The silent consensus

Linking citizenship and young people

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In the current debates about citizenship, children and young people are profoundly affected by the exclusionary criteria that determine who is and who is not a citizen. This article asks how young people are currently treated as citizens. The Victorian Crimes Amendment Act (1994) provides a case study illustrating some of the ways young people's rights are denied in Australia. The article also asks how prevalent are certain assumptions that preclude young people from the category of citizenship. In a post-industrial context characterised by rapid transformation of traditional institutions critical to most young people, ie, 'the family' and full-time labour market, the importance of the inclusion of young people into the category of citizen becomes apparent.

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In the last decade of the twentieth century the rediscovery of 'citizenship' and 'citizenship rights' is occurring as a point of renewal for progressive and critical politics, even though many of the new arguments about citizenship use T.H. Marshall (1950) as their basis (see Turner 1986; Hindess 1987; Andrews 1991; Turner 1991; Yeatman 1994). This rediscovery is taking place in a context of permanent under-employment, periodic and severe economic recessions, and general disappointment with the failure of Australian laborism (Beilharz 1994). Renewed enthusiasm for citizenship also accompanies the loss of authority and the promise they once held by older discourses like socialism and Marxism. Wiseman (1993) typically argues a need to restore '... the value of the "social" and ... [to elucidate] an ideal of citizenship defined in terms of social rights and responsibilities' (Wiseman 1993, pp. 289-290). This option is presented as a worthy alternative to the prevailing idea of a '... more narrowly individualistic market citizenship associated with the economic rationalist agenda' (Wiseman 1993, pp. 289-290). Some are not so convinced. Watts suggested that in the rush to embrace the idea of 'citizenship', it may lose any critical edge and become the 'spray-on' word of the 1990s, similar to an earlier enthusiasm for 'community' (Watts 1995, p. 81).

Although talk about citizenship is widespread, how inclusive is the citizenship agenda? Pixley's (1993) discussion of 'a fully developed citizenship' illustrates the problem about the inclusivity of the citizenship agenda:

> ... employment is very much a part of being a citizen and ... the issue of employment must be cast in terms of rights and obligations that make it possible to participate in the life of the society. The case is not so much that wage labour is good or that the meaning of citizenship should be reduced to membership of the workforce ... the issue is rather that exclusion from the mainstream of economic life cannot even allow for the possibility of developing an inclusive active citizenry (Pixley 1993, p. 210).

She asks what is the 'basis of social, let alone political participation ...?' (Pixley 1993, p. 303). Her answer?

> The market ... is still the main arena for the acquirement of citizenship status ... markets now demarcate citizens from second-class citizens in access to jobs, shelter, goods and services like health, education and old age care as well as the political and economic decision-making processes (Pixley 1993, p. 140).

Among the many groups profoundly affected by this exclusionary criteria for determining who is and who is not a citizen, are large numbers of Australia's children and young people.[1]

Davidson (1994) argues that the rules for admission to citizenship in any

society provide a crucial starting point for assessing the ethical and moral standards of that polity:

> This is because such rules decide who will be included and who will be excluded from civil, political and social rights, and thus create inequalities between human beings who inhabit the same society. Not only do they relegate some people to the category of Other, but to the category of disempowered others; those who must obey rules they do not make ... To do this is to make a fundamental ethical and moral decision. Since all States do make this decision, they have to justify themselves by advancing grounds for such discrimination. In turn we are entitled to question critically the grounds they advance for relegating some people and not others to the category of absolute or relative Other. It is those grounds which establish whether the exclusion is fair or just. (Davidson 1994, pp. 111-112).

The question to be asked therefore is on what grounds have young people been excluded from the category of citizen and relegated to the absolute or relative category of Other, expected to obey rules which they have had no part in making?

The current citizenship debate is important because it shapes and constructs policy agendas and resolves how those agenda operate. Based on the constructionist account of social problems and policy making, this paper examines contemporary citizenship debates by giving attention to the absence and/or presence of talk about young people as citizens.

This article poses several questions:

1. Are young people and children currently treated as citizens?

2. How widespread are particular assumptions by contributors to the citizenship debate that either ignore and/or exclude children and young people from the category of citizen?

3. What problems and issues arise for children and young people (and the community) from the failure to recognise or treat them as citizens?

4. Should young people and children be treated as citizens with full citizenship rights in the debate, and if so, how?

Not counting young people as full citizens means they will continue to lack the protective mechanisms citizenship status offers. Given the rate and magnitude of change currently taking place, young people more than any other time in the history of 'white' Australia need their citizenship rights.

