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A sensitive view of high school gay romance

REVIEWS

Tim Kroenert

First Girl I Loved (M). Director: Kerem Sanga. Starring: Dylan Gelula, Brianna Hildebrand, Mateo Arias, Pamela Adlon. 114 minutes

Some films seem custom made for the high school English curriculum. First Girl I Loved should be essential viewing and a conversation starter for teenagers and their parents, for its sensitive and authentic exploration of the lived experiences of young people coming to terms with their sexuality in a high school context.

Early in the film, Anne (Gelula) confesses to her best friend Cliff (Arias) that she is in love with a softball player from their school. He laughs at her; she knows nothing about sport, boys play baseball, girls play softball. This turns out to be a traumatic and pivotal conversation, which the film returns to repeatedly, revealing a little more each time. Anne is well aware of the difference between softball and baseball.

The object of her affection is Sasha (Hildebrand), whom Anne has occasion to get to know when she interviews her for the school yearbook. Their friendship is immediate and sweetly flirtatious; the girls begin texting each other regularly, and a mutual attraction grows.

Anne has to navigate these experiences largely alone, having fallen out with Cliff, whose responses to her are confused by his own attraction to her and by his bruised ego. Anne’s mother Sharon (Adlon) is affectionate but distracted by her work, and her teachers are painted as caring but distant from the experiences of their young charges.
This is new territory for Sasha too, for whom the progression of her relationship with Anne is marked by uncertainty. The film hints at both peer and familial pressures holding her back, though does so in an understated way that is typical of the film as a whole. This is a master class in showing rather than telling, and the strength of the writing and performances is such that we are able to infer the motivations and hidden thoughts of characters without them needing to be explicitly stated.

"Moments overspill their boundaries, to influence an individual's thinking, feeling and acting at a later time."

Writer-director Sanga delicately disjoins time, holding certain moments close to his chest and revealing them at the right time to maximise emotional impact. These small acts of concealing and revealing help build suspense, and emphasise the ways in which moments overspill their immediate boundaries, to influence an individual's thinking, feeling and acting at a later time.

Thus that early conversation with Cliff, and a certain long night spent between Anne and Sasha, become fulcra for certain events that test our sympathies for all involved. At the same time the film remains at all times steeped in empathy, particularly for both Anne and Sasha.

To reveal too much in this review would be a disservice to Sanga and his careful plotting. But this is a coming of age story, and hope and heartbreak are equally pertinent markers on Anne's journey of self-discovery. The film leaves open several questions as a basis for discussion and reflection about how we, as parents, teachers or young people, might compassionately respond in similar circumstances.
Tim Kroenert is editor of *Eureka Street*. 
Tolkien's inspiration for climate advocates

ENVIRONMENT

Tim Beshara

Sometimes I wish I didn't know as much about climate change as I do. For my entire professional life, I have been obliged to stay up-to-date with advances in climate science, as well as every intricacy of political manoeuvring in relation to climate policy. I would sleep much better if I had never paid any attention to it.

You see, I don't reckon we are winning. And if you pressed me into looking forward and objectively considering if we are likely to deal with climate change before it is too late I would say, 'Nup, we are stuffed.'

I could bore you with talk of how the world isn't cutting emissions fast enough and even if countries meet their pledges to the Paris Agreement we still won't keep well under the 2 degree target that separates global pain from global catastrophe.

I could also drone on about how the world's climate is being much more sensitive to carbon pollution than we thought it would be. For instance, how ten years ago we thought no matter how much crap was pumped into the atmosphere, the Antarctic ice cap would hold firm, but now we know it is melting from underneath and sliding into the ocean.

Sure there are battle-by-battle victories: we managed to get some sort of global agreement on climate change, the uptake in renewables is better than expected and countries like China have stepped up to play a leadership role. But when you look at the big picture, that is the amount of carbon going into the atmosphere and how the climate
is responding to this pollution, it gets clear how screwed we really are.

This makes it hard for all us climate-aware folk on two levels. One is the obvious woe-ism me rumination that is personally gruelling. The other problem is that doomsday talk is really unhelpful in motivating the public into caring about an issue and getting people to change their actions or political outlook.

We've got two decades of social research that says people turn off when a problem is so dire that it seems unsolvable. This is why environmental groups are so keen to talk up the successes of renewables and to focus debate on local binary issues like whether the Adani coal mine should go ahead. So we are left with this dichotomy where on one hand the situation is so dire, but on the other hand if we want anything to get any better we can't communicate openly about how dire it really is.

This is how I have begun to resolve this in my head: I turn to hobbits. Well not really specifically to hobbits, or dwarves or any mythical creature from a made-up land. I think about two themes that JRR Tolkien delineated in *The Lord of the Rings*.

"To Tolkien, eucatastrophe could only come about if you had faced up to the inevitability of 'the long defeat' and soldiered on regardless."

One of these themes Tolkien called 'the long defeat'. This is the idea that so often in the world you find yourself fighting for a cause where there is very little chance of success, but you fight for it anyway because it is the right thing to do and because you can't imagine doing anything else. In *The Lord of the Rings* this sentiment appears time and time again, whether it is the folly of sending two hobbits alone into enemy territory and thinking it will work out well, or when many occasions the heroes of the story rode out into battle against superior numbers.

In the moments of quiet between battles the protagonists often mulled over whether there was any hope, or if this even mattered to their mission. Sometimes they would decide there was no hope. Other times they saw glimpses of hope. But most times they resolved that whether there was hope or not, they would push on regardless. The discussion of whether there was hope or not, at least among the characters most centrally connected to the storyline, seemed to galvanise action rather than paralyse it.

The other theme that Tolkien inserted was one he described as eucatastrophe. He defined this as a sudden and unexpected change of fortune for the better. Think about the late arrival of Gandalf et al. in the battle at Helm's Deep or about the arrival of the eagles to rescue Sam and Frodo from the eruption of Mount Doom. To Tolkien, eucatastrophe could only come about if you had faced up to the inevitability of 'the long defeat' and soldiered on regardless.

Tolkien found the twin themes of 'the long defeat' and eucatastrophe in folk tales, in history and in his personal interpretation of Christianity. I find these two themes help me understand how I should approach the existential issue of climate change.

In 'the long defeat' climate activists can ground themselves in the enormity of the task we face. When sharing war stories among ourselves we can acknowledge our struggles and it should not dissuade us from keeping on fighting, it should bind us together in the struggle. But when communicating outward we can focus on how our struggles keep alive
the chance of success. I don't know what the eucatastrophe for resolving climate change might be; a technological breakthrough perhaps, or maybe even an outbreak of global political will to fix it, but I know without the ongoing slog of day-to-day climate activism we won't be in a position for these miracles to happen.

Tim Beshara is nature conservation professional currently working in politics as a media adviser for a Greens Senator. You can find him on twitter as @tim_beshara
Grenfell Tower laying inequalities bare

INTERNATIONAL

Saman Shad

Here's the thing that surprised me the most about living in Notting Hill: you had the richest people and poorest living right next door to each other. The first time I moved into the area, was only because I was able to get a rental place in a council block (or housing commission as we call it here in Australia).
The owner of the council flat renovated it and put the place up for rent. I shared the flat with four other people and one day on my way to work I saw a certain well-known personality walking her dog in the small park next to my building, while her chauffeur waited for her in a limo.

This became one of the things I loved about London - that the poor and rich lived side by side. But over the years it also highlighted to me how an area with traditionally working class roots and a proud multicultural heritage was becoming increasingly gentrified, its
former inhabitants becoming marginalised and pushed out to the edges.

When the Grenfell Tower fire occurred, it laid bare the growing frustrations and unease that many poorer people in the area have been feeling for generations. Notting Hill, and its surrounding suburbs such as North Kensington and Ladbroke Grove, have been home to the Afro-Caribbean community since World War II. In 1958 this area was where Britain's first race riots occurred.

The Notting Hill Carnival, which still happens every year in August, began as a response to those riots. The carnival is now one of the biggest street festivals outside of Rio - although even this is now under threat with growing calls for it to be scaled down or even moved out of the area altogether.

When I went back to visit London earlier this year, I naturally stayed in the area I had called home for close to a decade. I rented an Airbnb that was in a council building, because that's where I was most comfortable, and again because I couldn't afford to stay in the area otherwise.

By that time, along with the Afro-Caribbean community there were increasing numbers of immigrants from many different cultures. My neighbours were Somalian, and several families from Syria were staying in the same council block. When we went for walks around the neighbourhood the familiar Grenfell building would stand tall and proud in the distance - albeit slightly less conspicuous than I remember it with its new cladding designed to let it 'blend into and be sympathetic to the local area'.

The wealthy of the area are of course omnipresent, powerful and now in increasing numbers. Houses in these streets were now easily clearing £5m, and a number of celebrities and well known political figures were calling the area home.

"With the incident slowly starting to drop off the front pages, those not directly impacted by it are already moving on with their lives, getting used to and starting to ignore the burnt-out building at the end of their street in much the same way they were able to ignore the people now burnt alive within it."

All this should put a glaring spotlight on the poverty in which people in the council blocks live. Until the Grenfell Tower fire happened, however, everyone was happy to live in a state of ignorance. The rich ignored that some of the most deprived people in the whole country lived next door to them - invisible in many respects to the point where even though they would share the same borough there was almost an unspoken apartheid in place. They created posh cafes and bars where most of the residents of the council blocks would never visit. Not because they didn't want to, but mostly because they wouldn't be made to feel welcome. The police would actively ensure that the kids from the council estates, many from families who had lived in the area for generations, would stick to their side of the street and not be seen to loiter too close to the 'rich people's flats' across the road.

The Lancaster West Estate, which contains Grenfell Tower, is among the top ten per cent of the most deprived areas in England, whereas the Royal Borough of Kensington and Chelsea, where the estate is located, is the wealthiest local authority in all of England, whose residents include some of the wealthiest sheikhs, oligarchs, princes and princesses. This wealth disparity, further exacerbated by seven years of austerity and
deep cuts in housing, welfare and health and safety regulations created a tinderbox - both figuratively and literally - which exploded on a fateful night where at least 79 of the poorest residents of the borough paid the ultimate price. The fire unleashed a pent-up anger that has taken many not familiar with the local conditions by surprise - not least the British PM, Teresa May, who has faced much criticism for her mishandling and misreading of the situation.

While this tragedy has exposed some glaring inequalities and rightly ignited a lot of anger, one has to wonder where all of this is leading and if there will be any lasting consequences. With the incident slowly starting to drop off the front pages, those not directly impacted by it are already moving on with their lives, getting used to and starting to ignore the burnt-out building at the end of their street in much the same way they were able to ignore the people now burnt alive within it. Attempts by the council to rehouse the victims into some of the 'rich people's flats' have been met with some resistance and lack of compassion from residents worried about their property's value.

Whatever the long-term impact of this tragedy, for me as a former resident of the area it has validated what I knew all along - that events such as these bring out both the best and the worst in people, and that this little corner of West London is a microcosm for greater society and an increasingly unequal world where the poor suffer while the rich increasingly prosper.

