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Hearing the unheard at Christmas

POLITICS

John Falzon



Last week Suzy Freeman-Greene wrote in *The Age* on the inadequacy of unemployment benefits:

A Senate committee investigating the matter received moving submissions on the dole's inadequacy but couldn't bring itself to recommend an increase. It's chairman, Liberal senator Chris Back, later told *Age* journalist Peter Martin there was a 'compelling' case for increasing Newstart. But it seems that since his party might be in government soon, he didn't want to make it.

It was disgraceful that the chair of this committee felt it wouldn't be right for the Opposition to support an increase to Newstart since they might have to pay for it if they got into government. It's also disgraceful that the current Government has so far refused to increase an unemployment benefit that has become so low that even the Business Council wants to see it increased as it has become a barrier to participation.

It is perverse to suggest that you can help someone get a job by forcing them into poverty.

The St Vincent de Paul Society is deeply worried about the new group of over 80,000 sole parents and their children who are going to be forced onto the clearly inadequate Newstart Allowance as of 1 January. Centrelink officers are already referring some of them to Vinnies and the Salvos because they know that a loss of around \$100 a week could mean the difference between paying the rent and sleeping in a car.

The Government's response so far has been that they should just get jobs.

At Vinnies we are receiving letters and emails from many of these courageous women explaining how hard it is to find jobs that allow them to balance their caring responsibilities with employment.

It is time we turned our backs on the notion that social policy is best devised by those 'above' and imposed on those 'below'. It will take courage and leadership from both sides of politics to admit that this approach to disadvantage and inequality simply makes things worse.

It is time also to stop pathologising people and places, blaming them for their own exclusion and worrying more about the cost of providing adequate resources than about the long-term social and economic costs of keeping people in a state of exclusion.

In 2006 the then Prime Minister John Howard gave an address at the Westin Hotel in Sydney in which he referred to the 'zones of chaos' that wreck young people's lives. This continues to be the framework through which we seem to approach social problems in Australia.

The 'zones' discourse constructs individuals, homes and then communities as being either unwell or unlawful. Implicit in this is the affirmation of the place of these individuals, homes and communities within the normative economic, social, legal, moral and political framework that 'all of us' call Australia.

The individuals, homes and communities are thereby blamed for their own alleged pathology and/or criminality. Their condition is understood as a moral, as opposed to structural and historical, problem. And the problem is theirs to solve, albeit with a goodly dose of what Lawrence Mead described as 'the close supervision of the poor'.

The Northern Territory Intervention was the perfect example of this paradigm. It was especially characterised by a monumental lack of awareness or even interest in the analyses of those who would come under its control.

We must eschew the patronising notion that the local is somehow a world unto itself, a little pocket of chaos or excellence morally reflective of the degree of cleverness and hard work of its inhabitants.

As Spanish sociologist Manuel Castells has pointed out, the arena in which the so-called 'chaos' dominates is characterised by a network society, in which inclusion is an indicator of social security and exclusion is a ticket to the informal economy (crime), reliance on structures of public or private welfare, or poverty.

An exclusionary network is increasingly produced, outside of which the rights of the individual are denuded and the responsibility of society nullified. Indeed, the notion of a common good is deemed dangerous. Government might look hard at the spectacle of marginalisation, but only from the vantage point of prosperity. Which is how we end up with policies that are built on compliance and control instead of resources and self-empowerment.

The place to start is by asking which sections of society are regarded as garbage. The only explanation for the socio-political acceptance of the incarceration of asylum seeker children or the degrading housing conditions experienced in remote Aboriginal communities is that these sections of society are regarded as garbage.

Garbage is what you take out. You don't particularly care what happens to it later as long as you don't have to deal with it, or live with the stench or sight of it. The people who are treated like garbage are invited to recycle themselves into something socially useful; to go from being socially nothing to being socially something.

The existence of people who are treated like garbage in prosperous Australia

and across the globe is the greatest reason we need revolutionary change as the most practical expression of solidarity and love.

Connections can be made between people who are pushed to the extreme margins and others who experience less extreme forms of marginalisation. The greatest power for progressive social change lies with this connection between the excluded.

It comes to fruition in the consciousness of an 'us' that firms up what is common between these experiences of alienation and exclusion, with a view not, in the words of Latin American author Isabel Allende, of 'changing our personal situation, but that of society as a whole'.

This Christmas I invite you to join me in saluting the people who experience exclusion and who are best placed to teach all of us how best to change society for the better..

Moving on from a soiled 2012

RELIGION

Andrew Hamilton

Come December the ageing year looks pretty shop soiled.

We might associate the world events of 2012 with the threat of global warming becoming more dire and with the continuing misery of Syria, afflicted by internal violence and international paralysis. We might identify Australian politics with the misery inflicted on asylum seekers for political reasons. We will almost certainly see the Australian Catholic Church through the lens of sex abuse and the flailing responses to it.



That is why in New Year celebrations under a variety of calendars the old year is ritually banished and the new welcomed. In some Buddhist cultures, for example, people ritually wash their faces, wiping away the stain of the old and presenting a new face to the new year.

In Australian popular culture, Christmas and New Year complement one another. Christmas presents an idealised face of the perfect family and of generous individuals. The alcoholic celebration of New Year wipes out the old person and permits a total makeover as the midnight fireworks flare.

In Christian cultures Christmas generally dominates the New Year. Its stories combine a realistic understanding of the old with the promise of something radically new and better. The New Year is seen as living out the hope intimated at Christmas.

Luke's story of Christ's birth begins by listing the emperor and governors in place at the time. This is the public world which controls personal destinies. Mary must walk into the hill country late in pregnancy and is forced to give birth in a paddock because the foreign masters demand new taxation rolls. As a result people from all around Palestine must return to their ancestral homes.

In this world control is never far from violence. In Matthew's story, Herod sees in the story of a new born king a threat to his power. He is used to dealing with threats. All the babies around Bethlehem will die so that he can feel secure.

