

The Roma Mitchell Oration 2005

**EQUAL OPPORTUNITY AT
HOME AND ABROAD**

Prof. Julian Disney

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It is a special honour and pleasure to be invited to deliver this Oration which commemorates such a truly remarkable South Australian, Australian, woman and humanitarian as Dame Roma Mitchell. Her career was one of extraordinary achievement but she was even more exceptional in that, unlike many eminent people, her character was as admirable as her career.

Perhaps I am a little biased. I first met her as a law student in Adelaide University when she kindly suspended her critical faculties in adjudicating upon my earnest attempts at advocacy. I last met her almost twenty years later for lunch in her Supreme Court chambers when her warmth, grace and wisdom were as evident as ever.

Abilities and achievements of people from the smaller States are not always adequately recognised in our remarkably parochial larger cities. If Dame Roma had lived in Sydney her face would probably be on a banknote by now. But on a wider stage, she received the well-merited accolade, perhaps unprecedented for an Australian, of a full-page obituary in *The Economist*.

I would like to canvass briefly today a number of aspects of equal opportunity within Australia and internationally. I shall suggest some key challenges and also some strategies for addressing them. Many of the issues are ones with which Dame Roma was engaged, especially as first Chair of the Human Rights Commission and as Governor of South Australia but also in humbler roles and private activities.

Equality of opportunity does not mean equality of outcome. In many aspects of life, equality of outcome is either unachievable or only achievable at unacceptable cost to freedom, diversity and human development. But equality of opportunity also does not mean merely superficial or technical equality, ignoring different circumstances and underlying barriers. A level playing field is not sufficient if one team cannot afford boots or the opposing coach is referee.

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SOME CHANGES AND CHALLENGES

Profit and Loss

During the last twenty five years or so, major changes have occurred in patterns of opportunity within the Australian community. That period is a more reliable and significant length of time for analysing overall trends than, for example, focusing on particular parties' terms of office. It also captures the impacts of the major economic and social changes, often closely affected by technological developments, which gathered momentum from the mid-1970s.

Equality of opportunity in Australia has improved in a number of important areas over that period. This applies amongst women and amongst people who were especially vulnerable to disadvantage and discrimination because of their ethnic background, sexuality or marital status. It also applies, to some extent, to older people and people with disabilities.

In other respects, however, there have been adverse trends over the period. This applies especially to differences at the top and bottom ends of the scales of opportunity. These differences are often obscured in purportedly historical analyses by using faulty statistical techniques or making comparisons over very short or atypical periods.

The proportion of assets such as housing and shares which are owned by the wealthiest 20% or so of households has increased enormously while the proportion owned by the bottom 20% or so has decreased. Households with substantial and relatively secure assets are likely to have much greater economic and social opportunities. For reasons discussed later, this gap will probably continue to widen.

Disparities in income between the top and bottom groups have also widened over the period. But the most worrying disparity is in security of income. The proportion of lower-end jobs which are involuntarily casual or part-time has risen to levels which are very high by historical and international standards. The resultant lack of security can crucially erode opportunities to have children, buy a home or pursue further education.

These trends are caused more by changes in distribution of employment than by a decline in its overall supply. In particular, the respective numbers of two-job and no-job households have grown substantially. Long-term unemployment has risen from virtually zero to more than 100,000 people even after a lengthy boom (and without counting the hidden unemployment amongst people on disability pensions or redundancy packages).

For many people, especially many women, opportunities in education and employment have improved greatly over the last twenty-five years. Some of the huge growth in lone-adult households also reflects improved opportunities to

lead independent lives. But opportunities for people with less resources or good fortune, especially sole parents, tend to decline as other people out-compete them in the labour market through extra training and fewer family constraints.

Opportunities in these and other areas have improved considerably for many people on middle- and lower-middle rungs of the ladder. But the price of this progress is often being paid by those on the lowest rungs as public programs in fields such as education, health care, transport or age pensions become more thinly-spread, expensive or vulnerable.

In many of these respects, the position is more likely to get worse than better over the next quarter-century. This applies especially to deepening entrenchment amongst the most disadvantaged sectors of the community of sub-standard education, precarious work, long-term unemployment and family breakdown.

Over Our Heads

People's economic and social opportunities are deeply affected by the cost, quality, security and location of their housing. This is especially true of opportunities to have children and give them an effective education. It is true also of opportunities to find suitable work, access health care and other important services, and engage in cultural or recreational activities.

