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Detention centre project spruiks art and humanity

VIDEO

Peter Kirkwood

On Monday evening prominent Sydney neurosurgeon, Charlie Teo, delivered this year's prestigious Australia Day address at the NSW Conservatorium of Music. In it he [denounced](#) racism in Australia, and called on politicians to be more compassionate towards asylum seekers.

'I believe Australia has a moral and social obligation to demonstrate a higher level of kindness to and acceptance of refugees,' he said. 'I don't know how this may be achieved but I certainly know both sides of the political fence are floundering.'

This interview on Eureka Street TV is with a man who exemplifies a kind and compassionate approach to asylum seekers. Sydney based academic and artist, Safdar Ahmed, along with his friend Omid Tofighian, started the [Refugee Art Project](#) in 2010.

With other artists, they run free art classes in detention centres in NSW and Victoria. None of them are art therapists, so there is no formal therapeutic goal. Their aim is just to share their skills, to act as friends and mentors, and to provide an opportunity for artistic diversion and expression.

The classes were so successful, and the artworks produced were of such quality that Ahmed and his collaborators mounted an exhibition of works at the Mori Gallery in Sydney in June and July last year, with a follow-up exhibition and conference at Sydney University in December.

In the video, Ahmed gives a guided tour of some of the artworks featured in the exhibition, and explains how the detainees benefit from exploring their experiences through art.

'They are able to express very personal themes that they may otherwise find difficult to put into words, which can be one step towards the reconciliation of past traumas,' he has said. 'The artistic moment is one of absorption, which diverts the mind from other stresses, potentially helping the individual relax.'

Ahmed's family background and academic study prepared him well for this work with refugees. Though he didn't have a strongly religious upbringing, he grew up in Australia with an Indian Muslim father and English mother.

He went to India to spend time with his father's family and this led to an abiding interest in Muslim history and culture, and an appreciation of the diversity within Islam in India. This inspired further travels to Pakistan, Iran and a number of Gulf states.

At university he pursued studies in fine arts, religion, and the history and

culture of Islam. The thesis for his PhD considers Islamic reformist movements, both fundamentalist and moderate. His interest in human rights is inspired by the emphasis on social justice in Islam.

Long road to the Indigenous referendum

POLITICS

John Warhurst

The end game in the Government's plan to hold a referendum to recognise Indigenous Australians in the Constitution and to remove racially discriminatory provisions has now begun with the submission last Thursday of the unanimous report by the 22-member expert panel.

It has recommended five specific changes (removing two sections and adding three) to the body of the Constitution. The Parliament must now decide on the precise questions to go to a referendum.

The reception of the report has shown what a tough game it will be, not just because of the historic difficulty in making constitutional change in Australia by the referendum process, but because of the broader context of race and racism in which the campaign is already being conducted.

The moment encapsulates the long-held aspirations of both the Indigenous Rights and Reconciliation movements. The Prime Minister has said this is a one in 50-year opportunity.

It is 45 years since the successful 1967 Indigenous referendum to which this one inevitably is being linked. It is 47 years since the 1965 NSW Freedom Ride campaigns. It is 40 years since the establishment of the Aboriginal Tent Embassy in Canberra. The main public face of the report, the co-chair Patrick Dodson, was made chair of the Council for Aboriginal Reconciliation way back in 1991.

These efforts illustrate the various streams in Indigenous campaigning, of which constitutional reform has been just one. While not a final step, this referendum might be a significant further step in this long journey. It follows the 2008 parliamentary apology to the Stolen Generations and provides an opportunity for this Labor era to be remembered whenever the Indigenous story is told.

Ominously though, it has also been 35 years since the last successful referendum in 1977. Only eight out of 44 attempts have been successful. Passing a referendum is exceptionally difficult and there is no fool-proof recipe for success. No one should doubt this.

The advocates of this referendum have done a lot right in the usual ways. They have attempted to build a broad coalition behind the proposal right from the start. The large size of the committee illustrates the attempt to bring everyone together inside the tent, including different opinion leaders within the Indigenous community (from Noel Pearson to Dodson) and the range of political opinion from Labor to the Coalition, represented by Aboriginal Liberal MP Ken Wyatt.

This consultative, consensual approach has been successful so far, though there are already critics, including Indigenous ones.

But there are problems. One is getting the timing right. Can an unpopular government manage to conduct a successful referendum as an election draws near or even at the time of the next election?

This problem may be overcome by top-level, comprehensive bipartisanship and multi-partisanship. Tentative indications are that federal bipartisanship may hold. To be successful this must be extended to comprehensive state government and opposition support, and the Greens must campaign enthusiastically too.

The second problem is deciding the scope of the referendum. Critics are already picking holes in the extent of the recommendations. Some are suggesting that for success the KISS (Keep it Simple Stupid) principle must be adopted.

But the winning principle is not merely simplicity but not trying to do too much. Changes have to be made carefully and compromise must prevail even if this means some worthwhile suggestions are ditched. Voters are not fools but they are apathetic and can be led because they are ignorant of the detail. Public education campaigns find it hard to crack this combination of detachment and ignorance. Negative campaigns are too easy to run.

One thing is certain; it is too late to pull back. No government or opposition should trifle with the Indigenous community and/or with the broad community on such an issue.

Defeat may be worse than no referendum at all because of the hopes dashed. But surely we have to have a go. It is a test for all those in Australian public life to make sure not only that it happens but that the outcome is successful. It is also a test for all of us with a voice to play our part. Most successful referendums pass resoundingly. Let's hope this one does too.

Beyond Australia's adolescent identity crisis

POLITICS

Fatima Measham

It is easy to forget how young Australia is. Many look to 1788 as the source of national identity, but Federation is actually a closer approximation of birth. Given that the creation of the Commonwealth was driven in part by a movement that sought to formally distinguish what is Australian from what is British, 1 January more accurately captures the beginnings of nationhood than 26 January.

If we thus take 1901 as our birthyear, then our country turned 111 on New Year's Day. A mere drop in the ocean, in a world where China, Egypt, India, Iran and Mexico have histories that stretch back uninterrupted into antiquity. Our own Indigenous history is at least 500 times older.

Even the US, the closest comparable country in terms of genesis, is far ahead in maturity. By the time the First Fleet pulled into Sydney Cove, 12 years had passed since the American Declaration of Independence. When our first Federal Parliament was inaugurated, the US Constitution had been in place for over 100 years. We have been singing our current national anthem only since 1984.

This youthfulness contributes to the ongoing tensions around what being Australian means, or indeed who we ought to be. Like many adolescents, Australia is going through a protracted identity crisis.

It is caught between its immature past and burgeoning potential, longing for prominence yet lacking confidence, struggling to make sense of the varied aspects of its identity. It obsesses over its flaws while denying them in public, swinging between pride and resentment.

These are normal hallmarks of adolescence, but Australia must also contend with a troubled background and few guiding lights. Not only is its early history marked by violence, the institutions from which it draws its sense of self are shallow and murky.

Its national day is inextricably linked to the dark consequences of those first boat arrivals, and will continue to be for as long as injustice characterises Indigenous lives.

Its founding document (the birth certificate, as it were) codified discrimination, and still does. The constitution which had empowered our founding fathers to restrict immigration against 'Asiatics' or 'coloureds' and exclude Aborigines from the census, still contains a provision that grants federal power to make 'special laws' based on race.

Its other foundation story, the Eureka Rebellion, glosses over the fact that Chinese miners were subject to discriminatory taxes, segregation, forced evictions and migration limits. None of these policies met the same resistance as the mining

licence policy that led to the stockade.

In other words, Australia does not have the narrative touchstones that would help it navigate its way through its adolescent identity crisis.

There is no soaring statement on the equality of all men and unalienable rights, no principled liberation of indentured labourers, no prescriptive constitutional preamble that links a 'more perfect union' to the ideals of justice, peace and liberty, no stirring speeches about shared brotherhood. No wars for its very soul.

Or perhaps the narrative touchstones that Australia does have are inexplicably obscured.

For instance, the Fraser Government's decision in the late 1970s to accept nearly 60,000 Vietnamese refugees (including 2059 undocumented 'boat people') ought to be part of our national storytelling, not merely a political footnote.

So should the 1992 Mabo decision be elevated from a legal landmark to a shared liberation. Given its correction of a doctrine that led to the annihilation and displacement of Indigenous peoples, Australians ought to be as familiar with it as Americans are with Abraham Lincoln's legacy.

Paul Keating's speech at Redfern that same year is also a narrative touchstone, as frank and prescriptive as Martin Luther King Jr's at the Lincoln Memorial in 1963. Both drew on human capacities for dreaming and imagining as bases for the work of justice: King in expressing his hope for freedom, Keating in inviting people to put themselves in the shoes of the oppressed.

