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Immigration law under Labor

POLITICS

Kerry Murphy



Forty years can make a difference. In 1966, the ALP immigration policy contained four major points. It would strengthen and protect Australia's national and economic security. It would safeguard the welfare and promote the integration of all citizens. It would preserve our democratic system and the balanced development of the nation. And finally it would not disturb the predominance of England, Scotland, Ireland and Wales as sources of Australian immigrants.

The first three points would still be represented in both the government and opposition policies. But only minority parties of the right would still openly promote the last policy. Mainstream parties have come a long way in the past 40 years. But many policy areas still need attention.

In its 2007 policy Labor focuses on four aspects of immigration. These are temporary working visa issues (457 visas), refugees and protection visas, reform of the department and English language teaching.

The ALP has criticised perceived abuses by employers in their use of the 457 visa. A recent inquiry noted that the amount of abuse was low, but the examples of abuse highlighted by the media have been extreme. The ALP accepts a temporary work visa is required. But it argues that it should neither be at the expense of jobs for Australians nor provide a lower salary than that available to local workers.

The 457 visa provides a useful way for employers to find skilled staff they could not otherwise find. The gazetted list enumerates more than 500 occupations, ranging from hairdressers to petroleum engineers, for which this visa can be available. Although it is important to correct abuses, the large numbers of occupations covered by the visa makes it difficult to formulate policy in specific terms. This is especially so in a growing economy. The ALP policy emphasises training, but commercial pressures forbid waiting until someone is trained for work needed today.

The ALP policy has much to say about refugee and temporary protection visas (TPV). Although the ALP supported the introduction of the TPV in 1999, it has finally accepted that it must go. Psychologists such as Zachary Steele recently published studies showing that TPV holders experience much trauma due to uncertainty about the future and their inability to bring family members to Australia. Critics have argued this case since the introduction of the visa, but the ALP did not accept it until 2007. The Coalition still supports this traumatic visa.

The ALP policy is also to close the centres in Nauru and on Manus Island and not to take part in the 'refugee swap' with the US. It is to be hoped that the party also removes other procedures associated with the 'Pacific Solution' such as the interdiction and forced return of refugees to Indonesia by the military.

A pressing question that needs to be resolved is to determine the law that case officers apply when assessing cases like those of the Sri Lankans on Nauru. At present Australian bureaucrats have the power to make refugee assessments outside existing law, but their assessment does not commit Australia to accept the cases for resettlement. The ALP has not revealed the detail of the legislative changes it proposes. But it will not be sufficient simply

to close the Nauru centre.

Reform of the Department is needed. Although the government has promoted some reform since the Cornelia Rau and Solon disasters, some parts of the Department are still hostile to administrative review and administrative transparency. The overuse of the power to cancel visas on the basis of character, recently seen in the case of Dr Haneef, is one example. Other people have also been subjected to this extreme power for slight transgressions.

The system has encouraged zealotry for some years. Its consequences can be seen in what happened in the Rau and Solon cases.

Another issue that needs to be addressed is the suffering of people in long term detention and of those who must wait for months or even years before the Minister decides whether or not to intervene in their cases. An objective assessment of their cases would sometimes have resolved them years before.

The ALP policy gives priority to teaching English over testing. The new Citizenship Act places emphasis on language and the 'Citizenship test'. The ALP policy aims to improve English language teaching and help people find work. At present some immigrants learn English easily, but others live for decades in Australia speaking little more English than when they first arrived. Affordable English classes will help them 'settle in and manage' and also find work.

The ALP policy has some gaps. Australia needs, for example, to establish an onshore humanitarian system of complementary protection. This would avoid the lucky dip of relying on ministerial discretion. It would also provide a way to resolve hard cases more quickly.

Above all Australia needs to reform review processes and make decisions more transparent. For many years the government has attempted to remove any form of judicial review from immigration decisions. Judicial review ensures accountability and proper decision making. Its removal encourages zealots at the expense of fair administration and justice.

Union officials victimised by fear campaign

POLITICS

Brendan Byrne



Confronted by a resurgent Opposition and persistently poor opinion polls, the federal government has responded by targeting the Labor Party's links to the union movement. The premise of this campaign is simple: paint trade unions as mindless economic vandals, and the Labor Party as beholden to them. Fear among the electorate will do the rest.

The business lobby paid for a similar media onslaught in the weeks leading up to the election campaign. One commercial featured an abandoned store with the slogan 'CLOSED DOWN DUE TO UNION BOSSES' daubed in paint on the front window. Another depicted three heavy-set blokes in archetypically working-class clobber storming into a workplace and switching off the lights as a prelude to imposing iron-fisted industrial tyranny.

Now the Howard government is asserting that 70 per cent of a potential Rudd Labor frontbench would be comprised of 'anti-business' union apparatchiks. 'Anti-business' is code for 'bad for jobs, interest rates, and inflation'. In other words, elect Labor and you elect the union movement; elect the union movement and the country goes down the economic drain.

This campaign evokes the 'bad old days' of the BLF and the Ship Painters and Dockers Union, of Norm Gallagher and Craig Johnson. Never mind that an 'anti-business' union official is, in fact, an oxymoron. Or that it was a Labor state government that deregistered the BLF. Or that it was the Hawke-Keating Labor government that began the process of industrial deregulation that first allowed unions to be sidelined, and has lead the nation directly to Workchoices. Fear speaks louder than history.

It is thus tempting to dismiss the Howard government campaign as an empty propaganda exercise. Except for the fact that it actually does a grave disservice to the union movement and the role it has played in creating a system, unique among industrialised nations, that balances the profit imperative against the right to dignity in employment.