During the last two decades, house prices have more than doubled relative to household income. The increase would have been even greater if higher house prices had not induced many households to undertake more paid work than they would otherwise consider wise. Little of the price increase can be attributed to higher housing standards, especially as block sizes are contracting and high-density apartments proliferating.

The mortgage payments of a household on average income buying an average priced house are now about 50% (\$500) more per month than a decade or so ago. This represents about 10% of the household's take-home pay or the equivalent of a wage cut in the vicinity of \$200 per fortnight. As a result, the overall level of household debt in Australia is now higher than ever and than in almost every other developed country.

These problems are by no means confined to Sydney. A household on average income cannot afford to buy the average-priced house in most capital city suburbs. Our overall home ownership rate is no longer especially high by international standards and appears to be trending towards an overall decline of 10-20% over the longer term. More and more purchasers will never pay off their homes.

The worst difficulties, however, occur towards the lower-end of rental housing. While most rents have not risen as much as house prices, they already consume more than 50% of many households' income. They are likely to increase further as landlords seek to compensate for the unlikelihood of further capital gains on their investment. Moreover, a growing proportion of low-rent housing is not occupied by low-income households.

Misplaced ideology and short-sighted cuts in public investment have greatly eroded the supply and sustainability of public housing. Very few new places are available each year, especially for households which do not have severe personal difficulties in addition to lack of income. Problems of stigmatisation and communal dysfunction have become much greater, especially in areas with very high incidence of public housing.

The creeping crisis of housing affordability is forcing many households, especially families, to live very long distances from relevant work opportunities, public facilities and extended family members. Educational options are reduced and absences from home lengthened. Urban congestion and pollution become more severe. Pressure builds for compensatory wage rises and international competitiveness is weakened.

These factors substantially aggravate widely-discussed problems such as low fertility rates, high levels of family stress and breakdown, and the perceived emergence of an alienated underclass. They stem largely from poor policies, especially tax exemptions which encourage price inflation, speculative excesses and patterns of urban and regional development which are both inefficient and unjust. Yet neither major party will acknowledge or address them adequately.

Recent moderation in house price inflation will not substantially reduce the severe problems that have built up over the last two decades or so. A lengthy period of relative price stability is likely but would not greatly improve affordability. It also would leave recent buyers without much prospect of large gains to offset their current over-commitment. High levels of household debt will continue to weaken the national economy and employment generation.

The younger generations now face a future in which home ownership will be an impossible dream for very many people, especially if also saddled with high HECS debts. Only a small proportion can be reasonably certain of reaching retirement with the security of a fully paid-off home, and their superannuation may be of little compensatory comfort. Many people will have been deterred from raising a family and the community will have a dwindling workforce.

On a brighter note, lower-priced cities and regions may become substantially more attractive to both employers and households. For many lower-income people, these areas may provide the best prospect of achieving reasonable housing, employment and other opportunities, especially over the longer term. Their interests and those of the nation will be damaged, however, if Sydney's problems and ambitions are allowed to dominate political debate.

Desperate Households

As mentioned earlier, the last quarter-century has seen major improvements for many women. They include greater opportunities for paid work, education, independence, protection and respect. A crucial trigger and reinforcement for these changes has been relatively reliable female contraception, without which many of the opportunities would be largely illusory.

This progress has substantially reduced gender discrimination in a number of areas. But very little has improved for many women from under-resourced backgrounds or with other special disadvantages. They are under even more pressure to work in exploitative jobs and even less likely to have a partner in secure employment. They have become less able to find affordable housing, spend enough time with children and avoid welfare dependency.

Many women who have been more fortunate have nevertheless experienced the downsides of lengthy working hours, arduous travel and workplace stress. Common consequences include the fear or actuality of inadequate parenting and family breakdown. Younger women often believe they must choose between a work career and having children, or they delay a decision until the choice is no longer available.

Moves towards emancipation of women have interacted closely with the simultaneous trend towards economic deregulation. Greater availability of part-time and casual work through labour market deregulation has interacted with more women seeking such work to combine with parenting. Greater availability of loans for housing and consumption has interacted with the proliferation of two-income households.

Deregulation often benefits people and businesses with inherent capacities that are thereby freed from crucial obstacles. But it commonly worsens the relative, and even absolute, position of those who do not enjoy such latent strengths or who face other severe obstacles. They may, for example, be women who do not have the personal resources to find well-paid work in a deregulated economy or to partner with someone who can do so.

Greater flexibility in gender roles has been achieved mainly by enabling women to do things which had been the almost exclusive preserve of men. There has been less progress towards encouraging, even coercing, men to venture into traditionally female domains, especially parenting. Indeed, even amongst self-perceived feminists there has been a reversion towards assuming that inherently preferable option is for the principal carer to be the mother.

