

## INTRODUCTION

# More than Luck

## Australian Protest in a Social Movement Society

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**Abstract:** This introduction begins by challenging a common narrative formed in relation to Australia—that it is a “lucky country.” This “exceptionalist” view of Australia is also evidenced in national legal frameworks relating to human rights. Drawing on histories of Australian politics, it is argued that social justice stems not from luck or an exceptional legislative system, but from various forms of social contestation. Especially since the global protests of 2011, more scholars are considering the organization, impacts, and practices of social movements that occur on a global scale. Despite the evolution of globalized protest, this collection is informed by Connell’s southern theory (2007), which identifies the unequal geopolitics of knowledge. The articles in this issue provide a diverse range of case studies that can inform protest practices and evidence the vitality of dissent in Australia. Activist *knowledges* and a quest for collaborative approaches to protest are the two elements that run throughout this issue of *Contention*.

**Keywords:** Australia, activism, lucky country, protest, social movements, southern theory

Acknowledgement of Country:

*The articles in this collection were written and edited on various stolen Aboriginal lands that have never been ceded.*

### The “Lucky Country”

It is part of a broad and often repeated domestic narrative that Australia is the “lucky country.” It regularly appears in media and political



rhetoric, and in most instances it appears with the intention of elevating nationalistic and often inherently colonial mythologies. In his first speech to Federal Parliament in 1974, former Prime Minister John Howard commented that the downturn in the economy may be “hard to accept because it was only such a very, very short time ago that we could say of Australia, without any fear of contradiction, that it was indeed the lucky country.” Adaptations of the phrase such as the “clever country” can also be found in the public discourse. “Lucky” is used in reference to anything ranging from Australia’s natural resources, its weather, economy, sporting achievements, or its geographic distance from perceived *problems* found only in *the rest of the world* (Blainey 1966). Australia does have a number of successes and favorable attributes that make it an appealing country in which to live and work, but no more than any other country. Before becoming part of the Australian lexicon, the phrase first appeared as the title of Donald Horne’s 1964 book *The Lucky Country*. However, despite having the effect of popularizing the idea of Australia as a charmed nation, the title was not intended to imply any sort of favorable assessment.<sup>1</sup> In the opening sentence of the last chapter of the book, Horne states that “Australia is a lucky country run mainly by second rate people who share its luck.” This comment was intended to be a damning statement about complacent and disinterested politicians and, in general, about an overconfident Australia in the 1960s, which was reliant on its natural resources and celebrating its cultural and historical ties to Britain rather than recognizing and embracing its geopolitical place in Asia. In the follow-up book *Death of the Lucky Country* (1976), Horne further clarifies his remark:

When I invented the phrase in 1964 to describe Australia, I said: “Australia is a lucky country run by second rate people who share its luck.” I didn’t mean that it had a lot of material resources. . . . I had in mind the idea of Australia as a [British] derived society whose prosperity in the great age of manufacturing came from the luck of its historical origins. . . . In the lucky style we have never “earned” our democracy. We simply went along with some British habits (1976: 93–94)

In other words, Australia’s prosperity and particular brand of democracy did not eventuate organically—at least not entirely. Instead it mirrored a system of government that was transported to the continent by the first British arrivals. At the time the books were written, the 1960s and 1970s, Horne argued that Australia was not a lucky country because it had a superior economic or political system, but rather because it

benefited from a plunder-and-profit system that inherently favored the few and subjugated the many. This critique remains useful for illuminating aspects of the current Australian sociopolitical system.

Luck can, of course, be good or bad. In most instances when there are “winners,” there are also, unavoidably, “losers.” The luck narrative emanates from Australia’s long-standing exceptionalist view of its own history, politics, and economics (Coleman 2016; Dowding 2016) and has more recently extended to its process of judicial review (Taggart 2008) and its approach to social justice. However, according to Gillian Triggs (2015), former President of the Australian Human Rights Commission (AHRC):

One of the greatest challenges for the effective implementation of human rights in Australia has been our “exceptionalist” approach. We have few constitutional protections for freedoms and rights, no Charter of Rights and little implementing legislation other than in respect of the Conventions on race, sex and disability. Indeed, we have recently seen a shrinking of the legislative commitment to human rights.