Anyone who has spent any time working in the union movement knows it too well to succumb to sentimentalism. Unions are flawed, like any human institution. They have their share of corrupt, incompetent, and irresponsible officials. But the same is equally true of business and politics. The Costigan Royal Commission, which started life investigating organised crime on the waterfront, ended up exposing the corrupt financial practices then flourishing in the boardrooms of corporate Australia.

More relevantly, the trade union movement has been responsible for the progressive improvement of working conditions in Australia since before Federation. From the initiation of the eight-hour day movement in 1856, to the Living Wage test cases of the recent past, unions have sought to create working conditions that not only enable ordinary citizens to earn a living, but which uphold their dignity as human beings.

And it has frequently done so in the face of bitter opposition from both business and government. Business has always asserted its right to determine employment conditions, with only 'market pressures' to ensure humane outcomes. Government has more than once argued against improved employment conditions on the grounds they would make Australia's economy less competitive. But the truth of this nation's socio-economic history is

that our robust economy and advanced living standards have been built on a foundation whose cornerstone is active participation by the union movement. Remove that cornerstone, and the foundation collapses.

And the foundations are collapsing. Australians may be wealthier than ever before, but they are also more stressed, more insecure, working longer hours, and acutely conscious of the absence of quality of life. And it is union officials who are frequently on the pointy end of this dichotomy, helping employees cope with their grief and rage when they fall victim to the vicissitudes of the globalised economy.

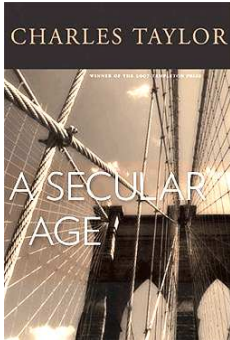
Far from being industrial thugs, union officials are all too often the only support mechanism standing between stressed Australian workers and human tragedy.

Christ taught that the labourer was worthy of the hire. Implicit in this teaching is the assertion of human dignity over considerations of profit. By resorting to stereotypes in its quest for electoral survival, the Howard government improperly denies the dignity and humanity that are the ongoing endeavour of trade unionism itself.

Keeping a safe distance from religion

SPIRITUALITY

James McEvoy



Much of the contemporary debate about the place of religion in the West revolves around levels of belief and practice. Church leaders, academics and the media ask: What do people believe today compared with five years ago? And how is this change expressed in current religious practice? Various theories are offered in response, predominantly theories of decline — for example, that the rise of science has refuted faith.

In *A Secular Age*, Canadian philosopher Charles Taylor argues that in the long run, this focus on trends in belief and practice does not adequately account for the secularity of the West. What has changed is far broader — the whole context of understanding in which our moral and religious lives take place; what he calls 'the conditions of belief'.

Several times he asks the reader how it is that in less than 500 years we have moved 'from a society in which it was virtually impossible not to believe in God, to one in which faith, even for the staunchest believer, is one human possibility among others'. His argument is that the framework of human self-understanding has changed during that time and both believers and non-believers now understand themselves differently than their ancestors did.

Taylor devotes a large part of *A Secular Age* to telling the story of the journey to the present. He covers the path from the 'enchanted' medieval age through the Enlightenment and on to the expressivist culture that emerged in the West in the 1960s.

A critical transition in this journey is the emergence of an 'exclusive humanism' in the 18th century, whereby it was possible for the first time for masses of people to conceive of a flourishing human life without reference to the divine. But this is a complex story: the emergence of exclusive humanism has Christian roots, and today exclusive humanism is simply one alternative among others.

So, where does Taylor's story end? What are the conditions of belief today? He sees us as 'cross-pressured' between extreme positions — orthodox religious belief (Judaism, Christianity, Buddhism etc.) on the one hand and hard-line materialist atheism on the other.

Not that everyone in our culture feels torn between these positions. Rather, we define ourselves in relation to these poles. They come to bear on a range of common human dilemmas, for example the tension between the aspiration to transcendence on the one hand and the cherishing of ordinary human desires on the other. In this tension, one side sees a relationship with the divine as the way to a flourishing human life whereas the other regards the divine as robbing humanity of fulfilment, which can only come through attention to ordinary desires.

I can only state this tension here: a full account of an argument that extends over almost 900 pages is beyond me! Perhaps Taylor's own words can sum up the broader tension: 'Our age is very far from settling in to a comfortable unbelief. Although many individuals do so, and more still seem to on the outside, the unrest continues to surface ... The secular age is schizophrenic, or better, deeply cross-pressured. People seem at a safe distance from religion; and yet they are moved to know that there are dedicated believers, like Mother Teresa.'

Taylor's analysis has profound implications for the churches. When some church leaders broadly reject our age for having abandoned faith, they not only misperceive reality, they ensure that their words will not lead questing hearers to faith.

And from almost the opposite perspective, a too-easy embrace of contemporary culture fails to appreciate the difficulty of the Christian call to transformation through the love of God. What's needed is a dialogical stance whereby the churches remain attentive to the action of the Spirit in our secular age while being ready to give voice to the gospel, so that it might light the path of those who search.

A Secular Age makes a major breakthrough. North American sociologist of religion Robert Bellah regards it as one of the most important books written in his lifetime because Taylor 'succeeds in recasting the whole debate about secularism'. That's high praise from someone who has spent his entire career studying the question. It's certainly worth a read.

Selective blindness about torture

HUMAN RIGHTS

Peter Hodge

There is extensive evidence of US intelligence gathering techniques, much of it derived from declassified documents. It points to a clearly navigable path from the paranoia of the anti-communist post-WWII era to Abu Ghraib. This evidence is systematically laid out in Michael Otterman's *From the Cold War to Abu Ghraib and Beyond*.