As a very young nation, Australia has so few such touchstones, that it flails in the dark when it buries them. Such stories, especially the ones that provide a glimpse of its better self, should not lay hidden. They should be laid as the foundation for more.

It is how nations mature, as Australia eventually must.

Morris affair contains lessons for Church hierarchy

THE MEDDLING PRIEST

Frank Brennan



The Toowoomba Diocese has been without a resident bishop now for nine months since Pope Benedict removed Bishop Bill Morris, who refused to submit his resignation when requested by three curial cardinals who formed an adverse view of him.

Morris had offered to retire by August last year provided only that the sexual abuse cases in the diocese had been resolved. This timetable was judged inappropriate by the Vatican cardinals who conducted an ongoing inquiry into Morris' fitness for office. They wanted him out, now. Nine months later, no one is able credibly to defend their methods.

Morris was denied natural justice. No one, including the Australian bishops, quite knows why he was sacked — or at least they cannot tell us; the charges and the evidence remain a moving target, a mystery. Clearly Morris has not been judged a heretic or schismatic. He has maintained his standing as a bishop, being asked to assist with Episcopal tasks in his home diocese of Brisbane.

There have been some suggestions of defective pastoral leadership by Morris — an assessment not shared by most of his fellow Australian bishops, who expressed their appreciation 'that Bishop Morris' human qualities were never in question; nor is there any doubt about the contribution he has made to the life of the Church in Toowoomba and beyond. The Pope's decision was not a denial of the personal and pastoral gifts that Bishop Morris has brought to the episcopal ministry.'

The key resident church leaders of Toowoomba commissioned retired Supreme Court judge and esteemed Catholic layman, Bill Carter QC to [review](#) the Vatican's curial process demanding resignation and culminating in papal dismissal.

They also sought a canonical reflection on Carter's report from the respected canon lawyer Fr Ian Waters who [stated](#), 'I presume I have been invited because I am not a Queenslander. I have never met Mr Carter, although I know he is an eminent and highly respected jurist.' Waters concluded:

In accordance with Canon 19, the Holy See, departing from the earlier precedents for the removal of Australian bishops, could have designed a process similar to the process for removal of a parish priest, thereby according procedural fairness and natural justice consistent with the Code of Canon Law. This was not done. I respectfully concur with Mr Carter's conclusion that 'Bishop Morris was denied procedural fairness and natural justice.'

After Morris' dismissal by Pope Benedict, the Australian bishops, preparing for their five-yearly *ad limina* visit to Rome, announced that they would 'have the opportunity to share with the Holy Father and members of the Roman Curia the

fruits of our discussion and to share our questions and concerns with an eye to the future'. On arrival in Rome, they were made aware that there would be no opportunity for such dialogue with the Pope.

Not even our bishops sufficiently understood the Roman ways! One of Morris' fellow Queensland bishops Michael Putney lamented that 'as Bishops we need to have immediate steps in place. When we see a Bishop acting in such a way that could lead to censure, we should have a process of mediation in place to intervene in a spirit of affective collegiality.' But he gave no details of Morris' actions which would warrant censure.

Morris' fellow Queensland bishop Brian Heenan preached at the farewell mass in Toowoomba in August last year suggesting that the Lord would say: 'I cannot be held responsible for all the things that happen in my Church, but I want you to know that I have been delighted with your years as a priest in Brisbane and now these productive years as a pastor in this great Diocese of Toowoomba'.

After the mass, his fellow Queensland bishop James Foley wrote to the Toowoomba church leaders lamenting this 'tragedy in which there are no winners'. He said:

The reasons, the causes and the motivations for what has occurred may be known only unto God, who alone may judge. Consistently and officially it has been stated that neither Bill's own integrity nor his pastoral effectiveness are questioned. The fruits — the proof — of this were palpably evident in Sunday's celebration.

Foley praised 'the solid no-nonsense Catholic faith of the people of the Toowoomba Diocese (which) was un-self-consciously and un-pretentiously on display'.

When natural justice is denied, everyone in the institution suffers. Anyone questioning the present process or decision is placed in the invidious position of being seen as insufficiently trustful of the papacy. One can be a great defender and advocate for the papacy and still be a strong advocate for due process, especially when administrative or judicial type functions by curial officials may result in a pastor being relieved his office without satisfactory explanation to his flock.

Vatican II's dogmatic constitution on the Church, *Lumen Gentium*, describes the Church as the people of God. Many of the people of God anxious to respect human dignity and ensure that the Church be as perfect a human institution as possible think natural justice and due process should be followed within the Church, while maintaining the hierarchical nature of the Church and the papal primacy.

Of course, there are some who question the papal primacy or the need for an ordained hierarchy, but they have little to contribute to this very Catholic debate.

The question for the contemporary Catholic is: can I assent to the teaching of

Lumen Gentium without having a commitment to due process, natural justice and transparency in Church processes and structures, thereby maximising the prospect that the exercise of hierarchical power and papal primacy will be for the good of the people of God, rather than a corrosive influence on the faith and trust of the people of God?

Carter was right to state that 'it is idle to suggest that the issue (of Morris' removal) now has any justiciable potential or that specific relief might be sought by means of any canonical or civil process'.

But there are many lessons for the Church (including senior hierarchy) to learn from this affair. It is to the credit of the Toowoomba church leaders that they have decided to forward the Carter and Waters opinions to the curial Cardinals undertaking to publish any corrections or clarifications. Sadly none of their communications to date have been favoured with even an acknowledgment.

Just because there is no legal remedy, that is no reason for the people of God not to reflect acutely on their treatment of each other in God's name. Respectful dialogue with Toowoomba's church leaders would be a good start.

Social networking drives inclusion revolution

COMMUNITY

David Cappo

Writing for *The Australian*, sociologist and commentator Frank Furedi recently [wrote](#) in negative terms about the concept of social inclusion. Furedi is an international scholar and social commentator of note, and I take his point of view seriously. However I also take issue with a number of his points.

For me social inclusion is neither theoretical nor ideological. It is not merely about 'feelgood policies'. It is about clear targets and tangible outcomes and improving the lives of people experiencing disadvantage. Cutting through red tape and pushing government departments to get things done in homelessness and mental health. Action, which can be measured, not slogans.

That said, neither would I easily dismiss the exploration of immaterial or intangible goals such as personal fulfillment and happiness in the lives of citizens. The important role for government in developing such goals is to explore ways to develop tangible outcomes that can be measured.

Various governments and institutions have been exploring a social inclusion agenda since the 1970s with varying levels of success. I believe social inclusion is resonating more and more with citizens and will become even more relevant in the 21st century. This is because the two pillars on which social inclusion is built — access and participation — are becoming more central to citizens' expectations.

Access means access to opportunities (education, training, employment, housing) and to services (health, mental health, disability, justice) that allow individuals to *participate* as fully as possible in the economic and social life and networks of community.

I believe access and participation will be seen more and more as a social right of citizenship in Australia. And it is the communication explosion and the ease of use of new technology that are driving the embrace of access and participation by citizens.

For example, we now pay online not only to purchase but to access products. And you only have to reflect for a moment on the world of wikis, social networking sites like Facebook and blogging to realise participation in sharing information and ideas is becoming an increasing practice.

People are becoming more familiar with the experience of access and participation — and they like it! These are becoming high values for 21st century citizens.

Through these experiences of instant access and participation, we are seeing a new awakening in citizens. It's easier to be involved online; more citizens want to have their views and opinions heard as part of the process of social living and

decision making. Governments need to be aware and alert. Citizens will increasingly desire a more active role in their system of government.

In a limited way governments have been trying to engage their citizens through forms of consultation, that in the years ahead I think we will see as crude if not primitive. Unfortunately the word 'consultation' has become for many a euphemism for engaging and then politely ignoring the views of individuals and different communities.

Governments continue to struggle to keep engaged with their citizens and to develop ongoing dialogue with them. Successful governments of the future will take note of how citizens are connecting through technology. Smart governments will find new ways to use these kinds of connections to develop new trust and new dialogue between citizens and government.

Access and participation, the two pillars of social inclusion, are taking centre stage in the public mind. They will be a dynamic force for decades to come because citizens will demand them as a right. The signs of the times are there for all to see. Governments in Australia will rise or fall depending upon their ability to connect, to dialogue and develop trust, and then to deliver.

Praise for Wilkie's rage against the machines

POLITICS

Tony Kevin

Last Friday, most media were predicting that Andrew Wilkie and Julia Gillard were about to announce a compromise gambling reform plan. But the deal broke down in final talks Friday night. On Saturday, Wilkie bitterly denounced Gillard's conduct and ended his one-year-old agreement to support Labor.

'I regard the Prime Minister to be in breach of the written agreement she signed, leaving me no option but to honour my word and end my current relationship with her Government.'