Rather than share or alternate that role, many wealthy couples have outsourced it so that both parents can scale even greater heights of status and income. A women judge has expressed pride that unlike male colleagues she remembers her children's birthdays and then sends her assistant to buy presents. A "power couple" husband has explained that he can work later when on interstate trips because he does not have to go home to relieve the nanny.

This approach deprives many parents and children of the pleasures of active weekday parenting rather than the guilt and pretence of snatched "quality time". It aggravates the disadvantage of many poorer households as couples with two high incomes compete to inflate house prices in suburbs close to work opportunities and community facilities. It increases the pressures towards overwork at the top of the labour market and no job options at the bottom.

Supercharged by economic deregulation, temptations and pressures for couples to work two full jobs have increased greatly. The response to these

problems should commence by acknowledging them, especially the extent to which they erode fulfilment of parental responsibilities and hurt lower-income households. It must also be based on an unequivocal refusal to coerce women back into permanent, full-time parenting.

A key priority should be much greater effort to boost the involvement of men as principal or equal carers for substantial periods of the child-raising phase. This would strengthen the overall quality of parenting and family life and reduce the pressure on women to choose between work and family. It would also moderate some of the excesses of over-consumption and house price inflation.

For many high- and middle-income parents, the only real obstacle to this approach is their competitive materialism. Many low-income couples will be much less able to adjust their roles without losing essential income and security. Their position would benefit somewhat from moderation amongst wealthier couples but they will also need a lot more practical assistance.

Flexible working hours, parental leave and secure part-time work should be much more readily available for both fathers and mothers. Work practices that require or reward over-work should be strongly discouraged, and active parenting should be a valued attribute in recruitment and promotion. We should not merely replace male dominance of senior and well-paid positions with dominance by those who have no children or neglect their family responsibilities.

Unaffordable housing, inadequate public transport and remote dormitory suburbs are also major obstacles to work/family balance and equality of opportunity for lower-income households. They stem largely from inefficient and inequitable tax and investment policies that provide windfall gains for the already wealthy, especially in big cities, at the expense of poorer people and young families.

The pioneering feminists' rightly fought against sexist language, recognising the damage done by entrenching stereotypes and deterring individuality. It is disappointing to hear many of their self-styled followers happily use "mother" and "stay-at-home mum" as generic terms for principal carers. This fails to acknowledge the 10% or so of fathers who are already principal carers and, even more importantly, erodes efforts to swell their ranks.

Much has been achieved in the fight for gender equity. But much remains to be done and the causes of low-income women and male parenting should be at the forefront of further reform.

Degrees of Difficulty

I have referred earlier to a number of improvements in equality of opportunity over recent decades. An important contribution has been made by laws prohibiting discrimination on grounds such as gender, race and political belief. Establishment of independent commissions at national and state level to promote and monitor enforcement of the laws has also been very important.

But these anti-discrimination and equal opportunity systems are much less effective in relation to discrimination on grounds such as poverty, unemployment or illiteracy. This applies even when those circumstances are partly due to characteristics such as gender or race which do fall within the systems. Yet they may incur discrimination and lost opportunity which is much more debilitating than is commonly incurred merely by being, say, a woman or Chinese.

These forms of discrimination can occur in each of the areas of life that are covered by the current laws. For example, landlords may reject potential tenants merely because they are dependent on social security. Credit may be denied on superficial criteria of income or employment status without proper assessment of ability to repay. Goods or services may be available only, or much more cheaply, to people who can afford to lodge bonds or pay in advance.

People who are illiterate or have little education may suffer at least as much as visually impaired people from incomprehensible brochures or application forms. Yet they will not have the same recourse to anti-discrimination regimes. People with low incomes or limited employment experience may suffer from unduly superficial assessments by employment or credit rating agencies, especially if lacking resources to pursue correction or elaboration of their record.

Attempts have been made in countries such as Canada and South Africa to address some of these problems by prohibiting discrimination on the grounds of "socio-economic status", "social condition" or "source of income". Attempts have also been made at both national and international levels to establish positive social and economic rights to income, work and education rather than merely banning discrimination on those grounds.

These forms of discrimination are not always easy to define, establish and remedy. But they should not continue to be largely ignored by equal opportunity systems. After all, their prevalence and severity are much greater than many of the problems for which those systems were established. Unfortunately, however, their victims commonly lack the resources which other groups have been able to marshal in the struggle for political and legislative recognition of injustice.