A great gap divides the powerful, who are active, and the poor who respond as best they can to what is done to them. The first thing Jesus sees is a cattle shelter, and shepherds who spend their lives in the fields. These are unimportant people, part of an old order that is unchanging and unchangeable.

In the Christmas story, the new comes in the form of possibility in unlikely places. A spark is lit and flares along an unnoticed powder train, empowering people who appear to have no power.

The agents of possibility are angels, promising an impossible pregnancy to Mary and to Elizabeth, telling Joseph to marry Mary and to protect Jesus from Herod, warning the wise men and letting the shepherds in on the good news. An unexpected hope in God's help spreads quietly, connects people with one another, and gathers a force sufficient to put down tyrants from their thrones and to raise the lowly.

The Christmas stories touch deeply because they give full weight to the power of the old to control and to deny possibility, but affirm a greater hope. The palace of control is brittle and its walls can be broken by simple and vulnerable people. The emblem of God's possibility is a baby, vulnerable and unconsidered.

In our world the cost of maintaining the old world of control and marginalisation can be seen in the killing and maiming in Syria, the failure to address global warming, the desperation of asylum seekers dumped on Nauru, and the pain and anger of those abused and let down in the Catholic Church. Renewal seems impossible.

But there are small flashes of the new. The bravery of those who relay to the world the voice and experience of ordinary Syrians on whom the guns fall; the persistence of those who will not let us forget the climactic threat to our planet, or the faces of asylum seekers whose lives are blighted by the passion for control; the voices of good people, like Sr Annette Cunliffe, which show that truth does not need to be controlled.

These may be dismissed as candles in the all-encompassing darkness. But great and subversive enterprises have often begun by candlelight.

Coming to terms with Christmas

NON-FICTION

Ellena Savage

My most vivid childhood memories of Christmas don't have all that much to do with Christmas.

In one, I am rifling through the antique wooden owl beside my grandmother's fireplace, finding hundreds of ancient marbles of all colours and sizes. They glow in the amber light that spills through the lead-glass lights my grandmother has crafted herself. I don't even remember the presents I got that year.

In another, my brothers and I get up at 1.30am on Christmas 'morning' and sneak into the living room to open our presents because technically, it is Christmas Day. It is a deftly executed mission, but we are sent back to bed by growling parents, knowing that we all got Super-Soakers.

In yet another, I am an angel in the school nativity, festively singing the carols when a mammoth moth lands on my white blouse and refuses to leave, sending me and my two best friends, also angels, into hysterical laughter. At the time it was the funniest incident that had ever transpired in my short life.

So: I find pleasure in ancient marbles; I am thrilled to be awake past midnight; a giant moth launches a benign attack. Innocent memories of someone who has always enjoyed family and friends and gifts at Christmas.

And yet I still find Christmas an alien time. Finding perfect gifts for everyone is stressful, and I always feel guilty receiving them. Am I allowed to re-gift the panettone? And then the expectation placed on everyone to just have a bloody good time ensures at least one full-scale burnout in the family. Christmas doesn't represent an important part of a religious calendar for me, and I find the reckless consumerism hard to handle.

Lots of people find Christmas exhausting, and it hasn't always been celebrated in the way that it is today. So why does Christmas persist as it is? Is it merely the commerce machine that pushes it? If so, is it worth it?

Pagans celebrated the winter solstice around this time of the solar calendar. This influenced the timing of the annual Christian celebration of Christmas when Christianity began to spread more widely in the 400s.

In the middle ages in Christian Europe, Christmas celebrations took on a festival atmosphere, where entire cities boozed and partied.

In 1647 in England, anti-Catholic pressures in the government outlawed Christmas for about 30 years. Following this ban by the fun police, civil insurrection ensued, and Canterbury cathedral was seized by rioters for weeks. They literally decked the halls with holly.

The 'Christmas spirit' as we know it — families sitting around with sherry giving gifts by a tree — was more or less a Dickensian contribution. *A Christmas Carol* actually redefined a lot of Christmas rituals, like the ideas of charity and family being central to the holiday.

You can see that the move away from communal celebrations to more atomised family units parallels the emergence of capitalism, the time of the machine.

The changing rituals of Christmas are grounded in paganism, Christianity, and in capitalism. What link is there between them, other than the need for societies to have some celebration to look forward to, some kind of reprieve from their year-long labour? Is there anything at all that links the spiritual with the material traditions?

My point is that the most forgettable parts of Christmas are those which are prescribed by the consumer culture. That's no new sentiment, and has been documented in pretty much every Christmas film ever, from *Christmas Vacation* to *Love Actually*. Ironically, most of the films that make this criticism also monetise Christmas.

It is generally true though that Christmas is about people getting to spend time with those who give them an identity in some way. Jews in New York go and eat at Chinese restaurants, Catholics do the church thing, the orphans unite, and everyone else hopefully gets a day off work to spend it with whoever they wish .

G.K. Chesterton, a Christmas devotee, wrote passionately on the topic. 'Christmas is a survival of the past.' And it is. He also wrote the story of Christmas is that 'the absolute once ruled the universe from a cattle stall'.

Whether you subscribe to a Christian faith or not, the humble nativity story should be inspiration enough to steer clear of the prawn-cocktailed, child-sized-iPhoned, credit-card-comedowned version of Christmas that is being sold to us all, at our own expense.

Stories about people who want to do better

FILMS

Tim Kroenert

Eureka Street doesn't try to review every film that comes out, not by a long shot. Instead we aim to address well-made films that have something substantial to say about the human condition. Our list of ten essential films from 2012 could broadly be named 'Stories about people who want to do better'.

They are films about characters who try to transcend corrupt environments, or are themselves corrupt and seek absolution. In one film, the central character wishes to obtain a fuller experience of his own humanity, and takes steps to achieve that. Mostly they are films that in some way reflect the struggle and desire to live ethically.