It is clear that the familiar images of American soldiers tormenting Iraqi prisoners in Abu Ghraib and elsewhere cannot possibly be explained away as the actions of a few rogue elements. Such behaviour has a history that reveals the extent of our collective delusion.

This selective blindness has been recently evident, via the widespread shock expressed that so many doctors were involved in the June terror attacks on London and Glasgow. The high esteem in which the medical profession is held, is mostly deserved. However, it is clear that numerous American physicians, psychiatrists and psychologists have actively participated in experiments to test coercive techniques, and in the actual application of these techniques, for more than 50 years.

Definitions of torture are quite rubbery, depending on who is on the receiving end. A 1956 study, commissioned by the CIA, concluded that Soviet and Chinese methods, based on debility, dread and dependence (DDD), 'constitute torture and physical coercion'. However, by 2002, with the Americans employing many of the same techniques, thinking had changed. An administration memo argued that for a physical act to constitute torture 'it must be of an intensity akin to that which accompanies serious physical injury such as death or organ failure'.

Soon after WWII it became a matter of national security to understand communist 'brainwashing' techniques. Operating with 'extra-legal powers ... under a veil of secrecy ... the CIA was the primary agency charged with mind control research during the Cold War'. Much of their early work focused on the potential of drugs, such as LSD, to 'loosen lips' during the interrogation process. 'Unwitting soldiers' were used as guinea pigs.

By 1955 stress inoculation, deemed necessary to resist communist coercion, had evolved into the Survival, Evasion, Resistance and Escape (SERE) program, which inflicted on thousands of soldiers tortures such as electric shocks and confinement in an undersized wooden box. Racial, sexual and religious humiliation was frequently practised and students were also learning how to use the techniques to extract information.

Why did it take the CIA so long to discover that debility, dependency and dread were crucial to the psychological breakdown of prisoners? After all, aren't these among the characteristics of destructive human relationships?

The Vietnam War provided excellent opportunities for the Americans, with their South Vietnamese allies, to practise their DDD methods. Thousands of innocent non-combatants fell prey to the Phoenix Program; the majority were murdered, explains Otterman. Electrical torture and sexual abuse were commonly employed by Vietnamese torturers. CIA medical teams conducted radical human experiments. One of these involved attaching electrodes to the exposed brains of prisoners, to test their reactions to various frequencies.

Latin America was another forum for American DDD torture. During the Reagan years, the notorious School of the Americas became an important training venue, particularly as the US turned its attention to Central America.

A popular saying of the CIA-trained interrogators was 'if they are innocent, beat them until they become guilty'. Forty years later, ex-Guantanamo Bay prisoner Moazzam Begg writes in *Enemy Combatant*:

'...A barrage of kicks to my head and back followed. Lying on the ground, with my back arched, and my wrists and ankles chafing against the metal chains, was excruciating. I could never wriggle into a more comfortable position, even for a moment ... I was there in isolation for about a month or so ... If I nodded off, he woke me ... Eventually I did agree to say whatever they wanted me to say, to do whatever they wanted me to do.'

The severity of techniques used has varied depending on the implementing agency, the administration and the level of public awareness.

As the 'war on terror' gathered pace, the US withdrew support for the Geneva Convention for the Treatment of Prisoners of War. Later, in 2006, the acute embarrassment of Abu Ghraib led to a new Army field manual. However, this manual does not cover the CIA, which continues to operate as usual. Further, the War Crimes Act has been amended and obscured to the point where a wide range of coercive techniques, such as waterboarding and sleep deprivation, can be arguably classified as legal.

Evidence of torture should force Australia to confront what we have permitted to be done in our name. Given our acquiescence, complicity and active participation in the 'war on terror', Australia must take some responsibility for the 'collateral damage', even if much of it has been committed by our superpower ally.

Unchecked consumption will waste the planet

ENVIRONMENT

Val Yule



Cutting waste is the fastest way to reduce carbon emissions and cope with other crises of climate change. Waste is about turning resources into non-usable rubbish without getting full value from them. Waste causes half our carbon emissions, and wastes resources and the human lives that produce them.

According to the Australia Institute's 2005 report, '[Wasteful Consumption in Australia](#)', in 2004, 20 million Australians threw away \$5.3 billion in food alone, including \$2.9 billion of fresh food, \$630 million of uneaten takeaway food, and \$876 million of leftovers. In addition, the Conservation Foundation found that each Australian household wastes an average of \$1,226 per annum on items they purchase but do not use.

Why is the alternative of cutting waste to reduce carbon emissions not receiving the same attention as carbon trading, which balances continued emitting with problematic offsets?

The big snag is economic. As NSW Premier Morris Iemma has said, 'There is no point in saving the planet if we ruin the economy doing it.' If everyone wastes less, what happens to jobs? What happens to business? If we buy less and throw out less, what happens to shops?

The problem becomes absurd when we consider that the richest 10 per cent of the world's population must continue to buy and consume wastefully, to prevent global economic collapse. Meanwhile two billion people barely survive.

A logical response is make the global economy more rational. Accept that capitalism can run to excess and can be improved. Its great advantages are that it encourages enterprise and saves capital for production that serves people's needs. A great disadvantage is the perceived necessity for unstoppable growth, which is leading to ecological disaster. The challenge is growth in quality, not quantity.