What Triggs and others mean by “exceptionalist” is that there is a perception by some that Australia’s legal institutions and its legal framework are superior to those of other nations. Australia has developed an ad hoc approach to creating and enforcing the protection of human rights. For those advocates of exceptionalist views, Australia benefits from a system that develops law through the involvement of the Parliamentary Joint Committee on Human Rights, administrative law that regulates government decision-making, common law, and appraisals made through normative culture. Australian exceptionalism should also be considered in the context of Australian interventions in a post-September 11 world and the country’s heightened anxieties toward perceived emergencies and complex social dilemmas. To deal with such issues, Australia implements “special measures” that diverge from legal norms. For instance, we can draw our attention to Australia’s ongoing harsh treatment of refugees, its asylum-seeking policies, and its Northern Territory Intervention in 2007. These states of exception and extra-judicial laws and procedures have “resulted in the creation of legal spaces in which ‘Others’ are constituted within and without the juridical order by the sovereign” (Billings 2011: 272).

According to many legal professionals and human rights experts, Australian courts’ failure to recognize international laws and enact ratified treaties, the lack of a bill of rights, and an unequal balance of power

between the executive and other branches of government have resulted in an erasure of commitment to human rights. Triggs concludes that “for all these reasons, in Australia we no longer speak the language of human rights and are increasingly out of step with comparable legal systems in the UK, Europe, Canada, the United States, even our cousins the New Zealanders” (Wahlquist 2017). Australia routinely receives criticism from the United Nations, the AHRC, and legal professionals for not introducing a *Human Rights Act* or *Bill of Rights*, and it remains the only Western democracy without robust protections for individual liberty.

Australians may take many of their human rights for granted, but there remain few legal protections for those rights. In the absence of federal protection, Australian states take a larger role in the protection of human rights—see, for instance, the *Charter of Human Rights and Responsibilities Act 2006* ss15 and 16 (Victoria), the *Human Rights Act 2004* ss15 and 16 (Australian Capital Territory), the *Peaceful Assembly Act 1992* (Queensland), and the *Summary Offences Act* (New South Wales). However, such an ad hoc approach means that protections, offences, and penalties vary widely across the country. As George Williams and Daniel Reynolds note:

It is a strength of Australia’s federal system that states and territories have led the way on better protecting human rights in the face of federal inaction. Yet even if every state and territory were to adopt a charter, there will still be a large area of federal activity where important human rights receive little or no protection. (2017: 40–41)

While Australian states’ law protects human rights more effectively than its federal counterpart, unfortunately there has been a diminished commitment to the right to protest. This diminishment has not only happened in Australia, but in other democratic countries as well, including the United States (see Rowland and Eidelman 2017). The right to freedom of assembly and association is protected under international law<sup>2</sup> as well as under intersecting areas of Australian law that include federal constitutional law.<sup>3</sup> Yet, there have been a number of recent state laws introduced that restrict protest rights such as new regulations found in the *Crown Management Act 2016* and *Workplaces (Protection from Protestors) Act 2014*.<sup>4</sup> According to the Human Rights Law Centre (HRLC) (2018: 2), “common elements of the laws are vague and ill-defined offences, excessive police powers, disproportionately harsh penalties, and the prioritisation of forestry and mining operations over the rights of individuals.” The HRLC also draws attention to a recent report by the United Nations Special Rapporteur that was critical of “the

trend of introducing constraints by state and territory governments on the exercise of this fundamental freedom” (Forst 2018).

Contesting inequitable political and legislative systems and their lack of commitment to social justice is in part what prompts people to dissent. There are many forms of protest. They can be planned in person or online, or they can occur without any premeditation. Protests can be silent observations or mass mobilizations that take to the streets. They can be launched for the rights of few or for the rights of many. Looking at the history of protest in Australia (see especially Hamilton 2016 and Scalmer 2017), it becomes clear that it is contestation rather than luck that drives and creates the conditions for social change. In such investigations, examples ranging from women’s liberation, gay rights, Indigenous rights, and the environmental movement further reveal that notions of luck obscure a system that systematically discriminates against particular groups of people. In this context, luck is not merely predicated on successes or failures brought about by chance; it is rather the result state socio-legal systems that afford rights and agency to some groups and not to others. David Meyer (2002: 5; emphasis added) notes that it is important to recognize that in no small way “the process of turning physical features (*what people look like*) or social practices (*what people do or how they act*) into ‘identities’ is forged from the interaction between people and that state.” This process of identity-making evinces an ongoing tension between people, and their self-expressed identities, and the state, which has the power to recognize and/or regulate those identities. The issue here is that, if left unchecked, the state may unfairly benefit or discriminate against individuals or entire groups of people as it sees fit.

Stefan Berger and Holger Nehring (2016: viii) outline that “social movements have been examined traditionally within the framework of the nation state.” Traditional approaches have been challenged by globalization and “the emergence of new kinds of networks and flows of communication, action, and experience” (McDonald 2006: 3) that go beyond making claims on the state. In the second edition of her study on Australian activism published at the height of the anticorporate globalization movements in the early 2000s, Verity Burgmann (2003) summarizes three positions taken in the political science literature around globalization. First, nation-states are powerless in the face of global capital; second, they employ globalization as an excuse for failures of vision and inaction; and/or third, they actively facilitate and exacerbate processes of globalization. Importantly, Burgmann traces how such seemingly contradictory positions are taken up in practice.