Saman Shad is a writer for a number of publications. She is also a storyteller and makes radio programs.
The wedding party

CARTOON

Fiona Katauskas

RIP David Passi, last surviving Mabo plaintiff

AUSTRALIA

Frank Brennan

Anglican priest, traditional landowner and land rights campaigner David Passi has died. He was the last surviving plaintiff in the historic Mabo decision.

A year after the Mabo decision I travelled to the Torres Strait and met James Rice and Passi, the two successful litigants in the case. Returning by boat to the mainland from the island of Mer in the Murray Islands, the waters of the Torres Strait were exceedingly calm. As the sun glistened on the water, Passi, the Anglican pastor of the Island of Mer, stood at the back of the speed boat pointing at a small island close to the shore, declaring, 'That's Possession Island.'

He smiled broadly as he explained this was the place where James Cook came ashore after his epic voyage up the Australian eastern coastline in 1770, raising his king's flag and claiming possession in his majesty's name of all he had sailed past. Passi chuckled, 'Cook had his back to the Torres Strait when he claimed possession.'

Next day at Bamaga on the tip of Cape York, David explained the significance of the Mabo decision to a meeting of his fellow Anglican clergy. His people believe that in
ancient times a figure named Malo set down the law for relations between islanders regarding their lands and waters. All islanders speak of the myth of Malo-Bomai.

Malo and his maternal uncle made a long sea journey from West New Guinea across to Mer in the east. These mythical heroes, Malo resembling an octopus, brought the eight peoples or clans into one, 'strengthening them with the qualities of a diversity of sea creatures, so giving the power to match the sea and make long journeys across Malo, the deep seas, for canoes and for battle'.

In this part of Australia, the Indigenous people define themselves in relation to land, sea, each other and seasonal time or prevailing wind. Passi, known also as Kebi Bala, explained Malo's law:

'For thousands of years we have owned the land and Malo who was the Meriam centre of it made sure that members of the society were given land. They are our laws. We have Malo ra Gelar.

'It says that Malo keeps to his own place; Malo does not trespass in another man's property. Malo keeps his hands to himself. He does not touch what is not his. He does not permit his feet to carry him towards other men's property. His hands are not grasping. He holds them back. He does not wander from his path. He walks on tip-toe, silent and careful, leaving no signs to tell that this is the way he took.'

"He will be remembered for bringing great moral authority to the understanding of how the Meriam people reconciled their traditional observance of Malo's law with Christianity."
- Greg McIntyre, Mabo court case solicitor

Passi explained that since colonisation there have been two laws, 'the white man's law and Malo's law'. Holding up one of his arms, Passi told us that Malo's law is respectful of people's history and connection with the land. But it is a weak law. Holding up his other arm, he told us that the white man's law is strong. It believes might is right. Bringing both arms together, he told us that those who believe in Malo's law have to convince those who practise the white man's law that Malo's law is right. Might alone is not right. Together the two laws can make the right moral law strong and enduring for everyone.

On hearing the news of Passi's passing, Minister for Indigenous Affairs, Senator the Hon. Nigel Scullion, said: 'Aboriginal and Torres Strait Islander people's rights and interests in land have today been formally recognised over more than 40 per cent of Australia's land mass. This is in no small part a testament to the courage and determination of Fr Passi and the four other plaintiffs who fought so hard to have their land and sea rights acknowledged.'

The Member for Leichhardt, the Hon. Warren Entsch MP, said: 'Father Passi has certainly been an inspiration to our people and to our nation. His positive legacy to the Torres Strait community will live on and he will always be remembered with a great deal of admiration and fondness by those who had the privilege of knowing him.'

Mabo court case solicitor, Greg McIntyre, said: 'He will be remembered for bringing great moral authority to the claim and an understanding of how the Meriam people reconciled
their traditional observance of Malo's law with Christianity.'

May Fr David Passi rest in peace. I was privileged to know him.

Frank Brennan SJ is the CEO of Catholic Social Services Australia.

Main image: Fr Frank Brennan SJ with David Passi on Thursday Island
Health gap widens as wage growth falls

AUSTRALIA

Amy Coopes

It may be touted as a fundamental human right, and something rather fecklessly taken for granted by the majority, but health is a peculiarly political imperative, particularly come budget time.

Universal health care is an ostensibly bipartisan prerogative, but what universal actually means and how it's achieved is a somewhat moveable feast.

Spending, we are told, is unsustainable as the population ages and we move toward ever-more personalised and technologically-advanced treatment paradigms. The objective of this rhetoric is to rationalise the privatisation of our health system by stealth, incrementally shifting the onus onto patients through out-of-pocket expenses and private health insurance.

The latest wages figures are something of an inconvenient truth in this 'unsustainable spending' fiction. With average pay rising just 0.5 per cent in the first quarter of 2017 and 1.9 per cent across the year (1.8 per cent in the private sector), wages growth is
now at its lowest since Australian Bureau of Statistics records began.

There are several reasons for this - inflation, productivity and labour demand are all suppressed as we continue to feel the effects of the mining bust - but it ultimately translates into less money in the bank for workers. (It also makes rather risible the decision by our lawmakers to reward themselves with a two per cent payrise from 1 July.)

For a government crying poor when it comes to health, it has the perverse effect of decreasing spending pressure, with some 70 per cent of the $110 billion annual public spend on health going on wages.

'Lower wages growth ostensibly puts less pressure on public spending,' said the Grattan Institute's Stephen Duckett. 'You can see this in the effect of the Medicare rebate freeze, that many doctors did not give up bulk billing because the costs were growing relatively slowly - CPI, for example was only going up one per cent or so - so they were able to absorb the rebate freeze more readily than anticipated.'

Because inflation - the price of goods - is even more stagnant than wages, the 'affordability' of health care remains largely unaffected, according to Duckett. But what if your starting point is already one of profound disadvantage?

Universal or user-pays?

Universal health care is something of a misnomer in Australia, particularly when it comes to primary care, prevention and managing complex conditions.

While the government funds around two thirds of health care, drawing on income tax receipts and the recently expanded Medicare levy, the remainder is met by the taxpayer themselves, through a mix of direct payments, gap fees and private health insurance contributions - the latter rising year upon year out of all proportion to both inflation and wages (45 per cent since 2010, compared with 16 per cent and 20 per cent respectively). Safety nets are supposed to keep a lid on these expenses, but the reality is that plenty of people fall through the gaps, particularly those on lower and middle incomes.

Compared with other OECD countries, and particularly for a nation that prides itself on universal access, Australians pay a lot for health care, contributing almost a fifth of all spending through fees. Among wealthy nations we rank third highest for out-of-pocket payments - only Switzerland and Belgium pay more - and these costs account for more than three per cent of household spending, above the OECD average.

In contrast to government spending on health, which is currently growing at less than one third the average rate for the decade (just 1.3 per cent in 2014-15), payments by the non-government sector (individuals, private health insurance and other sources) continue to accelerate - expanding 5.9 per cent in 2015-16 and 5.4 per cent across the decade.

Where fees have increased, they've skyrocketed most severely outside of the major cities. For patients seeing a metropolitan GP, average costs have climbed 24 per cent; in very remote areas this figure is almost double (43 per cent).

The result is that people don't access care. According to an ABS survey, more than 1 in 20 Australians skip GP and specialist visits due to cost and almost 1 in 5 can't afford to see a dentist. For those with lower incomes, access is an even greater issue - they are
(65 per cent) more likely to skip the doctor and twice as likely not to fill a prescription or take a test. Out-of-pocket costs account for more than 20 per cent of all disposable income in the poorest households, where the squeeze on wages will be acutely felt.

"The question ought not be how much we're willing to spend on health, but what, as a nation, we'd like our health to be. If the true measure of a just society is how it treats its most vulnerable, we're far from a clean bill of health."

These households are already among the most chronically ill, with much higher rates of cardiovascular disease, diabetes and cancer than the most wealthy. 'It means the average family has less money left over after they have paid the essentials - rents, mortgage, food, energy, school - and choices affecting health are made,' said Lesley Russell from the University of Sydney's Menzies Centre for Health Policy of the wages slowdown. 'Australians are not protected despite so-called universal healthcare, and now pay on average higher out of pocket costs than Americans.'

Barriers to accessing care mean people present later, and sicker, to tertiary services, ultimately increasing strain on overburdened hospitals at much greater cost to the system.

Value over volume

There is a fundamental problem with the way health care is valued and financed in Australia. Medicare in its current form is a relic of the 1960s and 70s, when Australians were younger, healthier and the system was geared to managing acute episodes, through a fee-for-service model rewarding volume - the seven-minute superclinic churn. But chronic conditions now account for two thirds of the overall burden of disease, with just six categories - cardiovascular disease, oral health, mental disorders, musculoskeletal conditions, respiratory disease and diabetes - accounting for about half of all disease costs.

The government spends about $1 billion every year on managing chronic disease, and another $2 billion on potentially preventable hospital admissions from these conditions. Yet funding for prevention is woeful compared with our peers, comprising just 1.75 per cent of all health spending, and outcomes on modifiable risk factors are poor. We rank in the bottom third of the OECD for obesity in adults, and rate poorly on alcohol consumption; about half of all diabetics who see a GP have poor control of their blood sugar, cholesterol and blood pressure.

There are perverse incentives built into Medicare (and to a lesser extent, activity-based funding for hospitals) which reward throughput - number of patients seen, procedures and tests performed - over quality, according to the Productivity Commission. Allied and community health are also given short shrift by the illness-based MBS and PBS system.

It's been almost ten years since the National Health and Hospitals Reform Commission warned that Australia was becoming a two-tiered system where those with deeper pockets could expedite their care, and a gap was widening between the universal entitlement to care and its realisation. The question ought not be how much we're willing to spend on health, but what, as a nation, we'd like our health to be. If the true measure
of a just society is how it treats its most vulnerable, we're far from a clean bill of health.

Amy Coopes is a medical student, journalist and editor at Croakey.org. You can follow Amy on Twitter at @coopesdetat
My hospital visit

CREATIVE

Isabella Fels

Frantically packing at the last minute
Packing shit
Losing all my wits
Over how to pack in an organised fashion
All my latest fashions
Sitting on my bum
Is not that much fun
In my hospital gown
I hardly stun

You taking my dirty plates out
And laundry
Leaves me in a bad state

As you come into
The room
I am filled with doom
You no longer feel like my groom

How I love being wheeled around by you
It is part of the deal and ordeal

As I feel your presence
I can feel your very essence
I never want our session to finish
You are my great obsession

As you tell me you are single
I feel you are telling me something
Simple
Yet significant

Feeling like an invalid
No longer valid
Receiving no admiration
Or adulation

Please don't hang up on me
I'll hang myself or at least
Gang up on you
If you do

Freaking out as I
Sneak out into the night  
And let myself have a peek of you  
And even a bite of you

You yelled at me my fellow  
For being so soft and shallow

Looking at this set of pencils  
Given to me as part of my mindfulness exercise to colour in  
Even though  
The only thing I do is to draw the curtains  
How glad I am not to have to bear this dreadful drill  
That rings so shrill  
Against my will  
When I am so ill  
No longer so down  
As I take off my hospital gown  
And become alive again  
Discarding this depressing hospital gown  
As I stoop down before you  
I try not to let my boobs droop  
As I unashamedly try to woo you  
And take you for all your loot  
It's so hard to be serious  
Even when you're so devious and mischievous  
As I dissolve this tablet into water  
I almost drift away  
I feel myself sinking lower and lower  
Into a sea of blood and blasphemy  
Drinking pure water I hope to not turn into a puritan  
But a humanitarian instead  
Lying here in this hole  
I try to feel whole  
Trying to do as I am told  
Making a few bold moves  
As I swing out of bed  
And hang onto my mobility devices  
Which I am getting the hang of  
Almost like learning how to drive a car  
And showing lots of drive  
In bed  
Not even well read  
Just eating bread  
Staring right ahead  
As you help me pack up my things  
I no longer feel stuck in the same place  
Falling steadily in many different ways  
No longer feeling the sun's rays  
Taking your crap  
Unable to get off your lap

Feeling trapped  
Even when smacked  
I can really feel your strap and slap  
Sending you a present  
Even when I am not present  
I hope you won't resent me  
For not treating you as gently as when I wrapped up your present  
This being our only contact

Isabella Fels is a Melbourne poet and writer. She has been published in various publications including Positive Words, The Big Issue and The Record.
No minister is an island

AUSTRALIA

Kate Galloway

Three Commonwealth ministers - Allan Tudge, Greg Hunt, and Michael Sukkar - faced the Victorian Court of Appeal on 16 June to make submissions as to why they shouldn't be charged with contempt of court. This extraordinary occurrence arose because the ministers, apparent independently of each other, made public comments about a sentencing matter still under deliberation of the court.