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This article argues that children and young people need to be seen as persons in their own right, and as neither the property of others, nor citizens *in potentia* said to be in need of certain custodial care and incapable of responsible decision-making. Certainly citizenship and the kinds of rights claimed for young people should vary in light of the needs and interest of the particular groups and individual young people for whom rights claims are made. Accepting this, the article looks to three areas for possible action:

1. fulfilling our international obligations under the United Nations Convention on the Rights of the Child (1989) (UNCROC);

2. introducing Commonwealth legislation that reflects Australia's active commitment to the UNCROC (even if this involves overriding state laws that contravene young peoples rights);

3. the establishment of a Government agency, vested with power to police the citizenship rights of children and young people, and resourced and staffed appropriately.

CITIZENSHIP AND YOUNG PEOPLE

In 1990 Australia became a signatory to the UN Convention on the Rights of the Child. UNCROC contains 52 Articles that outline the rights of children and young people within those countries that have become signatories to the Convention. In spite of this impressive monument to international law and its espousal of a regime of universal rights, young Australians do not enjoy or have access to full citizenship rights.

This is not to deny that young Australians don't have some of the fundamental and formal rights of any citizen. They have the right to a name, to a nationality and they may hold an Australian passport, although there are a number of caveats on this last point. (Passport applications, for example, must carry the signatures of both parents). After that, their access to the normal range of citizenship rights are minimal or non-existent, a point made forcefully when we examine briefly one recent piece of state legislation.

At the state level the recent extension of police powers in Victoria under the new Crimes Amendment Act (1994) constitutes a series of remarkable infringements of young people's rights which offers a useful introduction to a more general survey of issues about the extent to which young Australians enjoy full citizenship.

CASE STUDY: THE VICTORIAN CRIMES AMENDMENT ACT

After considerable public controversy in late 1993, the Crimes Amendment Act (1994) was passed by the Victorian government. This Act expanded police powers while simultaneously diminishing the rights of young people. New draconian laws had previously been introduced in Western Australia by the Lawrence Labor government (1991-2), following a media driven 'moral panic' with attendant law and order campaigns following a spate of juvenile car thefts and related deaths of bystanders to high speed police car chases. Such legislative changes in general appear to be a response to 'community perceptions' invoked during a 'moral panic' that young

people are becoming increasingly violent and engaging in more crime (Cohen 1979). This in turn has been linked to arguments about the effects of long term youth unemployment and the emergence of a 'juvenile underclass' complete with 'feral adolescents'.

Public perceptions that young people are becoming more violent or are more likely to engage in criminal activity cannot be empirically substantiated (Wundersitz 1993; Bessant 1995). There has been an overall increase in the numbers of young Victorians committing offences into the early 1990s. For those commentators unwilling to disaggregate the data on young people and criminal offences, the increases in overall offences may be read as signifying an increase in serious offences. In Victoria proven offences by young offenders relating to assault, sexual offences, robbery, burglary, theft, fraud, drugs and firearm use have all remained stable and in some instances decreased. However, what have increased dramatically over the last few years are offences relating to traffic and transit services. That is, offences such as not wearing a bicycle helmet, riding on public transport without a valid ticket, placing one's feet on train seats and smoking tobacco in the carriage have either increased or in some instances been introduced into the juvenile justice system, helping to swell the numbers of juvenile offenders (O'Grady 1992; O'Connor 1993). Increases in these minor if not trivial offences have parallelled increased policing and surveillance practices in Melbourne's transit systems.

The Victorian Crimes Amendment Act (1994) as it now stands violates the United Nations Declaration of Human Rights (1947), which codifies international law provisions relating to the rights of the child. Amongst other things, the Act (i) denies common law rights available to persons over the age of 16 to remain silent, and (ii) denies the right not to give evidence that incriminates oneself by requiring compulsory finger printing of children (over 15 years), and sanctions the use

of 'reasonable force' to obtain that evidence.

The Victorian Crimes Amendment Act (1994) contravenes the UNCROC which states that in all judicial and administrative proceedings, the child has the opportunity to be heard, and her or his views taken into account. The new legislation violates this [at 464 m S 7 (a)], a provision which stipulates that the child shall not be party to the application by police to the Children's Court to take that child's fingerprints.

Prior to the changes, suspects aged between 10 and 17 years had to be brought before a Children's Court for an order. As children, they had no legal capacity to provide consent. Moreover, a ten-year-old child could not be finger printed or subject to forensic sampling. The changes mean that now young people over the age of 14 will be treated as an adult for the purposes of finger printing. Those over 14 years of age have lost the protection of the Courts. Furthermore, even though the young person may not have been charged, he/she can now be subject to whatever a senior police officer considers 'reasonable force'.