Gillard went ahead with the compromise reform plan (now Labor's alone). This plan does not require any legislation before 2014, i.e. not under the current Government.

This story says important things about the difficulties of achieving reform, and about the political power of the wealthy and ruthless gaming lobby.

Rob Oakeshott on Friday said he would not support legislation before a substantial, lengthy trial. This gave Gillard the final lever to abandon her 2010 promise to Wilkie of submitting to Parliament nationwide mandatory precommitment legislation in the term of the present Government.

Oakeshott and Tony Windsor, along with many worried Labor MPs, were wilting under the heat of popular campaigns steered and funded by the gaming lobby but attracting genuine grassroots support from worried voters fearing the loss of valued club-subsidised local amenities and services in outer suburbs and regions. Commonsense dictated delay and trials.

Gillard's compromise deal extends the reform timelines to the next government. There will be a 12 months voluntary trial of mandatory precommitment technology in all ACT clubs starting in February 2013, with comparative data collection in unaffected adjacent Queanbeyan clubs.

The Government will legislate in early 2014 for the Productivity Commission to review these trial results, and to recommend whether the Government should proceed with nationwide mandatory precommitment. Meanwhile, all new poker machines will require installed mandatory precommitment technology by 2013.

An accompanying set of modest but useful operational reforms (most thoroughly reported in a 'How the deal will work' box in *The Australian* on 23 January) completes the package.

It is certainly a step forward. But it is a lot slower than what Wilkie wanted. State governments, clubs and the gaming industry have welcomed the package, because it maintains revenue streams and it puts off hard choices until 2014 at

the earliest and possibly well beyond.

What are the political consequences? *Sydney Morning Herald* commentator Phillip Coorey argues that Wilkie has merely put himself back in the camp of Windsor and Oakeshott, as Independents who will guarantee supply and only vote against the Government in cases of serious misconduct. Lost only are Wilkie's weekly meetings with Gillard and Labor's special consideration of his interests.

Some of Wilkie's own words support this interpretation. Government sources take heart from this. The Caucus seems pretty united that Gillard made the best choice here, sweetened by a reasonable reform package to mollify some of Wilkie's supporters if not the man himself.

Yet Wilkie clearly feels betrayed, and will view any 'wild card' conduct issues like the Craig Thomson affair or the Speaker's role less generously than before last Friday. Will his often expressed desire for a full term Government and his distaste for many of Tony Abbott's policies prevail over such feelings? Abbott smells blood in the water. Labor's margin of safety is now narrower than it was last week.

The ruthless self-interest of the gaming lobby was nakedly revealed here. They threw a lot of money and effort into mobilising real public concern about loss of amenity in clubs.

Their power drowned out the moral argument — that it is not right to build community wellbeing and comforts on exploiting the misery of successive cohorts of poker machine problem gamblers, who incrementally lose control of their addiction with resulting tragedy to themselves and their families.

The Catholic tradition in Australia has always been more tolerant of alcohol and gambling than the 'wowsers' Protestant tradition. But too many Catholics turn a blind eye to how today's poker machine technology and operating environment is designed to nurture dangerous (but profitable) addiction.

We are accountable as communities to deploy the best modern countervailing technology to protect our most vulnerable people. For too long this issue was swept under the carpet.

Wilkie has done us all a great service in bringing this issue to the front of national politics. He has kept his honour, and he has laid the foundations for Labor's incremental trials and improvements between now and 2014. None of this would have happened without him.

It is up to the rest of us now to maintain the fight he has begun, and to remind wavering MPs in the regions that there is another side to the argument of supporting communities. Or do we want our kids to play on green playing fields, and our families to enjoy subsidised meals out, paid for by the grief and terror of broken families and foreclosed family homes?

Receiving a past

POETRY

Anne Elvey

Button

tossed on the doona a red
engine with blue trim,
a lemon duck, an A & an
M, a black trouser
fastener, myriad shirt
buttons in several shades
of white, a hook & eye,
a grey button for a cardigan
that long ago lined
the cat's basket. a solid
confetti of odd shape
and size, picked over like lentils,
picked over again. suddenly
the best thing that's happened
all day, in the mix
a lilac disc diameter
nine millimetres with two
holes for the thread not four,
to match the five already
on the purple shirt, to sit
between the second and the fourth,
just over the breasts.
there to survive when the fabric
and the flesh fall away,
sewn into soil with

the slow decay of bone.

Receiving a past

I wind a music box with my heart wrapped round the key, to shield the skin of my palm. It would burn on a sentence spoken, I cannot respond. The mirror is face to the soil. The frame is filigree. On its reverse ants outline a world. Under glass the roses have crimson centres, and leaves are harlequin, emerald-lime. A peacock struts on the back of my brush. One hundred strokes are all that's left of Nanna. Her need for the impossible falls to yesterday's grace. It was all right to split an orange oozing sweet acid. Like a love-lorn cow I lowed, a deep-throated yes. Assent was a texture stitched on recycled card. I dotted my `i's with lemon pips embroidered into language like tears on the bank of a creek — each after rain clings to a blade. From the glistening trees the chorus of what was said became me, before I registered the sacrifice. Now from the yes, a small face looks up mute. My eyes are still selfish and my ears hunt a magpie's repertoire. She spills it on the blue page.

I lick my thumb. I turn the air.

Sheet music

If there were sheets that night scored
with the labour of cotton farmers
and their pickers,
and certain workers spinning thread
and the giant looms,
there was also the comfort of cloth,
the several skins of the covers
and the skin of night,
and a tattoo
deep beneath skin
that juddered in the intestine
with the question tossed between us
as if you existed
and might have asked something
of me. And
if you had smelled of anything at all,
it might have been clean sheets, crisp air,

autumn, candles, chocolate —
or otherwise the tang of ozone,
heated metal, war and
blood, the pages of Wilfred Owen's doomed
youth, who wrestled all night with a stranger —
and the saying yes
to the otherwise empty air.

Susurrus

Crumbled charcoal
frays the clouds.
Gulls skim
the bay in arcs
sketched swift,
fluid on air
as kelp the current
plays. At the shore
the overwritten line is
redrawn by tide
in every moment
other. This is a word
my father knew —
the susurrus — a voice
that says the sand,
the sable brush
on light,
the resident tongue.

Time to change our racist constitution

EDITORIAL

Michael Mullins

Last week the [expert panel](#) chaired by Indigenous leader Patrick Dodson and national reconciliation advocate Mark Leibler presented Prime Minister Julia Gillard with its [report](#) titled *Recognising Aboriginal and Torres Strait Islander Peoples in the Constitution*.

The panel proposes recognition of the prior occupation of Australia by Aboriginal and Torres Strait Islander peoples, and acknowledging their continuing relationship with their traditional lands and waters, and their cultures, languages and heritage.

The report reveals that many Australians do not even realise that explicit racism is among the principles and ideals in the Constitution, and how significant this is because they continue to provide the foundation for the work of our lawmakers.

Aside from the pointedly scant acknowledgement to the Indigenous Australians that were regarded as a 'doomed race', the most blatant example of racism in the Constitution — the exclusion of 'Aboriginal natives' from the census — was removed in the 1967 referendum.

But racism remains elsewhere, such as in the part of section 51 that gives Parliament the power to make laws for 'peace, order, and good government' with respect to 'the people of any race'.

Other traces of racism in the Constitution are more symbolic than practical, but this is significant because symbol can be as potent as practical possibility. There is section 25, which says people who are excluded from voting based on race cannot be included in the tally when seats in the Lower House are divided up. Removing that would have no practical effect, because nobody is excluded from voting on racial grounds any more.

It seems that those who've been aware of racism in the Constitution and prepared to tolerate it, have taken the same 'if it ain't broke, don't fix it' approach that is commonly used to justify maintaining the monarchy. This effectively blesses the attitude that it's acceptable to regard Indigenous Australians as second class citizens in theory as long as we treat them as equals in practice.

Perhaps we allow this because of a not always well placed pride in the pragmatism that we often think of as a laudable national characteristic. But it is racism.

Surely the right thing to do is to consult Indigenous Australians, as the expert panel itself has done.

As a sample of Indigenous opinion, last week's [media release](#) from the National Aboriginal & Torres Strait Islander Catholic Council (NATSICC) suggests the

constitutional status quo does not even pass the pragmatism test. Chair Thelma Parker says justice for Indigenous Australians will be subject to political whim until their rights are enshrined in the Constitution.

‘Currently we feel as if the goal posts are constantly shifting due to the ability to change Statute Law and legislation relatively easily via Parliament and often without consultation with Indigenous people. The Constitution, however cannot be changed without the will of the Australian people. That is the strong foundation that we are talking about.’

Unfortunately the implementation of the proposals of the expert panel will itself be subject to political whim, and opposition leader Tony Abbott has already indicated that, in broadly welcoming the report, he has ‘some reservations about anything that might turn out to be a one clause bill of rights’.