The comments, reported in The Australian, included an accusation that the Victorian legal system was becoming a forum for 'ideological experiments', and that some judges were 'divorced from reality', and that 'Labor's continued appointment of hard-left activist judges has come back to bite Victorians'. Further, the comments claimed the judiciary should focus more on victims and less on terrorists' rights.

Following an apology on 23 June, the court ruled that the ministers would not be charged with contempt despite there being a prima facie case for sub judice. Nonetheless, the
case holds important lessons for the effective operation of our system of governance.

The charge of contempt of court is a means of protecting the due process of the court. In particular, it seeks to prevent publication of comments that might interfere with proceedings under active consideration. For this reason, we often hear people in public life respond to journalists' questions along the lines of: 'I cannot comment on this matter as it is currently before the court'.

This is not a means of quarantining the court from public scrutiny. Instead, it is designed to permit 'space' around the court's deliberations, to limit the loud noise of public opinion from intruding on the decision-making process.

Andrew Hamilton has in these pages looked at how the ministers' comments might offend the presumption of innocence. However, there is a further issue at stake in the matter of the ministers' comments - a question of good government.

Public discourse would have us believe that government comprises the ministers appointed from the ranks of the 'winning' party following a general election. 'Government' in this context is limited to executive government, while the true and more extensive definition includes parliament and the courts. There are, in our system, three 'arms' of government. Power is distributed according to the Constitution, although the parliamentary power is paramount within constitutional bounds.

The distribution of power is part of the checks and balances within our system, providing accountability in the exercise of power. The important underlying concept in this institutional arrangement is that the three arms operate as part of a system.

"This case is not about putting the judiciary or the courts above criticism. It is about the functioning of one arm of government without interference from another."

In this context the fact that the comments were made by ministers - members of the executive government - instantly locates their comments within the realm of government in its expanded, 'three arms' sense. It is one thing for a citizen to 'scandalise the court' in suggesting that the citizen might influence the court's findings. Such a scenario, while grave, is an individual instance. It is quite another for the executive branch of government to be involved in any suggestion that the system itself, the separation of powers, might be affected at an institutional level.

For this reason, the ministers' comments were not simply 'speech'. The ministers in their submissions to the court on 16 June indicated that it was proper that they make the comments as a contribution to public discourse on an issue of relevance to their portfolios, and to their constituencies. They appealed therefore to their dual governmental roles within both the executive branch, and the legislative branch of government. The ministers were represented by the Solicitor General, the government's lawyer, further highlighting that this was a government matter rather than a personal question.

Some saw the Court's summoning of the Ministers as breaching freedom of speech, which demonstrates the poor comprehension of the nature of freedom and perhaps of speech also. To the extent that speech is free, it has never been comprehended as carte blanche to say anything anywhere to anyone at any time. This case is not about putting
the judiciary or the courts above criticism. It is about the functioning of one arm of
government without interference from another. Further, it is about maintaining public
confidence in the way in which the courts work within our system of governance.

Whether or not the comments would be found to be contempt is a question of law for
determination of a judge. As no charges will be made, this is now an abstract question.
The real issue remains however. Members of parliament, and ministers, in taking on
those roles are required to adhere to the principles of governance that include upholding
the separation of powers. This is no abstract notion, but a living principle that is
performed daily by ministers, public servants, and parliamentarians including through
speech. Failing to adhere to these basic norms of good governance puts our system at
risk.

Kate Galloway is a legal academic with an interest in social justice.

Main image: Michael Sukkar
Reimagining work is a project for the unemployed, too

AUSTRALIA

Susan Leong

A lawyer, an engineer and a surgeon had to create a dessert that would win them a reprieve from elimination on the 25 May episode of Master Chef Australia. As someone who was made at 16 to choose between studying to be a lawyer or an engineer by my parents, I found it reaffirming to watch how deeply they wanted to begin a career in cooking via the unlikely vehicle of a reality show.

It's a cliché; but being a lawyer, engineer or doctor is among the dream jobs many parents (especially Asian parents like mine) wish for their children. After all, as was often pointed out to me, 'sooner or later we would need the advice and assistance of one
or all of them'. Yet, despite the status, earnings and mountains of cash invested in their training, these Master Chef contestants had relinquished this and sacrificed time with loved ones to be part of the show.

Why is there such a disconnect between the jobs we train for and the jobs we want? Is the conflict between the urge to join professions that provide a good living and the urge to follow one's passion when choosing an occupation?

When I wrote a few weeks back that the future of work lies in understanding work as 'pleasure in the exercise of our energies', one reader commented that 'these discussions have little meaning when you are poor or dispossessed' and that 'KPIs were a little inconvenient, but having no food on the table is also an indicator that does not need to be measured'.

Yes, gnawing hunger, unpaid bills and the want of a roof over one's head would push 'the joy of work' off one's list of priorities. My call then was for us to resist the debilitation of KPIs and tortures of Taylorism to plumb instead for 'the joy of work'.

As the Master Chef contestants showed, spending your life doing what you are competent at pales into insignificance when set against the prospect of a life engrossed in one's passions. And that is a decision that every worker, elite profession or not, paid or otherwise, has it within their power to make.

Still, why should this be a concern of the unemployed?

Ann Allison writes in Precarious Japan of a 21st Century Japanese society where swathes of people are 'everyday refugees', so called because they are 'stranded inside their own country without access to a secure job, stable home, or normal life'. Would I be worrying about finding 'pleasure in the exercise of my energies' when monthly mortgage payments loom or last-chance utility bills stack up?

"Elizabeth Povinelli contends that it is among abandoned people, places and social groups (like the unemployed) that the potential for a 'social otherwise' - a reconfiguration of ways of living - can come into being."

Considering the vicissitudes of academic life, stability and job security are as alien to me as for many others who work in the higher education industry. As Allison puts it, 'it is not simply the working poor who get stricken by unease in facing basic existence'. Modelling in the report Australia's Future Workforce released by the Committee for Economic Development of Australia in 2015 suggested that about 40 per cent of the workforce in Australia will be replaced by computers (and robots) in the next ten to 25 years. In 1963, when automation first posed a threat to employees in factories, James Boggs argued that:

'The magnificent productive tools of our day are the result of the accumulated labours of all of us and not the exclusive property of any group or class ... [so] everyone, regardless of class, regardless of background, is entitled to the enjoyment of the fruits of that development, just as all men are entitled to warm themselves in the heat of the sun.'
Almost 50 years later in 2011, Elizabeth Poinelli contended in *Economies of Abandonment: Social Belonging and Endurance in Late Capitalism* that it is among abandoned people, places and social groups (like the unemployed) that the potential for a 'social otherwise' - a reconfiguration of ways of living - can come into being. Having been on the margins myself, I can tell you there is something about being at the end of the road that is immensely liberating.

Even so, to walk away from such cul-de-sacs able and flourishing we must sever our ability to labour in exchange for money from our intrinsic value as human beings and find joy in the exercise of our energies. And that, in the end, is why even those without paid work should also rethink why and how we work. Doing so is not a luxury reserved only for the employed but a vital turn towards the otherwise if we are all to find warmth in the heat of technology's shining star.

Do employers have an obligation to structure work for human satisfaction?

Currently in Australia the government's *Innovation and Science Agenda* has placed disruption at the top of many industry and institutional agendas. Panicked yet 'transfixed by change' governments, businesses and institutes now believe the best strategy is to foment and create disruption internally and survive external upheaval. Within such a context it is futile to argue that satisfied workers result in better products or services and more profitable businesses. Not least because if we keep using the same yardsticks, i.e. revenue, to weigh the value of work we will always be stuck in the paradigm of profit and loss.

So, although I would like there to be an onus on employers to structure work for human satisfaction, I suspect it is more a matter for individual determination what allows one to find joy from work. Reflecting on close to 35 years of working life in the manufacturing, advertising and higher education industries across Singapore, Indonesia and Australia, I have found four elements essential for me to derive satisfaction from my work: support, stability, autonomy and trust.

Only, rather than depend on my employers alone I've learnt to seek support, stability, autonomy and trust from family, friends, colleagues, place and communities too. And in doing so, I've only just realised I reconfigured my way of living and found a social otherwise. You might find challenge and excitement more conducive. Whatever the case I hope you find your 'social otherwise' too.

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Susan Leong is Research Fellow with Curtin University in Western Australia, School of Media, Culture and Creative Arts. Her work has been published in Peril Magazine, Critical Asian Studies, New Media and Society and Thesis Eleven. Susan's research interests include digital media in Asia, internet sovereignty and banal precariousness.
Hanson's autism comments miss the value of diversity

EDUCATION

Madeleine Hamilton

The mood was subdued at the gates of our small Catholic primary school at 3:30pm on Wednesday. Ten per cent of our school's students have an autism diagnosis, and for their parents who had read Pauline Hanson's comments to the Senate that afternoon, those familiar feelings - dismay at the ignorance and lack of empathy of some people, worry for the future, and defiant pride in their diverse children - had been activated yet again.
They have all heard similarly clueless opinions spouted before by blowhards in supermarket checkout queues and swimming pool changing rooms: autistic behaviours are just the result of poor parenting; parents seek out a diagnosis for their children because it’s ‘trendy’, and irresponsible mothers induce their child’s autism by eating, drinking, wearing, or sitting on the wrong thing while pregnant. And, of course, there is that longstanding fallacy that autism is caused by vaccinations (also briefly espoused by Hanson).
However, Hanson's statement, 'we need to get rid of' autistic children from mainstream classrooms, has a particularly insidious sting to it, given that it was made by a federal Senator in the context of the Gonski 2.0 school funding negotiations.

That teachers and parents of neurotypical kids have supposedly lobbied Hanson about the ill-effects of inclusive education reveals, at best, some resistance to the presence of differently-abled children in mainstream classrooms. At worst, it displays a yearning to return to the segregated systems of the past, whereby some children could be hidden, forgotten and granted a substandard education in contravention of their human rights.