SOME INTERNATIONAL DIMENSIONS

I have focused mainly so far on aspects of daily life and unequal opportunities in Australia and on some national or local action which could address them. But it is important also to take a broader perspective, looking at often much graver inequalities in other countries and at the extent to which they and our own problems require action at international levels.

Poverty and Opportunity

Poverty is the most pervasive cause and sharpest reflection of unequal opportunity around the world. The struggle to reduce it is not solely a matter of

morality or compassion. It is also a matter of enlightened self-interest for wealthier people and countries, especially as globalisation increases the contagious power of discontent.

At least one-third of the global population has a daily income of less than a few dollars. Almost one-half do not have basic sanitation and about one-fifth are illiterate. In some countries, life expectancy is less than 45 years and falling. Basic living conditions have deteriorated sharply in some countries, especially in Africa and even as close to home as Papua New Guinea.

Most of the world's poorest people are in Asia. But the proportion of people who are poor is even higher in many African countries. The overall incidence in Africa has deteriorated and there has been little if any improvement in most other parts of the developing world. Almost all of the alleged reduction in income poverty during the last two decades has been in India and China.

In 2000, the United Nations established a set of specific goals for reducing these and other poverty-related problems, most of which were set for achievement by 2015. The Australian Council of Social Service and Oxfam Australia, incidentally, played significant roles in early UN discussions which triggered this initiative. These Millennium Development Goals are now helping to pressure governments and international agencies into improving their efforts.

Unfortunately, the MDGs only specify outcomes rather than also commitments to help mobilise the necessary resources. For example, extra public resources need to be mobilised by boosting foreign aid, cancelling debt and cutting corruption in developing countries. Private resources would contribute much more effectively if unfair trade barriers were removed along with tax breaks that encourage speculative rather than productive investment.

Some valuable progress is being made towards these goals. Global levels of infant mortality have fallen considerably and life expectancy has risen. Participation in primary education has improved, especially for girls. Useful improvements have been made in areas of basic importance such as access to water and sanitation. But on current trends, most goals will remain unachieved in many countries, especially in Africa.

Globalisation and Social Justice

Globalisation is seen by some as the answer to many of these problems. By others it is seen as aggravating or at least perpetuating them. This disagreement is partly because many self-styled proponents or opponents of globalisation use the term to mean global implementation of a particular form of "neo-liberal" economic ideology. The recent spread of that ideology, however, is only one form of globalisation.

The disagreement is not so much about globalisation per se but about particular applications of it in particular contexts. Many "anti-globalisation" campaigners actively support forms of globalisation such as international human

rights treaties, environmental protocols and criminal courts. Conversely, these forms are vigorously opposed by many self-styled supporters of globalisation.

In some ways, globalisation is like a river. It can provide considerable economic, social and environmental advantages for those in a position to benefit from it. But, like a river, it can cause great damage if it runs too fast or spreads indiscriminately. And like a river it often needs to be restrained or controlled in order to maximise its economic contribution over time as well as secure its social and environmental benefits.

The benefits of globalisation would be much greater if many influential proponents practised what they preach. If they support democracy they should support global democracy rather than dominance by one or a handful of countries. If they support the rule of law, they should fight against misuse of international tax havens. If they support competition, they should oppose unfair trade rules and abuse of market dominance by multinational companies.

A key problem is that globalisation has not gone far enough in at least one crucial respect, namely international governance. Without major progress in that area, we will be unable to approach genuinely universal democracy and equality of opportunity. We will not be able to strike an appropriate balance between short-term economic exploitation by the most powerful countries and corporations and more sustainable and equitable forms of development.

Governance, of course, means more than government. It is the complex framework of governmental, community and private institutions and processes which influence or determine key public policies and outcomes. Strengthening the balance of this framework at national levels has been a key cause and consequence of the rise of most developed countries over the last two centuries or so. It is now the highest priority at the international level.

The United Nations has many great strengths and achievements. But it suffers severely from being excessively unwieldy and undemocratic. It began with about fifty members but now has about two hundred. A substantial proportion of members have smaller populations than Tasmania yet each has the same voting power as India and China with more than one billion people. Even Joh Bjelke Petersen would have blushed at such an imbalance.

The insistence on theoretically equal status within the UN is a Pyrrhic victory for most of the smaller and less powerful countries. By gravely weakening the UN's basic credibility and capacity to take prompt and effective action, it helps the major powers to justify bypassing the UN or insisting that decisions are made by the Security Council in which they have vetoes.

