's a great pleasure to be here. Even more of a surprise and honour for people to turn up on a night like this and engage in some of these questions, so my congratulations to you for actually making the effort.

1. Learning to be part of a community: some personal insights

I really want to raise a series of questions tonight as I've titled the topic 'Free and Communal Future: Precondition for a Just Society'. The first question I want to ask concerns the way we experience community today, and how we might learn to be part of it in the future.

Let me begin with a personal experience: about five or six months ago, I pulled up at the service station with my wife in the front, my three children in the back. I got out. While they sat there, I filled up the tank, put the cap back on, walked over to where you pay, pushed the money under the glass window, received my change, all without exchanging any words.

As I walked back, thinking, this is rather efficient, that I would just jump in the car and head off, I had a flashback. It was to the late 1960's when I was a kid in the back of my father's FJ Holden. Dad and mum would be in the front, and we'd pull up at what was then called a garage. The man would walk over, terribly inefficiently, he would take forever to come, and after he finally got there, he would go about his business pretty slowly, but he would clean the windscreens, check the oil, put water in the tank if it was needed and air in the tyres. What I remember well about this experience, however, was how my father would always try to talk to this garage man, this stranger. He would crack a joke, he would talk about the weather, or football, or in his turn my father, who was a politics teacher, might talk about politics. I remember as a kid, with the windows down, thinking 'How does he know what to say to that total stranger there?', and the next thought I had as a young kid was 'I hope when I'm older, I'll know how to do that, how to actually talk to strangers and share stories', and I think even at that age I knew intuitively that 'belonging to a community', after all, is simply making connections and finding a common story.'

I thought about my childhood garage experience, and compared it with my kids' experience at that self-serve station. They hadn't actually seen me talk to anybody, and I hadn't talked to anybody. As I drove off, I was ruminating on this and it occurred to me that there aren't as many forums in which my kids see me finding and tracing community links with strangers, engaging in what I might call today 'civic discourse'.

Next time, I went to McDonalds with my kids, I thought, I'm going to learn from this. We walked up to order and they were with me, and I noticed the young girl who served us had her name tag on, it was Karen. I said 'Hi Karen, are you having a nice day?' She looked staggered, until she realised that she had her name tag on. She stuttered out an answer. I asked her 'Do you work here after school? Is it a full-time job?' She said 'Oh, no, I'm here full time.' I said, 'Are they going to train you to manage a place like

this one day? Is that what your goal is? Where is it going for you?' She started to tell me a little about what she hoped to do and I thought, this is good. And I looked around just to make sure that my children were absorbing this civic discourse. Well to my shock, and in their embarrassment, they had actually walked straight out, they had left the store.

I went out, got them back in again, ordered, sat down and said 'Where did you go?' They said 'You are so embarrassing.' In fact, my youngest said 'You're a nerd.' When I asked why they said, 'You're not meant to talk to her. You're not meant to call her by name.' 'Well, why has she got a name tag on, if I'm not meant to call her by name?', I asked, and they told me, 'She's got a name tag on so that if she stuffs up you know *who* to report.'

Well, I've thought a little bit about this. It's funny but it's also a little bit sad. I realise that the culture I had grown up in had given us very different messages. Culture, to us humans, is what water is to fish. I assume fish don't know they're in water. Likewise, we rarely realise that we are in a culture that gives us invisible messages, cultural messages. The messages I had grown up with, watching people model, in a forum, cross-generational communication with a stranger, my kids interpreted as being about performance, about customer service, about if you don't perform you will get reported.

Now there are some advantages to that message, it probably means greater efficiency, it certainly means better customer service, this isn't all a downside. But I was intrigued to think that for my kids, a name tag isn't necessarily about relating, it's actually about performing. The sort of insecurity, I guess, that most Australians live with, conveys the sense that 'if you *have* got a job it is probably because your employer has not worked out how to do without you yet. But it is probably only a matter of time', and this means that you must keep on performing. My father's world, where he taught for thirty-three years at the one school and where he said, 'If you're loyal to your employer, your employer will be loyal to you', worked then, and it made sense in his world. But it doesn't make a lot of sense at all in our world today, and my kids have picked that up. Young people have picked up that they are one-person businesses, that no one is necessarily going find them a place and that they have to be out there competing. Well, there are some good aspects to this, and there are some shadow sides. It is always a case of trying to weigh them up.