It also limits and defines children to only one aspect of their identities. 'It makes me feel sad,' said Kelly*, the mother of one of my daughter’s classmates, 'that people wouldn't see our kids are more than autistic. They are amazing people with so many gifts to share.'

Even if Hanson has not been approached by a single teacher or parent about this issue, at the expense of children with disabilities she has reprehensively sought (yet again) to have a divisive effect on the Australian community for her own political gain.

As the parent of a child with an intellectual disability wrote to Bill Shorten on Wednesday afternoon, such behaviour by an elected representative 'doesn't shock me - but it does break my heart all over again. It doesn't matter how many times it's happened before, I feel the knife twist again.'

The present system is imperfect, but Hanson's focus is woefully misdirected. If she wanted to have a positive impact on the education of 'our kids' (whoever they are) and children with additional needs, she would use her powerful position to push for increased funding to support teachers in the classroom.

"Hanson's focus on the supposed 'drain' children with additional needs have on their teachers and classmates wilfully ignores the very many positives they bring to a classroom, and the enrichment they bring to a school community.'

The provision of more professional development and employment of classroom aides would be of far greater benefit (and more cost effective) than re-establishing a national two-tiered education system, which would only segregate the community and perpetuate the kind of ignorance Hanson revels in.

Her focus on the supposed 'drain' children with additional needs have on their teachers and classmates also wilfully ignores the very many positives they bring to a classroom, and the enrichment they bring to a school community. Penny*, a classroom aide, tells me that inclusive education 'encourages neurotypical children to socially engage and socially include children with autism, and hold a greater understanding of the disorder. This in turn creates socially inclusive and understanding adults.'

Fenella, a newly qualified primary school teacher, similarly refutes the notion that her students without disabilities are 'disadvantaged' in the classroom. She says, 'they are exposed to the idea of difference, and what is wrong with that?' She also observes that the modern classroom teacher works not only with children on the spectrum, but children with speech impediments and those who 'have never been exposed to a book before'. Where exactly would the line be drawn in Hanson's poorly envisioned education system?
What level of 'ability' would a child require to ensure her welcome in a mainstream school?

As the school gradually emptied out for the day, and children scattered to their parents' waiting cars, or grabbed their scooters and bikes for the ride home, my friend Sammy's feelings about Hanson's statements gave me a heartening insight into what I believe so many parents of children in mainstream schools think. She said she is 'amazed and inspired' by the differences she sees in our school, particularly the ways in which some children have to rise above challenges and 'work that bit harder to find their way. There is so much to be gained from an inclusive world,' she said, 'and it all starts in their classrooms.'

I'm certain that in the coming days, Pauline Hanson will receive similar feedback from her constituents who embrace their children's experiences of humanity in all its diversity. Just as she was forced in March to backtrack on her statements about vaccines causing autism, perhaps she will be compelled to apologise for yesterday's assertions about the necessity of excluding children with additional needs from mainstream education.

Madeleine Hamilton has a PhD in Australian history and is currently undertaking a Masters in social work.

*names changed to protect privacy*
Finkel and the climate theatre of the absurd

ENVIRONMENT

Greg Foyster

If politics is theatre, climate politics is a family drama. For the last decade we've watched two rival households having the same endless argument. (In fair Canberra, where we lay our scene.)
Political journos call it the 'climate wars' and mostly focus on the lead actors standing in the spotlight. That's understandable: in the Western narrative tradition, characters drive events. And so we all know the story of Abbott usurping Turnbull for the Liberal leadership over emissions trading in 2009, clinching victory by one vote. We watched Abbott destabilise Gillard's reign with his relentless 'carbon tax' jabs, then brutally repeal the price on carbon legislation.

At times it's been a fascinating character study of Malcolm Turnbull, forehead wrinkled with worry as he contorts between his conscience and ambition. Most recently it's been a farce, with lumps of coal passed around parliament as a comedic prop. Almost no one has noticed the scenery change. Stagehands dismantled the backdrop years ago, but the politicians have kept carrying on as if the same circumstances existed when they started this charade ten years ago.

Now Chief Scientist Alan Finkel has entered from the wings with a new report that should make the Coalition realise everything around the debate is different, and the old lines don't make sense anymore. Instead, Abbott and co., desperate for some attention, are doubling down on stale rhetoric.

Let me explain what I mean by all this theatre analogy stuff with a quick recap of the 'climate wars'. Act One started in 2007 when both John Howard and Kevin Rudd went to the election proposing an emissions trading scheme.

Rudd won, ratified the Kyoto Protocol - something Howard had refused to do - and then introduced the flawed Carbon Pollution Reduction Scheme. Opposition leader Malcolm Turnbull supported it, but many in the Liberal Party didn't, and Tony Abbott used the
division to seize the Liberal leadership.

That's what the players we're doing, but as I said, the background is more important. At this point, the debate consisted of some core assumptions. First, that renewable energy needed subsidies to compete. Second, that a plan to cut emissions would push up power prices and cost jobs. Third, that business and industry preferred the status quo.

"As energy analyst Tim Buckley has pointed out, this staggering technological and economic shift is hardly mentioned in the debate. In fact, the market is transforming so quickly that the Finkel Report's modelling is already out of date."

These assumptions were contested, but dominant in the media narrative, which was driven by the Murdoch press. When Abbott became Opposition leader in December 2009, this is the landscape he saw. That month, the UN climate talks at Copenhagen ended in disappointment, reinforcing the Opposition's do-nothing denialism.

All of this was fuel for Abbott's relentless carbon tax campaign. As his former Chief of Staff Peta Credlin later revealed: 'We made it a fight about the hip pocket and not about the environment. That was brutal retail politics and it took Abbott about six months to cut through and when he cut through, Gillard was gone.'

But Abbott wasn't a villain operating in a vacuum. He was also a product of the circumstances - the theatre backdrop. He had a lot of help. Large business groups provided case studies with inflated figures about catastrophic job losses under a carbon price. Manufacturing companies, some of them Liberal party donors, let him tour their factories for the cameras. The big energy generators wailed about power prices rising and the lights going out.

When the Finkel Report was released this month, Abbott admitted he hadn't read it, then gave us his opinion anyway. He called the proposed Clean Energy Target a 'tax on coal'. His Chief of Staff, Peta Credlin, wrote an opinion piece for the Daily Telegraph that read like a greatest hits album of climate and energy myths, circa 2010. They were rehashing their lines from Act One, without realising everything underpinning their arguments had changed.

First, it's now cheaper to build a new solar or wind power station than coal or gas. And that's even before we factor in a carbon price or the massive cost of rehabilitating mines after they close. Here's the relevant chart from page 100 of the Finkel Report, the one Abbott didn't read:
The chart shows the levelised cost of energy, which is the cost per megawatt-hour for building and operating a power station over its assumed lifetime. The black bar is the fixed cost of building it, and the blue is the cost of operating. As you can see, wind and solar are the cheapest.

See the green bars? That's an added cost if renewable generators are forced to have a certain amount of 'dispatchable' capacity, one of Finkel's recommendations. Dispatchable means energy available on demand - in this case, storage or gas attached to renewables. It's suggested to improve reliability, but in his presentation to Coalition MPs, Environment and Energy Minister Josh Frydenberg argues it 'levels the playing field' for coal. In other words, coal now needs government help to compete!

Second, a credible and enduring plan to cut emissions will reduce power prices, not raise them. It's worth explaining how Finkel got to this point. Abbott has complained that Finkel is 'all about emissions', but actually the review was a response to the South Australian blackout in September 2016, which the federal government politised as an 'energy crisis' then said we needed to investigate the security and reliability of the grid. The terms of reference only mention climate once.

A plan to cut emissions is proposed as a solution to current issues in our national electricity market. In Finkel's words (page 75): 'During the Review, the overwhelming view from stakeholders, especially from within the electricity sector, was the need for a credible and enduring emissions reduction mechanism.'

Exactly who is pushing for it? Finkel quotes submissions from AGL, Energy Australia and Origin. In other words, the biggest polluters in the country are now calling for a kind of carbon price because it would bring investment certainty to the electricity market. That would increase supply and, ultimately, bring down prices. It's the inversion of Abbott's
assumptions from 2009.

Third, and this is a related point, business groups are against continuing the status quo. In their submissions, AI Group, Australian Energy Council and Business Council of Australia call for a policy to reduce climate pollution. Several have **publicly backed** an emissions intensity scheme, Labor's preferred option.

Where does all this leave us? For most commentators, the Finkel Report is seen as a way to end the political 'climate wars'. In this analysis, the proposed Clean Energy Target is worse than what has previously been on the table, but perhaps better than another wasted decade of bickering. It's framed as a choice between accepting a third-rate Coalition policy with a chance of bipartisan support, or holding out for Labor to introduce something more in line with the science, which might get repealed later.

This is a genuine dilemma, but once again the focus is on the political parties squabbling in the foreground, not the rapidly transforming economics in the background. It overlooks that wind, solar and battery storage are disruptive technologies that have **already** changed the dynamics of our energy grid. It neglects that the price of solar is dropping exponentially. As energy analyst Tim Buckley has pointed out, this staggering technological and economic shift is hardly mentioned in the debate. In fact, the market is transforming so quickly that the Finkel Report's modelling is **already out of date**.

I look forward to watching the Final Act unfold. But I won't be watching the clowns on stage. My eyes are on the scenery. That's where the real action is.

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**Greg Foyster** is a Melbourne writer and the author of the book *Changing Gears*.

**Pictured: Dr Alan Finkel**
Justice is weakened when the court of public opinion reigns

AUSTRALIA

Andrew Hamilton

The presumption of innocence has recently been in the dock. Most notably in the curious affair of the three Federal Ministers and the Victorian Court of Appeal.

The judges hearing a case had reserved their decision on an appeal on sentencing. The three musketeers laid heavily into the judges. The Victorian court of appeal in turn summoned the ministers to appear before it on the grounds that the comments appeared intended to bring the court into disrepute and to influence the judges' decision.

The ministers had arguably questioned the independence of the courts in evaluating the factors involved in sentencing, so implying that the Commonwealth Government and public opinion should decide on what punishment is appropriate and the judges should accept that judgment.

Other cases have raised the larger question whether in our society the presumption that those accused of crimes are to be adjudged innocent until found guilty is now yielding to the assumption that those accused of crime are guilty till they are found to be innocent. Is it now the case that people who have been found guilty in the court of public opinion have to prove their innocence, and that courts will be judged to have failed unless they ratify the guilty verdict already reached?

A straw in the wind that suggested this new doctrine was the dissemination of photographs of suspects in the concurrent Sydney taxation fraud case, and public
discussion of how, as well as whether, those later accused were involved in fraud. It seemed that public judgment had been pronounced, with the result that it is difficult to imagine any of the accused being seen as innocent, regardless of the verdict.

Another indication is to be found in the proposals made around Australia by politicians for dealing with terrorism suspects. These would allow children and adults to be detained on suspicion and continue to be detained after having served sentences. Judicial decisions to free people after their sentence is served might also be countermanded by the minister.

The tenor of these events and proposals supposes that politicians and perhaps the media, as representatives of the people, are best placed to decide on guilt and punishment. As a result they can second-guess or override judicial decisions and deprive people of legal protections. The de facto presumption is that people accused of terrorism are guilty until they are proved innocent.