1. *Carnage* (M). Director: Roman Polanski. Starring: Jodie Foster, Kate Winslet, Christoph Waltz, John C. Reilly. 79 minutes

Alan and Nancy's son has hit Michael and Penelope's son in the face with a stick. The couples meet to resolve the situation civilly without bitter legal wrangling. But as with Australian author Christos Tsiolkas' *The Slap* this act of violence among children acts as a catalyst to exacerbate the characters' unease about a range of social and relational issues. A black comedy containing some razor sharp acting, especially from Foster and Waltz.

[Full review](#)

2. *The Perks of Being a Wallflower* (M). Director: Stephen Chbosky. Starring: Logan Lerman, Emma Watson, Ezra Miller, Paul Rudd, Johnny Simmons, Mae Whitman. 102 minutes

I sat with a lump in my throat for most of this film. It ploughed deep into my affective memory of being a high school 'wallflower', with the empathy and voyeurism and destructive self-absorption that entails. Part of the irony of such an existence is that while you feel deeply for others, sometimes being so deeply introspective means that you can miss the possible hurtful consequences of your own actions. Charlie learns this the hard way.

[Full review](#)

3. *Shame* (R). Director: Steve McQueen. Starring: Michael Fassbender, Carey Mulligan. 101 minutes

The best films about addiction are not merely voyeuristic, but offer insight into the nuances of the character's emotional and psychological makeup, and their humanity. As a story about addiction, *Shame* follows the formula, though in this

instance the addiction in question is not a drug or other substance, but sex. Director McQueen's background is as a visual artist, and as such the themes of *Shame* are expressed both frankly and artfully.

[Full review](#)

4. *The Sessions* (MA). Director: Ben Lewin. Starring: John Hawkes, Helen Hunt, William H. Macy.

The Sessions misses opportunities to consider whether it is ever ethically defensible for a woman to be paid for sex in the service of another's dignity. On the other hand Australian Jewish director Lewin should be commended for his affirmation of the dignity of those who experience disability, and frank and humane treatment of such individuals' sexuality. The 'sessions' themselves are conducted by the two actors with courage and sensitivity.

[Full review](#)

5. *The Dark Knight Rises* (M). Director: Christopher Nolan. Starring: Christian Bale, Anne Hathaway, Gary Oldman, Michael Caine, Joseph Gordon-Levitt, Tom Hardy. 164 minutes

The Dark Knight Trilogy is surprisingly, poignantly humane by the standards of Hollywood action films. *Rises* finds Wayne too damaged — physically, psychologically and emotionally — from his past exploits as Batman to succeed alone against the formidable foe Bane. He requires and receives much practical and moral support. These good men who support and sustain him are the heart and soul of *The Dark Knight Rises*.

[Full review](#)

6. *Margin Call* (MA). Director: J. C. Chandor. Starring: Zachary Quinto, Stanley Tucci, Kevin Spacey, Jeremy Irons, Penn Badgley, Paul Bettany, Demi Moore. 107 minutes

Margin Call is full of ethical and moral conversations about the kinds of behaviour that led to the Global Financial Crisis. Writer-director Chandor's Oscar nomination for Best Screenplay testifies to the film's efficiency and poignancy in exploring these ideas. The film is set in 2008 on the eve of the GFC itself and stands more as a kind of philosophical horror story than a cautionary tale about the destructive power of human greed.

[Full review](#)

7. *Once Upon a Time in Anatolia* (M). Director: Nuri Bilge Ceylan. Starring: Muhammet Uzuner, Yilmaz Erdogan, Taner Birsel, Firat Tanis. 150 minutes

Over the course of one long night, law officials traipse the fields and knolls of a Turkish steppe in search for a discarded body. Cinematographer Tonino Delli Colli probes human faces with the same intent and intensity with which he regards the terrifyingly beautiful landscapes, as if to iterate the ways in which the menace, mystery and majesty of the natural world are mimicked in human nature.

[Full review](#)

8. *God Bless America* (MA). Director: Bobcat Goldthwait. Starring: Joel Murray, Tara Lynne Barr. 105 minutes

Comedian-cum-iconoclastic filmmaker Goldthwait's brutal, didactic satire about the vacuous and exploitative nature of American media pulls few punches. His antihero Frank has a violent streak even before this endless stream of television trash drives him off the rails. The film is exceedingly violent and does labour its point, but nonetheless it provides a stunning riposte to passivity in media consumption.

[Full review](#)

9. *Monsieur Lazhar* (M). Director: Philippe Falardeau. Starring: Mohamed Fellag, Sophie Nélisse, Amélie Nélisse. 95 minutes

What makes a good teacher? French-Canadian drama *Monsieur Lazhar* offers two contrasting examples. The first is characterised by selfishness and absence: a teacher, after a period of prolonged stress, commits suicide in her empty classroom before school. The second, by presence and selflessness: Algerian migrant Bachir Lazhar's own experience of loss gives him something to offer the students that his predecessor so abandoned.

[Full review](#)

10. *Les Misérables* (M). Director: Tom Hooper. Starring: Hugh Jackman, Russell Crowe, Anne Hathaway, Amanda Seyfried, Sacha Baron Cohen, Helena Bonham Carter, Eddie Redmayne. 158 minutes

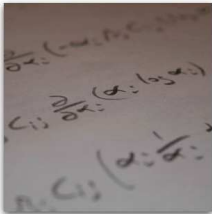
Hooper, best known as the director of *The King's Speech*, excels at the intimate moments of this film adaptation of the popular stage musical. Set in 19th century France during a time of great social inequality, it is populated by characters who incessantly plough their own moral and emotional terrain. Hathaway gives the performance of the film in a brief but pivotal role as a single mother sunk to desperate acts that shred her dignity.

[Full review](#)

Gillard's education pipedream

EDUCATION

Dean Ashenden



'You can't get there from here' goes the gag, usually told at the expense of the Irish ancient and the baffled tourist. Well, now the joke's on us too. To get to the OECD's top five school systems by 2025 we'd have to have a school system and a strategy and a chain of command, but we have none of them, and getting them is probably beyond our reach. And so we are stuck.