Such complexity provides a rationale for close attention to particular contexts or what might be considered an area studies approach. One of the recurring questions in the Australian literature on activism and social movements is whether a local, global, or transnational frame is best suited to understanding social movements. Another justification might come from the paucity of material that reaches an international audience. As Jon Piccini (2016) outlines in his historical study of Australian protests of the 1960s, while the transnational inflections of social movements is often acknowledged, scholarship that actually addresses Australia tends to be sparse.

Raewyn Connell challenges us to consider the “geopolitics of knowledge” in *Southern Theory* (2007). Rather than simply critique the Euro-American basis of most contemporary social science, this argument provides a relational framework for analyzing the particularity of experiences that is not isolationist or “exceptionalist” in approach. Connell’s work respectfully draws upon alternative authorities written in disparate contexts, including those that can be categorized as African, Indigenous, Indian, Australian, Iranian, and Latin American. The texts in this issue of *Contention* focus on the Australian context, but it is important to remember that this context is shaped by a diffuse network of unequal power relations. Such a perspective avoids suggesting that there is something essential about Australian protest, as if nationality distills a particular form or function of resistance.

In a later article, Connell (2011) considers the consequences of southern theory for rethinking critical disability studies, and concisely outlines a number of tactics in order to move beyond the limits of metropolitan thinking. The first takes its lead from postcolonial traditions exemplified by writers such as Edward Said and his text *Orientalism*, which identifies the relation between knowledge and global power structures. The second includes projects of “Indigenous knowledges” that prioritize expertise and knowledge that has survived Western forms of domination. In this issue, Alessandro Pellizon and Jade Kennedy’s article can be read in these theoretical terms. Finally, Connell explains her project of southern theory as an attempt to work with the “rich literature produced in the global periphery about the experience of the colonised and the dynamics of neocolonialism and contemporary globalisation” (2011: 1372). In setting out these different trajectories, Connell alerts us to the multiple ways in which the power of hegemonic centers might be disrupted. Connell outlines that one of the ways that this power operates in many social sciences is that work from Europe and the Americas is often read as theory, while the value of work from

elsewhere is restricted to empirical cases. The challenge that Connell sets is to “learn *from*, not just *about*” work done outside the global metropole (2007: xiii; emphasis in original).

The contributions to this issue come from a call for articles on the topic of Australian protest, and present a wide range of perspectives and issues. Our intention with this issue has not been to suggest that there is something essential about Australian protest, nor have we attempted to be comprehensive. As such, there are a few issues that are absent in this collection that receive notable and widespread contestation in Australia. Regrettably, Australia’s woeful refugee and immigration policies, anticapitalist and antigovernment protests, and women’s protests, all of which have received significant mobilization in recent years, are not addressed here. However, we are quite pleased by the informative and diverse approaches that comprise this collection of articles. Here, we have investigations ranging from methods to protest through legislation, protest as practice, campaign communication, art activism, and activist knowledges formed from community engagement and everyday life. The protests studied approach a wide-range of concerns including animal rights, queer community belonging, the environment, LGBTQA + rights, and Indigenous sovereignty.

Many of the contributors to this issue are activists and have a direct relationship with the movements and histories that they address. Sarah Maddison and Sean Scalmer (2005) suggest that we should take seriously the practical knowledge that activists develop. As becomes clear in their landmark study of Australian activists, such practical field wisdom is a way of escaping the familiar debates that structure academic studies of social movements. Likewise, Meyer, drawing on the work of Sidney Tarrow (1995), suggests that protests “mandate a response from the academy that is inherently collective” (2002: 4). As such, if progress is to be made into the questions posed by social movements, academics should strive to “triangulate” the problems posed by the study thereof.

We began this introductory article with a brief “Acknowledgment of Country.” Many outside of Australia would be unfamiliar with the significance of this practice. However, comparable acknowledgments are becoming more common at civic events in Canada and have been adopted by some Native American groups in the United States. Alessandro Pellizon and Jade Kennedy introduce us to the history, cultural implications, and semantic meanings of “Welcome to Country” and “Acknowledgment of Country” ceremonies in Australia. They explore public understandings and recent trends in contemporary discourses to include Welcomes and Acknowledgments in the context of performative

protest for Indigenous sovereignty. Acknowledging traditional ownership highlights the notion that any protest that takes place on Australian land is inherently linked to Indigenous issues. In other words, all protests in Australia take place on Aboriginal land and therefore should consider the implications for Indigenous people who have a long-standing historical and spiritual connection to the land. This assertion lies at the core of the Uluru Statement of the Heart (Referendum Council 2017), which included a proposal for a First Nations Voice to be enshrined in the Australian Constitution.