If this significant cultural shift from the presumption of innocence is indeed taking place, one factor may paradoxically be the commendable focus of our society on the victims of crime and on their rights. This welcome development is demonstrated in changing attitudes to domestic violence, to discrimination on the basis of gender or race, and to big corporations' treatment of their clients.

"To lose this bias towards acquittal of the innocent without reflecting on the wisdom gained over centuries of reform of penal law opens the way to popular or elitist tyranny."

It may also be reflected in the public recognition of the evil of terrorist crimes and of the horrible consequences for the victims. The harm done to people by unethical behaviour and their right to demand redress now receive wider support and are given fuller weight.

The focus on the experience of people who have suffered unjustly and the fresh recognition of the harm that they have suffered leads naturally to the demand that perpetrators who have long escaped being held to account will be brought to justice. The difficulty of the law to respond to this demand, evident perhaps in the response to the Bill Cosby trial in the United States and in widespread dissatisfaction about the difficulty of securing convictions for rape, creates pressure to take short cuts by reducing the legal protection of the accused and by trying people informally in the media. Presumption of innocence changes into a presumption of guilt.

All this is an understandable response to the slow process by which refinements of public moral judgments are translated into the judicial system. But it is worth reflecting on what will be lost if as a society we reverse the presumption of innocence. We shall be reversing a cultural shift that has taken painful centuries to build and weakening all the protections that flow from it. Our legal system is built on the premise that courts should judge fairly questions of guilt and innocence, on the commonsense observation that they often get it wrong, and on the generous assumption that in the case of serious doubt it is better for society to acquit a guilty person than to convict and punish the innocent.

To lose this bias towards acquittal of the innocent without reflecting on the wisdom gained over centuries of reform of penal law opens the way to popular or elitist tyranny. That is why it is particularly important to support the justice system in a time when the
winds of brutality blow.

Andrew Hamilton is consulting editor of *Eureka Street*.
The Lady Macbeth of Northumberland

REVIEW

Tim Kroenert

Lady Macbeth (MA). Director: William Oldroyd. Starring: Florence Pugh, Cosmo Jarvis, Naomi Ackie, Christopher Fairbank, Paul Hilton. 89 minutes

The evocation in the title of one of the Bard's most famous tragic characters is mostly emblematic. Catherine (Pugh), the anti-hero of this psychologically disturbing British period drama, is not averse to scheming, manipulation, and even violence when circumstances call for it, in pursuit of her goals. But unlike her Shakespearean predecessor, there is no incapacitating remorse in store for her.

Lady Macbeth of the Mtsensk District, the 1865 Nikolai Leskov novella on which the film is based, contains echoes of Flaubert's Madame Bovary, which had been published almost a decade before. Its central figure Katerina foreshadows Lady Chatterley too, which was still over half a century away. All three examine the pursuit of actualisation by women in repressive societies, through sexuality and self-agency.

In Oldroyd's hands, Leskov's story becomes an examination of power - who has it, how it can be gained by those who lack it, how it is used once it is attained - that feels thoroughly modern, despite its late 19th century setting. He transplants the action from rural Russia to chilly Northumberland, whose wind-wracked hills and fields enhance the sense of alienation that tortures Catherine.

She arrives a new bride, along with her husband Alexander (Hilton), to take up residence in a luxurious homestead owned by her father-in-law Boris (Fairbank). Quickly we get a sense of how little control she has over her destiny. Alexander demands she remain inside the house at all times; when one evening she wishes to go to bed early, Boris orders her to remain awake until her husband is ready to join her.

She seems part of the furniture, literally; there is a recurring image of her sitting alone on a sofa, centrally placed within the frame, surrounded by her keepers' opulent possessions, as ornamental as a china doll. Her maid Anna (Ackie), too, treats her like an ornament, to be brushed and cleaned and vigorously girdled with no concern for the young woman's physical comfort.

At night, lack of sexual fulfilment is added to the boredom and angst of Catherine's days. Alexander's treatment of her in this regard further underscores her role in the household as an attractive object. On their wedding night he watches her disrobe then climbs into bed with his back to her. Later he makes her stand naked against a wall while he masturbates on the far side of the room.
Yet she is not the most powerless person in the house. The maid Anna is made by Boris to crawl like a dog for a crime Catherine committed. Anna's dehumanisation is underlined when she is stripped naked and trussed up like a pig by the servants who work the grounds. Catherine comes to see Anna, in her powerlessness, as a cog in the manipulations she later sets in motion.

"This is a world where power is acutely stratified by various intersections of wealth, class, gender and race."

Catherine is intrigued by the ringleader in the 'pig' incident, farmhand Sebastian (Jarvis). While Alexander is absent for an extended period, Sebastian comes to her room, and his attempted rape transitions into willing intercourse. Here, there are resonances of yet another strong female literary figure, Dominique Francon, whose affair with Ayn Rand's 'ideal man' Howard Roark began in similar fashion.

Given his social status, Sebastian's power relative to Catherine's is diminutive. By the time she warns him, at the height of their affair, that she'll kill him if he leaves her, we know (as does he) that she is capable of it. From a place of near total oppression she has discovered in him a path to independence and individual satisfaction, and will go to increasingly brutal lengths in order to defend it.

In short this is a world where power is acutely stratified by various intersections of wealth, class and gender. (Race, too: Anna is black in addition to being poor, subservient and female, yet a black woman of established wealth who arrives at the house in the third act exercises power over not only her, but also Catherine.) And violence as ever has the capacity to reshape the entire landscape.

The film is largely amoral. Perhaps taking German filmmaker Michael Haneke as a touch point, Oldroyd (assisted by Australian cinematographer Ari Wegner's considered composition) applies a cool detachment equally to beauty, banality and brutality. As a
result the film's considerations of power are academic rather than merely cautionary. They leave room for reflection on the part of the viewer.

Tim Kroenert is editor of *Eureka Street*. 
Petty political class is stunting Australia’s growth

AUSTRALIA

Fatima Measham

Some days it seems a marvel that there is not much unrest in Australia, compared to other parts of the developed world.

Perhaps we're opting for cruise control after the high-octane, fender-bending Rudd-Gillard-Abbott years. Or perhaps it is because our welfare systems, social institutions and security apparatus are holding, making it less easy for agitators to mount a case against migrants or call for an overhaul in Canberra.

But the conditions for distrust and disgust are plain, from looming penalty rate cuts to worsening levels of housing affordability. Wage growth is at a record-low and underemployment is high.

Such conditions drive voters to seek alternatives. In the latest Essential poll, the primary vote for Pauline Hanson's One Nation lifted to 11 per cent, despite its patchy record on welfare, as well as multiple scandals over its internal workings. It generally does not bode well when competence is no longer the baseline; though in a leadership vacuum, 'someone else' holds a natural appeal.

In any case, there can be worse things than incompetence. There is timidity. Mediocrity. Running up the cost of doing nothing at all. In so many ways, the Australian political class is holding us back. That is the crux of nearly every policy impasse over the past several years. We are stunted.

The recent Finkel review into our energy supply is illuminating in this regard. It has quickly amounted to nothing more than paper-pushing, through no fault of the chief scientist. The Coalition has decided that the Clean Energy Target, a mechanism for investment in new low-emission power generation, needs further analysis.

It is classic stonewalling - as if infrastructure issues, inflated electricity prices, and slack investment in renewables and storage have not already overtaken us. It calls to mind the plebiscite tactic, which deliberately kicked same-sex marriage further down the road despite every poll confirming that Australians just want it done.

The reticence against the CET is not just ideological. It is petty. The CET would be a price on carbon emissions in effect, bringing the Liberal Party closer to Labor policy. Some of
its MPs think this is a bad thing. The same mentality left negative gearing and capital gains tax discounts untouched in the recent budget, despite the drain on revenue. It would look too much like a concession to the other side.

"The overarching and more significant divide seems to be between us and the people who rule over us. If only there was a way to stop them from holding us back from the kind of country that we want to be."

This is typical of the mediocrity that keeps Australia inert. Political dividends are seen to come from partisan theatrics rather than - shock, horror - reflecting what Australians care about, or exercising a larger leadership than that of the party.

If polls were any measure and democratic representation meant anything at all, there would be bipartisan agreement about things like action on climate change, legalising same-sex marriage, a constitutionally bound and just relationship with Indigenous peoples, resettling refugees from Nauru and Manus, and protecting penalty rates.

Support for such things present a picture of the kind of people that Australians probably are: fair-minded, open and collectivist. It is a vision to reach for and one that does not get validated near enough.

There are real divisions, to be sure, but the overarching and more significant divide seems to be between us and the people who rule over us. If only there was a way to stop them from holding us back from the kind of country that we want to be.

Fatima Measham is a Eureka Street consulting editor. She co-hosts the ChatterSquare podcast, tweets as @foomeister and blogs on Medium.
Political donations reform ignores insider politics big picture

AUSTRALIA

John Warhurst

The revelations that several billionaires of Chinese origin, one an Australian citizen and the other currently seeking Australian citizenship, have sought to influence Australian politics through large political donations have rekindled bipartisan concern to ban such donations from foreign sources.
That it took investigative journalism by ABC Four Corners and Fairfax media to generate such a rush to reform is a reflection on the Australian political class. While it is likely that reform legislation will be introduced and passed before the end of the year that will be only a very partial response to a bigger problem.

The whole Australian approach to political donations and political lobbying breeds corruption and insider politics because regulation of both is ineffective and there is a lack of urgency about making the political process more transparent.

There is an acceptance of close contacts between insiders and those in government and of former government ministers and advisers quickly entering the lobbying industry when their time in office ends. Such a transition is seen by participants as merely an appropriately highly-paid reward for previous government service.

All of this contributes to a culture in which lobbyists and billionaires play an accepted role during election campaigns and in relations between government, parliamentarians and private interests. Within such a culture ethics become uncertain and relationships murky. Insiders are given privileged access to information and decision-making. This is the case in federal, state and local politics.

The Chinese political donations scandal has been framed as a security issue because of the apparent links of these billionaires to the Chinese Communist Party and, by definition, the Chinese government. Such connections raise fears that are not raised to anywhere near the same extent by foreign donations from other sources, whether from our traditional allies or elsewhere.

There is in fact a long history in Australian politics of political donations from outside the country from multi-national businesses with interests in Australia as well as other movements and causes like trade unions, environmental movements and church-based organisations.

Regardless of their ultimate motivations the Chinese billionaires have acted like any other billionaires in trying to influence government. They have spread their money around. They have made donations to political parties, insinuated their supporters into those
political parties and sometimes into parliament, made links with sitting MPs and community organisations and recruited former ministers to advise and lobby for them.

"Such reactions are par for the course. They are a sign that the political class just doesn't understand how compromised their acceptance of insider politics as normal has made them."

Both major parties have been implicated. Within Labor the NSW state and federal parties have been closely linked. Senator Sam Dastyari is the most well-known federal Labor figure. When his links with Chinese-owned companies were revealed he was removed from the shadow ministry. On the Coalition side the former trade minister Andrew Robb was snapped up after leaving parliament at a consultancy rate of nearly $1 million per year to advise one of the companies concerned.