Parents are now required to observe while their child is subjected to 'reasonable force' by the police and to

simply watch as their child's rights are violated. In some cases parents are legally obliged to provide consent and then required to observe procedures while the child is forcefully, if necessary, 'handled' by police officers or medical officers in obtaining finger prints and/or forensic samples. When finger prints are forcibly taken from a young person (under 17 years of age) the procedure will only be recorded on video if it is 'practicable'.

Until those changes to the police investigatory powers in Victoria, the law was very clear about it being unlawful to detain someone for the purpose of questioning. It was against basic common law principles. This change is of special significance to most young people, who are in a less powerful and less secure position than most older people for a number of reasons. One reason relates to the fact that most young people have less access to private space, they also tend to have less consumer power than most wage-earning adults, and use 'public' places such as streets and shopping centres to socialise or 'just hang out' with friends rather than to purchase goods (White 1991). Young people are more likely therefore to be visible and are often perceived as a danger to social order. Such perceptions draw on very old and popular anxieties about the threat of 'youth' intimidating respectable 'citizens' and causing social unrest and menace on street corners.

Young people no longer have the right to withhold their name and address from police and are now legally bound to answer a number of questions asked by police. These changes are especially significant for young people as they are more highly visible in their use of 'public' spaces. In consequence, police are also inclined to pay attention to young people both to question them and often to move them on or to engage in intimidatory actions. If they are not committing crimes, young people ought to be entitled to be meet friends in public places without threat of police

intimidation or arrest (Alder 1993). Furthermore, young people have the right, as we all surely do, to be with their friends, regardless of who their friends are (and regardless of whether they have prior convictions).

The UN Declaration of Human Rights (1947) addresses very clearly children's economic, political, social, cultural and civil rights and in doing so defines quite precisely adult obligations towards children. This provides a useful benchmark with which to assess the extent to which children and young people have access to a wide range of rights.

THE DENIAL OF OTHER RIGHTS

Across a wide range of other aspects of social and economic practices, young Australians are denied basic rights.

For Marshall (1950) citizenship was closely connected to individual freedom which included freedom of the person, the right to own property, freedom of speech and the right to justice. These, however, are all rights that most young Australians cannot experience. Those under the age of 18 years in particular have the majority of their rights denied. They cannot, for example, vote in government elections until the age of 18 years, nor can they stand for parliament. This is the case despite Article 12 of the UN Convention on the Rights of the Child which states that a child capable of forming his or her own views has the right to express those views and have them given due weight in all matters affecting the child.

Young people's rights to independently hold property is limited. Their social rights in relation to employment have been restricted by both law and in practice since the early 1980s by the collapse of the full-time youth labour market. Schooling is legally mandatory until the age of 16 and compulsory for socio-economic reasons far beyond that age. School truancy is still used as a fundamental mechanism of regulation against young people with often serious repercussions (Carrington 1993). Most young people also have a separate legal jurisdiction constituted by systems of Children's Courts with quite different

procedures and conventions to those operating in adult jurisdictions.

Many young people do not have freedom of association. They are frequently 'moved on' when congregating in public commercial/ private space. Again this is quite a common police and private security guard practice (see White 1991). This practice also constitutes a direct breach of the UN Convention (Article 15) which declares that all young people have the right to freedom of association and peaceful assembly. Furthermore, in a number of municipalities across Australia, in towns like Orange in NSW, young people can be 'picked up' by police without having committed an offence and who may not even be suspected of committing an 'unlawful act'. Under relatively new local government moves, designed to 'protect the amenities of public areas', in metropolitan suburbs like the City of Ringwood, Prahran and Box Hill in Victoria, 'authorised officers' have been empowered to constrain the movement of young people in public.

Along with the space they inhabit most young people, especially those under 18, do not enjoy the right to control their own bodies. Most young people until the age of 16 are legally required to attend school. Those under the age of 16 cannot lawfully have sexual relationships. Young people below the age of 16 cannot marry. Young people under the age of 18 do not have the right to conclude valid contracts.

Young people are also denied the right to be free from emotional, psychological and institutional coercion and physical violence. Young people can be legally assaulted by their parent/s and others operating *in loco parentis*. In some Australian states the practice of corporal punishment in schools remains not only a common disciplinary practice but a lawful one. For example, in Queensland young people continue to be physically assaulted by teachers when they receive 'the strap'. Furthermore, while in the schooling system, young people do not enjoy the right to either freedom of movement or freedom of speech. Those under the age of 18 do not enjoy political citizenship and most young people do not have the civic 'right' to work. In fact it is

generally unlawful in Australian states for those under 16 years of age to engage in full-time wage labour.

This rapid survey of the current status of children and young people and their rights suggests considerable legal, economic and social disability.