Bill Morris and natural justice

RELIGION

Andrew Hamilton

After Bishop Bill Morris' dismissal, pastoral leaders of the Toowoomba church commissioned a report on the procedures followed. The report by retired Queensland judge [Bill Carter](#) has now been made public. It is accompanied by a comment from Melbourne canon lawyer Fr [Ian Waters](#) about the canonical aspects of the report. These documents make disturbing reading.



Carter focuses on the question of natural justice. Morris commented to Pope Benedict, 'Throughout this sad matter I believe I have been denied natural justice.'

The report describes natural justice as the general duty of fairness laid on decision makers, especially when their decisions are detrimental to the good name and interests of the person affected. Natural justice requires that evidence for detrimental decisions be disclosed to the person affected, who then can respond to it.

Given that the obligation of natural justice carries moral as well as legal weight, Morris was entitled to expect that his right to it would be respected in Vatican dealings with him. Dismissal and the public judgment made on him are clearly harmful to his life and to his good reputation.

In order to decide whether Morris received natural justice, Carter then examines the documented exchanges between him and the Vatican. The initial question raised concerned his use of General Rite of Reconciliation in the diocese. He ceased this practice when instructed. He later clarified for his people a passing reference to European discussion of married priests and women priests. It occurred in a letter proposing pastoral initiatives explicitly based on a celibate male priesthood.

It was evidently only after his dismissal had been decided that he received an unsigned document from the Congregation for Bishops setting out the ills of the Toowoomba church and the need for a strong bishop. Some of the more specific claims were false. Most were so general as to require detailed evidence in their justification. Morris' request to answer each charge and to meet the relevant Vatican officials was denied. Carter remarks:

... it is strongly arguable that the decision of the Congregation of Bishops or of its prefect had been made without evidence, or on the basis of evidence which was factually untrue; he the bishop was denied knowledge of the authorship of this document; he was not made aware of any of the evidence made to support what can only be regarded as seriously damaging effects upon his reputation as a Bishop of the Church.

Nor had he been asked to respond to, comment upon or explain the core of these allegations. In short he has been denied the right to be heard.

The report concludes that Morris did not receive natural justice in the process that led to his dismissal. Carter writes in a measured way, but outrage at this process lies close to the surface.

In his comment Fr Waters explains that canon law provides for natural justice in processes for the dismissal of priests but not for bishops. He agrees that in the process described in the report, a secret administrative enquiry with no right of defence by the accused, Morris was denied procedural fairness and natural justice.

The report is disturbing. In it a man with a deep respect for the law and the moral values that it enshrines looks at what is done in the Catholic Church and expresses distaste at what he sees. Of course the authority of the report is limited because Carter had access only to what was available to Bishop Morris. But his point is that Morris was denied access and response to material he had a right to see.

His criticism cannot be rebutted by pointing to the difference between Roman and English legal traditions. The point at issue is not law but morality. The salient argument would need to claim that the duty to respect others' good name in legal processes applies only in some cultures. But moral relativism of that kind is rightly frowned on by churches.

For Catholic Christians who see the papacy as a crucial part of Christ's church the memorandum is also disturbing. In Catholic faith the Pope plays the same part as Peter in strengthening the faith of the brethren. Pope Benedict said that, when dismissing bishops popes are not bound by process. But the report shows that beneath this apparent absence of process in fact lay an unfair process that damaged the reputation of a good man.

It makes it difficult to commend to Christians of other churches the place of the papacy in proclaiming the Gospel.

Finally, the report is disturbing because it calls to mind the grief and hurt that so many people have suffered through this affair and the strain it has put on trust among Catholics. Those whose lives, commitments and reputations have been affected in different ways include Bishop Morris himself, the people of the diocese, Bishop Brian Finnegan the Apostolic Administrator, the pastoral leaders, the Australian Bishops, and even Pope Benedict.

At the heart of the church is reconciliation. The heart does not function well when the veins are clotted.

Myths and truths of Australian bigotry

MULTICULTURALISM

Larry Schwartz



The man from the pay TV company was adamant: he wasn't selling anything. But too often I've opened my front door to strangers and found myself tempted by some sales pitch. So I'd answered the bell warily, spoke through the screen door and tried to keep the encounter brief.

'I'm sorry but we're not interested.'

But he knew better. 'It's because of the colour of my skin,' he said as he turned to leave.

It was to be a parting shot. But I called him back, stepping out onto the veranda. Surely he could not assume that everyone not interested in hearing what he had to say was a bigot.

I had no idea, he replied, how often he was called a 'brown bastard' by people he approached.

Later, I wondered if I was not all the more defensive because I grew up in segregated, apartheid-era South Africa. In Australia, where I've spent well over half my life, it seems at times that as long as you have a fairish complexion, you can be lulled into assuming tolerance and goodwill.

Last 26 January I sat with a small crowd near Belgrave, east of Melbourne. I had come there to hear filmmaker and musician, Richard Frankland, and his band, the Charcoal Club. We hadn't seen each other in a few years and I thought I'd stop by.

Elsewhere this was Australia Day, the national flag unfurled in celebration. But here in Belgrave's Borthwick Park it was Survival Day. A wispy-haired toddler in striped shirt waddled in front of the stage holding a small Aboriginal flag. A sign tied to tree trunks declared 'The country needs a treaty'.

Frankland, a big man in broad-brimmed hat, leaned over a tiny mandolin. He'd been to Canberra in February 2008 to film the impact of Kevin Rudd's apology to the Stolen Generations. Rudd's apology, Frankland once told me, was 'an incredibly wonderful step forwards'. 'I felt more Australian,' he said. 'I felt more a part of the nation; that I was seen as a contributor.'

I like to think we can rise to the challenge of increasing diversity. I didn't want to believe the assertions of that pay TV man at my front door. Then I read about objections to the presence of Australians of Indian background on the TV serial *Neighbours*.

I thought the man might be exaggerating. Then I read about increasing complaints to the Victorian Equal Opportunity and Human Rights Commission by those alleging they had been excluded from pubs and clubs because of their race. The commission reported a 55 per cent increase in 'total race complaints across all sectors' in a year.

'I naïvely believed this kind of inexcusable discrimination did not happen in our multicultural society,' a woman wrote to *The Age* in late November after an incident at a Toorak nightclub. She'd been with fellow medical students of Sri Lankan and Indian background who were turned away, ostensibly because the venue was full, while others in the group were admitted.

The Monash University-Scanlon Foundation annual Mapping Social Cohesion survey recently found that the number of people reporting discrimination due to skin colour, ethnic origin or religion had increased from 9 per cent to 14 per cent in four years.

Are we becoming less tolerant, as we become more diverse? Pino Migliorino, chair of the Federal Ethnic Communities' Councils of Australia (FECCA), said at a conference in Adelaide a few months ago that racism was now often more subtle and had shifted to the targeting of religion rather than race.

It's almost 40 years since Whitlam Government Immigration Minister Al Grassby confirmed that the White Australia Policy was dead. 'Give me a shovel,' he declared in 1973, 'and I'll bury it.'

Attitudes were not so easily buried. 'We have amassed more than our share of xenophobia on these shores and seem willing to accord equality only to those who promise not to be different,' Lorna Lippmann, a Monash researcher on Aboriginal Affairs, wrote in a book released the year Grassby called for that shovel (*Words or Blows: Racial Attitudes in Australia*, Penguin Books 1973).

La Trobe University academic Gwenda Tavan, recalling Grassby's assurance in her book, *The Long Slow Death of White Australia* (Scribe Publications 2005), concluded that he may have been essentially correct, but underestimated White Australia's power to haunt future generations. 'In Australia's case,' she wrote, 'race remains the proverbial skeleton in the closet.'

'We'd fundamentally debunk the White Australia Policy and white Australia mentality if we get this up,' Patrick Dodson said recently as co-chair of the Federal Government-appointed panel that has recommended changes to the constitution to recognise Aboriginal and Torres Strait Islander culture and languages, prohibit racial discrimination and remove the last traces of racism.

The encounter at my front door ended amicably. Next time I'll be sure to open the screen door at least and take time to welcome a stranger even if only to say, no thanks.

The hell of hoarding

NON-FICTION

Ellena Savage

Many months ago, my parents set down the law: armed with boxes of my childhood memorabilia, they informed me that their shed would no longer serve as storage for their offspring.

This was amid one of their episodic spring cleans following the realisation that sometimes some people die under piles of their own things only to be found weeks later half eaten by cats, a la the Collyer brothers; that there's evidence to suggest hoarding is a genetic predisposition; and that members of our family indulge that predisposition.

In recent weeks, preparing for a long-term overseas trip, I've had to confront these realities myself. But back then, presented with that pile of boxes that only marginally increased my number of unnecessary possessions, I was none the wiser.

