

## **Dialoging Citizenship in Queensland: The ability to engage or estrange**

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### **Abstract**

This paper considers several discursive processes involved in an example of citizen–government dialogue. The relationship enacted occurs daily in each of our communities and here involves samples of Queensland legislative practice, representing the government’s position, and excerpts from interviews undertaken with young males who have experienced either formal school exclusion or first-time incarceration. Constructions of identity, central to the concept of citizenship, are explored through two prominent discourses signalled in the exchange: individualism and moral/behavioural. These dialogue-based relationships offer descriptive insight into processes through which marginalisation occur yet they also disclose valuable options for sustaining ongoing conversation. As institutions of the twenty-first century reposition to embrace a more participatory operational charter it is suggested that practices of sanctioned exclusion will exemplify a state’s governance ethos. In this case, the business of exclusion will remain evidence enough as to the ability of government to engage or estrange members of their community.

### **Keywords**

Discourse, active citizenship, social exclusion, relational responsibility

### **Introduction**

I’d like to begin by thanking the conference organisers for this opportunity to speak here today and to acknowledge the traditional owners of the land upon which we are meeting. The following presentation asks you to consider how it is that we achieve our daily activities, primarily those of a socio-political nature, through language use. Most here would agree that our interpretation and use of language can do many things: it can inspire us, immobilise us, it can warm our hearts or chill us to the bone. The evident certainty is that we constitute our worlds in language and these actions have widespread potential to influence our lives. If we can agree that this is so, then any of area of life in which language plays a part can be scrutinised for not only how it uses words to convey its message but also begs us to consider the possible effects of such action.

So what might be said in a dialogue taking place between a citizen who is forcibly excluded from their community, having been found culpable of breaking the law, and the state empowered to enforce such law? The government’s position will be represented in the following exchange by the *Penalties and Sentences Act 1992* and the *Education (General*

*Provisions) Act 1989* and I will couple these excerpts with segments taken from interviews completed with young males who had experienced either formal school exclusion or first-time incarceration. The bulk of today's presentation will engage this data to show the pragmatic function of words as tool-like prosthetics (Shotter 1993). In doing so it we will consider how an individual's and institution's language use can shape their's and analogous relationships with the capacity to engage or estrange. I will also argue that it is on the cusp of such dialogue that valuable potentials exist for ongoing socio-political engagement.

## **Active dialogues**

### ***Penalties and sentences***

On 1 January 1901, with the proclamation of Federation, Queensland became a state under the Commonwealth of Australia. The *Penalties and Sentences Act* succeeded a number of legislative Acts and was intended to unite, under one piece of legislation, sentencing options for courts in Queensland. According to the Act, offences may be split between those considered to be violent and those thought to be non-violent and in sentencing an offender a court is requested to consider 'the nature of the offence and how serious the offence was, including any physical or emotional harm done to the victim' (Queensland Government 1992 p. 17). For the person known and dealt with as the offender such delineation is straightforward in reference to violent crimes. But whilst working in prison I lost count of the times a person who had been convicted of a non-violent offence, let us say drug possession, questioned who exactly was the victim of their offence. Confusion ensues because the further the textual focus moves from personalising the situated action — here's the victim and here's the offender — the less meaning it seems to have for those in how they subsequently position themselves.

Let's take two examples. At the time of interview John was a 21-year-old Caucasian male who worked seasonally as a farmhand. He was given a sentence of just under 12 months for stealing power tools which he then sold to finance his drug habit.

TC: Yeah. Okay. °Alright°. (1.1) Um (.3) well you were saying that you felt that it was a little harsh getting a: sentence of almost twelve months. Yeah?

John: Yeah.

TC: What makes you feel that that was harsh?

John: (1.2) Uh: (2.1) never been in here before and (2.3) um (.8) nev- not hurt anybody or anything you know?

TC: That there was no violence involved with the offence.

John: No. Like even when the cops come to get me you know I wasn't (.4) wasn't violent with them. I didn't you know give cheek anything. You know I was (.5) a reasonable person.

TC: Right.

John: I just (.3) done what I had to do^.

John positions his own actions as reasonable given there was no perceived violence in either the commission of the offence or at the time of his arrest. Later in the interview he makes a clear distinction between those who break the law and those who can be considered criminal.

TC: But you were saying you feel like that there's varying degrees of criminals?

John: Yeah.

TC: Yeah? Alright I suppose (2.2) uh: what makes someone *more* of a criminal?

John: Um (1.8) hurting people really bad^. That would (.4) that would probably make them more a criminal than anything.

TC: Right.

John: Person to person assaults.

TC: The violence?

John: Yeah.

Barry was 24 years old, a Caucasian male and had worked regularly as a tree lopper. He was imprisoned for continued drug offences and received a three-year sentence with the possibility of parole after six months.