To what extent is this recognised as a problem in the current citizenship debates?

CONTEMPORARY CITIZENSHIP DEBATES AND YOUNG PEOPLE

Most contemporary writers seem to agree that:

> Today, citizenship means universal democratic rights of social and political participation. In popular political discourse it entails the full integration of all adults regardless of 'race', ethnicity, sex, or creed (Walby 1994, p. 391).

Irving (1995) argues from the perspective of 'the Left', which seem to have picked up this debate with a vengeance, that citizenship refers to attempts to encourage participation and the securing of social rights through legal action. Irving (1995) also maintains that:

> [Citizenship] is still a concept to be adequately explored, in particular since it remains unclear what the boundaries are between the legal status of citizen and the broader notion of citizenship (Irving 1995, p. 19).

Equally most contemporary critics argue that traditional definitions of citizenship have deliberately or otherwise marginalised or excluded certain groups. Identity markers are continuously pointed to in such critiques, along with claims that older, narrow, classic definitions were discriminatory and based on sexist, racist or homophobic practices and attitudes and resulted in biased and restricted policies and practices. Most contemporary writers challenge the adult-male-'white' centredness of the traditional notions of citizenship.

However, these advocates for extending citizenship continue the very exclusionary logic of the position of which they are critical by omitting young people from their own apparently inclusive

accounts of citizenship. Given that contemporary conceptual research on citizenship is a precursor to a range of community-based action research and government action on citizenship issues, it is a worry, for example, that the Senate Standing Committee on Legal and Constitutional Affairs in its recent discussion paper on citizenship (1995) bypasses the status of children and young people. This absence is symptomatic of a broader tendency.

It is always hard to document an absence, but the reader is simply asked to turn to any of the symptomatic texts of the past decade to establish where and how children and young people are explicitly offered a place in the citizenship debate (see Marshall 1950; Hindess 1987; Pateman 1988; Turner 1991; Andrews 1991; Pixley 1993; Wiseman 1993; Fraser & Gordon 1994; Yeatman 1994; Walby 1994; Cappo & Cass 1994). Not only are young people not explicitly referred to, but the criteria for granting citizenship rights based on meeting certain social obligations, like labour market participation, that are adopted by writers like Pixley (1993) means that young people are positively excluded from full citizenship. The legitimate interests, rights and claims of young people to full citizenship are by and large simply ignored. (However for a forthright defence of children's rights, see Wringe 1981).

The implicitly age-specific nature of most contemporary and classical definitions of citizenship exclude young people by commission or oversight. This repression or oversight rests, as I show next, on implicit assumptions about the age-based dependency of children and young people. And, for that reason the analytical and practical value of such definitions for youth-related policy is seriously limited and largely irrelevant for the development of social policy in the 1990s.

THE CITIZENSHIP DEBATE AND SOCIAL POLICY

Among the points made by Yeatman (1990) is that policy-making processes depend in part on the power of some groups to control the flow of discourse. The ability to be actively involved in the citizenship debate, to be given an

authoritative voice, to be able to publish texts about citizenship places the adult intellectually-trained in a very powerful position. (We have never been loath to make a privileged claim to truth). For this reason people in such positions have a critical responsibility to reflect on what they are doing. This is particularly so in regard to the citizenship debate not only because of the influence such debates may have on the shape of our future national life, but also because there are many voices marginalised and many frequently pathologised, muted and silenced by this debate.

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The role of the intellectually-trained in defining a social problem as the prelude to setting the policy agenda cannot be ignored (Spector & Kitsuse 1987). Confident and automatic assumptions about connections between the alleged causes or 'discoveries' of social problems (such as crime) and the causes (such as poverty or unemployment) are problematic, especially when caution is needed in arguments about 'tunnels of causality' between what is 'discovered' and policy-making processes (Bessant 1995; Best 1989).

The 'policy community' approach is also a useful framework for analysing citizenship in relation to young people (Heclo & Masden 1987). An important aspect of this approach to policy is its theorising of the role of the socially accredited expert, intellectually-trained. According to the policy community model, intellectuals and their work in private and public sector agencies, whether in their roles as activists or as experts, influence elites or public opinion on issues such as citizenship, and are central agents in constituting and shaping social and policy problems as well as the subsequent solutions.