I opened the boxes and fingered through the old letters and postcards from friends from primary school, merit certificates, love letters and birthday cards, then positioned the boxes under my bed where I wouldn't have to acknowledge their existence again. Until I next moved house.

When I did move house, the inconvenience of all my things revealed itself. Among my possessions was *100% Hits '99* (a great compilation for its day), a dressing gown I had owned for over ten years whose fibre had eroded beyond practicality, and a stack of vintage *National Geographics* with fetishised pictures of nude and noble savages. I reluctantly sifted through the lot, filling bags for trash and charity.

I threw away loads of stuff during that move, none of which I actually missed — and still managed to completely fill my new bedroom and partial hallway with stuff that had no practical application in my day-to-day existence.

I found an old suitcase of art supplies I had lugged with me in and out of three houses and barely opened. (Just because I don't paint doesn't mean I won't one day — hoarder logic.) Inside the case, among the hundreds of pencils, paint tubes and brushes was a plastic bag with something like a limp rat in it.

I was shocked for the few seconds it took me to recollect that it was not actually a dead animal but a full head of my own hair from the time I shaved my head, around two years earlier.

I imagine that when I stuffed a plastic bag with human hair, I had thought there might be some appropriate ritual to observe before parting with it. Unfortunately I'm not ceremonially inclined — the sacred opportunity failed to arise, and the hair bag ended up buried under gouaches.

Yes, I am as embarrassed as I ought to be. It should be noted here that my parents did encourage me to collect drying-machine lint in my youth. Society is to blame.

There is internal logic to hoarding. You tell yourself an object may have a use, some day. You also think that seeing value in an object that other people can't see makes you resourceful. Potentially, this is true. But for the most part, the acquisition, transport, and storage of so many things is not economical; it is burdensome.

The instinct for hoarding might seem as though it is linked to survival — an urge to hold onto things for less fruitful times. But there is no real evidence that compulsive hoarding is a response to material deprivation.

Hoarders exist in all cultures and classes, with records of hoarder-types dating back to the Roman Empire. Food hoarding also exists in animal communities. Around two-thirds of all families have a hoarder, and hoarders themselves have more first-degree relatives who save excessively than do non-hoarders. Our zany hoarding grandparents were not doing so because of the Great Depression.

I'm not a real hoarder by any account — I can throw things away and not think of them again. But whenever I see an empty jar, I imagine the endless possibilities for its future life: pickle jar, sewing jar, terrarium.

Now, on the eve of a long trip overseas, I have finally purged my belongings. For the first time ever, I'm down to a suitcase and four small boxes.

Getting there was more confusing than painful. The tough questions were asked: Has my lint collection served any real function? Am I actually going to make a macramé light-fitting with that rope? Not knowing the protocol in dealing with old photos of people I no longer see, I grabbed handfuls and stuffed them in a garbage bag.

Finally ridding myself of the sheer physical weight of objects unlocked a sense of freedom that I don't wish to bury under piles of things again.

Once upon a time in multicultural Australia

MULTICULTURALISM

Zac Alstin

The SBS series *Once Upon a Time in Cabramatta* makes for difficult viewing. Racism, poverty, family dysfunction and crime present an often sad and ugly picture of the challenges faced by Vietnamese refugees as they settled into their new home following the abolition of the White Australia Policy.

But mercifully the take-home message is that these are challenges *overcome*. What this documentary provides above all is a story and a voice for this group of Australians who have formed a unique part of our history. As former Fairfield councillor Thang Ngo [wrote](#) in the *Sydney Morning Herald*:

The Vietnamese refugee community has learnt that you need to find your voice and to take up your full democratic rights. Only then do you stop being guests in this country. That's the moment you become Australian.

For many people 'becoming Australian' means assimilation. Yet in a multicultural society assimilation is not a fixed goal. The multicultural experiment in Australia means groups like the original Vietnamese refugees help to define Australia, even as they learn to adapt to it.

At the heart of our multicultural ideal is the faith that whatever difficulties we face, unity can prevail if we let it. Migrants arrive as outsiders, but the boundaries between 'insider' and 'outsider' shift until our identity as Australians is revised. The message of Cabramatta is that time can heal all wounds.

Some in our society fear that our social cohesion is more fragile than we realise; that our unity and equality is undermined by a focus on our varied ethnic identities. In recent months *Herald Sun* columnist Andrew Bolt became the most publicised exemplar of this view.

Despite being found guilty of racial vilification for his comments regarding the self-identification of fair-skinned Aboriginal people, Bolt was not motivated by racism but by [his ideal](#) of what it means to be Australian. This view was informed by his experience as the child of migrant parents. He felt like an 'outsider' and initially sought refuge in the ethnic identity of his Dutch heritage. These days:

I consider myself first of all an individual, and wish we could all deal with each other like that. No ethnicity. No nationality. No race. Certainly no divide that's a mere accident of birth ... I believe we can choose and even renounce our ethnic identity, because I have done that myself. But I also believe many people now increasingly do insist on asserting racial and ethnic identities.

Bolt's story mirrors that of many others from a different ethnic background who were born or raised in Australia. To those who feel they belong neither to the new

homeland nor to the old one, the ideal of an individualistic Australia without ethnic labels may be very attractive.

The irony is that embracing an individualistic Australia that transcends ethnic heritage would leave us with a culture that is young, thin, and commercialised, lacking the deeper meaning and tradition that only come with time. Our mainstream culture has little history, little to distinguish us as Australians, or to enrich our daily lives with time-honoured customs.

It's one thing to become an individual in defiance of cultural inertia; it's quite another to have no real cultural inertia to defy.

The Vietnamese refugees who became Australians will never forget their history, their story. Andrew Bolt does not hesitate to remind us of his Dutch heritage and his struggle to reconcile it with the land of his birth. But those of us who have always been 'Australian' know no other heritage. We are the ones who are lacking a story and an ethnic identity.

Yet our stories do exist. I, for example, am descended from Scottish migrants who were driven from their ancestral homeland during the [Highland Clearances](#) of the 18th and 19th centuries. My ancestors lost their language and their culture; they married English migrants (despite the scandal of such ethnic mixing!) and raised their families in the townships of rural Victoria.

So I am not simply 'Australian'. I am the product of a people who lost their ethnic identity in the melange of English, Irish, Scottish and Welsh migration to this strange new country.

If we wish to promote the unity and equality of modern Australia, the best thing we can do is learn our own forgotten stories of ethnic identity and heritage. I will never pretend to be Scottish, but nor should I forget the struggles and travails of my ancestors.

This is what it takes for, particularly, those of us who form the declining majority descended from the British Isles, to take our proper place in a multicultural society.

Religious icons tweaked by Renaissance masters

Art

Alex McPhee-Browne

Until 9 April Canberra's National Gallery plays host to the collection of the Accademia Carrara in Bergamo. The byline for the expansive [Renaissance exhibition](#) touts Raphael, Botticelli, Titian and Bellini. This is a little misleading — of the four, only Bellini is represented with any justice; and while the show opens with a fine selection of early Renaissance works, it's the prodigy from the North who catches the eye.

The astonishing lustre of Bellini's *Madonna and Child* (1475) is capable of vivifying even the most jaded pair of eyes. Schoolchildren, at their wits' end in the face of the fusty piety of Lorenzo Monaco and his ilk, cling to the exquisite folds of the Madonna's cloak. Compared to the alpine frostiness, the inert Gothicisms of an artist such as Fra Carnevale, the young Venetian, painting at a time of great social and political upheaval, must have seemed like a gift from God; the profane world made blessed again through the divine alchemy of the brush.

Bellini's command of oil painting, his mastery of the subtleties of tone, light and shade, was its own form of sorcery. In a typical case, successive layers, often of wildly contrasting colour, were administered by an artist, before a glaze was applied, and voilà : a human form, the face of a Saint or an Olympian, emerged with the kind of verisimilitude unthinkable a century before.

Yet the Renaissance, as everyone knows, embodied a revolution not only in form, but in content: this is what makes an artist like Bellini so good. A genre, an established visual code — in this case, the Madonna and Child, of which the exhibition furnishes no fewer than eight examples — is subtly tweaked, enlivened by a crisp, even zesty piece of human theatre. The Madonna contemplates the sublime countenance of the Father, while the bambino, clearly anxious to be on his way, raises one leg in a gesture of defiance, a perfect half-squint etched onto his tiny features.

A sole, pitch-perfect early Raphael adorns its own wall in the second room. His *Saint Sebastian*, painted in 1501 is, in a twist on the familiar pathos, superbly beatific, wholly unruffled by the prospect of a coming martyrdom. The portrait is elegant, supple, hyper-refined — a blend of Raphael's master Perugino, and the beginnings of the trans-Italian *beau idéal* that would feed academic painting for four centuries. The sort of thing we generally associate with Raphael in other words, although completed a full five years before his famous 'Florentine period'.