TC: =Well (x) well I probably should ask you (.7) what do you think a criminal (3.3)?

Barry: Um (.9) I don't know. I (x) I think a criminal is someone who (.8) who steals and (x) and does (.9) you know is violent towards others (.3) to support their own habit. That (x) that's the difference between a drug user and (1.3) and someone who's (.4) you know is a criminal (2.7) who goes out of their way to (x) to harm others or (.3) to rip others off.

TC: Right.

Barry: Yeah.

TC: Yep. Right.

Barry: That's a (x) a criminal.

TC: Yeah? Right. Have yo- well- given that how di- <you financed your use through working>?

Barry: Through working and (.3) yeah like (.3) selling a little bit here and there but=

TC: =Right.

Barry: Yeah mainly by work.

TC: Yeah. Right.

Barry: 'Cause I was an honest drug user.

TC: Uhuh.

Barry: I thought anyway.

TC: Yeah? Yeah. No no I did- I mean that (.3) I'm (x) I'm=

Barry: =That's what I think is the difference between them. Someone who steals and breaks into pe (x) people's houses and (x) and rips them off just to support their own habit.

TC: [Yeah.]

Barry: [That's] (.3) that's criminal.

Now I am not for one minute arguing for the decriminalisation of all non-violent offences — that is another topic entirely. But to retain the focus on a victim in such crimes, as the Act does, confuses one of the main purposes of the legislation that being to establish who will be known within the commission of a particular crime as the offender. One question that arises from both Barry's and John's responses is this. Could it not be the responsibility of all participants involved in the criminal justice system to strive for, in Donald Spence's (1982) terms, an achievement of narrative truth in their evolving relationships? Whilst consensus could never be guaranteed repositioning of justice processes in this way would at least provide an alternate response to the familiar individually targeted 'tough on crime' discourse so popular in today's society. It would also provide someone who has broken the law with more options regarding the reclamation of their socio-political status or citizenship.

### **School exclusion**

The *Education (General Provisions) Act* provides the grounds for exclusion from a Queensland educational institution and includes 'conduct of the student that is prejudicial to the good order and management of the state educational institution' and where 'the student's disobedience, misconduct or other conduct is so serious that suspension of the student is inadequate to deal with the behaviour' (Queensland Government 1989, p. 26). There's a textual invitation to consider the antonym of each as the preferred behavioural ideal. In this case, disobedience becomes obedience as the ideal mode of student behaviour. The antonymic process in turn holds implications for character construction in that any student that acts against the good order of the school (through disobedience) must be of bad moral character. Such action also supports liberal discourses involving individual rights and responsibilities. If education is to be the right of the obedient then those constructed as disobedient automatically suspend their rights when the choice is made to act against the good order of the institution. They, the students of bad moral character, must forego their rights when behaving irresponsibly. If that involves the right to education, apparently the legislatively condoned answer is so be it.

Adam was 13 years old at the time of this interview. He reported that after multiple school suspensions he was eventually excluded from his school.

Adam: Well um (2.8) just I couldn't think of being good hopefully. I don't know why.

TC: Wha- what was the problem with being good?

Adam: It was boring.

TC: Huhuh it was boring? Um what was it-

Adam: But really when you'd be good you'd get reward for it.

TC: Yeah. (3.3) Seems like um (.8) from what you were saying to me seems like um (2.4) wha- what instead of being good what was the other one? What were you doing?

Adam: Being bad.

TC: Being bad okay. Seems like (1.4) when you're being bad all the good stuff seems to get um (1.2) covered up or you know um (1.8) you don't see what's good about being good. Is- would that be right?

Adam: Oh I do.

TC: No I meant (.6) before not (x) not now before.

Adam: Well I (x) I did.

TC: Oh you did.

Adam: I know what's right and wrong and (.3) but (.4) I just do it anyway.

Mark, also 13 at the time of the interview, links his less than ideal school behaviour with how this may effect the way some of his family members could view him.

TC: So (1.1) getting excluded from Surrey do you think that'll change the way anyone thinks about you?

Mark: Never know. Probably.

TC: It will? (.6) Who? (4.1)

Mark: Um my Nan?

TC: Your Nan? (.6) Right. How did [how-]

Mark: [My Nan-]

TC: Well how did- with your Nan how did that- how's that going to change the way she thinks about you?

Mark: She r- she reckons I'm bad.

TC: She reckons you're bad? Have you heard her say that?

Mark: She agrees I'm a little shit.

TC: She says huhuh she says you're a little shit? Sh[e-]

Mark: [Sh]e'll even tell me 'Oh you're a little shit'.

TC: Now is she joking when she says that?

Mark: Sometimes.

TC: And you reckon s[he-]

Mark: [But] if she gets real angry she'll (.4) 'You're a shit of a kid'.

TC: She's serious sometimes yeah? (.7) Um: (.6) so you reckon that should change the way she's thought about you? (1.0)

Mark: Yeah but she's still nice.