Regarding the effect on jobs, the truth is that if all the jobs needing to be done were being done, there would be no unemployment. How can these jobs be financed? Beside changes in personal lifestyles, political and economic action is needed. These include changing taxation to discourage wasteful production and depletion of resources, encouraging employment and research into the products that are needed, and salvage that emphasises re-using even more than energy-intensive recycling. Building and transport infrastructure need rejigging before it is too late.

So many of the goods we see in shop windows will soon be waste, mostly landfill — we need more products that are repairable and durable. We should enjoy what we have without needing insatiable novelty.

Sustainable-household economics can complement markets, as suggested by economist Graeme Snooks. We can develop many low technology inventions such as backyard solar ovens and pedal-powered communications (with exercise as a by-product).

Much waste of fossil-fuels and built-in obsolescence aims to save labor costs and to 'make jobs'. It is great that we have replaced the appalling drudgery and unmitigated toil of past ages with quick and convenient machinery. But we go to extremes when people waste

time in formal exercising because they use electricity for tasks that could give us natural everyday exercise.

In a Biblical story the land of Egypt prepared for seven years of famine during seven years of plenty. The developed world today has enjoyed years of utmost plenty as never seen before, but has wasted them with a consumption explosion, careless of future cost. Our plastics, fertilisers, infrastructure, petrol, many creature comforts and sources of energy still largely depend upon diminishing oil reserves.

The 18th century moralist Dr Samuel Johnson once quipped that 'when a man knows he is to be hanged in a fortnight, it concentrates his mind wonderfully'. Our thoughts have not yet been concentrated by climatic catastrophes and shortages. Most of it seems far away from us personally. However, winds, droughts, fires, floods and 40 million economic refugees are signs of a world facing crisis.

It has been taken for granted that if humans are not using or exploiting something it is being wasted — all those empty continents, unexplored jungles, trees growing, animals roaming. Now we are recognising the importance of maintaining biodiversity. In order to continue to live ourselves we must allow many other life forms to exist. Moral theology considers sharing, not wasting, and cooperation rather than competition.

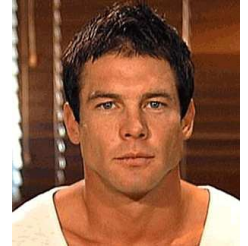
Our entertainment imagines a future of dystopias. We play with puzzles, but could instead work on real ones. Our imagination and energy can rise to unprecedented challenges with a different vision.

Demonising Ben Cousins

SPORT

Braham Dabscheck

Last month the media provided extensive details of the arrest and subsequent charging of the West Coast Eagles star Ben Cousins over the alleged possession of illegal drugs. Following a continuing stream of criticism from 'informed' commentators, the West Coast Eagles terminated his contract.



On the surface, it seemed like the right move. It wasn't the first time Cousins had been in trouble over drug-related allegations. Although he has never returned a positive test under the AFL's testing regime, at the beginning of the 2007 season he was suspended following admissions of using social drugs, and went to America for rehabilitation before returning to play out the 2007 season.

The October incident seemed to indicate Cousins was not reformed after all. But it wasn't that clear-cut.

The day after Cousins' sacking, the police announced they were dropping the charge that he had prohibited drugs in his possession. They acknowledged that some or most were designed to help him overcome depression and problems related to his previous social drug problems.

Talk about egg on your face — the Eagles, instead of punishing a villain, may have made a martyr of their troubled former star.

Virtually all sporting competitions have adopted codes against the use of drugs. They were originally adopted to prevent the use of performance enhancing drugs, such as steroids. The rationale for such bans is their negative health effects on all athletes, especially those at the bottom end of the food chain without access to sound 'medical' advice, and their usage involves a form of cheating.

But the technology developed for testing for performance enhancing drugs lags behind the ability of 'chemists' to find new drugs. On the other hand, when it comes to testing for social drugs, such as marijuana and cocaine — drugs that are not seen as performance enhancing — the technology is more efficient.

Some athletes, like other sections of the community, use social drugs. A drug policy designed to stop the use of performance enhancing drugs has been taken over by the baying of politicians and commentators against players using social drugs.

The Australian Football League (AFL) and Australian Football League Players Association (AFLPA) have negotiated a code to reduce the use of both types of drugs. It views drug taking as a medical problem, protects the identity of players who test positive for drug use and provides help and counselling for their rehabilitation.

Politicians and media commentators, on the other hand, advocate a name and shame approach with cuts in players' salaries and termination of their employment contracts. In the case of Ben Cousins, the media claimed his arrest and subsequent charging was a clear demonstration of him breaching undertakings following the resumption of his career. The West Coast Eagles were urged to sack him, and they duly did so.

The saddest thing of this sorry affair is how the West Coast Eagles turned their back on

one of their own. Cousins had served the club with distinction on the sporting field. He won the Brownlow Medal in 2005, a premiership in 2006 and has been a regular member of All-Australian teams. Now he had been presumed by all to be guilty before he had a chance to defend himself.

On 11 September 2007, 20 medical and drug experts published an open letter where they praised the AFL and AFLPA's approach to drug testing. They said 'the prime objective of any 'drugs in sport' policy must be the health and welfare of the player concerned. Where this conflicts with another objective of the club concerned, the AFL or the government, the player's welfare must be paramount.'

This has not occurred in this case. Cousins has been hung out to dry. He could conceivably contest his dismissal under the grievance procedure of the AFL-AFLPA collective bargaining agreement. His lawyers have already indicated that they will launch proceedings against wrongful arrest by the police, and against the Eagles and the AFL for his dismissal, and for terminating his career.