The constitutive role of intellectual ensures that certain groups/social phenomena are seen as a social issue or problem. Kingdon (1994) argues that some issues enter the public realm because of 'circumstances and politics'. By 'circumstances' Kingdon meant that particular issues impact on the state and become so important that governments have to be seen to be responding effectively and therefore take action. This involves pushes by certain individuals or groups who work towards making sure particular state interventions do happen, to produce what Kingdon refers to as 'politics'. Brooks (1994) argued that different interventions by the intellectually-trained ensured selection of particular issues and guaranteed that they became objects of policy intervention. This has become quite apparent in regard to the enthusiasm with which the citizenship debate has been picked up by 'the left' (Irving 1995). Brooks (1994) also argued that major basic conceptual categories are the prelude to major policy responses or shifts in debates. This, I suggest, is certainly the case in relation to citizenship.

Analysis of the citizenship debates raises questions about whether there are strategies inherent in contemporary debates that maintain and develop the exclusive tendencies that were built into the classical accounts of citizenship. While acknowledging the admirable work of many contemporary writers in extending the working definition of citizenship to include a number of groups traditionally marginalised or excluded, the fact remains that contemporary players appear to overlook young people. There is value in identifying the presences and absences in the citizenship discourse. Young people need to be specifically identified and included in debates regarding citizenship. In terms of policy, inclusion of young people in the debate is vital because those deliberations are the first step in the policy process. The debate is primarily a contest over the meaning of citizenship, a contest that determines who is and who is not to be counted as a citizen.

The silent consensus about young people which leads to their exclusion from the field of citizenship rights reflects a set of durable and deeply

rooted assumptions buried in the practices and relationships that make up the experience of 'childhood' and more recently 'adolescence'.

Around the experience of children are layers of historical accredited assumptions and claims. Some are quite archaic, like the notion that parents 'own' their children. Such a claim seems to inform a contemporary claim that children 'become self-owning when they reach adulthood' (Archard 1993, p. 101). The corollary claim that parents do and ought to have power over their children in such matters as the parental right to flog or to discipline their children is in most instances taken seriously and usually with relatively little questioning. Such claims about owning children seem also to draw some aid and comfort from the more recent economic liberal 'possessive individualist' thesis that what you produce, you own. This thinking is still reflected in parental and state claims to control children.

In the twentieth century the more recent and dominant view has been that young people are only 'citizens of tomorrow' and citizens in potentia. Archard (1993) argued that modern states have long claimed:

> ... a legitimate interest in the welfare of children both as current beings to be cared for and as future citizens who must now be trained for their eventual roles in society (Archard 1993, p. 112)

The idea of 'youth as future citizens' explains in part the modern state's long-standing interest and focus on young people in regard to civic fitness, national hygiene, welfare and education. In the twentieth century this has been expressed in terms of national fitness and eugenic campaigns aimed at 'improving the national stock'.

Extrapolating from Aries' (1973) revision of the history of childhood, it seems that the child and the young person has over the past two centuries also become the object of countless schemes intended to protect 'youth' from 'premature exposure' to adulthood. Much of the modern logic of defining childhood has taken the form of increasingly making children more and more dependent by stripping from them their capacity for economic or

sexual autonomy. Much of the fury directed by Victorian 'child savers' at child labour, for example, was premised on the view that, if children were to have a real childhood, then they had to be insulated from adult proclivities (Platt 1977). Much of this concern to protect children's 'childhood' has taken the form of taking young people's capacity for autonomy away from them and creating and maintaining a regime of enforced dependence, often by promoting the virtuous features of the young through education. As Rose (1989) explained:

> Throughout the nineteenth century and our own, anxieties concerning children have occasioned a panoply of programs that have tried to conserve and shape children ... Along this maze of pathways, the child - as an idea and a target - has become inextricably connected to the aspirations of authorities. The environment of the growing child is regulated financially, through benefits to the family, and pedagogically through programs of education ... (Rose 1989, p. 121).

The silent consensus about young people which leads to their exclusion from the field of citizenship rights reflects a set of durable and deeply rooted assumptions buried in the practices and relationships that make up the experience of 'childhood' and more recently 'adolescence'.

Childhood, as Rose (1989) argues, is the most intensively governed sector of personal existence; the right to autonomy (or at least relative autonomy) and self-determination has almost completely disappeared from the lives of most young people. In many different ways and by different routes the health, welfare and rearing of children and young people have been

linked in thought and practice to the destiny of the nation and the responsibilities of the state (Foucault 1965; Rose, 1989, p. 121). Throughout the twentieth century increased governance over young people's lives has been seen as vital for the efficiency and welfare of the nations. Furthermore, the professional urge to extend power and authority over the lives of young people has been based on:

> ... upsurges of concern over the young - from delinquency in the nineteenth century to sexual abuse today - [which] were actually moral panics ... in which certain persons or phenomena come to symbolise a range of social anxieties concerning the threat to the established social order and traditional values, the decline of morality and social discipline, and the need to take firms steps in order to prevent a downward spiral into disorder (Rose 1989, p. 123).