In setting the 'top five by '25' target the Prime Minister has done us a favour, but made a rod for her own back. The target is narrowly-focused, but focused on areas of learning — reading, maths, science — that are 'basic' as ends in themselves and as means to other learning. Achievement of the target would require a more equitable distribution of attainment as well as better performance overall.

For the Prime Minister, the target is mostly trouble.

The first problem is the amount of daylight between here and there. The most recent round of international comparisons [revealed](#) that at the year 4 level, we are 22nd in reading, 18th in maths and 19th in science. More worrying than the league table is that up to a quarter of students who have been at school for nearly four years still can't read, do simple maths, or understand elementary scientific concepts.

Other international comparisons released this year suggest things are better by the secondary years, particularly compared with the UK and US. But they're still not good enough to match Canada, not to mention Finland and several Asian systems, all of which are lifting both overall performance and equity. We are not. We're flatlining.

Another problem for the Prime Minister is that she has little control over what happens next.

We have three school systems, or eight, or 24, depending how you slice it. There are three sectors: government, non-government systemic (mainly Catholic), and independent. Then there are eight states and territories, each with its own government system and non-government schools. That makes 24 'jurisdictions' (or even more, since the Catholic sector is further divided along diocesan lines). The feds are involved in all 24 yet control none.

School systems are complex organisms, hard to change even when change is coordinated, cumulative and sustained. Our policies are none of these, Julia Gillard's valiant efforts notwithstanding. She has been the driving force in a government more active in, committed to, and optimistic about schooling than any

since Whitlam.

Many of her initiatives are both necessary and constructive: a revived national curriculum; publicly available information about the resourcing and performance of every school; support to schools in getting more control over their own destinies; an IT upgrade; and most importantly, the Gonski proposal to fund schools according to their educational task rather than the sector to which they belong.

But this is all tactic and no strategy. The idea of an encompassing strategy appeared only in September of this year, five years after the 'education revolution' was inaugurated, and still exists only as a bare outline.

Moreover, there is no high command to drive it. As Federal Minister for Education Gillard set up a new ministerial council and a new system of performance contracts, but the cats still decline to be herded.

Gonski's funding scheme has been watered down at the behest of the states and independent schools, and his plan weakened by the states' veto of the 'national school resourcing body', yet Gonski is still neither agreed nor funded. The Federal Opposition has threatened to repeal any Gonski legislation in favour of a funding status quo.

State premiers and ministers of education have problems of their own. All contribute to funding non-government schools, but get little say. All have chronic problems of steerage in their own government systems. Most of their tightening budgets are locked up by industrial agreements centring on fixed maximum class sizes, leaving room only for low-spend policies tied to three-year election cycles. Big reform is beyond them.

Every state minister of education agrees, for example, that 'teacher quality' is key to better student outcomes, and that much-improved salaries are key to 'teacher quality'. But where will the money come from?

It could come from re-allocation. One US calculation found that just five more students in every classroom — and remember that the great majority of classes contain less than the allowable maximum — would deliver a 34 per cent salary increase for every teacher. But which minister would dare to mention such a heresy?

Last in this dismal catalogue is the most powerful underlying dynamic of Australian schooling, often referred to as 'residualisation'.

On the face of it the problem stems from exceptionally high levels of competition between sectors and schools. This is one league table where we come out on top. When principals around the OECD were asked how many schools they compete with our principals nominated an average of four, far ahead of the next on the list. But does the problem lie in the amount of competition, or in the kind?

Competition for more successful schooling for more students could be a

powerful force for good. But that is not what our schools compete for. As [demonstrated](#) by one of Gonski's commissioned studies, our schools compete for students, causing the educationally rich to cluster with their kind and the poor with theirs, to the advantage of the former and the disadvantage of the latter.

Gonski — if agreed, if funded, and if implemented — would slow this dynamic and reduce its worst effects, but not eliminate it.

It is difficult to see our present way of organising, funding and governing schooling getting us anywhere near the 'top five by '25', even if other school systems agreed to stand still in the meantime. What kind of system might?

It would, first, turn the toxic competition between schools and sectors to advantage by levelling the playing field, and freeing up all schools to play. We could do worse than adapt the AFL model, a masterclass in combining funding and regulation, subsidies and penalties, socialism and the market to generate a competition that elevates the game because everybody has a chance of winning. (Well, [nearly everybody](#) .)

Second, a more productive system would be both more centralised and more decentralised, and less politicised. National coordination of funding and a common regulatory framework, for the great majority of schools, at arm's length from governments and politics, would combine with resource control down in schools or groups of schools.

Third, schools would be required to make more flexible and outcomes-focused use of resources in exchange for new money. Staffing, training and career progression would be restructured, and teacher pay lifted by at least 25 per cent. These changes would require, among other things, staffing schools according to student-staff ratios rather than fixed class size maxima.

But how to get there from here? Such a system is not off the planet. Its key features are generally consistent with, if much more ambitious than, policies and proposals currently being pursued piecemeal in Australia.

Nor is the scale of change without precedent — consider, for example, the creation of the great government systems in the 1880s, or the Karmel/Whitlam program of the early 1970s, or the Dawkins reforms to higher education a couple of decades later.

The difficulty is in finding the political pressure, ambition and muscle of the kind that drove such game-changing reforms. In its probable absence, come 2025 we'll still be here, baffled, and stuck.

After a lifetime of empty Christmases

NON-FICTION

Cassandra Golds

It started, our lifetime of lonely exiled Christmases, with a fight. But it didn't really start then. It started in pre-history, or pre-my-history, in ancient bitternesses, deaths and sins unforgiven from before I was even born.



By the time the fight happened, my mother and grandmother were the sole survivors of a small, intense and insular family, and I was almost grown up. A father and husband had died, a brother and uncle had died, a powerful grandfather had died, a two-year-old son had died, making my mother an only child. Things were said, their partial estrangement began, and increased, and our many years of bad Christmases began.