The West Coast Eagles were unable to resist the call for his crucifixion. They did not afford him the chance to defend himself. Moreover, they abdicated their common law obligation of care to an employee— an employee who was in rehabilitation seeking to overcome problems with drugs. This demonising of Ben Cousins constitutes one of the blackest days in the annals of Australian sport.

The Chaser's Just War on celebrity worship

TELEVISION

Tim Kroenert



'Now my prayers have had an answer — and Delta Goodrem has got cancer.'

That night at Melbourne's Hi-Fi Bar, when the subversive vocalist uttered these words as part of a spoken-word diatribe against vacuous pop music, the tension in the air was palpable. A few louts cheered. Others laughed, but with a nervous edge.

On stage, the poet, clad head to toe in a ridiculous silver foil jumpsuit, continued his rant unabated. But there was no question he'd caused offence.

Noisome veterans of the Melbourne music underground, TISM (This is Serious Mum) have made a career out of poking ridicule at everyone from Adolf Hitler to Britney Spears. Many of those present at the gig would have discovered the band courtesy their controversial hit, 'He'll Never Be An Old Man River' (chorus: 'I'm on the drug that killed River Phoenix'). Yet even the sympathetic audience seemed put out by the Delta slur.

A similar scenario played out on ABC TV last month. The national broadcaster's resident ratbags, the team from *The Chaser's War on Everything*, are renowned for their subversive stunts. But even given their track record, team member Andrew Hansen's on-air performance of the now-notorious song 'Eulogy' divided audiences, who seemed unsure whether this was gutsy subversive humour or merely bad taste.

The song, which parodied the fact that iconic Aussies Steve Irwin and Peter Brock, and international figures Princess Di and John Lennon, went from maligned in life to admired after death, was deemed by many to have crossed the line. A spark of anger was fanned into an inferno by overzealous talkback radio listeners.

Welcome to the world of satire — a cerebral comic form that by its nature thrives on putting people offside. Even when done well, satire is almost invariably taken too literally by some who are so busy taking offence that they often miss the point.

Admittedly, in extreme cases it's easy to miss the point. TISM's Delta quip trod precariously on the outer limits of acceptability — the 'Big C' being one of those subjects that's generally considered to be beyond joking. South Park genii Trey Parker and Matt Stone came close to crossing that same line during the all-singing, all-dancing musical number 'Everyone's Got AIDS' in their 2004 film *Team America*.

Bad taste for bad taste's sake is one thing, but it's evident both TISM and The Chaser (and, to a lesser extent, the *South Park* boys) have more on their agenda than just causing offence. Good satire is about provoking new ways of thinking, naming the proverbial 'elephant in the room' or directing a well-aimed kick at deserving tall poppies.

So TISM's comment about Delta was not about Delta at all, but rather was intended as a pinprick to deflate the bubble of celebrity worship. This is a recurring theme in TISM's work. 'Old Man River' imagines copycat groupies taking their emulation of their idols a step too far, and 'Thou Shalt Not Britney Spear' lampooned the then teenaged pop star's use of her much publicised virginity as a PR pitch.

Similarly, the Chaser's 'Eulogy' was less about the celebrities it referenced than it was

about public perceptions of those celebrities. The desire to puncture the 'cult of celebrity' is a significant aspect of the Chaser's 'war on everything'. Understood in this context, the song, while distasteful, highlighted 'our' (society's collective) absurdly immoderate levels of veneration or disdain towards celebrities, and how fickle that relationship often is.

If celebrity worship is one of the serious foibles of Western civilisation — and I'd suggest that it is — then The Chaser's acerbic ditty provided an efficient response.

But satire is not always a vicious or intellectual exercise. Sometimes it's downright humane. Another Aussie television satirist who's copped his share of flak, Chris Lilley, has this aspect of the form down to a fine art.

The creator, writer and star of the sleeper hit *We Can Be Heroes* reached new heights (some might say depths) with his popular follow-up series *Summer Heights High*. Such is Lilley's insight into and compassion for humanity that one of his characters, a foul-mouthed, underachieving Tongan student named Jonah, evolved from a potential racial stereotype into the series' most sympathetic character.

However it was Lilley's portrayal of the narcissistic and obviously bigoted teacher Mr G that seemed most prone to rubbing people the wrong way. But Mr G is not a celebration of deplorable humanity — quite the opposite. While he possesses questionable attitudes toward 'for example' students with disabilities, the show's 'black comedy' works because the audience is trusted to recognise how despicable his attitudes actually are.

In that respect Lilley, through his 'nudge-nudge, wink-wink' portrayal of a bigoted character, is both putting faith in and reinforcing the positive attitudes of his audience to recognise and reject that bigotry. While The Chaser wages caustic war on celebrity, Lilley's waging a subtler battle against prejudice in all its forms.

Polish election result mandates further modernisation

POLITICS

Tony Kevin

For the past two centuries Poland been a key catalyst for political change in Central and Eastern Europe. Even when occupied in the 19th century by neighbouring powers Prussia, Russia and Austria under the partitions, Poland was an inspirational beacon of patriotic insurrection. Its brief sovereign independence between the two World Wars was ended by yet another forced partition, the German-Soviet Pact in 1939.



After Soviet troops liberated Poland from Nazi oppression in 1944, there followed 45 years of Soviet dominance, exercised through puppet local communist governments. But in 1989, a national unified Solidarity democracy movement took peaceful control of Poland from an exhausted communist regime.

Having gained its unified objective of national liberation from communist rule, Solidarity quickly broke up, and its elements re-formed themselves into an array of parties representing various political-social orientations and interests. There has followed 18 years of rather volatile parliamentary democracy, as one unstable coalition has succeeded another.