Both Dastyari and Robb consider themselves unfairly treated. The former thought his acceptance of financial favours was just careless and trivial, while the latter was apparently dumbfounded that anyone should question his new job on ethical grounds.

Such reactions are par for the course. They are a sign that the political class just doesn't understand how compromised their acceptance of insider politics as normal has made them. Notably both men had long careers in party organisations before entering politics so they know how the system works.

Foreign influence comes in many forms and Australia is not a political island. However, foreign political donations should be strictly regulated because our domestic politics should be insulated from foreign influence as far as possible. China poses a special concern in this context.

But there is a contradiction at the heart of any parliamentary response which comes down hard on foreign political donations without looking at the bigger picture. If we put our house in order as far as political donations and lobbying in general are concerned we can then better consider those from foreign sources.

John Warhurst is an Emeritus Professor of Political Science at the Australian National University.
Homelessness has many faces

AUSTRALIA

Danusia Kaska

The first thing I noticed was his Mercedes. It was only when he got closer that I realised he was also wearing a pretty expensive-looking suit.

We don't see the likes of - well, let's call him 'John' - coming to our soup vans every day. When you've been visiting the streets of Melbourne serving food to many of the city's hungry, lonely and dispossessed for a couple of decades you do get used to seeing the same old faces.

But John reminded me of a very important lesson. That homelessness hasn't got a 'look'
- and the word 'homeless' never describes the person, only their circumstance.

It's a big idea. Perhaps that's why some people struggle to grasp it. But as a soup van operations manager I see it every night. The people we see are experiencing homelessness in one way or another and it's clear that with homelessness there's no one size that fits all. It could be an older person, a couple in a car, a woman in a domestic violence situation or someone with mental health, trauma or substance abuse issues.

Of course, the main thing we serve is soup, because it gives people a great deal of comfort, and every night we have a wonderful team of volunteers chopping up vegetables to make 70 litres of soup. We also create thousands of sandwiches a night.

If that sounds like a great deal of food that's because it needs to be. There are people right now in all our capital cities who are experiencing food shortage. We have some people who come to us and say that once they've paid their utilities and rent there's very little left over to provide meals for the whole week. So we might see them two nights a week. Others we see every night of the week, because they come for friendship and social connection.

On any given night across Victoria our volunteers, or Vannies as we are affectionately called, see up to 1000 people, and the Vannies go out seven nights a week, rain, hail or shine. Sometimes we have one person front up and request quite a lot of food. In our experience this often means that the person will take those meals to their friends back at their boarding house, or squat, or to a family in need.

Most people come to us to talk, or for assistance. Usually they're very hungry and it might be their only meal for the day. These people may not attend other services during the day. They have told me they feel ashamed, because they don't feel like they're adequately dressed, or haven't had a shower for over a week, so they come to us and know that they will be accepted as they are and won't be judged.

"Providing a warm and comforting meal for those in need is so much more than just providing food. So many who come to our soup vans come because they're experiencing a great loneliness and emptiness inside."

People have asked me about 'backpackers coming for free food'. I can honestly say that I haven't come across many, and those I have, are genuinely down on their luck and in need. We serve communities of people who know each other, and we know them, so when we see a new face among those we're serving we'll get alongside them and most of the time we'll discover a genuine need in that person.

The latest Australian Council of Social Service statistics support this. According to results released in 2016, there were close to three million people living below the 50 per cent of median income poverty line. Of these, 731,300 were children.

Unfortunately, this isn't news to us. We often have mum and dad with kids in the back of their car, who turn up for an evening meal. People ask me 'Why are they coming to the soup van? They've got a car.' Well, that family is probably going to drive around the corner and eat their food in their car and sleep in the car because that's actually their
home.

Providing a warm and comforting meal for those in need is so much more than just providing food. So many who come to our soup vans come because they're experiencing a great loneliness and emptiness inside. When someone says to you, 'If it wasn't for the Vannies, I wouldn't be here, but you gave me hope to keep going,' it's pretty powerful.

You might want to know what happened to John. We gave him food and a sleeping bag. It turned out he'd lost his job, and the suit and car were the last things he owned. He talked and we listened, and I'd like to think that when he finally packed up for the night, he went away with something else, too. His dignity.

Danusia Kaska is Vinnies Soup Van Operations Manager for Melbourne.

Main image by Stella Chrysovergi.

This Thursday 22 June* more than 1530 CEOs across Australia will take part in Vinnies CEO Sleepout, which raises more than $6.5m every year and supports vital services for people experiencing homelessness, including crisis accommodation, food vouchers, soup vans, rent assistance, referral services and more. (*In Adelaide, the event is held on 29 June.)
The origins and incoherence of Australia's asylum seeker policy

AUSTRALIA

Frank Brennan

During Refugee Week 2017, I would like to offer a historical perspective on how we got to where we are in the hope that we might be able to convince one or both of our major political parties to reset their policy, which is needlessly destroying lives, including the lives of children who are proven refugees still living in the no man's land of Nauru.
I am resigned to the boats from Indonesia being stopped and staying stopped. But I think it is high time to stop the cruel treatment of the proven refugees on Nauru and Manus Island, and to provide a permanent solution for the asylum seekers waiting inordinately in the Australian community. Their treatment is separable from the stopping of future boats setting out from Indonesia. The Commonwealth's $90 million settlement of the claim brought by asylum seekers on Manus Island should be a wake-up call to us all.
We are a nation of only 24 million people. We are an island nation continent. Over half our population was born overseas or had a parent born overseas. Australia is a successful multicultural nation founded on the dispossession of the Aboriginal people. At the end of the Vietnam War, Australia took in more Vietnamese refugees per capita than did the USA and Canada.

At first, when Vietnamese refugees started arriving by boat in Darwin Harbour, Australia’s political leaders were terrified. The Australian political leaders on both sides agreed Australia should be generous in accepting those refugees, in part because Australians had fought alongside them in a protracted war. But they were insistent that a regional solution be found and that refugees be held in camps throughout South East Asia while Australian officials chose which refugees to accept for resettlement in Australia.

Australia has long prided itself on having a large but tightly regulated migration program, admitting people under three streams: family reunion, business and humanitarian. Refugees are included in the humanitarian program which also includes places for other groups such as women at risk. Australians have been most supportive of high levels of migration when government is perceived to be in control of the program. Though only 2000 Vietnamese arrived in Australia by boat, Australia received an additional 56,000 Vietnamese refugees between 1976 and 1981 who were chosen by Australian officials and usually from the camps in South East Asia.

In 1982, the Vietnamese government agreed to an Orderly Departure Program and Vietnamese refugees came in numbers up to 15,000 pa even when the whole migration program was limited to 70,000 places a year. The Australian public was quite accepting of this refugee flow. By 1989, a Comprehensive Plan of Action was finalised for the Vietnamese and further resettlements were not assured. By this time Australia had received 177,000 Vietnamese refugees but only 2000 of them had come directly by boat.

No sooner had the tap for Vietnamese arrivals been turned off than a few boatloads of Cambodians started to arrived in Darwin Harbour. This was particularly problematic for the Labor government led by Bob Hawke. Hawke’s Foreign Minister Gareth Evans was instrumental in the Cambodian peace process. The government could ill afford to start recognising Cambodians as refugees. The government was afraid that the Cambodians with ready access to lawyers in Australia would be able to commence protracted litigation disputing the rejection of their refugee claims. So the government decided that in future all asylum seekers who arrived by boat without visas would be held in detention until their claims were determined.

"These asylum seekers were not from the region, and they were transiting numerous countries en route to Australia. Australian policy makers decided to take a more legalistic approach, claiming to comply with the letter of the Convention, if not its spirit."

Australia, being a signatory to the 1951 Refugees Convention and the 1967 protocol, remained committed to the obligations set out in the Convention, especially the obligation not to expel or return a refugee to any frontier where their life or freedom would be threatened, and the obligation not to impose penalties for illegal entry or presence on those refugees coming directly from a place where their life or freedom was threatened and who presented themselves without delay to the authorities on arrival. In the past, Australian officials were prepared to treat all asylum seekers as if they were still
in direct flight from persecution, in part because Australia's immediate neighbours like Indonesia and Malaysia were not signatories to the Convention and because the asylum seekers were coming from countries within the region like Cambodia.

But from 1989, more asylum seekers were arriving from China. And by 2001, they were coming from countries like Iraq and Afghanistan. These asylum seekers were not from the region, and they were transiting numerous countries en route to Australia. Australian policy makers decided to take a more legalistic approach, claiming to comply with the letter of the Convention (if not its spirit), while detaining asylum seekers and offering successful refugee applicants a temporary protection visa rather than a permanent protection visa. The view taken was that these people by the time they boarded a boat in Indonesia were no longer in direct flight from persecution but rather were seeking a more benign migration outcome and a superior form of security and processing for their refugee claim.

Given that Australia had a well regulated migration program, the policy makers convinced government to change the rules such that every asylum seeker who made it onshore and who was recognised as a refugee would be seen to be taking the place of a hapless asylum seeker or deserving humanitarian case offshore who had no access to a people smuggler and who was waiting their turn with UNHCR and the Australian government, which exercised the option as to which of the tens of millions of displaced persons on the globe would be chosen for resettlement in Australia.

In August 2001, when the MV Tampa picked up 433 hapless souls on the high seas, the Australian government refused the ship captain permission to land on Australian territory and despatched the military to remove the asylum seekers from the container ship and take them immediately to Nauru in the Pacific for processing. The Australian government repeated the mantra often used by their predecessors: 'We will decide who comes to this country.' The Howard government was adamant that the Australian public would remain sympathetic to a generous migration program including a steady stream of humanitarian cases provided the government could be seen to be in control of the borders and in control of the program. Government considered a variety of measures aimed at deterring people smugglers in Indonesia and at stopping boats from leaving Indonesia.

"The Australian model could never work in Europe where those crossing the Mediterranean tend to come from Libya. It cannot work anywhere unless the receiving state has on hand at least one mendicant state which is a signatory to the Refugees Convention, happy to warehouse refugees for ready cash."

Some Australians thought these measures too punitive and that Australia was needlessly exploiting its advantage that it did not have any land borders. When the Howard government was defeated at the 2007 election, the newly elected Labor government led by Prime Minister Kevin Rudd decided to unwind some of the punitive measures in place. This was done with insufficient co-operation with the Indonesians, with the result that the boats started coming again and in numbers never before witnessed in Australia. 50,000 asylum seekers arrived by boat and 1200 perished as sea.

By the time of the 2013 election, our major political parties were equally committed to stopping the boats by whatever means it took. Some boats had come direct from Sri Lanka. But most boats carried asylum seekers from Iraq, Afghanistan and Iran who were transiting various countries, most recently Indonesia. There was no credible suggestion
that these asylum seekers were suffering persecution in Indonesia. They were seen as individuals engaged in secondary movement seeking a more benign migration outcome. Thus they were treated punitively.

Even though an expert panel reported to government in 2012 that boats could not be turned back to Indonesia safely and legally, the newly elected government of Prime Minister Tony Abbott started turning boats back in 2013 refusing to disclose information about 'operational matters'. The residual caseload of proven refugees on Nauru and Manus Island are awaiting resettlement. To date, both the Turnbull government and the Shorten opposition refuse to contemplate resettling them in Australia.