Danielle Brady considers the significance of social and symbolic aspects of space in relation to protest practices, something that Dimitris Papadopoulos (2018) might call *more-than-social-movements*. According to this framework, instead of understanding social movements as demands upon the state, we should instead view them as “practical and ontological affair[s]” with the ability “to change the materiality of the lived spaces and the bodies, human and nonhuman, of communities” (2018: 3). Brady analyzes four campaign events to save the Beeliear Wetlands from the Roe 8 Highway in Western Australia—*Enough Is Enough*, *Silence Speaks*, *Women in Song for Country*, and the *Celebration Walk*—as a means to unpack how each of these events consist of practices that imagine alternative understandings of space that open up possibilities for negotiating land uses.

An emphasis on practice is also at play in Rob Garbutt’s article exploring the history of the Aquarius Festival, a countercultural arts event that was based upon alternative thought and sustainable lifestyles. Drawing from interviews, presentations, and archival materials collected at a 2013 community conference, Garbutt considers the legacies of the 1973 Aquarius Festival in Nimbin, New South Wales. This celebration prioritized transformations in daily life as key to developing sustainable collective movements. To frame his approach to the practices of the festival organizers and the community, Garbutt draws on the work of science studies scholar Isabelle Stengers. Originally developed from closely following the work of scientists, a science studies approach is very useful in tracing forms of social action and identifying their effects. Forms of organizing that are geared toward producing the conditions for change are intimately connected to everyday lifeworlds. Looking at this broader scope for contentious politics is helpful in avoiding political reductionism (Maddison and Martin 2010). Alongside the importance of countercultural festivities, recognition of place and the local is central to Garbutt’s analysis of this movement. The legacy of Aquarius is most strongly articulated in regards to producing the conditions for the

Terania Creek Blockade, which is considered by some as the first direct-action forest-preservation campaign and which was significant (in part) for providing tactics for future global environmental activism.

Jane Mummery and Debbie Rodan consider the organizational structure of protest and how this produces effective means of engagement. Specifically, the authors consider the multimodal forms of protest that have been employed to bring about change or closure of the live export industry in Australia. Public attention to this issue was directed through activists' exposure of the mistreatment of animals and unethical industry practices. Mummery and Rodan identify spikes in media reportage coinciding with the release of *A Bloody Business* (Erik Haven, 2011) and "Sheep, Ships and Videotape" (60 Minutes Australia, 2018). Through their discussion, the authors not only give insight into how activists mobilize the Australian public sphere to protest, but also illuminate the capacity and effectiveness of multimodal protests to spur politicians and industry leaders to incorporate demands for change. The emphasis here is on unpacking how affect is generated and transmitted across various technologies in order to mobilize concern for animal rights.

Finally, in an interview that we conducted with Simon Hunt, the composer, performer, and activist discusses his creative practice and involvement in protests as his alter ego Pauline Pantsdown. Pantsdown was a persona that Hunt created in the 1990s to mimic Pauline Hanson, a conservative politician and founding member of the One Nation Party. Hunt revived the character of Pantsdown when Hanson reentered politics in 2012. Hunt reflects on the use of using a persona as a form of protest in a changing mediascape spanning 20 years. Through the use of the satirical persona, Hunt has been incredibly successful in generating mainstream media attention for activist campaigns by mobilizing community concern and awareness. However, as Hunt notes, the role of the Pantsdown character has had to develop and change tactics in order to effectively engage people in campaigns.

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## Notes

1. In fact, decades after the publication of his book, Horne lamented: “I have had to sit through the most appalling rubbish as successive generations misapplied this phrase.”
2. For instance, protections can be found in Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) and Article 8(1) (a) of the International Covenant on Economic, Social and Cultural Rights (ICESCR). See also Article 5 of the Convention on the Elimination of All Forms of Racial Discrimination (CERD), Article 15 of the Convention on the Rights of the Child (CRC), and Article 21 of the Convention on the Rights of Persons with Disabilities (CRPD).
3. There is currently no Commonwealth legislation that clearly embodies the right to freedom of assembly and association in all circumstances. Instead, conditional and piecemeal rights are found in other state and federal laws such as the Fair Work Act 2009. The right to protest is further protected under the implied freedom of political communication in the Australian Constitution.
4. This act was overturned in 2017 as the High Court of Australia found many of its elements to be unconstitutional. See *Brown v Tasmania*. However, the Tasmanian Liberal Party has plans to reintroduce the legislation.

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