I thought back to the messages I received when I was my daughter's age, about sixteen. The message I implicitly heard from society when I was at school was this: if I am clever, I will get to go to University; if I am not so clever but I am good with my hands, I will get an apprenticeship, a trade; if I am good at business, the private sector will pick me up; and if I miss out on all those opportunities, don't worry, there is always the public service. It doesn't necessarily need you, but it will find a place for you. There's the trams, there's the railways. It is an interesting message. Part of the message was that an economy serves a society and so we will try to find a place for you, we will even carry you if need be. Of course, the message now for our young people like my daughter is very, very different. No one is necessarily going to carry her into employment.

2. Choirs and electronic communication: more and less community

Whilst there are clear economic advantages to efficiency and competition, they also raise the question ‘How communal are we becoming? What is the nature of civic discourse?’ Robert Putnam from Harvard University, has just had published a recent lecture called *Tuning in, Tuning out: the Strange Disappearance of Social Capital in America* in which he argues that the theory of social capital presumes that the more we connect with other people, the more we trust them. His empirical findings basically confirmed this. He looked firstly at social capital in Italy, particularly in the north where certain regions that had no obvious economic comparative advantage over the others, but some were prospering and others weren’t. In his fairly detailed study, one of the main dimensions he found which was determining why some regions were prospering more than others was the existence of choral societies, choirs. When people came together to sing, and to trust, to eat pizza afterwards, they would inquire about each others’ businesses, look at forming partnerships or enhancing their entrepreneurial activity, and discuss the problems of the region, looking together at how they could be tackled.

More recently, Putnam has done a very similar, and a quite painstaking statistical study, in the United States and he has found that the U.S.’s stock of social capital has been shrinking for more than a quarter of a century. He found that membership of things like the Red Cross, labour unions, and bowling clubs has declined dramatically over the last two or three decades. He quotes a book published in the U.S. called ‘Bowling Alone’, a book that talked about how ten-pin bowling was the most participative, widespread U.S. recreation, but points out that now the bowling alleys are filled with people who bowl alone. He argued that the time spent informally visiting and socialising is down a quarter since 1964, and that collective participation in politics, as measured by things like attending a meeting of town or school affairs, has fallen by thirty-nine per cent between the years 1973 to 1993. He has noticed a decline in church attendance since 1960’s of about thirty per cent. There has been a counter-trend of growth in support groups, neighbourhood watch groups, mailing list organisation and interest groups, but these, he argues, are not adding to our social connectedness because they depend on common interest and their members don’t really meet one another. Putnam argues that social capital has diminished.

So Putnam goes on to ask ‘Why, beginning in the 1960’s and accelerating in the 1970’s and 1980’s, did the fabric of American community life begin to fray?’ He admits he cannot find the reason but he firstly looks at education, which is the strongest correlate of social trust and membership of different types of social groups, and he observes that the rising levels of education have not increased social capital. He looks at pressures of time and money, but finds that neither objective or subjective well-being has inoculated the American people against civic disengagement. If anything, affluence has exacerbated the problem, causing more disconnectedness. Nor does he find that where people live and how long they have lived there explains the erosion. He notes the greater decline in civic engagement among women than among men, and suggests that the change is due to greater female participation in the workforce, but he finds that not really proven. He

looks at changes in family structure and says that they are not responsible either for the disconnection either, because overall declines in participation are still present among happily married families. Decreases in social capital are not even related to various measures of welfare spending or to government size.

But generational differences are what give Putman a lead. He does find that there is a powerful reduction in civic engagement among Americans who came of age in the decades after World War II. It is as though post-war generations were exposed to some mysterious x-ray that permanently, and increasingly, rendered them less likely to connect with the community. Now the full effects of generational developments generally appear several decades after their onset, so, Putnam says, 'Like Minerva's owl that flies at dusk, we come to appreciate how important the long civic generation has been to American community life, just as its members are retiring'.

Putnam finally says that there is only one prominent suspect that could account for this generational effect: the long civic generation was the last cohort of Americans to grow up without television. In 1950, barely ten per cent had television sets, but by 1959 ninety per cent did. The average American now watches about four hours a day and multiple sets have proliferated, allowing ever more private viewing.

Putnam develops his point by comparing television viewing and reading newspapers. Each hour spent watching the 'telly' is statistically associated with less social trust and less group membership, while each hour spent reading a newspaper is associated with more social trust and more group membership. He does an analysis of how television is destroying social capital. He argues that it comes at the expense of nearly every social activity outside the home: it privatizes our leisure time, heavy watchers are 'unusually sceptical about the benevolence of other people', they overestimate crime rates, they are much more pessimistic and they are more passive. It occupies extraordinary parts of children's lives, consuming as much time as 'all other discretionary activities combined'.