At first it was got through pleasantly enough on the surface, but at great emotional cost to my mother. Then it became an annual awkwardness, the problem of somehow dealing with Christmas in a way that kept my mother and grandmother apart — or at least, bubble-wrapped, like two delicate presents sent together through the mail.

My grandmother was a compulsive talker, and she would corner my mother after lunch and go over and over the past. And her complaints about the present. My mother would often say that after a conversation with my grandmother she felt like shooting herself.

Then the strategies began. For several years we would rent the *Godfather* films — yes, Francis Ford Coppola's *Godfather* films — and watch one or other of those immediately after lunch, effectively to prevent conversation. I don't exactly know why those films were chosen but perhaps (to quote *The Song of Bernadette*) for those who have faith no explanation is necessary.

When that wore out my father and sister and I would take my grandmother out, leaving my mother at home, having taken to her bed. (For my mother was always mysteriously ill at Christmas.)

Later still, as the years passed, my father, sister and I would visit my grandmother, who lived two hours away, with a packed lunch (my grandmother strongly objected to hostessing duties) and my mother (having packed the lunch) would rather nobly ring and talk to her while we were on our way there. And then take to her bed.

But things only got worse. Eventually, on 1 December every year — her birthday — a black pall of depression would descend on my mother which lasted for months and made even a semblance of Christmas impossible.

So my family ceased to celebrate Christmas and my Christmases became an

annual desolation. The weird truth was, my mother couldn't be happy at Christmas because her mother was unhappy, and I couldn't be happy at Christmas because my mother was unhappy. I think they call that enmeshment.

The thing about Christmas is that you can't say, well, after all, it's just another day. I've tried that. No matter how difficult it is for you, you cannot simply abstain. The cup must be drunk. It's like death or taxes. Like grief.

And what makes Christmas unique, I think, is the way in which what you might call The Ideal has its nose rubbed in the Real. The ideal and the real are shoved up hard against one another, and something's got to give. F. Scott Fitzgerald said that, 'The test of a first-rate intelligence is the ability to hold two opposing ideas in mind at the same time and still retain the ability to function.' That's Christmas.

Or maybe Christmas is the Pavlovian dog, trained to do two separate and mutually exclusive actions in obedience to two different triggers, who goes insane when the two triggers are sounded at the same time.

I have spent Christmas as an orphan/waif/stray, kindly included in the family Christmas celebrations of a friend. I have spent Christmas visiting a children's hospital. I have spent Christmas singing in church choirs. The most memorable Christmas of my adult life was spent wandering around the city with my sister, unexpectedly forbidden from returning home until nightfall by a deeply depressed mother and with nowhere to go.

I can't pretend to look back on my lifetime of empty Christmases with mysterious joy. And yet ...

I am deeply suspicious of our preoccupation, deification, even, of success, and of our narrow definitions of it. I feel with every fibre of my being that what is of most worth, our real treasure, is somehow to be found in our experiences of poverty, of desolation. Often it is love's absence that defines love most sharply. What is of most value is what is not there — and therefore, truly, it is there. It is present because it is absent.

And how is it that Christmas has become about plenty, about feasting, celebration and success? Christmas is not about triumphalism. Christmas is about poverty, vulnerability, the embracing of powerlessness by the one at the very heart of reality, the one who is supposed to be all-powerful, and about how, in some mysterious way, that is where true power lies. It's about being left out. It's about there being no room. It's about the little door.

'This too will pass', people say — and, finally, it has. Both my mother and my grandmother are still alive, but my grandmother is 102 and something of a spent force, and my mother? Her Alzheimer's has meant that she has forgotten much of what used to upset her so deeply. Both have become immured in the here and now, and two women who were once obsessed with one another hardly think about each other any more.

And me? I had been single all my life, but two Christmases ago, to my astonishment, I spent the afternoon speaking, for three hours, on the phone to a man I had met a couple of months before in Melbourne, newly separated from a marriage in which he had endured many long years of lonely Christmases. He was alone on Christmas Day, and we both had nothing to do, and nothing we wanted to do more than speak to each other.

Now all our Christmases will be spent together, as two refugees from Christmas. But perhaps after all, perversely, allusively, that is where Christmas is at.

Border protection word games

POLITICS

Frank Brennan



On Saturday Scott Morrison's border asylum meter registered the arrival of the 150th boat and 8700th asylum seeker since Julia Gillard's announcement of the Pacific Solution Mark II in August.

On Monday the three members of the Expert Panel on Asylum Seekers appeared before the Parliamentary Joint Committee on Human Rights. The panel members remained fairly upbeat that their suite of measures were still kicking in. They remain hopeful their recommendations provide the surest way forward for Australia decently to protect its borders and to arrest the risk of desperate people making perilous journeys on leaky boats.

This inquiry is a litmus test for the new Committee on Human Rights as it listens to evidence from lawyers scrutinising a raft of new migration legislation for compliance with key international human rights instruments, trying to avoid the toxic policy debate about border protection which has so paralysed the Parliament.

The flood of boat arrivals since the Government's adoption of the expert panel's recommendations vindicates the 2011 observation by Andrew Metcalfe, then Secretary of the Department of Immigration, who told Parliament:

Our view is not simply that the Nauru option would not work but that the combination of circumstances that existed at the end of 2001 could not be repeated with success. That is a view that we held for some time ... it is the collective view of agencies involved in providing advice in this area.

The committee heard that the new Pacific Solution is being rolled out at a cost of billions of dollars.

Richard Towle, the United Nations High Commissioner for Refugees' regional representative, expressed concern about the so-called 'no advantage test' and whether the detention of asylum seekers on Nauru or Papua New Guinea is arbitrary, and thus a breach of international law.

The UNHCR has put the Government on notice that 'the practical implications of the no advantage test are not fully clear to us' and UNHCR is 'concerned about any negative impact on recognised refugees who might be required to wait for long periods in remote island locations'.