State endowments have increased. Entitlements such as education, training and the social security assistance which extend the social regulation of young people's lives are benefits that have little to do with recognising the citizenship rights of young people and a great deal to do with social anxieties and popular imaginings of 'youth'.

The history of 'childhood' and 'adolescence' in modernising societies reveals a long preoccupation with enforcing a normative ideal of childish dependence and irresponsibility, and then 'discovering' problems associated with young people when they don't display such dependence and naivete, and devising an array of community and state interventions to deal with them. For social categories such as children and 'youth', minimum social rights to education have been made available. But for many young people these entitlements have not extended citizenship particularly through the prolonged years of education and training. On the contrary, the very protective institutions beginning with mass secular state-provided education have preserved and maintained the inequality and the dependence of our young people by sanctioning social and institutional power relations that accentuate regulation over their lives.

Most recently this surveillance and regulation has informed a renewed 'investment in youth' (driven by 'human capital theory') for developing a clever country (post-1975 periods) (Marginson 1993), or through labour market strategies designed to regulate jobless young people as they negotiate a labyrinth of activity tests and other investigative procedures that determine whether they are deserving of social security 'allowances'.

CITIZENSHIP, YOUNG PEOPLE AND POST-INDUSTRIAL FUTURE

Citizenship talk has primarily been seen to be about clarifying the limits of social boundaries and defining a social category. Citizenship debates are also infused with age-specific suppositions that appear to be taken as natural. Those who are members of that social category (insiders) are named and those who are non-members (outsiders) are comfortably ignored. Here the contests over meaning reflect political struggles as policy debates about citizenship bring to light the domination prescribed in institutional practices and processes and government policies (Yeatman 1990, p. 155). That prescribed domination is clearly ageist and is apparent in widespread discriminatory practices against young people, many of which are well and truly institutionalised, legally sanctioned and rarely questioned. How then are children and young people to be positioned inside the citizenship debate? This is an uncommonly difficult problem given the enormity and significance of the shifts that are still taking place in a number of economic and social institutions which have long been integral to the evolution of citizenship rights.

Common to all notions of citizenship is the idea of participation. In particular citizenship and full access to rights have traditionally been seen as dependent on one's employment history and status. Access to welfare benefits, for example, relied on the ideas of citizens making contributions via their tax payment. This type of thinking has implications for young people, given that most have not participated in the full-time labour market and therefore

have not 'earned' the 'right' to receive income support.

The series of economic recessions since the mid-1970s have been much more than a series of crises in the labour market, but a crisis based on mounting evidence of the death of industrial culture itself. Within that culture, paid work has been widely seen not only as an economic necessity but as a moral necessity that ensured the smooth assimilation and transition of young people into their communities as 'well adjusted' adults. The ethical value assigned to labour in conjunction with the perception that 'unemployed youth' are likely to be unable to integrate into 'society' gives a powerful moral meaning to being without work. As Foucault (1965, p. 5) pointed out, the 'origins of poverty were not identified as a scarcity of commodity, but rather of morality and discipline'. The source of misrule for the young is said to lie in a lack of 'proper' instruction and disregard for social order.

However our own period of late modernity is characterised by the passing away of industrial modes of organisation and employment (Beck et al 1994). In particular we have seen three key changes, the disintegration of the full-time youth labour market, the wholesale restructuring of national and global manufacturing industries, combined with the dissolution of the nuclear family. As Beck (1993) argued, industrial society, and the 'proper' functioning of the 'nuclear family' depended on the unequal relations and subordination which included unequal relations between young people and adults.[2] However, the dynamics of that style of individualism which typify modernity has meant that progressively we are undoing discriminatory practices traditionally justified on the basis of gender, ethnicity and class.[3] These changes compel us to question the value of both classic and contemporary conceptions of citizenship with their origins in these institutional arrangements.

Beck (1993) argues rightly that:

> Just like the family...[and] the occupation has lost many of its former assurances and protective functions. Along with their occupation, people lose an inner backbone of life that originated

in the industrial epoch. ... Even outside of work, industrial society is a wage labour society through and through ... in its joys and sorrows, in its concept of achievement, in its justification of inequality, in its social welfare laws, in its balance of power and in its politics and culture (Beck 1993, p. 140).

When young people are identified as a social category, they are perceived as possessing particular shared characteristics - typically naivete, irresponsibility and a high trouble-making capacity.

How can we provide those fundamental social experiences and support once offered through waged work and 'the family'? How, with the demise of both of those institutions - the labour market and the family, can we secure either social integration or participation for young people? These questions take on extra urgency given that, in the current regime of permanent underemployment, the percentage of unemployed young people is substantially higher than for other age groups and the rates of income support for young people are substantially lower.