Of his contemporaries on show, it is the brutal choreography of Bernardino di Mariotto's *Lamentation*, with its whiff of the coming Counter-Reformation, which forms the most pungent rejoinder to the wunderkind's arch-humanism. Mariotto

took his task seriously — none of the voluptuous piety of Bellini here — his figures mourn with their bodies.

Lorenzo Lotto, the other hero of the exhibition, dazzles with a handful of portraits — 1500's *Young man* is mesmerising — and a large canvas of strange power. His *Mystic Marriage of Saint Catherine*, completed in 1523, is the most unusual painting in the exhibition, a kind of lightning bolt that harangues the viewer in the final room.

Four figures arrayed under a brute rectangle — formerly a landscape, cut from the painting by a French soldier in 1527 — which hangs precipitously over the canvas, drawing our eyes down to baby Jesus, his delicate fingers clasping the ring in front of Catherine, poised to effect the mystical union. A certain fevered energy animates the scene, divided between the astonishing figure of Lotto's patron who stares directly at us, and the sensuous allegory of the marriage scene. The effect, taken as a whole, is intoxicating.

Lotto spearheaded the exaggerated forms and fluorescent hues of what would come to be known as Mannerism, and his pictures make you wonder why the movement has always had such bad press. It is hard to imagine a painting like this, a formal exercise of great beauty anchored by a self-reflexive gesture of striking power, being executed at any other point in history. The line between tradition, and a bold rewriting of its rules — a line which a painter such as Velázquez would later tread so beautifully — is blurred here to thrilling effect.

As the Renaissance waned in Italy the focus shifted north. Titian, outliving, at 88, the great flowering of central Italian art, is a case in point. His paintings, monuments to sensuous colour, hit you chiefly in the gut. The sole work in the exhibition is a small, exceptionally lovely Madonna and Child painted in 1507. Absent the breathless calisthenics of his later altarpieces, the painting embodies, nevertheless, the dazzling potential of the burgeoning Venetian style.

Indeed, although it was completed at the tender age of 19, no doubt under the watchful eye of his early rival and great influence Giorgione, the intent is everywhere clear. The canvas smoulders with colour — the deep reds and velvet blues of the Madonna's cloak — balanced by a sublimely soft rendering of family affection: the infant, newly entered the world, tugs playfully at his mother's hair, a gesture almost absurdly touching (this was painted by a 19-year-old boy, after all).

So seductive is Titian's *colore*, the master's portrait of the Spanish king Phillip II was later used by the monarch to woo his bride-to-be Marry I of England. Not content with being a painter of genius, Titian was that peculiar breed, together with the titan of the North, Peter Paul Rubens, of artist-statesmen. A friend of kings and princes, his position, far removed from that of the artisan-cum-hustler common to the painters of the period, was the envy of artists across Europe.

It was of a piece, all the same, with the new status of painting which, while still

bound by the structures of the medieval guild in much of Italy, had attained a kind of preeminence in the arts. This change, driven in part by a dazzling expansion of patronage throughout the peninsula, fuelled a host of new and extraordinary forms of expression.

Beyond Catholic corporate spin

RELIGION

Andrew Hamilton

Papal visits are bigger than Ben Hur. Not least among the challenges they pose is how to satisfy the demands of the mass media for information and opinions. The quality of the response shapes the way the event is seen.

The visit of Pope Benedict XVI to Great Britain last year prompted an interesting experiment. The Catholic Church asked for lay volunteers to deal with media enquiries and to appear on panels. The volunteers were trained by a panel who prepared them for the questions they would be likely to receive and commended a style of communicating.

Austen Ivereigh and Kathleen Griffin, journalists who coordinated the scheme, have now given an account of it in their book, [*Catholic Voices: Putting the case for the Church in an era of 24-hour news*](#). They describe the process, outline the way they addressed controversial questions, and offer the guiding philosophy of communication. The book may well be used as a handbook by other churches for their dealings with the media.

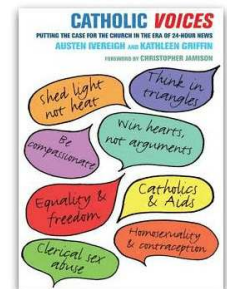
When I first read of the Catholic Voices project before the Papal visit I had some reservations. It could be construed as an exercise in corporate spin with its primary focus on persuasion and not on truth. The book is reassuring on that point. But its virtues prompt searching questions about the way communication takes place both in churches and in public life.

The questions for which the volunteers were prepared include most of the current controversies involving the Catholic Church. Catholic attitudes to the church and politics, homosexuality, contraception, equality, euthanasia, sexual abuse, Catholic schools, abortion, Aids, and relations with Anglicans all receive attention.

They are treated briefly in simple language that equipped people for short interviews with journalists without specialist knowledge. The teaching and practice of the Catholic Church are summarised, the reasons for them explained, and the objections against them teased out.

The treatment is urbane, respectful of journalists and of the media to which they belong. In each case attention is paid to the positive values that underlie both Catholic teaching and the objections raised by its critics.

The eirenical character of the presentation flows from the simple principles of good communication enunciated in the book. They are based on respect due to partners in conversation and on recognition of the positive values that animate



them.

Respect enables differences to be explored in a way that generates light, not heat, speaks to the heart as well as the mind, is compassionate, and focuses on winning people rather than winning battles. Respect for truth entails respect for those who seek it, despite disagreements with the positions they take.

This attractive ideal of communication is a standard against which both the project itself and other styles of communication prevalent in churches and in public life can be measured. It convicts many Catholic blogs of disrespect for their declamatory and unargued style and for their angry and vituperative tone.

It also contrasts with the polemical, dismissive tone found in much religious debate. If the rules of the game required that we columnists make an effort to enter the values that inspire those with whom we disagree, most of us would spend some time in the sin bin.

Judged against this standard the contributions of politicians and commentators to public conversation in Australia also leave much to be desired. Discussion of public policy by politicians is usually simplistic and largely focuses on the wickedness or idiocy of the opposed party.

Much political comment, too, is partisan, strident and lacking both in respect and in intellectual curiosity. It uses words as weapons to destroy people rather than as tools to test perceptions against a fuller account of reality.

For churches the project offers a deeper challenge that is masked by its narrow focus. In responding to media enquiries occasioned by the Papal visit it legitimately confined itself to explaining and giving reasons for faith and Catholic practices. But when Christians participate in large and complex discussions about public policy, they face a more complex tension between respect for truth and respect for their interlocutors.

Christians believe truth and value are to be found in Christ. That suggests that when questions of truth arise in conversation, the role of Christians is not to learn but to explain, as the volunteers in Catholic Voices did. The values inherent in the project, however, assume Christians do not possess Christ but follow him, and express his truth and values imperfectly in their lives and reflection.

In conversation within their churches and society Christians are searchers for a truth they are committed to but do not possess fully. Respect for others involved in the conversation and honesty about their own flawed lives and insights are conditions for truth to appear.

Parenting habits of Mormons and Catholics

NON-FICTION

Brian Doyle

Here are some things we thought were true about members of the Church of Jesus Christ of the Latter-Day Saints, which of course we knew not one such person, growing up in a Catholic enclave in New York City where spotting the occasional Lutheran was a weekend sport, and there was rumour of a Jewish temple somewhere in Brooklyn, and one time the brother of a friend had seen a Hindu man on the street, or so he said, but he was not the kind of guy you could totally trust when he said that, and he may well have seen a rodeo rider, or a Mohammedan, as my grandfather used to say.

We thought, first of all, that members of the Church of Jesus Christ of the Latter-Day Saints were called Mermens, as my grandfather said, so we thought that members of the Church of Jesus Christ of the Latter-Day Saints were an aquatic people, for reasons that were murky, considering their long affiliation with Utah, which we didn't think had an ocean, although perhaps it used to when my grandfather was young, which is when your man Abraham Lincoln was president, as he said.

Also we heard the Church of Jesus Christ of the Latter-Day Saints as Ladder-Day Saints, which was puzzling, but not even my grandfather knew what that was all about; it had something to do with Jacob's Ladder, he said, which we assumed was a town in Utah. Also we thought members of the Church of Jesus Christ of the Ladder-Day Saints married someone new every third or fourth day, which would lead to a lot of wet towels left on the bathroom floor, wouldn't it, boy? as my grandfather said.

But marrying more than once was not wholly unknown in our Catholic world; Mrs Cooney, over at Saint Rita's Parish, had married Mr Cooney after the death of her first husband in the war, so she was both a widow and an adult, said my grandfather, who told me that as a female adult she was what you would call an adultress. My grandfather was a font of such wisdom.