The key fault-line in Poland has become clear in these years, and it is not a conventional Left—Right faultline. Rather, as in 19th century Russia, the real argument is between 'westernisers' and 'Polonophiles' — the former, people who yearn for liberal Western European style market democracy, and a secular state with the normal Western European rights for women and minorities; and the latter, people with a romantic or sentimental vision of Poland's special destiny as a powerful, populous, strongly anti-Russian, socially conservative Catholic country at the heart of Europe.

Poland's socialists and social democrats have sat uneasily between these polarities, sometimes siding with conservative Catholic welfarism's interest in protecting workers, but sometimes supporting a free market liberal society. Since Lech Walesa, no charismatic party or leader has emerged to represent this 'Third Way'. Some of the original Solidarity leaders are still around, but they are ageing and exhausted.

Worryingly for liberals, in the last few years in Poland, as in other former Communist countries such as Hungary, romantic nationalists have been in the ascendant. Over the past two years, Jaroslaw Kaczynski has been Poland's prime minister; while bizarrely, his identical twin Lech Kaczynski has been president (a position that has considerable prestige and reserve powers). Their Law and Justice Party headed a ruling conservative-nationalist coalition government, which included some rather dubious elements at the fringes.

Now Jaroslaw has been decisively defeated as prime minister, by a coalition headed by 50-year-old Donald Tusk (pronounced 'Toosk'), who leads the Civic Platform Party, a firmly free-market liberal party.

Tusk's victory ends a period when Poland was becoming something of a laughing stock in EU circles for its aggressively conservative policies on issues including gay unions and abortion, and for its unquestioning loyalty to Bush Administration policies in respect both of the Iraq War and a US-proposed NATO European missile shield, much of which would be installed in Poland.

The Kaczynskis were also reopening old social wounds in Poland by their aggressive policies of exposing and shaming former communists who had made their peace with Solidarity and had generally been rehabilitated into national public and economic life. The Kaczynskis were determined to remove such people, to make way for a newly purged national elite.

Tusk's policies on these matters represent a decisive turning away. Tusk promises to soon bring home 900 Polish troops still serving in Iraq. He is not interested in ideological witchhunts against former communist officials. He is fervently pro-EU, and a man of liberal European spirit. He represents younger, more sophisticated urban Poles — against the Kaczynskis who speak to older, conservative rural and smalltown voters and the more conservative elements of the Polish Church.

Under Tusk, Poland rejoins the European Union mainstream, and will again be able to resume its role as the catalyst of change in former communist Europe. Poland, the most populous (and arguably, most advanced) of the former Soviet satellite states (only the Ukraine is larger) will once again be able to play the role envisaged by leading Solidarity activists in 1989 — as a pacesetter of liberty and modernity in Central and Eastern Europe.

Back in the early 1990s when I knew him as a young politician — in his early 30s — Tusk seemed so Westernised that his chances of ever becoming Polish prime minister were nearly non-existent. His party was always a minority voice in various coalitions. Now, thanks to the rejection by Polish voters of the conservative extremism of the Kaczynskis, Tusk's chance has come.

The next few years will be challenging for Tusk and for Poland. There is still much poverty and high unemployment — many decaying communist-era factories have yet to be fully modernised or replaced. Many educated young Poles must still go west, to richer EU states, for decent wage opportunities. For these people — and the young Poles in cities, who voted strongly for his party — Tusk represents modernisation and hope for the future.

Voting with instinct

POLITICS

Tony Smith



During an election campaign, it is rare for parties to tell voters that they should simply trust their instincts. This would be tantamount to giving them permission to vote with their hearts rather than their heads. Candidates tell voters that there is a 'right' or 'responsible' thing to do. This patronising approach implies that voters' own emotional judgements are less reliable than the knowledge of the political experts.

Liberal Senator Marise Payne has pointed out that men and women bring different skills to politics. Research suggests that IQ, the traditional predictor of aptitude and skills, should be supplemented by EQ. And while the correlation is not exclusive, men, whatever their intelligence quotient, seem less likely than women to have a high emotional quotient. Emotional skills include empathy, compassion, understanding, patience and respect.

Various arguments were employed during the torrid debates about women's suffrage across the English speaking world in the 19th century. Some opponents insisted that women would vote twice because they could hide extra ballots in their voluminous clothing! (This seems silly today, and yet a conservative politician recently said something similar about Muslim women's clothing and weapons.) Other opponents reckoned that women would be hysterical or irrational.

The debates over legally enfranchising women are long over. Yet if we denigrate voting according to the heart, we could debilitate a special female skill and so disadvantage women electors particularly. In the 21st century we know that while men and women might have strengths in some gender-specific areas, men do not dwell exclusively in the head nor women in the heart. Most men have well-developed emotional lives and any process that disparages allegedly 'feminine' skills debilitates male electors as well.

When experts tell us that the only sensible vote is a vote for them, they face a potential paradox. In an increasingly complex world, neither major party takes a neat ideological position. To attract sufficient support to form a government, the parties compromise, move towards the centre ground, and sometimes adopt policies more traditionally associated with their opponents.

Because electors face a variety of issues, it is impossible to assign these a weighting that facilitates a rational choice among them. Consequently, the experts try to make electors forget some issues and cast their ballots according to others — forget the environment for example, and concentrate on economic management. The head, then, is constrained, contained and confused.

By contrast, the heart has a natural ability to assign priority to issues. Intensity

of feeling about some issues makes them impossible to ignore. The elector might know that other issues are important, but the final decision has to sit neatly with the elector's conscience.