Australia’s 'merit-based immigration system' is posited on deterring asylum seekers who are not fleeing directly from persecution in neighbouring Indonesia both from ever reaching Australia and from ever being able to settle permanently in Australia. Politicians are confident that public sympathy for an increased humanitarian caseload is enhanced when government can choose who comes to Australia, having had the opportunity first to screen asylum seekers before the grant of any visa.

The Australian model could never work in Europe where those crossing the Mediterranean tend to come from Libya, a failed state which could provide no assurance whatever that returned asylum seekers would not be refouled. It cannot work anywhere unless the receiving state has on hand at least one mendicant state which is a signatory to the Refugees Convention, happy to warehouse refugees for ready cash. The Australian model is frightfully expensive, and has occasioned great suffering on the residual caseload of refugees waiting on Pacific islands for resettlement and on the 30,000 asylum seekers waiting in the Australian community without access to adequate work and welfare rights.

But it has stopped the boats much to the relief of populist politicians anxious to outdo each other in looking tough on border protection in these uncertain times of increasing terrorist threats. The boats can remain stopped without our continuing cruel and inhumane practices on Nauru and Manus Island and without our leaving lives permanently on hold here on the Australian mainland.

Frank Brennan is CEO of Catholic Social Services Australia and Adjunct Professor of Law at Australian Catholic University. He is the author of *Tampering with Asylum*.

Talking the talkback

CARTOON

Fiona Katauskas

Respect and tranquility in a Japanese tea ceremony

INTERNATIONAL

Penny Garnsworthy

On a cool autumn night in Kyoto, I sit on a bench outside a traditional tea house, with a dozen other guests. A young woman dressed in traditional kimono opens the sliding door and welcomes us inside. Quietly she asks us to remove our shoes; I place mine on a timber rack with the others and follow her into a dimly lit and sparsely furnished room.
We are invited to kneel on soft tatami mats and form a circle around a small collection of pots and utensils including a furo (portable brazier), kama (kettle), cha-ire (tea caddy), chashaku (tea scoop), hishaku (ladle), chasen (bamboo tea whisk) and chakin (white linen napkin).

As I kneel I can see that the room is spotless: prior to our arrival the tatami mats have been cleaned thoroughly with a houki (palm broom) and doors and windows checked for any dirt or holes - hygiene is imperative.

The young woman then introduces an older woman also dressed in traditional kimono; she is the devotee, the teishu (host) who will prepare the tea. A hush falls over the room as the teishu bows, kneels and begins the 'movement'.

The tea ceremony was perfected centuries ago. In 15th Century Japan a young man named Murata Shukou, who was studying for the priesthood, began to practice Zen philosophy. His teacher explained that the spirit of Zen was also present in the practice of tea-making, so Shukou began a journey of discovery into making and serving tea.

He spent the rest of his life refining the ceremony and passing on his knowledge to anyone interested in learning the art of cha-no-yu.

Shukou believed that serving tea should be an intimate affair, a simple act practised in a tranquil atmosphere. And today, a tea ceremony provides just such an opportunity, where guests can relax over a cup of tea with their host. But on another level it is said that participants in a cha-no-yu can reach deep spiritual fulfilment through silent contemplation as they observe the ritual.

Tonight in Kyoto, the Teishu removes lids and pours, wipes and ladles; then she scoops, pours some more, and whisk; folding and refolding the chakin as her hands move delicately, almost melodically. There are almost 40 steps involved in this ancient ritual; time stops and I am mesmerised by the rhythm and the silence, as if I am separated from the world and nought exists save for the movement.

"Upon entering the tearoom, all discrimination between self and other vanishes, a spirit
of gentleness prevails, and that peace may be attained when modesty, respect, purity and tranquillity are understood." - Murata Shukou

After an indeterminate time the Teishu pours the brewed tea into a chawan (earthenware bowl) and offers it to me. I lean forward and bow. After receiving the bowl I return to my kneeling position and take a sip. At first I am surprised by the bitter taste of the matcha tea, but I am offered wagashi (sweets) as a welcome remedy. Through all of this there is absolute silence, and I feel an indescribable peace.

As we drink our tea, the teishu proceeds to clean the pots and utensils, almost noiselessly, replacing lids and using the hishaku and the chakin to pour and wipe. She then removes her dogu (tools) and withdraws to another room, leaving us with our tea bowls to linger a while, and ponder over what has been a truly memorable experience.

At last the teishu appears at the door, and bows. It is time for us to leave. I take with me the memory of the movement but more importantly, the desire to replicate this experience and these feelings in my own tea ceremony back home.

Shukou said that 'upon entering the tearoom, all discrimination between self and other vanishes, a spirit of gentleness prevails, and that peace may be attained when modesty, respect, purity and tranquillity are understood'. He was a very smart man.

Penny Garnsworthy writes for the educational market. She also loves to travel and share her experiences with others. She comes from the beautiful island state of Tasmania and blogs at: creativepennyg.blogspot.com.
Spider shiver

CREATIVE

Anne Elvey

Selected poems

Think back from the future of a bat

hear
by grace

beyond your range
as you hang

with leathered
folds

head
drawn

by gravity
brain

to bone
at night
your skin darker
than sky

**Shiver**

to build the bless
of a soul spun
in curled leaf
left since autumn
dry on the stem

(another is unstamped in the box
beneath the latest literary magazine)

my fingers
tentatively test it
for spinners and
for silk that
shivers with prey
Fresh and salt

A grey annunciation
of polished sky -

its steel
& the bay
- that intercept

of rain
on adolescent sweat.

Anne Elvey's recent poetry publications include *Kin* and *This Flesh That You Know*. *White on White* is forthcoming from Cordite Books. Anne is managing editor of *Plumwood Mountain* and chief editor with Melbourne Poets Union. She holds honorary appointments at Monash University and University of Divinity where she is a member of the Centre for Research in Religion and Social Policy.
Balance vs fairness in giving airtime to conspiracy theorists

MEDIA

Francine Crimmins

The NBC has pushed ahead with its plans to air Megyn Kelly’s interview with conspiracy theorist Alex Jones despite criticism from friends and family whose loved ones were killed in the Sandy Hook massacre. Jones claims the 2012 shooting, which claimed the lives of 20 children and six adults, was ‘staged by actors’ and ‘never happened’.

The interview has cost the NBC advertising contracts and Kelly other public appearance opportunities. The network has also faced backlash from other media organisations for
giving oxygen to dangerous and destructive ideas.

This contentious interview has sparked a conversation about which forums should allow dissenting viewpoints and whether dangerous ideas should be given public airtime in a news context.

Megyn Kelly has defended the interview, saying reporters have interviewed terrorists, murderers and pedophiles on news and current affairs programs in the past without the backlash she has faced over the Jones interview.

'What I think we're doing is journalism,' she told The Guardian. 'The bottom line is that while it's not always popular, it's important. I would submit to you that neither I nor NBC News has elevated Alex Jones in any way. He's been elevated by 5 or 6 million viewers or listeners, and by the president of the United States ... journalists don't get the choice over who has power or influence in our country.

'Journalists don't get the choice over who has power or influence in our country' - or do they? Discerning the difference between what is fair and what is balanced continues to be both a struggle for journalists and a point of critique from audiences.

Fair is about how journalists treat people, which should be without favouritism or discrimination. Balance on the other hand, is the grey area where this Kelly interview fits.

News, just like a courtroom could be imagined as a Roberval balance. On one side, you have what society considers absolute fact: police documents, a crime scene at Sandy Hook Elementary School and grieving families whose children never came home from school that fateful day in 2012. If Jones' claims were placed on the other side of the scale, there wouldn't be enough evidence to tip the balance.

"In trusted public broadcast, climate deniers are not the right people to talk about coral die-off in the Great Barrier Reef, and conspiracy theories are not hard news."

Unlike interviewing a terrorist or a murderer, who are proven perpetrators in a court of law, a conspiracy theory by its very name remains unprovable by reasonable logic. Jones' claims can't be fact-checked and there's no substantial evidence he can provide to back up his claims. Is he even entitled to take a 'side' on an issue he was not personally involved in, nor has any verified research experience in?

Perhaps journalists should instead consider moral seriousness as a gauge to judge the integrity of not only a potential news story, but of the people who are quoted within it. If Jones thinks it's okay to disregard people's deaths and the suffering of their families, then he isn't taking Sandy Hook seriously.

Of course, nobody is suggesting we take away Jones' right to speak on the topic, but should we award his views with prime-time news television?

As I scroll through trusted news websites to read about what has gone on in the world throughout the day, I can see that the stories attempt to communicate an objective truth, despite the numerous 'alternative facts' and dissenting ideas which ooze from every corner of the internet. In trusted public broadcast, climate deniers are not the right people to talk about coral die-off in the Great Barrier Reef, and conspiracy theories are
not the stuff of hard news. Please the people who call for ‘freedom of speech’ - but what of the truth?

Francine Crimmins is studying a double degree of Journalism and Creative Intelligence & Innovation at the University of Technology Sydney. She is on twitter as @frankiecrimmins. Francine is the recipient of Eureka Street’s Margaret Dooley Fellowship for Young Writers.
Puritanical citizenship changes promote less inclusive Australia

AUSTRALIA

Kerry Murphy

Last year I became an Italian citizen through marriage to an Italian Australian. The process legally was very easy: register our marriage with the Italian consulate, pay a relatively small fee, obtain an Australian federal police check and wait.
The waiting took much longer than it should have, but that was due to issues with the Italian bureaucracy, not Italian law. I then attended a ceremony where I swore an oath (in Italian) 'to be faithful to the Italian Constitution and the laws of the Republic of Italy'. That was it - no residence requirement, no citizenship or language tests - *benvenuto all'Italia*.

Compare this with the proposed Australian process. There several elements - the residence requirement, language test, assessment of integration, citizenship test, character test, the ceremony and 'pledge of allegiance to Australia'.

The current residence requirement is four years lawful residence in Australia of which the last 12 months must be as a permanent resident. The proposed changes mean you need to be a permanent resident for four years before you can apply. This means that the time people spend here on a temporary visa, such as a temporary spouse visa, student or 457 work visa, does not count for the residence requirement.

This is a major change because it is common now for many people to spend varying times in Australia before they become a permanent resident. It would be possible for example to be in Australia for say four years before you become a permanent resident. The time you wait for immigration to decide the permanent visa, which can be many months, or years in some cases, also does not count.

The original 1948 Citizenship Act had a five year residence period, but back then, there were very few people living here for long periods as temporary residents. You came to Australia to live, not for a temporary period to work. Prior to 1948 there were no Australian citizens, we were then 'British subjects'.

The new language test will be a requirement for all who apply. The test level will be a high one, such as IELTS 6, which is equivalent to university entrance requirement. The Department of Immigration and Border Protection stated that people from English speaking countries such as the UK, Ireland, Canada, the USA and New Zealand will be able to get exemptions from language testing.

The justification for this major change is that 'English language proficiency is essential for
economic participation and promotes integration into the Australian community'.

"The effect of this unnecessary requirement will be to exclude people from fully participating as citizens, not because of their character, nor their acceptance of values of freedom and tolerance, but because they are unable to reach an arbitrary level of English assessment."