In my opening comments I raised the possibility that the influence of words used in and for relational accomplishments were not limited to the participants directly involved in such action. In this example from Mark the flow-on from his engagement with the moral/behavioural discourse of the legislation spills over to his relationship with his Grandmother. Fortunately, as Mark points out, such an effect does not pervade their entire relationship and he is still able to enjoy this bond.

### **Reflections**

It is not a stretch of imagination to perceive that any or all of the young men responding here would have experienced marginalisation from their community. But the relationship in which such experience takes place is not unidirectional and it is distrustful to suggest that all responsibility should be taken by the government in these instances. By this I mean John, Barry, Adam and Mark all had a part to play in their own marginalisation and there is a relational responsibility taking place in such engagement. It's often the case that, in invoking discourses used to marginalise people, such as individual and moral/behavioural ones, blame is commonly attributed to either the person as deficient or the practice as unjust. Whilst solace may be taken in such action I believe that it is far more productive for present and future relationships to focus on the continuum of accord existing between the parties involved.

I want to introduce a visual metaphor which I believe could be useful here. A geometric cusp is "a point at which two branches of a curve meet, and stop, with a common tangent" (OED 1973 p. 476). Similarly, the concept of relational responsibility, mentioned a moment ago, is understood as a dialogic process, where two or more parties meet and through dialogue, prospective tangential and transformative action might take place. McNamee and Gergen (1999) suggest that transformation of this kind can occur through, firstly, changing the parties understanding of the act in question and secondly, through altering the relations for those involved. So how might this be applied to the example presented here today?

The work of Michael Ungar (2004) offers several possibilities. Ungar argues for an open acknowledgement of pathogenic discourse, with its focus on the deficiencies presumed of another, and the encouragement of salutogenic discourse wherein a person's health promoting activities may be recognised and valued circumstantially. He suggests that socio-political discourse, as evidenced in the language of legislation or policy, could potentially serve as resources for citizen-government engagement through providing negotiated opportunities for active citizenship. For example, in their work with high-risk adolescents, Ungar and Teram (2000) note three strategies which counter debilitating discursive practices and open up constructive opportunities for young people. The first involves encouraging the participation of young people in relevant decision-making processes. The second looks to the participation of young people in the development of languages (and hence discourses) used

to describe their own experiences. The final point promotes opportunities for young people to express their identities in ways which encourage recognition and acceptance. As Ungar and Teram (2000, p. 248) suggest, “helping youth engage in a process of empowerment by facilitating their great participation in the social discourse is essential for the creation of resilience narratives that challenge the stigmatising narratives others construct about them.”

## **Conclusion**

Although I have spoken of a preference to discuss citizen–government interaction in terms of the relational responsibilities present it ought to be acknowledged that governments possess the balance of power in these relationships. Because of this fact it is imperative that state institutions play a leading role encouraging community participation particularly with whose lives are affected by state sanctioned exclusion. As suggested, deconstructing discursive acts of marginalisation and reconstructing these with resources for active citizenship provide proactive opportunities for collective participatory practice. The future, of course, holds no guarantees. But, in the words of the South American educator Paulo Freire (1970, p. 42), “trusting the people is the indispensable precondition for revolutionary change. A real humanist can be identified more by his trust in the people, which engages him in their struggle, than by a thousand actions in their favour without that trust.”

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## Appendix 1. Transcription symbols

Symbol	Example	Explanation
[	Quite a [ while] [ yeah ]	Brackets mark the onset and completion of overlapping talk
=	what I said= =But you didn't	Where one turn runs into another with no interval
(.4)	yes (.2) yeah	Elapsed time between speaker turns or duration of pause within a speaker's turn
(.)	to get (.) treatment	A pause which is audible but too short to measure
_____	What's <u>up</u> ?	Stressed via pitch and/or amplitude
:::	O:kay?	Mark the prolongation of the sound immediately before; more colons show a longer prolongation
WORD	I've got ENOUGH TO WORRY ABOUT	Capitals indicate especially loud sounds relative to the surrounding talk
.hhh	I feel that (.3) .hhh	A row of h's prefixed by a dot indicates an inbreath; without a dot an outbreath. The length of the row of h's indicates the length of the breath
( )	future risks and ( ) and life	Something was heard but unable to hear what it was

(word)	you could be (there) and here	Possible hearing
(( ))	confirm that ((stands up))	Clarifying comment or description which is not a transcribed utterance
. ? ,	What do you think?	A period represents falling intonation, a question mark represents rising intonation, and a comma represents a falling-rising intonation
-	becau-	Represents a cutting-off short of the immediately prior syllable
^	dr^ink	Indicates a marked pitch rise
(x)	I (x) I did	Indicates a stutter on the part of the speaker
°	°yeh°	Talk that is quieter than the surrounding talk