Angus Houston, the chair of the expert panel, insisted that his panel had never formulated a no advantage test. They simply recommended 'the application of a no advantage principle to ensure that no benefit is gained through circumventing regular migration arrangements'.

But any such principle needs to be operationalised. That can be done only by

formulating a verifiable test against independent criteria to determine whether or not any asylum seeker is gaining an unwarranted advantage by jumping on a leaky boat headed for Australia. If such a test could be rendered workable and coherent, Philip Ruddock, the original architect of the Pacific Solution, would have implemented it a long time ago.

Immigration Minister Chris Bowen has cooperated fully with the deliberations of the new human rights committee telling them that 'Australia takes its obligations in relation to people in detention very seriously'. He said:

The Government's position is that the detention of asylum seekers is neither unlawful nor arbitrary per se under international law. Continuing detention may become arbitrary after a certain period of time without proper justification. The determining factor, however, is not the length of detention, but whether proper grounds for the detention continue to exist.

The Government claims that people generally are detained only for 'identity, security and other relevant checks'. But what if they are being held for longer than is required for such checks? And what if they are being held for protracted periods simply to satisfy the incoherent and unworkable 'no advantage test'?

Surely the detention then becomes arbitrary, whether or not it occurs onshore in Australia or offshore in Nauru or Papua New Guinea with Australian acquiescence and payment for the 'service'.

On 14 August 2012, Prime Minister Gillard told Parliament:

The aim of the integrated package is to ensure that if people risk their lives at sea, if people give their money to a people smuggler, they get no advantage from it.

So one element ... is a regional processing centre on Nauru which would operate in a different way than detention centres in Nauru have operated in the past, and, in particular, the operation in Nauru would have built into it the same amount of waiting time to get a resettlement opportunity as people would have experienced before they risked their life at sea, before they gave a people smuggler their money.

That is the difference: the breadth of the package, the interlocking nature of the recommendations, and the change to the recommendations about what should happen on Nauru and on PNG.

This week, the expert panel told the parliamentary committee the no advantage principle was not a means for keeping people longer in detention or keeping them waiting longer for a durable solution. If the principle is coherent and workable, the panel and the Prime Minister have very different understandings of its operation.

Bowen has also told the committee the use of force authorised by the Migration Act to authorise removal of asylum seekers from Australia to Nauru or PNG does

not amount to cruel, inhuman or degrading treatment under the International Covenant on Civil and Political Rights.

But if force is being used to remove a person from Australia to another place for the purpose of detaining that person for a protracted period of time under a no advantage test, the force is then truly degrading.

After the High Court's decision in August 2011 striking down the Malaysia solution, the expert panel (none of whom is a lawyer) agreed with government that it was best that the courts be excluded from considering whether executive government had sufficiently protected the human rights of asylum seekers when designating a new offshore processing country.

Substituting High Court review, the expert panel recommended that 'legislation should require that any future designation of the country as an appropriate place for processing be achieved through a further legislative instrument that would provide the opportunity for the Australian Parliament to allow or disallow the instrument'.

It is very disturbing to see that the Government has now submitted to the human rights committee that the instruments designating Nauru and PNG are 'not subject to disallowance' and that there was therefore no need for the Government to provide a statement of compatibility with human rights.

The first tranche of legislation passed by the Parliament implementing the recommendations of the expert panel allows the Parliament to 'disapprove' but not 'disallow' such a designation.

It's on legal niceties like this that the protection of human rights of asylum seekers have come to depend.

Vigilance is required even when our parliamentary committees are meeting within the octave of Christmas. In the New Year, we will all need to move our focus from Nauru and PNG back to better regional cooperation with Indonesia and Malaysia. Meanwhile, Scott Morrison's meter keeps ticking over.

US gun law reform is biblical

POLITICS

Evan Ellis

US President Barrack Obama concluded his emotional address following the Newtown school shooting with words of scripture, invoking God to 'heal the broken-hearted and bind up their wounds'.



This reference to Psalm 147 was fitting. He was not so much delivering a speech to the nation as offering a lament on its behalf. It was one of his most presidential acts to date.

But such words are laden with responsibility. Broken hearts and open wounds demand a response. Obama acknowledged this when he declared, 'These neighbourhoods are our neighbourhoods, and these children are our children, and we're going to have to come together and take meaningful action to prevent more tragedies like this, regardless of the politics.'

Meaningful action. Obama will be judged not on his words, but on how his administration defines this term and then delivers it, in the face of no doubt vitriolic opposition. Otherwise there will be even more schools, street corners and plazas to add to the already lengthy list of public spaces where such gun massacres have occurred.

The pundits aren't optimistic. Paul McGeough [criticised](#) Obama's failure to initiate the national conversation that he himself called for after the Texas shooting that left six people dead and Congresswoman Gabrielle Giffords seriously injured. Obama's call to 'challenge old assumptions' and to explore everything 'from the merits of gun safety laws to the adequacy of our mental health system' was followed by silence.

Perhaps Obama should revisit Psalm 147 in its entirety.

At first it seems ill-equipped for the task. God is praised as the One who 'makes peace in your borders'. Yet where is peace now? God has 'strengthened the bars of your gates, blessed your children within you'. Yet where were these godly gates when a man walked into an elementary school and started taking these blessings away?

Such questions do not have easy answers. But in fact what the Psalm offers is not answers, but a question. It asks us who or what is the guarantor of our freedom and prosperity?

For many Americans the answer is twofold: themselves and their guns.

There is a certain logic to this. US gun law has its roots in resistance to British gun restrictions. Also the militia groups that helped win independence from the

British were citizens defined by their ownership of guns and willingness to use them.

Yet even taking into account the wide difference between the late 18th century and our own era, not to mention the intervening developments in firearms that allow such small things to wreak such terrible havoc, this mistakes the relationship between guns and freedom. The guns get too much credit, and the patriots too little.

People with good guns don't give you freedom — any tinpot dictator can hand out firearms. Rather good people armed with citizenship do.