Also he said that the Mermens had learned about football from the Catholics, who invented it at Notre Dame, and the Mermens were doing pretty well by the game, what with all the kids they have what with all those marriages, said my grandfather, the story is their first kid has to be a bishop or scout leader or something, and the second through fifth kids are trained for football, something like our system, in which a Catholic family produces a priest or a nun, a cop, a teacher, and a soldier or a sailor, after which the rest of the kids can be whatever they want, even Lutherans, in some cases.

Also we thought the Mermens were pretty brave, all things considered, to send their kids two by two, dressed so handsomely in their white shirts and ties, why

Catholic kids never dress as well as the Mermens is a mystery and a disappointment to me, said my grandfather, those brave Mermen kids go right into the belly of Catholic New York on their bicycles, and even their bicycles are dignified unlike those foolish Sting Rays you kids ride, said my grandfather.

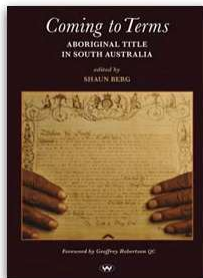
And those poor Mermen kids must get laughed at or worse all day long, knocking on doors of people who will mostly say vulgar things to them, but they never get rude as far as I can tell, which you have to admire, you wonder if Catholic kids in the same position would use the foul and vituperative language I have heard you and your brothers use, which I will not tell your mother about if you will be a good boy and go get your grandfather one of those cigars your grandmother has for unknown reasons forbidden in the house.

She can be a stern woman, your grandmother, bless her heart, but you cannot hold it against her, because her great-uncle married a Lutheran, you know, and they are a stern and demanding people, given to nailing their opinions on church doors, ruining perfectly good wood. You wouldn't see the Mermens hammering their opinions on a beautiful door, no, you wouldn't. Fine people, the Mermens. A tall people, with good teeth, and ladders.

Adelaide land crime shows why we need a treaty

INDIGENOUS AFFAIRS

John Bartlett



Life can only be understood backwards, but it must be lived forwards. —Soren Kierkegaard

In the mid-19th century my great-grandfather Thomas Bartlett settled in South Australia around Murray Bridge. Here he established a successful quarry along the banks of the river and supplied stone for many of Adelaide's most elegant buildings including the current railway station cum casino. He also harvested and sold large quantities of timber, all of which made him quite a wealthy man.

Of course with possession comes dispossession and I sometimes reflect on how his success also led to dispossession among the local Murray Bridge Indigenous people, namely the Ngarrindjeri.

Recently attention has been focused on the legal documents that underpinned the establishment of the Province of South Australia in 1836, and how the state's founding impacted the original inhabitants. These documents appear to prove the land was acquired illegally.

Chief among these is the Letters Patent signed by King William IV in 1836 that made white settlement conditional on the following principle:

That nothing in those Letters Patent shall affect or be construed to affect the rights of any Aboriginal Natives of the said province to the actual occupation or enjoyment, in their own persons or in the persons of their descendants, of any land therein now actually occupied or enjoyed by such Natives.

The legal implications of such a document turn the establishment of South Australia into a testing ground for Indigenous rights Australia-wide. So far the tone of this discussion has been very muted.

Sean Berg, who practises Intellectual Property Law in South Australia, has shone light on other documents that raise new possibilities for rethinking Indigenous land rights in this country.

These include Colonial Office correspondence, reports of colonisation commissioners and other documents which Berg maintains point to the same thing: 'that the transfer of land from Aboriginal groups should be a consensual act', but never was. No treaties or bargains were ever established and the new colonists paid nothing for the land they acquired.

Ngarrindjeri elder Tom Trevor says the legal implications of these documents is a 'burning issue' for his people. They 'have not been effective in protecting our

rights to occupy and enjoy our lands and waters'. There appears to be little appetite to follow through the practical implications. For both state and federal governments, it seems, the issue is simply too hard, so they look the other way.

In 2006, the then South Australian Minister for Aboriginal Affairs and Reconciliation, Jay Weatherill (now the state's premier), referring to the Letters Patent, proclaimed that 'the failure to meet the promise contained in the documents establishing this settlement' has 'been the cause of much loss and suffering for Aboriginal people'.

Fine words, but have they been advanced in the last five years? A recent letter to the new premier requesting dialogue as a first step, is still awaiting a response.

These potentially incendiary issues have been aired in a book edited by Berg, [*Coming to Terms: Aboriginal Title in South Australia*](#).

One of its contributors, Megan Davis, director of the Indigenous Law Centre, suggests a bill of rights or a treaty 'would be an appropriate mechanism for redressing that failure' and 'would create a sense of inclusion and belonging which is more substantive than the maintenance of the fiction that parliament can be trusted to protect the rights of Aboriginal and Torres Strait Islander people'.

Surely it is time Australian governments were grown up enough to consider a modern treaty or formal agreement to support relations between the state and Indigenous peoples. For too long Indigenous peoples have remained subject to the government of the day.

For example, the Aboriginal and Torres Strait Islander Commission Act 1989 was passed by a federal Labor government and then subsequently abolished by a federal Coalition government in 2005 without any consultation with Indigenous communities. Such actions perpetuate the unsavoury flavour of dispossession which typified our colonisation.

No matter how extensive or generous any government program to tackle Indigenous inequality, it will mean little unless Indigenous people are first treated as a sovereign nation with independent rights.

Before the fall

POETRY

Kevin Gillam

hopes

hope isn't blue or loose or lost.

hope is full.

hope isn't tearful or funny

or berserk.

hope is cumulus and shag pile.

hope isn't

mood or diameter or pinned.

hope is hinge

hope is note

and bottle and flotsam and found.

hope isn't

pulpit or coal fired or concave.

hope is spinifex and singing.

hope is rain

the jetty of you

if you were to lie here long enough,

let the moon do its work,

let tide and salt and wind lick your stories,

gulls thief your last commas,

just you then, the full stops, the very stumps

of the jetty of you

if you were to do the forgetting,

allow the sky to scrawl

in cirrus the shaded angst of you,
just you then, taut and wisped

and stretching, all join the dots on blue

if you were, this last time,
to lose North and gravity and being,
just you then, yes, just you

six black holes

I hum. I talk aloud to
myself. I cease in
six black holes of dÃ©jÃ© -vu.
I sing. I push the
quick off the moon. I wake in
sleep. I tongue but you

before the fall

before the fall of thinking,
before rain,
before the song of wet earth,
low white noise.
hear it as the chant of
the unseens —
ripple in a magpie's throat —
as the sigh
of a city's prayer cushions —
forgiveness
has the weight of faith and cloud.
and then rain,
symphonic on tin, washing
walls of doubt

Squeamish over Scottish independence

POLITICS

Justin Glyn

The prospect of a referendum on Scottish independence evokes one of the more interesting tensions in modern international law: that between the right to self-determination, on the one hand, and the territorial integrity of states on the other.



This column is not a political commentary on the merits or form of the Scottish referendum. The issue does, however, highlight the contradictions in international law around the right to secede.

During the 20th century, following US President Woodrow Wilson's post World War I pronouncements, there was a growing recognition that peoples have a right to 'self-determination'. This was generally discussed in the context of decolonisation: a process which began tentatively after the First World War and snowballed after the Second.

It culminated in the recognition of this right in the UN Charter (Articles 1.2 and 55). The International Covenant on Civil and Political Rights also states (Article 1.1) that:

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Exactly what the ambit of this right is, however, is less easily stated.

In the colonial context, there seems to have been little difficulty seeing it as a straightforward right to secede. Usually, colonisers and colonies were easily separable entities with vastly differing languages, histories and cultures. Self-determination fitted neatly with the traditional concept of the 'nation-state' and there was therefore little difficulty in arguing for full independence for colonies.

States have, however, been much more squeamish about permitting breakups of established states. Partly, this has been a fear of states fragmenting into ever-smaller and less coherent units.

The African Union, for instance, demands that the (highly artificial) colonial boundaries of its members remain intact for fear of resuscitating dormant ethnic conflicts, such as occurred in the horrific Biafran War of the late 1960s. The UN Charter which mentions self-determination also protects the principle of territorial integrity of its members (Article 2.4).

Who or what constitutes a 'people' for the purposes of self-determination has, in any event, been very hard to define. People have argued for separation on

grounds of ethnicity (the Basque conflict), religion (the Bosnian war), political difference (the Northern League in Italy) or a mixture of the above (compare the history of Ireland).

Multi-ethnic post-colonial states, especially those with large indigenous populations, have been particularly reluctant to concede anything like a general right to secede.

Current international law thinking reconciles the tensions between self-determination and territorial integrity by declaring that there is an 'internal' right to self-determination (the right to one's own language, culture, religion and the like) which must be enjoyed within existing state boundaries. It is only when this right is frustrated that a right to 'external' self-determination (i.e. secession) arises.