What is evident in many of the debates and policies around citizenship is a stubborn insistence and perceived need to force relatively new developments (restructured labour market) into an old and ill-fitting paradigm which takes industrial culture as a 'given' and assumes that full employment is non-problematic. This seems particularly worrying when the Commonwealth Government's own White Paper on Employment and Growth (1994) stated very precisely that we will not be seeing a return to a situation where there will be full-time jobs available for unskilled worker (traditionally the work of school leavers) (Commonwealth of Australia 1994, p. 13).

Classical models of citizenship are certainly inappropriate for the 1990s because they draw on normative and cultural values from an industrial society which, under conditions of late modernity, either no longer apply or else are eroding rapidly. Ideas of citizenship anchored in visions of industrial-based institutions, values and practices can only be obstructionist and damaging to the development of a democratic post-industrial society. It is imperative to re-work a concept of citizenship that is inclusive of young people.

Throughout the twentieth century the rights of young people and children have been largely ignored. We are now seeing an increase in breaches of young people's rights that is accompanying the transformations taking place. There has also been an almost direct parallel-ing of increasing abridgment of many other sets of rights in a culture of hard-headed managerialism and economic rationalism.

Either we begin to question the neces-sity of the work ethic and the value of maintaining the morally integrative function of work for young people, or use this opportunity to build into policies and debates about citizenship alternatives to the social experiences traditionally offered to young people through waged work and 'the family'.

One way of re-thinking citizenship within a post-industrial context is to consider the 'politics of difference' as a form of analysis that opens up relations of dominance, producing discussion that is about not just sex, gender, race ethnicity and nationality, but also other identity markers that seem to be either pushed to the periphery or completely excluded from the citizenship debates. As an analytical tool, the politics of difference embraces marginal identities like age (youth) and other identifiers like disability.

This approach also requires recognition of the prejudices and interests under-lying mainstream discourses. In this context power can be understood as the ability to give effective and authorita-tive meaning to the idea of citizenship - an endowment that most young people do not possess.

Key questions need to be asked: on what basis are young people denied full citizenship status? What exactly then are the rules of admissibility? What aspect of young people's identities are cited to justify not classifying them as full citizens? Is it their youthfulness or dependency that prohibits full citizen-ship? Partial explanation for why young people continue to be counted out as full citizens relates to popular essen-tialist conceptions of the category of childhood and adolescence. Young people and children are characterised by their perceived vulnerability, fragility, naivete, innocence, depen-dence and their need of protection (Aries 1973). These seldom-questioned assumptions about adolescence and childhood have some explanatory value for understanding why young people continue to be written out of the principal terminology around full citizenship.

A definition of citizenship inclusive of young people and children will provide a basis for policy and legislative changes that will improve the quality of many young peoples lives, encourage their active social participation, and help create of more democratic and just community life.

If this is so, then it raises a point of contradiction for some contemporary theorists who critique modernist-classic notions of citizenship because they rely on unitary essentialist social notions of what it is to be a woman or an Aboriginal. Those who critique the use of such social categories as 'women', 'blacks', 'the poor' for being essen-tialist, appear themselves to continue operating with their own forms of analysis in which 'youth' as a category is essentialised. That is, by virtue of the number of years spent on this planet,

all 'youth' are somehow seen to possess a unifying bond, to have the same needs, capacities, visions and thoughts, all bearing close resem-blances to each other. In other words certain assumptions appear to be in operation about the category of 'youth'. When young people are identified as a social category, they are perceived as possessing particular shared characteristics - typically naivete, irresponsibility and a high trouble-making capacity.

The politics of difference appreciates the social complexity of the individual and the heterogeneous conditions in which we live. The politics of difference makes apparent the short-comings in attempts to sustain limited categories of citizenship. The politics of difference is based on an acceptance of our complicated and elaborate placings within the world (Yeatman 1990, p. 156).

WHERE TO FROM HERE? CITIZENSHIP, AGE AND IDENTITY

The citizenship debates provide a mechanism for setting in place community-based obligations as well as policy standards and/or targets that can assist in meeting young people's legitimate needs for social justice as well as the objective of integrating young people into their respective communities.

In Australia a small number of players is currently engaged in advocacy projects and other strategies that have the potential to amend the exclusionary practices around young people which was built into the traditional citizenship discourses (Rayner 1992; 1994; 1995; Moloney 1995; Jones & Basser Marks 1994). If citizenship is, as Macintyre (1994, pp. 1-2) claims, about the shared inheritance of all Australians, is it not reasonable to seek an extension of the debates - taking into account the question of how to include young people?