In the same time that America has had lax gun laws the nation has stumbled into two disastrous wars, tanked the economy thereby igniting a global financial crisis, and skidded into political gridlock. All these forces have curtailed American freedom and hurt prosperity.

Yet in a slightly earlier era during the civil rights movement, freedom was enlarged and the realisation of the Declaration of Independence 'that all men are created equal' was advanced, all by unarmed citizens.

Indeed which two outcomes would produce more freedom: if every American bought a gun and joined the NRA or if every American took their citizenship seriously and contributed meaningfully to public life?

This is not to argue for a world without guns, per se. But it is an invitation for Americans to reconsider the reflexive connection between freedom and guns that makes introducing any meaningful gun reform so difficult.

This view is consonant with Psalm 147. There is an underlying scepticism of martial prowess in the Psalm, for God 'takes no delight in the strength of horses, no pleasure in the runner's stride'.

Obama's road will not be easy. However as a second term president he is unencumbered by the need to seek re-election. He can afford to upset the powerful. I hope before he does he rereads Psalm 147 and is emboldened by having a God 'who numbers the stars and gives to all of them their names' to call upon.

I also hope he is inspired by the psalmist's vision of a God who is defined by generosity and seeks to emulate this in his leadership; that he empowers his fellow citizens rather than merely arms them.

Not because I think Obama is particularly devout, but rather because surmounting the legislative and societal hurdles to achieve 'meaningful action' will be little short of miraculous. And because of how unutterably sad it will be for future victims if 'meaningful action' turns out to be weasel words for no action at all.

A global perspective on American child deaths

POLITICS

Donna Mulhearn



'You come from a culture where it is okay to kill children,' the Iraqi woman said. We were sheltering against the wall of a building in Fallujah in April 2004 while the city was under attack by US forces.

I began to protest, but she continued, in broken English: 'Let me say it another way. You come from a culture where your people think it is okay to kill our children.'

What could I say? There were several little bodies at my feet, bloodied remains laid out on the footpath and covered with thin sheets. The children had been shot by US snipers that day, among at least 1000 civilians killed in that ferocious attack.

This Iraqi woman knew there would be no collective outrage at the killing of Fallujah's children. No front-page headlines. We would not know their names, see their faces or hear their stories. Their killers would not be pursued, labelled 'mad' or 'evil', or made to face a court. There would be no calls for 'change.'

Some commentators have compared the response to deaths of the children in the small American community of Newtown with the young victims of US wars. The point is valid. A life is a life, and all life is precious; a fact that has enough weight of its own without the need to draw comparisons.

Yet the dark, shocking words of the Iraqi woman in Fallujah have been haunting me these past days as the grief of the Newtown shootings has overwhelmed us all.

What might be helpful at this time is to build on this grief and passion of the US and international community, and allow it to shape a wider discussion; to trigger a new empathy for grieving parents everywhere, an empathy that crosses borders, and which might result in change for children worldwide who are affected by US policy.

Whenever I've been with parents grieving their children lost in the violence of recent wars, the same questions has emerged out of their grief and anger: 'How would the US President feel if his children were killed in a bombing? How would Americans feel? How would your people feel?'

The question grasps at the hope that if those in the West made the effort to imagine how they might feel to lose a child violently to a drone strike, a missile, or a sniper, the result would be greater empathy and understanding.

The endless, heartbreaking cries at yesterday's prayer vigil for the Newtown victims provided a glimpse of the horror, the emptiness, the confusion that

grieving parents feel. The profound love parents have for children is something all cultures have in common.

In an amazing scene, Pakistani children held a candlelight vigil in Karachi, in solidarity with children from Sandy Hook Elementary School. They held a sign that read: 'Connecticut School Killing: We feel your pain as you would feel our pain.' The children were referring to the (according to the Bureau of Investigative Journalism) 176 children who've been killed by US drone strikes in Pakistan since 2004; 'collateral damage' in the 'war on terror'.

Americans are now accusing the powerful Nation Rifle Association of treating victims of US gun massacres as 'collateral damage' of the right to bear arms — the 'price' that has to be paid for freedom.

The deaths of the Newtown children and of Pakistani children may both be the result of self-interested US political policy and an all-pervasive culture of violence. But there's one major difference that grieving parents in Pakistan, Iraq, Afghanistan and Gaza would point out.

The Newtown killings are considered an act of someone who is 'sick' or 'mad', and are universally condemned. But their children are killed at the hands of an intelligent, sophisticated, technologically advanced society which is fully aware of what it is doing. These deaths receive little attention, let alone condemnation.

This reality created an awkward elephant in the room during Barack Obama's passionate call for change at yesterday's prayer vigil. 'This is our first task, caring for our children,' he said. 'If we don't get that right, we don't get anything right. That's how, as a society, we will be judged.'

He talked about victims who 'much of the time their only fault was being at the wrong place at the wrong time. We can't tolerate this anymore. These tragedies must end. And to end them, we must change. Are we prepared to say that such violence visited on our children year after year after year is somehow the price of our freedom?'

When I imagined Obama's words 'our children' as referring to all the children of the world who are impacted by US war policy, I shivered with hope.

Perhaps the grieving parents of Newtown, who share the loss of parents in Pakistan and Afghanistan, can lead him to this bigger, more compassionate version of 'our children'.

When I speak to ordinary people around Australia about children as the victims of war, there is outrage. People care, they want to know their names, see their faces, hear their stories.

For this natural empathy to be activated we need the mainstream media to broaden their scope, and western leaders such as Obama to broaden their circle of care.

Island Christmas

POETRY

Various

Island Christmas

Under the canopy of sleeping pills,
people are cramped weathering
the endless storm of loss and disappointment.

There is no battening down the hatches.

Memories float to the top.

They think of loved ones
waiting for the word and sacrament;
the redemption from their subtracted life.

Christmas Island is a cage
of case workers and a thousand men
with a tightrope of a thousand crazy uses.

No longer can I say it is not my fault;
that it is their choice to get on a boat.