In short, territorial integrity 'trumps' self-determination in the absence of exceptional circumstances (such as decolonisation or gross human rights abuses).

The theory, however, gets rather murky in practice and mired in politics. States which recognised Kosovo's declaration of independence from Serbia on the basis of the right to self-determination did not extend the same recognition to Abkhazia and South Ossetia's declarations of independence from Georgia, despite the obvious parallels.

(Each case involved a region with a large majority in favour of independence. The majority had historically faced discrimination and had declared independence following a war in which a major world power had effectively carved the region out of the larger country.)

So where does all this leave the Scots example? Scotland is certainly no colony. Nevertheless, it was historically independent of the rest of the UK and, crucially, was merged with it by treaty (the Acts of Union of 1706, passed by the English Parliament, and 1707, passed by its Scottish counterpart).

Scotland retained a measure of independence even before devolution began in the mid-1990s — it has always kept its own legal system and cultural identity.

There is therefore no question of creating a new state from scratch (as there was in Kosovo and the Caucasus). What has been done by agreement can, in principle, be undone the same way. It seems that Westminster agrees.

Whether or not this will actually happen, of course, will ultimately depend on what the Scots themselves decide.

Thatcher's blame game

EDITORIAL

Michael Mullins

Over the holidays, many cinema goers have seen *The Iron Lady*, the affectionate and mostly sympathetic portrayal of Margaret Thatcher, the divisive British prime minister who held office between 1979 and 1990.

She was credited with turning around the economic fortunes of the United Kingdom, and giving Britons reason to be once again proud of their nation. But unemployment and poverty [increased](#) markedly during the Thatcher years, and the gap between rich and poor widened significantly.

Thatcher always [defended](#) her social policy, and insisted it was up to the poor to help themselves. She believed the poor choose poverty, and [said](#) as much in a 1988 speech to the Church of Scotland General Assembly on the theme that Christianity is about spiritual redemption, not social reform.

'We are told we must work and use our talents to create wealth. "If a man will not work he shall not eat" wrote St Paul to the Thessalonians... Any set of social and economic arrangements which is not founded on the acceptance of individual responsibility will do nothing but harm. We are all responsible for our own actions. We can't blame society.'

The idea that the poor can be cast adrift to sink or swim in the market economy, and do not need any protection from the state, is consistent with the thinking that brought on the GFC and the eurozone crisis. In a recent article in *Thinking Faith*, the Irish Jesuit professor of philosophy William Matthews [alluded](#) to Thatcher's role in the initiation of the 'contagious ethos of the deregulation of finance from political control'.

'This school of thought was convinced that a free global market economy would make the world a much better and prosperous place for all. What resulted over time was a dysfunctional shift in power relations with the financial world gaining unprecedented control.'

Matthews suggests Thatcher and the other architects of the free market system that allowed the calamitous binge behaviour that led to the current crises, should be held responsible in the way that engineers are culpable when their misjudgments lead to injury or loss of life.

'We are now suffering from the consequences of their carelessness. You never design an air traffic control system or a nuclear power station without the highest level of built-in safety features. To ignore those features and cause public harm could result in prosecution.'

Perhaps the best comments on Thatcher and the current public adulation she is enjoying are those of Meryl Streep, the actor who plays her in the film. [Speaking](#)

on the ABC's 7.30, she made it clear that she 'still disagree[s] with many, many, many of [Thatcher's] politics', but that the politics need to be put into perspective with Thatcher's humanity.

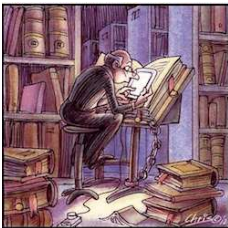
Comparing her role as Thatcher now to playing Lindy Chamberlain many years ago, Streep said:

'Maybe there's a pattern in my life that I want to sort of defend the humanity of people that we've made into emblematic figures of one sort or another, figures of hatred or saints.'

Weighing Wikipedia

MEDIA

Philip Harvey



Recently the library I manage received a 40 box donation of books from a religious house that had just closed in rural New South Wales. Four of the boxes carried a complete ninth edition of the Encyclopedia Britannica (1875–89), unmarked, in near perfect condition.

This set must have been carted into the intense hinterland at the time by the German nuns, then referred to more or less continually for over a century. It is called the Scholars Edition, because a vast range of university experts made contributions, raising the Britannica to a new level of intellectual input and expectation.

It is not the most popular edition among buffs. That is the special preserve of the 11th edition, produced on rice paper in leather bindings, with contributors like Baden-Powell on kite-flying, Arthur Eddington on astronomy, Edmund Gosse on literature and Donald Tovey on music. Many of these entries are still read for pleasure and information today, though for some this is a way of spending the whole afternoon in 1912, which is apparently meant to be a safer and nicer world than 2012.

Libraries though are intended for more than historical diversions. Our 1889 acquisition will be catalogued then stored quietly in a stack room: some of the theology was avantgarde for its time.

Nothing has quite shaken the conventions of reference like the internet, and in particular its know-all eldest child, Wikipedia. Until ten years ago the great publishing houses with reference lines were expected to produce new, authoritative, concise volumes on subjects major and minor, every year. This expectation no longer holds, even if outstanding works of reference, often more niche than normative, keep reaching the shelves.

When confronted with the sesquipedalianest of all words, we are less likely to get out the dictionary than copy it into the search line of our computer. Now even figuring out how many esses there really are in a word leads us to the screen rather than the page and this reliance on Google to answer all questions has become an issue, even if most users aren't aware of it.

It is not just laziness, or an unthinking adherence to the false nostrum that if it isn't on the web it doesn't exist. Its permanent availability and the sheer scale of ready information it provides have become a comfort, even an addiction.

It took me ten seconds to find out who wrote for the 11th Britannica, because it says so on Wikipedia. I even learnt in less time that it takes to recite the alphabet,

that this edition will soon be online: all those words, so little time.

In fact, many librarians are obsessed (three esses) with the reading habits, print and digital, of modern readers, which is why reference in particular is of deep concern.

There are teachers who will send students off on internet exercises in the hope of broadening horizons, while others threaten to fail their students if they even cite Wikipedia in an essay. Why is that? Wikipedia is the largest compendium of knowledge ever assembled under one title, with millions of entries, but authority control is based on the honesty of those who enter the data. This has been one of the secrets of its success.

Yet when vying claims for 'possession' of the knowledge come into play then we inevitably ask, who speaks with authority? Somedays Wikipedia looks like the most extravagant love letter to the humanist project, other days like the biggest ragbag of unsorted intellectual capital.

The author Sam Vankin has [identified](#) six sins of Wikipedia. It is opaque and encourages recklessness. It is anarchic, not democratic. Its editorial policy amounts to might is right. It is rife with libel and copyright violations. You can judge for yourself the seriousness of these sins. The two that interest me most are that Wikipedia is against real knowledge, and that it is not an encyclopedia.

Britannica had to up its game in the 19th century because its readers wanted dependability. It could no longer afford to be the preserve of amateur encyclopedists.

The Victorians became dedicated to historical principles, so for example the Oxford English Dictionary had to be more than lists of words with definitions pulled from a file in one's head. Usage through time, shifts in meaning, spelling and sense were collected to provide the reader with the subtle historical description of each word. This required scholarship. Anyone of mature years could send in words, but only a committee of experts could discern how to select and edit the material.

This principle of expertise was also at work with Britannica, but is not so with Wikipedia. The fevered opinions of a new convert to a subject can displace the erudite judgements of an immortal of the Academy, with one clatter of the keyboard.

This is why encyclopedia is merely a term of convenience when describing Wikipedia. It is really an international collective of every kind of fact, and non-fact.

What is truly amazing is the sheer scale, even excess, of information. If everything on Wikipedia were reprinted in heavy leather volumes like the 9th Britannica it would fill a library of Borgesian proportions. Jorge Luis Borges, the great Argentinian poet and blind librarian, once confessed that 'I have always imagined that Paradise will be a kind of library,' but one wonders if this what he

had in mind. He would not have been impressed by the volumes full of stubs.

For me, Wikipedia is astounding as a reference work for where it leads you next. The availability of links to other places online is awesome and serves as a reminder that much of the best information about a subject is not on Wikipedia, but the sites that its pages send you to via those myriad of little blue letters on the pages, especially the ones at the end listed under External Links. Often now, that's the first place I go when searching for the best in-depth and reliable knowledge on the subject.

Is online really the source of all knowledge? Actually, no. I would advise that the specialist reference works in your library supply a massive amount of information that is not online and never will be. Even if it is online, you find it quicker by going to the book than surfing till sundown on the net, pleasurable as that may be to some mousers.

And it is well to remember why the ninth Britannica is in stack: information dates. There is nothing new under the sun, which is why we must treat Wikipedia's currency with the same caution we would for any purported fund of completest knowledge.