The sociologist Ithiel de Sola Pool predicted in his 1990s book that the revolution in electronic communications, the Web, *et cetera*, would have a profoundly decentralising and fragmenting effect on society and culture, despite its contribution to individual freedom. Putnam also sees it undermining our connections with one another and with our communities. It may actually cause a continuing and even greater loss of social capital than television, but we will need to wait for some time before we can measure the generational effects.

Putnam's work would suggest that our communal being is actually fragmenting. It is not that we don't actually experience a need for community: nearly a million Australians watch 'Neighbours' every night of the week and most who watch it, don't know their next door neighbours, which is a little bit curious. We long for it: programs like *Sea Change*, *Ballykissangel* and *Hamish McBeth*, that are immensely popular programs about community life. In our love for them we manifest our extraordinary longing for experience of community.

3. Community from workplace or from ownership: experience and legislation

For many people, the workplace has been where they have experienced community, connection, trust, *et cetera*. But now work, with its increasing casualisation and emphasis on performance contracts, is less able to sustain these connections. Collegiality where you might share information is less likely, and you may be just a little bit more suspicious about sharing because a colleague may end up being your competitor when your job is put up for contract. Hence we inevitably experience a loss of trust. Where are the forums for connection, if work becomes a place where people compete rather than cooperate?

And while we are thinking about work and connection, we might ask about how it will be affected under the Workplace Relations Amendment Bill presently under consideration. There are those who argue that the proposed legislation moves the concentration of power in any determination about industrial law away from the dialectic between employers and workers in the workplace, and towards central government. The latter won't have a detailed understanding of the employee experience and the demands of the industrial process, and it sounds to me as though valuable connections or social capital may be lost.

Some of us at Collins Street Baptist where I work have been talking in schools, and even there we sense a profound loss of social capital. We repeatedly discover that owning *Nike* or other brand products is, by and large, the way to a sense of belonging. When connection with others is hard to find, the way to feel as though you belong to a community is through ownership of these brand products. When community is fragmenting the advertisers say, if you want to belong, you tell us who the people are that you want to be like. If you tell us who your model is we'll tell you how they dress, what they eat, where they hang out, and most importantly, what brands they use. In this way, the advertisers offer a reconstituted community. Even as adults we are told where the people we want to be like take their holidays and eat, what schools their kids go to, what cars they drive, and we are increasingly seduced to do the same. This sort of belonging does not really offer us 'freedom' as there are strong pressures to buy products for membership, but it might appear to open doors to a community of sorts.

My colleagues have become very aware of Nike as a brand and they are very aware of Nike's practices. Nike is in court this week because of its treatment of some its outworkers, trying to justify its industrial practices. Part of the textile, clothing and footwear industry, it pays its workers some of the lowest rates in the country.

Outworkers of all sorts, and there are probably three hundred thousand in Australia, may earn as little as two hundred dollars a week, and many are working up to eighty hours a week for that pay.

The Workplace Relations Amendment Bill and its legislation proposes a 'second wave' of 'award stripping', which has already entailed the review and reduction of each award

to twenty allowable matters. This follows the first wave of industrial relations amendments in which the textile, clothing and footwear union was forced to conduct expensive cases to preserve clauses to protect outworkers. Now, with the second wave, it will have to go through that process again. This will particularly affect those workers who do not have strong bargaining power, for example, those of non-English speaking-background, women, casuals, and those not accessing Federal award conditions. Of course, in Victoria, where we no longer have any state awards, the new Bill will make it very difficult to rope in employers into the federal award system. A union will have to work with each individual case, making the process very costly, particularly for outworkers.

More worrying is the fact that the Bill may completely outlaw the Homeworkers Code of Practice which has been a major focus in protecting outworkers and used in the development of an accreditation system. Protection-of-outwork clauses of the Clothing Trades awards may be lost altogether, and written contracts will not be detailed or monitored, leaving the field open for that minority of employers who still exploit people.

Our 'culture' of efficiency and competition is being defined more and more in individual terms rather than in award and communal terms, and those individuals with the least spending power or political muscle will certainly be the ones most affected.