Two questions need to be asked:

(i) At the end of the twentieth century, how can we provide for or structure experiences that present opportunities to our young people for full participatory citizenship,

and for involvement in important social experiences and relationships which will enable them to be effective, autonomous and competent socially, politically and economically?

(ii) On what basis are young people going to find future pathways to develop social, moral and other relationships previously provided in sites of waged labour? The application of increasing constraints, ever-longer periods of enforced dependency and greater governance cannot be the basis for lasting hope. Perhaps, shared public understanding of the issues and principles of citizenship that is inclusive of young people can.

It can be readily agreed that the legal and moral rights of young people and children must vary in line with the different needs of particular groups and individuals. Given this, there remains a need to set firmly in place a number of guarantees. These could include the following:

1. Young people need to be identified, named and included in policy documentation and debates regarding citizenship. This is important given that debate is the first stage in the policy process.

2. Consideration should be given to the development of a Charter of Children's Rights enshrined in legislation or in a Bill of Rights for Children and Young People. (NB. The Carney Report on Victoria's child welfare system recommended that there be a comprehensive Charter of Children's Rights. Perhaps it is time to revisit this recommendation).

To guarantee the status of young people as full citizens, particular 'benchmarks' or policy standards and targets need to be set in place. A set of explicit generally agreed upon statements/claims are needed about the rights of young people. While such a statement of rights can provide a protective mechanism for young people, it also offers a useful 'indicator' or tool for evaluating and measuring particular events/issues that tell us whether what is occurring is regressive or progressive.

The full participation of young people as citizens requires the development of policy goals deliberately directed to that end. If we do not bring together the resources needed to protect the rights of young people there is little hope for making normative any behaviour by young people that is at once participatory and based on the assumption that young people and children are full citizens. In practical terms this means backing the norm with the necessary resources for validating the community's obligation to protect the rights of young people. This could include resources to enforce community responsibility to safeguard for example young people's rights to *inter alia*:

(a) express their views and to have them given due weight. One question we need to ask is whether this ought to be extended to areas such as the right to vote.

(b) freedom of association and peaceful assembly. This requires dramatic changes in local government policy, especially those councils that enforce youth curfews. It also requires significant changes in practices of certain professional groups, in particular police modes of conduct as well as police training.

(c) income security or an adequate means of support (Article 27, UNCROC). Again this brings into question issues around the provision of adequate work opportunities and other income support mechanisms. Here too, questions need to be raised as to whether current education and welfare provisions are motivated by social obligation and not simply by a perceived need to prevent large scale social unrest. Many education and welfare commentators argue that, far from extending citizenship and equality, social provisions such as education and social security systems sanction the existing inequitable power relations and regulation over those deemed to be 'at risk'. Custodial or protective care for 'the young', allegedly legitimated 'for their own good', often locks young people into holding bays in which there are no

rights of appeal and little, if any, chance of escape.

(d) privacy and protection from physical and emotional coercion. This would include having access to information such as communications about the young person between parents and teachers. It also includes freedom from assault at the hand and/or mouth of adults.

(e) access information, to enjoy the 'right to learn adult secrets'. This includes the right to know about matters relating to death, sex, love and violence and also how such issues shape human affairs (Wringe 1981, p. 15).

The High Court has consistently affirmed the power of the Federal government to give effect to international conventions to which Australia is a signatory. This should now include (as a basic minimum) the inclusion of young people in the regime of citizenship rights, ensuring legal protection for the citizenship rights of young people.

CONCLUSION

Missing from the larger part of the citizenship debate is recognition of the possibilities for achieving workable solutions to today's 'youth problems'. The rights of young people have been so easily and readily violated because, as a social group, they have never been protected by full citizenship status or conceptually thought of as full citizens. The need to re-think citizenship and the current enthusiasm around its rediscovery provides an opportunity for the development of a definition inclusive of young people that extends their repertoire of rights. A definition of citizenship inclusive of young people and children will provide a basis for policy and legislative changes that will improve the quality of many young people's lives, encourage their active social participation, and help create a more democratic and just community life. ✿

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[1] The definition of *young people* used here refers to those between the age of 12 and 25, while children are those under 12 years of age. Those Australians 0 to 19 years number 5.1 million which is 31% of the total population. See 1991 Census. This figure does not include those between 19 and 25 years.

[2] It is also worth mentioning that the term *adult* had a different meaning as recently as the 1960s. Most young people at the age of 16 or 18 were in paid employment, many had families of their own, mortgages and a number of the other indicators of adulthood. In the 1990s however young people are unlikely to be perceived as adult and do not engage in 'adult activities' until their mid-twenties.

[3] This is evident, for example, with the introduction of legislation in most Australian states outlawing discrimination on the basis of age.