

Suggested Readings & Other Resources...

The Reproduction of Daily Life by Fredy Perlman

(<http://www.geocities.com/~johngray/reprod.htm>)

Work, Community, Politics, War (pamphlet from prole.info)

(<http://www.prole.info/wcpw.html>)

On the Current Crisis and the Potential for Revolution by anonymous

(zinelibrary.info/current-crisis-and-potential-revolution)

What is Communist Anarchism? by Alexander Berkman

Dynamite: The Story of Class Violence In America by Louis Adamic

prole.info

libcom.org

wewillhaveourvengeance.blogspot.com

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reflections on Work, Legal Aid, & the Welfare State



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Introduction

I am a legal aid worker. This document is an anti-capitalist analysis of legal aid. It will try to counter reactionary perspectives on legal aid and the welfare state that I hear from people around me. I intend to share this with coworkers and friends in order to start some conversations and encourage people to resist the system that exploits, alienates, and pacifies them.

I work in a legal aid office that serves people who need legal advice and representation but cannot afford a lawyer. I'm not a lawyer. My job involves representing people at residential tenancies and social assistance tribunals, and advocating for my clients' legal rights in the face of decision-makers in the welfare bureaucracy, and to landlords. I also organize projects to get legal information out to the public by way of a phone line, handouts, workshops, etc. And because the legal aid office where I work teaches law school students, I'm also required to instruct students in social assistance and residential tenancies law.



A lot of my friends and family see my job as really cushy and respectable, and it is. I work in a law office. I don't punch a clock because I'm on salary. I get some benefits and paid vacation. I am subject to very little supervision by management, and I'm relatively well-paid for someone with no degrees and little relevant work experience.

Respectability aside, I am of the working class. By this I mean that I have no choice but to work if I wish to survive, and that my activity at work produces knowledge and services that are essential in reproducing the system we live under (a system that keeps people poor, unemployed, and complacent). Now you may be thinking, "Didn't you just say that your job was to advocate for the rights of the poor?" I did say that, but as I explain in more detail below, it is precisely this activity of advocating for my clients' rights that serves the interests of the system.

To really challenge, resist, and destroy the system we work under would require class-conscious, collective action by many workers. For instance, if many or all of my coworkers decided to use the resources at our disposal for collective, revolutionary activity, we could simultaneously resist our condition as workers (by refusing to do our jobs) and share the resources we have with the broader community in struggle. We could open up our offices and meeting spaces to the community at large to house revolutionary projects, hold community assemblies, and promote revolt against capitalism. If we did, we would be creating the conditions in which we could begin for instance, to relate to those people who were formerly our clients as people with whom we share class interests.

Expropriating of the property of the state and converting it to a space for the collective creative activity of the broader society would be an action in open confrontation with the system. It would invite repression from the State and would also open up new opportunities to link up with other people fighting back. Obviously such a project would not be able to exist in isolation. It would need to be linked up with other revolutionary projects and have the support of different sectors of the community.

Conclusion

Work is alienating, exploitative, stressful, and monotonous. I don't work because I find joy and fulfillment in the activity, or because I see myself on some sort of career path, or because I think my job actually makes the lives of my clients any better in the long run. I work because I need money to survive. I don't have a choice but to work and my activity at work reproduces a system I despise.

As a legal aid worker I grease the wheels of the welfare state machine and ensure its continued legitimacy by accessing its official channels of recourse on behalf of my clients. My job alienates me from my clients as people with whom I share class interests. Finally, the sentiments I most often hear in defense of legal aid work, such as that the work is "good for the community" or that it "helps the poor", are couched in the logic of charity which actually serves to further legitimize the system.

The world I want to live in is one where there is no poverty and where all creative activity is geared toward meeting peoples' needs as defined by them. In this world there would be no welfare, no landlords, no police, no courts, no prisons, and therefore no legal aid offices. In this sense, I want to put myself out of work, to abolish myself as a worker, the working class as a class, and to create a classless and stateless society. Creating such a society will only be possible through the destruction of the current system, and this project of destruction can only begin as conversations between individuals that lead to actions by groups. My hope is that this text can help start those conversations.

My clients turn to me in the hopes that I can push the right buttons, speak the correct language, and cite the proper policies and legislation that will solve their problem for them. When my clients resign themselves to being shepherded in this way they annihilate their own agency and become spectators of their own lives.

Though I occupy a more privileged position within the working class, at the end of the day I share the same class interests as my clients. Our relationship to the system is the same. We have to work or rely on sub-poverty rates of social assistance in order to get money to survive. We could all stand to benefit from the destruction of class society. If the resources at our disposal were owned in common and all our creative activity was geared toward producing what we need, rather than profits for others, we could all reach a higher potential as human beings. But because my relationships to my clients take the form of the lawyer-client relationship, we are unable to talk about our common class interests. We are unable to relate as members of the same class who could share a common project in the destruction of class society. Our relationship is mediated by state power; my client is a subject of that power and I am a functionary of it.

Resistance to Work

A question that's often on my mind is how I can resist the system that exploits and alienates me. A lot of the things I do at work are small, individual acts of resistance that help me cope with the work day and compensate me for the time and energy that's stolen from me. Even the smallest, most mundane things, like taking smoke breaks and bathroom breaks as frequently as possible are attempts to get back my lost time. I take long lunch breaks to meet up with friends to catch up or to discuss projects we work on together.



I use the time I'm in the office to read things that interest me or to plan what I'm going to do on my time off work. I use the photocopiers and office supplies to print pamphlets, zines, articles and other texts for distribution. Most of this text was written at work. These are acts of resistance insofar as they help me cope, take back some of the time that is stolen from me, and get resources for anti-capitalist projects I work on, but they are basically all individual acts that have no potential to actually challenge or destroy the system if they remain isolated.