But work is not simply about money; it is our most important source of occupational therapy. Our self-esteem and our identity in this world is based so strongly on work, and if I had a dollar for every time a mother has said to me, I cannot believe the difference in my child since he got a job, I'd be a rich man. A person who has a job has better health, usually enjoys better relationships, and experiences more structure and meaning in his or her life than someone who is unemployed. To be without work isn't just to be without financial resources. Although certainly that is difficult, because increasingly in our culture if you don't have spending power, you don't get the smile at McDonalds and the blessing that comes with being the customer who is always right. Spending power rather than citizenship has become the lever by which we can attain participation in our community.

With the pay-packet comes society's recognition of the employee's contribution: it is its way of saying, 'We value what you have got to offer.' The esteem of making a contribution is probably at least as important as the pay-packet. Of course, unemployment is devastating because the message is, 'You don't have anything to contribute to us and there is nothing that you can contribute that we value', and as we all know, that can be emotionally more devastating than the loss of wages.

4. Reaching for more durable sources of freedom and community than 'work'

However, the future of work is very, very problematic. Vivien Forrester in her global best-seller, *The Economic Horror*, translated from the French in 1999, says that although work is the foundation-stone of western civilisation, its future is very fragile. She argues

that believing that there can be full, satisfying work for all in the future, may be a hallucination like Don Quixote's 'tilting at windmills'. She predicts that in the future there may be only 'tiny quantities of jobs, acrobatically launched at reduced wages on a competitive market'.

The unemployed, she points out, judge themselves through the eyes of the judges, adopting their judges' viewpoint which makes them wonder what inadequacy has led them to under or unemployment. Certainly, there are some people without work who need to show more determination and individual responsibility, but with youth unemployment still at around twenty-three per cent, there is a structural and systemic reality that means twenty-three per cent do not get work. Forrester argues that this allows an exploitation of the resignation and shame of the unemployed. It is almost as though shame could be floated on the stock markets as it is an important element in profit, preventing the unemployed from joining together to express their outrage. To reinforce the shame, we insist on an active and incessant search for work, and for many that becomes a cruel quest. Forrester argues that in the future we will see people becoming unexploitable which will be even more humiliating than being unemployed. The deepest experience of shame might be in being found 'not worth exploiting'.

Forrester argues that we who want to work in the future, when meaningful work is only available to a minority, may experience in turn something of the disorientation of the indigenous populations of colonial days when they became ineffective in the very places which were their cultural centres. Where before they had blossomed, they suddenly found themselves defeated, and as if in exile, they faced a power which would not even allow them to enter freely as equals into the new system, which had been forcibly imported without giving them any rights. We, the under-employed, might find ourselves in a similar position of disempowerment.

If a culture is to grant us meaning, then it must esteem people for a range of contributions: their organic gardens, their coaching of a junior football club, or their participation in community groups. Our own indigenous cultures have much to teach us in this regard, as they bestowed meaning through inter-relationship with each other, the tribe, their ancestors and the 'dreaming', sometimes doing entirely without any particular word for 'work'. If esteem in our culture remains simply measured by the pay-packet, more and more people are going to be found wanting. We need to acknowledge that industrial relations cannot be entirely responsible for bestowing our identity, and we do need leadership that articulates a vision of a society which does not only allocate identity on the basis of employment or work. But this is easy to say for people in full employment like myself.

I certainly think that the next generation, Generation Y as it is often called, or X, are sometimes showing us the way. It is interesting listening to them talk. Many have grown up with all the material goods that we have got, but they seem less anxious about them than my generation. My generation are baby-boomers, offspring of parents who went through the Great Depression, and we are most anxious about our security. Our parents bred that in us, understandably. They had seen what happens when markets collapse and

there is no welfare state to provide a buffer between markets and the individual. Even in this 'lucky country', they saw malnutrition and suffering. So my generation is imbued with a strong notion of security, but the young people of Generation X and Y have grown up with constant change. They are not so anxious about security as I define it. They are living lives that are more open-handed, and they are more able to appreciate their singing, their bands, their relationships, and they are more able to say, 'Oh well, we'll get by, if there is some part time work we'll take it, and we won't necessarily feel so insecure about it'.

But I would find it a challenge, and if I was out of work, or couldn't find work, my anxiety levels would be much higher than theirs. Maybe they are starting to shift the notion of self-esteem and recognition toward the things which they can offer which are not necessarily rewarded with pay, and that, after all is what the notion of vocation is all about. *Voca*, the Latin for 'I am called', declares that a person who has a vocation says, I will find my contribution. If I can be paid for it, that is wonderful, but the chances are, increasingly, that I won't be paid for what my contribution is, but I will offer it anyway. I will find a way to make this contribution, whether it is being a good neighbour, or whatever it is. I think we have to pick up some of these challenges and the younger generation are the ones leading us to think them through.