Sometimes, positive emotions dominate. So, if an elector is ecstatic about the promised tax cuts, the hand holding the pencil will not hesitate as he or she votes for the government. Sometimes however, negative emotions dominate. An elector who is angry about detention of asylum seekers, the erosion of civil liberties, tardiness to act on climate change, industrial relations chaos, patients dying in hospital waiting areas or the inhumanity of Centrelink will punish the government.

An emotional attachment to the ideals of democracy can also lead voters to seek third alternatives. Many electors sleep more soundly when the government lacks a Senate majority.

It is slightly dangerous to trust everyone to vote according to their feelings. We would prefer that voters considered their choices carefully rather than judging candidates according to the cut of their clothes or the warmth of their smiles. We would also prefer that voters considered the good of the country as a whole rather than be persuaded solely by personal benefit.

There are some objective criteria that should be considered, but in the privacy of the voting booth, the final choice is subjective. When people vote they exercise the will, which is not exclusively an intellectual exercise or a venting of emotions. Those of us with degrees in political science have no more right to a vote than the newest citizen, and that is the way it should remain.

Some political professionals would like to see the state behave just like the market, operating as a heartless machine for maximising outcomes. However, truly rational electors realise that if the system is to be imbued with compassion and humanity, the heart must play a role no less important than the head.

Voters should approach the polling booths on 24 November with a swing in their steps. Even if they are not sure that they know what is best, they must surely feel it.

In search of sanctuary

POETRY

Various

In Search of Sanctuary

Distances describe their determination.
Beyond boundaries they seek safety;
Their pathways are darkened with doom.
At the foot of frozen glaciers they breathe fire,
Some are swallowed by sea currents.
Others starve as their longing for life fades.
Stained in defeat, they dream of sunshine.
Their lives are anchored at the verge of loss,
Like a flipped coin assurance is unlikely.
Refugees endure a prolonged journey of conflict
— *Handsen Chikowore*

Fishy-quishy words

I woke up very hungry.
So I went to the bakery
and said in good English
that I wanted a quish.
The baker only had a kish.
I did not know nor want a kish
So the matter finished.
She had no quish
and I wanted no kish.
There was no saying quiche.
It is the rule. Quiche!
— *Peter Run*

Peak Hour (Corner of Pultney and Rundle Streets)

Sky is pink,
as a cat's tongue,
rough on edges
but warm with interest.
Cars hurry,
snorting impatiently
at traffic lights.
People at bus stops,
queued like emails
waiting to be opened.
A bus arrives,
refugees swarm aboard,
turn on ipods,
and chat on mobile phones
As the bus plays snake
on a city street grid,
before burrowing into suburbia.
and allowing commuters
to search
for salvation.

— *Juliet Paine*

Cardinal Pell's views on climate change are his own

EDITORIAL

Michael Mullins

Cardinal George Pell has made a name for himself as a denier of radical climate change.

In replying to criticism from the Anglican Bishop of Canberra and Goulburn George Browning last week, he accused 'radical environmentalists' of 'moralising their own agenda and imposing it on people through fear'.



Then at the weekend, he devoted his [Sunday Telegraph](#) column to the topic, reaffirming that he is 'certainly sceptical about extravagant claims of impending man-made climatic catastrophes, because the evidence is insufficient'. He argues there is nothing extraordinary about present circumstances, as 'climate change has always occurred' and scientists' predictions of an 'apocalypse' due to global warming should be taken 'with a grain of salt'.

Given such strong statements from the most prominent leader in the Catholic Church in Australia, some might infer that the Church denies the reality of climate change. That would certainly conflict with the thrust of Church teaching that climate change is a reality that requires a change in our way of life:

...‡ Pope John Paul II said in 1990 that 'when man turns his back on the Creator's plan, he provokes a disorder'.

...‡ The [Compendium of the Social Doctrine of the Church](#) from the Pontifical Council for Justice and Peace says: 'The climate is a good that must be protected and reminds consumers and those engaged in industrial activity to develop a greater sense of responsibility for their behaviour.'

...‡ One of the stronger local church statements comes from the 2005 position paper of the Australian Catholic Bishops: [Climate Change: Our Responsibility to Sustain God's Earth](#). The focus is not on the existence of climate change, but what to do about it: 'Given the gravity of the problem, detailed and resolute responses need to be both swift and radical.'

In his *Sunday Telegraph* column, Cardinal Pell does not underscore his argument with theological justification, as he does with his position on other issues such as human cloning. This is proper because his views are his own. So it would be unfortunate if casual readers attributed to them the authority of the Catholic Church. They have only the authority of his personal opinions.

The Columban Justice Peace and Integrity of Creation institute has released [guidelines](#) for the federal election, warning voters against intimidation by 'those who play on religion and people's good will in their denial of climate change'. It refers to those with a literalist reading of Scripture who pervert the religious word

'stewardship' to sanction economic exploitation.

Cardinal Pell has not so far incorporated such a theological dimension into his argument. It is only fair to him, and the Catholic Church, that members of the public and other commentators do not assume that he has.

Biopic avoids venerating troubled artist antihero

FILM FORUM

Tim Kroenert



Control: 117 minutes. Rated: MA. Director: Anton Corbijn. Starring: Sam Riley, Samantha Morton, [website](#)

The figure of the 'troubled artist' — whose immense creativity and charisma are accompanied by a reckless, self-destructive lifestyle that ends in a premature demise — looms large on the pop cultural landscape.

From Jackson Pollack and Jim Morrison to River Phoenix and Kurt Cobain, the tragedy has played itself out so many times that it has become, at best, a cliché; at worst, a pattern to be emulated by those who deign to follow in their heroes' footsteps.