The international institutions which have the greatest influence over opportunities for people in poorer countries are the G8, which consists solely of major powers, and the International Monetary Fund and World Bank on both of which the US has an effective veto. The World Trade Organisation has a size and voting system similar to the UN and unless substantially reformed will continue to be largely ineffective at securing fair trade rules for the least powerful countries.

Constructive Regionalism

A key response to these problems should be to greatly strengthen the emerging movement towards regional groupings of countries, especially in Africa and Asia. The European Union reflects a clear recognition that, even for some of the most powerful countries in the world, greater regional cooperation is essential if countries are adequately to develop their capacities and protect their interests. The need is even greater, of course, for less powerful countries.

Many of the poorest people are paying a heavy price for their ruling elites' self-interested insistence on the trappings of illusory sovereignty and equality on the world stage. This is especially ironic when their countries are often artificial constructs of colonialism rather than naturally emerging and coherent entities. Most small countries' practical influence over their futures is more likely to benefit from joining with others in a federation or cohesive regional grouping.

What I call "constructive regionalism" is one of the most potentially fruitful ways of maximising the benefits and minimising the disadvantages of globalisation. It is constructive because it is a positive approach for pursuing effective engagement with the rest of the world rather than defensively circling the wagons. It is also constructive in developing regions as "building blocks" for more effective and equitable frameworks for global governance.

Most key policy decisions, especially if needing to be prompt and effective, are made by small groups of people, even if formal ratification by a larger group is also required. At the global level, this would be best achieved through key bodies consisting of regional representatives and a few superpowers which are almost regions in their own right. This approach is already developing in some international organisations in relation to representation of the EU.

Regional cooperation can help strike an appropriate balance between globalisation, with its risks of excessive uniformity and dominance from afar, and nationalism, with its risks of impotence and stagnation. It can help strike an economically productive balance between monopoly and diversity. It can enhance speed and cooperation in circumstances of regional significance rather than a delayed or inappropriate response from the global level.

Developing a range of strong regional groupings is an essential response to the inequity and eventual instability of global dominance by one or more superpowers. But it must be used to help strengthen the global framework, centred on a streamlined United Nations structure. Otherwise, there is a clear danger of excessive tension and conflict between and even within regions, including continuing exploitation of the most vulnerable countries.

Without the emergence and development of the EU, the current superpower dominance of the US would be even more dangerous to itself and the world. But a duopoly is usually little better than a monopoly. It is especially important for Asian countries to become more cohesive and assertive, whether continentally or in regions such as South, South East and North East Asia which more accurately reflect substantial similarities in circumstances and cultures.

These issues raise special challenges and opportunities for Australia. We are one of the most geographically and culturally isolated countries and we do

not fall into any major geographic region. But most of the world's population, and of its poor people, are closer to us than to Europe or the Americas. The growth of China and India will make us less remote from key seats of economic, political and cultural power and the tyranny of distance will diminish.

Equality of opportunity in Australia will depend increasingly on engaging in the growth of Asia. As the continent becomes more competitive, we must maintain our prosperity by developing and protecting fair trade opportunities within it. We must also encourage other countries to give due weight to social and environmental concerns, including by public investment and protection, rather than sacrifice them to ruthless competition at home and abroad.

These goals are very unlikely to be achieved unless Australia joins a strong regional grouping, such as an expanded ASEAN. A South East Asia and Pacific (SEAP) region is sufficiently large and potentially cohesive to get the benefits of constructive regionalism without being too unwieldy or dominated by a superpower. The latter dangers illustrate why it is not in our interests, or those of our closer neighbours, for our main grouping to include South or North East Asia.

CONCLUSION

I have ranged widely in my remarks today. The struggle for equal opportunity and social justice requires close attention to the detailed realities of individual and family lives. This includes, for example, the impacts of recent changes in Australian patterns of employment, housing and family relationships.

But it must focus also on underlying causes and solutions, without which many other reforms may be unattainable or ineffective. This includes international structures of power and cooperation that have major long-term effects on balances between economic and social development, the rich and the poor, the powerful and the disadvantaged.

Some people who are concerned about social justice rarely leave the comfortable pastures of utopian "vision", polished rhetoric and preaching to the converted. Too many believe that economic issues are beyond or beneath them; others assert values which they transgress without shame in their own lives. Many people respond generously to individual victims but have little concern about systemic causes of hardship, especially those from which they benefit.

These limitations of perception, commitment and integrity were foreign to Roma Mitchell and her career. She provides a fine example for those who come behind in the struggle to develop a sustainably prosperous, fair and compassionate world.