5. The parental model of unconditional love: route to a free and communal future?

Let me finish with a challenge that we might rediscover ourselves as valued human beings in community with others. Let me talk about the mutuality argument, even back, if you will permit me to be religious, to God the Parent, the Father and the Mother, via the love of our own parents.

Mark Latham in his book, *Civilising Global Capital*, advocates a 'Third Way' of 'mutuality' by which he means to suggest an 'enabling' state. In advocating this third way he is championing one which assists the training and resourcing of entrepreneurs who inspire people to take risks, who find clever ways of using abandoned assets, and who give others the confidence to develop their skills and potential. 'Aim to be an employer not just an employee', he and others would say. Latham's critics respond, pointing out that this concept of mutual responsibility has been used against teenage mothers and other groups who may be disadvantaged through no fault of their own. This has been part of Anglo-Saxon society since the Tudors with their Poor Laws, the 'Susso' or Sustainance of the 1930's, and in the notion of a 'Work Test' for the unemployed for most of the post-war period. It isn't really a new concept, this idea of 'mutuality'.

Raymond Gaita reminds us in his book, *Romulus, My Father*, how 'there will always be those who have not been spared', who through no fault of their own, have been as Simone Weil says, 'struck one of those blows which leave a being struggling on the ground, like a half-crushed worm and who depend on the love of saints to make their humanity visible'.

Gaita argues that just saying that each human being is inestimably precious is not enough. He reminds us, very perceptively, that ‘This sort of statement just leaves us trying to say what we feel a need to say when we are constrained from the conceptual resources needed to say it’. Gaita argues that the power to love the terribly disadvantaged only derives from the unashamedly anthropomorphic character of the claim that, ‘We are sacred because God loves us’. Its significance will be evident to anyone who reflects on family life. Children come to love their brothers and sisters because they see them in the light of their parents’ love. Often we learn something is precious only when we see it in the light of someone’s love. If we do not ever see others in the light of parental love, how can we learn to love them, how do we learn to connect with one another? I am anxious that we are not learning this ability to connect with the least fortunate, especially as increasing numbers of children are growing up where parents are too stressed, too busy, too anxious to actually model that love.

I think this is one of the great downsides of the competitive economic workplace. More and more parents I see find their very best psychically squeezed out of them at work. They come home to last night’s dishes, the kids get up their nose, they say, here, watch a video, or, here’s fifty dollars, take your adolescent chaos anywhere but here, I can’t cope. And, on one level, they can’t. Competitive and performance-based work has squeezed so much out of them. The shadow side of such competition in the workplace is the fragmentation of that very primary community, the nexus of parental relationship, where love and self-esteem are observed and learned.

I won’t take you through all the world-wide trends in family composition and some of the great challenges of family breakdown. I will simply say that where children are in emotionally or physically violent marriages or from severely deprived homes, their ability to trust, and to find self-esteem may be damaged, and their capacity to create a free and communal future may well be irredeemably impeded.

6. Conclusion

In pulling all this together, I am trying to suggest that for a free and communal future, which I regard as the precondition for a just society, we must make and retain connections with each other. In order to do this we will need tell stories that include strangers, and we must sustain forums in our communities where those stories are told. Workplaces have been those places, but, increasingly, with competition and performance insecurity, the trust, stimulation and story-telling of the workplace is under threat. Changes and proposals that may make us more efficient in the workplace, such as the Workplace Relations Amendment Bill, may also severely limit the freedom of the most vulnerable citizens to function in our community. Meaningful work as the means of affirming self-esteem through a regular or sustaining pay-packet may become available to only a minority. That minority may fragment away from the rest of us who are left with only meaningless and casual employment, with the threat of becoming not only unemployed but even unexploitable. There is much we could learn from the genius of our own indigenous peoples who discovered meaning through their connection with each other and ancestors, rather than through their work.

Finally, to reclaim freedom and community in the future, we need to think about mutuality, not just in superficial terms like requiring work in return for dole payments, but as it is expressed in response to the most disadvantaged in our community. This kind of deeply-felt, all-inclusive mutuality seems usually to have its origins in our own experience of the unconditional love of parents, and it matures into a philosophical or religious framework which, in my view, can give us our best chance of promoting a free and communal future. I believe that such a future is the most important precondition for a just society.

Thank you.