The stereotype is cemented when these figures' stories are transposed onto cinema screens. Ed Harris channelled Pollack for the eponymous film version. Val Kilmer immortalised Morrison in Oliver Stone's *The Doors*. And Cobain's final hours were re-imagined by filmmaker Gus Van Sant and his star, Michael Pitt, in *Last Days*.

But while such films make compelling viewing, offering insight into their subjects' complex personas and recreating their fate with emotional punch, the question remains whether there is anything to be gained by perpetuating the 'troubled artist' cliché.

At what point does tribute to the person's memory and achievements become a celebration of their self destruction? It's a fine line to tread.

In his feature directorial debut *Control*, internationally renowned photographer Anton Corbijn brings a sense of gentle lyricism and brooding understatement to the final years of Joy Division front man Ian Curtis' life.

Curtis (played with simmering intensity by Riley) married very young, and was on the brink of international superstardom when he committed suicide at the age of 23. *Control* portrays him as a troubled youth overwhelmed by the contrasting responsibilities of his music career and his domestic life.

Curtis' improperly medicated epilepsy adds to the burden, but ultimately it's an affair with a European journalist that proves to be his emotional and psychological undoing.

The fact the film draws upon the memoir of Deborah, Curtis' widow, and credits Manchester rock'n'roll guru Tony Wilson (who 'discovered' Joy Division) as a co-producer, lends it a sense of authenticity.

Unsurprisingly, given *Control's* source material, it is Deborah (Morton) who arises as the great victim of Curtis' self destruction — left to emerge alone, with their still infant daughter in her arms, from the mire of her husband's self-serving tragedy.

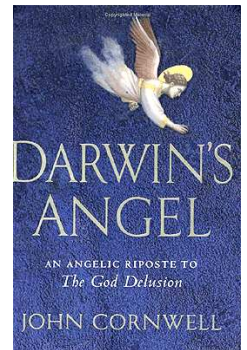
Which suggests that ultimately, the thing that prevents the 'troubled artist' biopic from too enthusiastically venerating its antihero is the weight of sympathy it allocates to the others in the artist's life — the true victims, who are left bruised and bleeding in their loved one's wake.

What Richard Dawkins believes

BOOK FORUM

Andrew Hamilton

***Darwin's Angel. An Angelic riposte to The God Delusion,* John Cornwell, Profile Books, 2007, ISBN 978 1 84668 048 9, [website](#) .**



It is difficult to respond at book length to polemical works. Particularly to works that are as swingeing and expansive in their argument as Richard Dawkins' *The God Delusion*. Your response must draw energy from what it criticises, and the time and energy devoted to the task inevitably makes your opponent seem important.

Successful refutations show a deep understanding of their targets. They bring out the force of the opposed argument and display its hidden connections. Although mudslinging and snide imputations may be difficult to resist, particularly when used by one's opponent, they are ultimately suicidal weapons. It is important to offer a more attractive and genial understanding of the issues addressed.

By these high standards, *Darwin's Angel* is an engaging but flawed work. Its title is an elegant conceit. By imagining that the reply comes from the guardian angel of Charles Darwin and Richard Dawkins, Cornwell dramatises his assertion that the human world cannot be defined exclusively by material and biological processes. He is also able to take a rhetorically large view of the issues that Dawkins raises, distinguishing his work from mere polemic.

His execution of the task, however, is thoroughly human in its virtues and limitations. He relies on a close reading of *The God Delusion* that credits Dawkins with meaning what he says. He concedes the strong points of Dawkins' argument, and goes beyond assertion to argue the many detailed points of criticism that he makes. These include Dawkins' reliance on flawed authorities, his implicit appeal to intolerance and his erection and demolition of straw men as ciphers of religious faith.

But his angelic narrator also dips his wings in the mud, occasionally adopting an Olympian disdain and using *ad hominem* arguments. More seriously the detail included in a short book — 21 sections in 150 pages — obscures the shape and roots of Dawkins' argument. Neither does Cornwell's own argument shine lucidly. Although he shows that Dawkins' book has many weaknesses, his own position does not commend itself strongly.

Ultimately Dawkins and Cornwell differ about the nature of reality and so about what must be included in a truthful account of it. Dawkins' view confines reality to the material elements and to the evolutionary processes that have shaped its

complexity. We can only know reality through scientific observation and inference. Consequently the only valid questions concern how our world came to be. Dawkins discourages us from asking why the world was made, what destiny awaits it, or why some human qualities seem to transcend biological processes.

The strength of Dawkins' position lies in its old-fashioned respect for truth. He is angered by what he sees as falsehood, and believes that a world based on false religious belief will be vicious. Like his Christian opponents who believe that the falsehood of secularist belief will inevitably corrupt society, he does not argue from empirical evidence to his conclusion. Instead, his convictions lead him to see empirical evidence that supports them. They also underlie his desire to eradicate religious belief.

Dawkins' work invites the reader to ask whether this understanding of reality and of truth does justice to our experience of reality. Cornwell deals episodically in arguing for the possibility of a theist construction of the world. He argues that it is legitimate and natural to ask why anything should exist rather than nothing. Although he does not develop the point, it is surely here that the crucial difference between the two writers lies.

Cornwell puts in analytical terms the question why anything should exist rather than nothing. But underlying the question is the passionate human experience of engagement with and wonder at the richness, variety and liveliness of existence.

For Dawkins this excitement can lead properly only to analytical questions about what we can see and infer about the visible world. The task of those who oppose this view is to describe the richness and mystery of existence in such sinuous and accurate terms that Dawkins' exclusion of larger questions will appear to be an invitation to live in an impoverished world.