Working for the Welfare State

The activity I perform at work reproduces the state, specifically the welfare state apparatus which includes things like social assistance, public housing, and the healthcare system. History tells us the welfare state came about as a result of the "post-war compact" which was a compromise between the left and organized labour on one side, and the capitalist class on the other. The compromise was an agreement between the opposing interests; the left and labour would contain the struggle or poor and working people in exchange for various concessions from the capitalists in the form of relatively high wages for some industrial workers, unemployment insurance, social assistance, government subsidized housing, etc. This compact served to pacify working class militancy and to preserve the system in a time of crisis. Without the left and organized labour pacifying the working class, the system could not exist. Without the welfare state, including things like legal aid, the state in its present form could not exist.

The legal aid office where I work is dedicated to defending poor youth charged under the Youth Criminal Justice Act and to representing poor parents in family law matters (Child Protection, Custody, Access and Maintenance matters). Another big portion of our work is to represent clients in areas of administrative law such as social assistance and residential tenancies. My job is on the administrative law side of things. My job has two main functions;

- 1) To reproduce the welfare state by providing legal services to poor people
- 2) To reproduce knowledge of the law in law school students as part of their required training

My job is to try to prevent people from falling through the cracks of the income assistance program, to help people maximize what meager benefits they are entitled to from the system, to prevent landlords from illegally evicting their tenants, and to seek compensation from landlords on behalf of tenants through residential tenancies division. Seeking recourse on behalf of poor people through established channels of recourse legitimizes and reproduces the state and class society. This activity also has the effect of perpetuating the myth that the State has an interest in justice for the poor and that social inequities can be addressed on an individual, case by case basis. Whatever minute positive impacts my work may have on my clients' lives, those impacts will never become generalized, will never be felt by countless others facing similar hardships.

The other part of my job is to teach law school students about the areas of law I work in. Training students in these areas of law reproduces the legal system by training new lawyers and judges. A perspective which I often hear from coworkers is that by teaching areas of law that disproportionately impact poor people and which are not given much attention at the law school, our organization is training more socially conscious lawyers, and therefore contributing to a more just world.

This argument needs to be broken down. First of all, the vast majority of students who are trained by our office will never do social assistance or landlord-tenant cases in their careers as lawyers because it is legal workers, community advocates, and social agency workers of various kinds, not lawyers, who do the work of defending peoples' legal rights in these areas. Secondly, by training law students we are training members of the middle class who in many ways benefit from social hierarchies that are institutionalized by social assistance and residential tenancies legislation. The legal system is a key component of the state apparatus and essential to the reproduction of capitalist society.

Exploitation and Alienation

As a legal aid worker, I am exploited by my employer. I trade in my time and effort for money so I can purchase the necessities that make it possible for me to keep getting up and going to work (ie. rent and groceries) and the stuff I use to cope with the daily grind (ie. coffee, beer, cigarettes). Having no property, assets, or businesses with which to make income from, I have no other way to get money other than to work. As a worker I am also alienated from that which I produce.

My activity at work is totally disconnected from my life and what's important to me. Other than money, I get no personal benefit from working. In fact, my activity at work is of very little value to anyone, not even my clients. Because my work activity is so entrenched in the workings of the welfare state apparatus, it has no value other than reproducing the system which in turn dictates that I must continue to work if I wish to survive.

Many of my coworkers cite their relationships with their clients and their students as the most personally fulfilling aspects of their work. They enjoy being able to 'get things done' and to 'do a good job' for their clients, and they appreciate being able to share their knowledge of the law and legal procedure with their students. They believe that in working directly with poor people who are screwed by the system, they are doing 'good work in the community'. These sentiments represent the logic of charity in which poor people are viewed as defective human beings, unable to help themselves.

Charity is a cornerstone ideology of the welfare state system because it justifies the existence of gross social inequalities in class society. The state will often justify cuts to the welfare state by putting the responsibility for social welfare of its citizens in the hands of charities. Earlier this year the Nova Scotia government released a document entitled "Preventing Poverty. Promoting Prosperity." in which it outlined its plan to decrease the number of people in the province receiving social assistance benefits while increasing funding for programs designed to push people back into the low wage workforce. The document speaks of Nova Scotia's "culture of generosity" and appeals to Nova Scotians to "step up" when their family and neighbours are in need. This charitable rhetoric is designed to justify cuts to an already grossly inadequate system of social assistance.

My relationships with my clients are paternalistic, lawyer-client relationships. Clients are given an appointment time with me where they are asked to explain their situation and provide personal and financial information. I then conduct a legal analysis of their situation and provide them with information about the law and advice on what they can do to address their problem through the proper channels of recourse. Often I will advocate on their behalf and represent them before the appropriate administrative tribunal. I am a conveyor of specific knowledge essential to the maintenance of the system.

The lawyer-client relationship is alienating to both me and my clients. Often my clients feel like they have little control over their lives and that they have no means



to address their problems themselves. Frequently they are directed to come see me by an authoritative figure in their life and may feel coerced into accessing the service in the first place. I see the same horrific situations play out in the lives of my clients day in and day out. People cut off welfare, parents having their children taken away, families evicted because they cannot afford to pay their rent, children living in bedbug infested apartments, people living in homeless shelters for months at a time with no hope of finding decent housing, and so on. The hardship, misery and crisis that define the lives of my clients have become mundane to me. I've become desensitized to the tangible human costs brought on by the social and economic inequalities of class society.