While ideally all Australian should have some reasonable ability to communicate in English, it is unreasonable to expect it at such a high level. Consider parents sponsored to Australia who live here and provide care for their grandchildren while their own children work. I have met a number of Cambodians who would never be able to meet an IELTS 6 level, but are providing important child care and support for their family here, and often are working as well in family businesses. I have heard of small businesses in western Sydney owned by Chinese Australians, who have learnt Assyrian, because most of their customers speak Assyrian, not English. They are not having trouble in 'economic participation' in western Sydney.

The simplistic assessment of a language test does not really tell us if the person will fit in and get a job. Many who came in the 1950s and 1960s looked for work first. Few of the people I know who came from Italy, Greece, the Baltic States and other places in those years would have met the language test level required. The effect of this unnecessary requirement will be to exclude people from fully participating as citizens, not because of their character, nor their acceptance of values of freedom and tolerance, but because they are unable to reach an arbitrary level of English assessment.

Then we have the new citizenship test and emphasis on 'Australian values'. All migration application forms have a section entitled 'Australian values statement' that applicants must agree to. This was introduced under Howard. Most are common across all developed western style democracies, rather than specifically Australian. They include: respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, parliamentary democracy, equality of men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good; and equality of opportunity for individuals, regardless of their race, religion or ethnic background. These are essential principles found in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights as well as many other internationally accepted norms. They are laudable and should be promoted.

What about some other international values such as Article 14 of the Universal Declaration of Human Rights: 'Everyone has the right to seek and enjoy in other countries asylum from persecution'? One hopes that other examples of what respective governments have done are not considered Australian values: retrospective laws which seriously disadvantage people without prior notice; major law changes announced to be in force, but not yet passed by the parliament; mandatory detention of asylum seekers arriving by boat; sub-contracting our international obligation to poor Pacific neighbours and then disclaiming any responsibility for them; falsely accusing workers from Save the Children of improper action; falsely claiming asylum seekers threw children overboard; demonising and vilifying asylum seekers by calling them 'illegal' when the term does not exist in migration law.
"One of the successes for our democracy has been to encourage inclusivity. However, a result of the new changes will be the presence of increasing numbers of people on temporary or permanent visas, without being able to fully participate in our democracy."

The other new requirement will be an 'assessment regarding integration'. This is yet to be further defined. In an interview on 7.30 Report, the Prime Minister said to Leigh Sales: 'They have children, the children are at school, they might be part of the P&C, they might have joined a surf club, they might have joined a service club.' I would fail all of these examples, as would the Cambodian grandparents caring for the children.

There is no stated reason for these dramatic changes which for the first time introduces a language test into Australian citizenship. This harkens back to the days of the 'dictation test' of the Immigration Restriction Act of 1901. Like the infamous dictation test, this high threshold of English will be exclusive and mean that people will be excluded from full participation in Australia because their English is not good enough.

The changes will make the acquisition of Australian citizenship more exclusive and reflect a more controlling and puritanical attitude within Immigration. Our immigration story is becoming more inward looking, rather than nation building and welcoming difference.

One of the successes for our democracy has been to encourage inclusivity. However, a result of the new changes will be the presence of increasing numbers of people on temporary or permanent visas, without being able to fully participate in our democracy. Maybe learning the second verse of the national anthem should be encouraged and the words implemented: 'For those who've come across the seas we've boundless plains to share.'

Kerry Murphy is a partner with the specialist immigration law firm D'Ambra Murphy Lawyers and member of the board of the IARC.
The forgotten people of the Flint water crisis

INTERNATIONAL

Cristy Clark

Last Wednesday, five Michigan officials were charged with involuntary manslaughter for their role in the unfolding health crisis in Flint, Michigan - a crisis that has included at least 12 deaths from Legionnaires' disease, in addition to the possible lead poisoning of a whole population.
These charges are significant, but there are lingering questions as to who else is culpable and why the crisis remains unsolved.

Despite the narrative you often hear, the water crisis in Flint was not discovered by investigative reporters, Virginia Tech researchers, or doctors. The people of Flint were aware that something was wrong from the moment their water was switched over to the Flint river in April 2014. They just couldn't get anyone to listen.
I sat down last month with Flint residents, Teresa Farley and Nancy Burgher, at Camp Promise - a protest camp that sprung up this year in Flint with the aid of protesters from Standing Rock. Farley had just been released from hospital after having a pacemaker inserted. The doctors told her the water caused her health issues.

'Even my dog stopped drinking the water. And it stank. It was awful. We all knew. And we started warning other people, but they were all telling us we were crazy.'

A day earlier, in Detroit, Noah Hall (who has been assisting the Attorney General's Flint Water investigation) pointed out to me that it wasn't just the government that ignored the people of Flint.

'There's this idea that there was a cover up, and the truth is so much worse. Everybody in Flint, from day one, knew. And they were doing exactly what NGOs want them to do. They were holding big public meetings with rooms full of people waving jugs of dirty water in front of elected officials, and that just didn't count.'

It wasn't until data became available from investigative journalist Curt Guyette, local pediatrician Dr Mona Hanna-Attisha and Virginia Tech researcher Marc Edwards, that NGOs and the media began taking the Flint Water issue seriously. I ask Hall if this reflects our obsession with data and he nods vigorously.

"When GM said they couldn't use Flint water because it was corroding the car parts, they switched them back to Detroit water. But, when the Flint residents asked to be switched back, because we were being corroded inside, they would not do it." - Nancy Burgher

'Why is it that a room full of people holding brown water gets discounted, not just by government, but also by [NGO and media] institutions? A huge expert bias is very apparent in Flint. That community was just brutally ignored for a year of poisoned water coming out of their taps.' Even after finally admitting there was an issue, officials delayed action for years.

Back at Camp Promise, Burgher (who also had a pacemaker inserted this year due to water related health issues) was keen to point out the disparity between the community's treatment and the treatment afforded to big business. 'What amazed me was that when GM said they couldn't use Flint water because it was corroding the [car] parts, they switched them back to Detroit water that quick. But, when the Flint residents asked to be switched back, because we were being corroded inside, they would not do it. We were dying from it and they told us "no".'

Recently, the mayor called a public meeting to discuss the water issues. Residents crowded into a local church for a rare opportunity to voice their concerns to local officials. But Farley and Burgher were dismayed by the reception they received. 'When we walked into the building there were SWAT police in full body gear. It was very intimidating. Before the meeting even started, the Chief of Police got on stage and said that if anybody acted disorderly or caused any nonsense, they would be immediately taken out and arrested.' Six people were arrested that night, for offences as serious as refusing to remove a hat. None were ultimately charged.

I asked Farley if this crisis has changed the way people in Flint feel about their government. 'I'm sure it has. When President Obama said it wasn't a state of emergency,
our hope went. And then the media stopped coming.'

Hall describes the feeling in the Flint community as one of tremendous distrust. 'The mental health issues are devastating. You've got everything from, well, I wouldn't even call it paranoia. I mean, what happens when you drink poisoned water for two years? You're not paranoid.'

After speaking to Burgher and Farley, I wandered up to the Flint town centre to look around. Out front of a diner, a large sign reads: 'We Have Filtered Water'. Inside, I ordered a Sprite. As I tried to drink, it occurred to me that the syrup would have been diluted with local water. Flint water. A metallic taste filled my mouth and I felt a sense of dread creep through my body. I couldn't do it.

Imagine living with that water. And imagine feeling as though the world just didn't care.

Dr Cristy Clark is a legal academic with an interest in the human right to water. She tweets as @cristyclark.
Shielding kids from Grenfell Tower televised trauma

MEDIA

Barry Gittins

The tragedy at London's Grenfell Tower was marked by eyewitness accounts of people leaping for their lives or throwing babies out to people below. The unfolding grief sprawled over our screens, on the heels of terrorist attacks and losses of life.

For me, the tragedy triggered memories of a 5am wake-up call from my old man in Brisbane in 2001, asking if I'd heard. Heard what? 'Turn on your TV.' I quickly went from surfing free-to-air channels to the news channels.
The sight of planes repeatedly flying into New York towers stays with me, as does the eerie image of people choosing to leap from the buildings rather than burn. Those images are seared into the memories of billions of viewers. My father's bleary observation that 'this changes things' has proven apt, if not prophetic.

In those 'pre-children' days I didn't have to consider what to do about kids watching that scene and the countless others that have played out since in our 24-hour news cycles. But the visual playing and replaying of traumatic images have changed how we view parental responsibilities.

It's not that we had never grasped the power of the visual image. Painting and stills, photographs, had moved numerous generations prior to that of my children. Consider the 1963 images of Vietnamese monks aflame, the 1968 photograph of General Nguyen Ngoc Loan casually killing a Viet Cong prisoner in Saigon, the image of nine-year-old Phan Thi Kim Phuc crying in agony from a napalm dousing in 1972.

Those photographs are of course widely attributed as helping to bring about the eventual cessation of the Vietnam War. But the accumulated power of recycled horror - terror - on your television set? The impact on minds young and old? That's still comparatively new. It's still being processed and researched.

An article published online last June, focusing on the 2013 Boston Marathon bombings, reported that people 'exposed to more than six hours of daily media coverage of the tragedy were more likely to experience symptoms of acute stress than those directly affected by the event'. Did you absorb that? News junkies, or those who saw extended coverage, were found to be worse off than those who actually survived the bombings.

'What was striking was the impact of this media exposure even for people who knew nobody, who weren't there that day,' said the study's co-author, Professor Roxane Cohen Silver. 'Media exposure was a stronger predictor of acute stress response than having been there.' Local academic Professor Beverley Raphael from ANU's Australian Trauma and Grief Network specifically cited video footage as being 'much more unsettling' as it 'can stick in a child's mind more than the static images in print media or the audio in radio stories'.

"We choose not to sugarcoat the truth about the hatreds and inane insanities of this world, and how we treat each other. Neither, however, do we bathe masochistically in the blood that saturates our mass and social media."

The obvious, initial response is aversion. Obfuscation. That desire to protect your kids through denying them the means to comprehend just how sick and twisted some bastards are in this life. How bleakly and inanely some tragic situations will play out; while it remains to be seen just what went down in Grenfell Tower, some sources claim shoddy, flammable building materials contributed to the conflagration after renovations on the cheap. Who needs terrorism, when you have plain old venality?

But solely shielding children and teenagers from truths does them a disservice. I acknowledge the advice given in that ABC report: we are better off providing honest information to our kids that limits the graphic exposure, share whatever exposure to visuals and information we choose to allow with them; all the while providing balance, 'comfort and affection'. Depending on the age and maturity of the child or children, the
article also suggests actively changing the subject with 'a game or a new activity'.

With our kids, aged 13 and ten, we choose not to sugarcoat the truth about the hatreds and inane insanities of this world, and how we treat each other. Neither, however, do we bathe masochistically in the blood that saturates our mass and social media. We know that they will find out what we try to hide from them, from their mates and from media. So we choose not to hide. We walk through the grief scapes with them. Turning off the bloody screens, we look them in the eye and talk about the world we are leaving them. Exposing them to life, in careful, 'shared doses', may be the lesser of ill options that ultimately protects them.

Barry Gittins is a communication and research consultant for The Salvation Army.