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***Nomophilia* and Academic Work in the Austerity University**

A key critique made by Professor Biko Agozino across the body of his work is that the discipline of criminology and its key producers have an intimate connection to the historical and contemporary dynamics of colonial force. During the course of Agozino's visit to Australia many heated discussions were had about the significance, status and necessity for critical and activist scholarship to work within and push against the domination logics of conventional criminological knowledge production. This short paper seeks to bring (perhaps too many) themes into dialogue to begin to think through the possibilities for decolonial and critical scholarship in the neo-liberal, austerity university where *nomophilia* is rife- from the federal legislative level empowering university management strategies but also, somewhat paradoxically, at the level of resistance to those institutional moves.

Nomophilia is a concept I have developed to capture the tendency for blind adherence to law, or more specifically to colonial law (see Giannacopoulos 2011). Colonial law is followed and often seen as a legitimate limit on action and possibilities because, well, it's the law! This approach endows colonial law with a 'mystical authority' (Derrida 1992) even in instances where law is itself implicated in the production of forms of violence. In the employment realm, which is the material ground from where academic workers produce critical scholarship, the Australian *Fair Work Act* (FWA) has without a doubt generated conditions for the control, containment and punishment of workers. The FWA generates optimal conditions for

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employers who can claim that restructuring which redefines and reclassifies work as a way of reducing labour costs and stripping of secure conditions, is necessary. This is the austerity university and austerity I argue is always already a colonial device.

During his visit to New Zealand Agozino asked masterclass students to “close their eyes and count the number of critical scholars who were unemployed” (see this issue). His suggestion “that critical scholars are sought-after... because the critical scholars fill a gap in knowledge that is neglected by the majority authoritarian scholars” is emblematic of a style that seeks to inspire by acting *as if* the disciplinary limits which he and others work within and against are not really there. This is an approach that seeks to empower. Agozino sees a genuine gap that only critical work can fill. His framing of the issue allows him to state confidently that critical scholars continue to be rightly sought after in the academy.

This is an important but complex position to accept and to hold especially as many of us who are currently employed as academics do have extensive knowledge of unemployed and underemployed critical scholars. We hold this knowledge because our workplaces implicate us firmly within the academic class hierarchies structuring the contemporary university. Some of us in Australia and surely elsewhere, are currently having to remember and/or experience what that academic precariousness feels like as the ground of ‘secure’ employment is being pulled out from under us. The ‘disestablishment’ and ‘reclassification’ of existing positions, a form of “administrative policing” (Chatterjee and Maira 2014, p. 5) which see research expertise as the pre-condition for university teaching presents real dangers for critical scholars who are working at the margins of disciplines in ways that do not easily translate into research dollars and industry ‘impact’. In the context of university restructuring in the United States, Chatterjee and Maira have asked “given that neo-liberal market ideologies now underwrite the

‘value’ of our research and intellectual work, what happens to scholars whose writing directly tackles the questions of US state violence, logics of settler colonialism and global, political and economic dominance?” (2014, p. 10) They go on to argue that the price paid by critical scholars has been “extraordinarily high” with penalties such as “denial of promotion to tenure, being de-tenured, not having employment contracts renewed, or never being hired and being blacklisted” (Chatterjee & Maira 2014, p.10).

Law, in this instance the FWA creates a legal foundation for employers, in this case universities, to erode basic rights, freedoms and conditions for academic workers. While the FWA does not eliminate unions, it does function to shrink the ‘legal’ space in which it is possible to resist by designating strict criteria for taking what is termed “protected industrial action”. Union industrial officers and other union leaders may be less inclined to countenance industrial action as an option as it involves considerable work to operate within the legal criteria set for such action. By submitting to the legislative will in this way, unions may become complicit with the legalised violence against workers that is licensed at the legislative level.

In the face of the hard material realities stemming from “administrative policing”, how are we to remain stable and centred in the face of systemic destabilisation strategies which amount to the “policing of knowledge?” (Chatterjee and Maira 2014, p.5). How might academic workers and in particular critical and decolonial thinkers cultivate a belief like Agozino’s that despite the material conditions of the austerity university, it is possible to have an academic career while producing activist scholarship? Would this require us to inhabit a kind of *tactical* denial of material realities and if so, from where might the strength for this be drawn? These questions form the fundamental challenge that haunts any critical unpacking of the contemporary colonial/austerity university. Here I can only begin to build on the argument made by

Chatterjee and Maira that “the state of permanent war that is core to U.S. imperialism and racial statecraft has three fronts: military, cultural and academic” (2014, 7). Their “conceptualization of the imperial university links these fronts of war, for the academic battleground is part of the culture wars that emerge in a militarized nation, one that is always presumably under threat, externally or internally” (2014, p.7). My attempt to build on these important claims is by signalling the colonising role of *nomos*/laws - in particular the role played by labour and employment laws then used by university management in ways that aid ongoing Indigenous dispossession in the Australian context but also beyond. In other words, how do specific workplace laws work to undermine material and employment conditions in order to structure university contexts in ways that enable or disallow decolonising and other critical scholarship and related practices?

Across the body of my work I have argued that it is the machinery of the law that performs a foundational and violent role in dispossession and in ensuring the ongoing operations of colonial power. It is a colonial trick to see law as the innocent, impartial and objective regime that it attempts to represent itself as. To fall for this trick would be to suffer from *nomophilia* where the belief in the correctness of colonial law prevents the seeing of that regime as a system predicated on mass theft and violence against peoples and lands. The immeasurable sovereign debt incurred as a consequence of the theft of land, natural resources and more from the First Peoples of the land continues to be actively effaced by governments, corporations, privileged populations as well as by many knowledge producers. While economies like Greece have had austerity imposed upon them as a way of redressing sovereign debt, economies like Australia are not really known for their sovereign debt, despite austerity being a key colonial technology. Austerity is in fact a colonial device - one where expansion and contraction work in tandem to make poverty. While the colonial state made itself and extended its reach off the back of

dispossession, First Nations Peoples were made poor by being removed from their own bountiful lands from where life sustaining resources could be accessed and from where their laws sprung and could be practiced.

Where do moves, which seek to destabilise the connection between scholarly knowledge production and critical teaching practice and which find their expression and legitimation through legal mechanisms leave us? As we continue to witness universities becoming transactional and consumerist locations, do academics also need to become more cognisant of their status as workers? This is a position that seems at odds with Agozino's assertion that "all my work is play" (this issue). While there is no doubt that pleasure and more importantly a love of justice feature heavily as motivations for critical work, the material demand that we remain employed and employable reminds us that we are/ need to be workers in order to be knowledge producers who can make transformative interventions into oppressive disciplines. And yet, we are increasingly bound by legal/employment relations that seek to shape what we are able to produce. It is true, as Agozino has argued that "scholar-activism has succeeded in pushing back the control-freak state in modest ways" and there is no doubt in my mind that an activist scholarship must continue for emancipatory reasons. But how will we cultivate and/or maintain the requisite beliefs to continue with this if the academic ground from which to work and speak moves from under us? How can we work from within with the boundedness of our employment and shifting class conditions in ways that allow us to produce critical, activist and authoritative disciplinary knowledge?

Reference

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