What price is hope? I have thought
to swap places with them,
give them my home, my bed,
so they can stretch out their folded selves,
see how strong they can be.

I don't care what religion they are.

These are my brothers.

I want them birthed from this toxic womb
to celebrate Christmas with them.

Marlene Marburg

Incarnation

'Were we led all the way for

Birth or Death?'

Journey of the Magi, T.S Eliot

Oh, they all come some distance
each in their own way like God
brothers, sisters, becoming flesh
for tinselled December 25th,
after a year of voice mail, email,
telephone conversations nothing at all?
one stepping out of their car air-conditioned
from some close in suburb
that may as well be as far
as the South Pole;
another, sliding out of a taxi
that met them at the Greyhound down town
that met them at the airline
that jetted them high over desert
and red outback just greening in the first of the wet
to break in on the Great Dividing Range
like Dawn.
But who among them will say
they did not wrestle with clinging
to the beds they've made and prefer to lie on
their stubbies or perhaps the pleasure of a cigarette,
the heaven of a barbecue in their own backyard
and the angelic conversation of their old mates?
Who among them will
think
think nothing of
reversal to the womb;
live the child
woman man,

be glad to take on themselves
a death?

Pauline Reeve

Old churches

Like scaly frill-necked lizards sitting on a rock, old churches assemble themselves in bush retreats. Weathered and sacrificial, things have flown off: pigeons in the belfry, the roof of the outhouse. They tug at the years like a bell-rope, even the spiders have run out of larvae and moth. The stained windows have stories with lead beading, blues and greens, the colour of eyes that once dipped in prayer. The front door bolts open on wooden pews that line the walls. Ceilings creep upward in silent communion. Porcelain hands like the soft robes of Jesus, reach across a domed fresco from Bethlehem to Nazareth. You discern the old settlers were here by their marble tablets, paintings by the Dutch school. The winds have passed through these buildings, coursing leaves and the aroma of earth. In daylight a wagtail or wren will veer suddenly overhead from an open window, tap at water rusted in its turn. When darkness settles on rocks and stones, old churches shrug back into themselves, back into their timber rafters that squeak a thousand Amens. Only horses on the hillside, listening to the charms of trees, will trickle past in ones and twos, find greener pastures under the shade of a plane tree; where once restless girls studied Psalms and the Book of Matthew, and grew up to ride horses, saddled on the hillside.

Helen Hagemann

Lesson from South Africa for US gun owners

POLITICS

Catherine Marshall

The day we handed in our gun was one of the happiest of my life.

The weapon was a black 9mm pistol, heavy and cold in the hand, loaded with sinister potential. It had been in our possession for several years, but had become most relevant to our everyday lives when we moved to a farm in South Africa's Mpumalanga province.

The property was unfortified: there were no farm gates, electric fences or burglar bars, no alarm system. Instead, we secured ourselves from within, locking a series of doors in the century-old farmhouse until we were imprisoned in the capsule that was our sleeping quarters, protected from real and imagined threats by our wits and the loaded gun that was removed from the safe each night and placed beneath the bed.

It was a necessary precaution in a country rendered dysfunctional with violence: according to Sean Christie, author of [Plaasmoord: Behind the Violence on South African Farms](#), over 1000 farmers and farm workers have been murdered in that country in the past decade alone.

I spent my days reporting on the news that emanated from the region — including the farm attacks where a good outcome involved being merely beaten about the head with sticks — and my nights sleeping lightly, waking in fright when monkeys galloped across the tin roof or unfamiliar cars drove down the dirt track that led to our isolated house.

We spent many long hours driving back and forth between Mpumalanga and Johannesburg, along lonely stretches of road where criminals were known to operate and signs warned motorists not to stop. The gun would be loaded and tucked into the driver's door compartment, ready for a quick draw.

Implicit in our decision to become gun owners was the willingness to use the weapon against any person who would see fit to attack us or to threaten our children's lives. There could be no other reason for choosing to own an object whose most potent and obvious purpose is the firing of a bullet so that it will lodge in the body of a living thing and thus extinguish their life.

The gun that lay under the bed or in the driver's door compartment or even locked inside the safe was not some inanimate piece of metal; it was an object designed with malignant intent, one swiftly transformed into an instrument of violence in the hands of a human being.

It was this awareness that prompted in me a feeling of such equanimity the day



we placed our gun and a box of bullets on the countertop of a gun shop near Johannesburg, and signed over its ownership. Our gun licence was cancelled, our means of self-protection removed.

It was the very fact that we'd felt the need to own a weapon in the first place that had compelled us to leave our country and move to Australia, where crime levels are relatively low, gun ownership strictly controlled and personal security safeguarded largely through a culture of mutual respect.

Living defensively, armed as though for war, is uncivilised, I had discovered; it removes dignity from both the person wielding the weapon and the one staring down the barrel of the gun; it doesn't mitigate your fears but intensifies them so that you are always on heightened alert, hand on holster, hopeful that you will be able to shoot the hypothetical perpetrator before he can disarm you and end your life instead.

We never had to use our gun, but I feared the day when I would have to make the split-second decision to kill another human being. I knew that such an action would leave irreversible scars on my psyche; it would draw me into a brutal narrative of which I really wanted no part.

For most of my male contemporaries, there was no question that they would kill their attacker first, fire a warning shot second. It wasn't just self-preservation driving them, but the evolutionary instinct to fight; this same machismo seems to drive the gun culture in the United States, where regular mass shootings are the tragic consequence of mass gun ownership.

It takes a mature society to handle weapons responsibly, and a truly liberated one to relinquish them altogether.

Walking into the parking lot that afternoon after giving up our gun, I was overwhelmed with a sense of liberation and relief. We might well have been hijacked on our way home, but it was more important to me that I reject violence and any part I might have in it. My time as a gun owner had taught me that the freedom to bear arms is no freedom at all.

The media and the vulnerable in 2012

EDITORIAL

Michael Mullins



As I was looking for a lens through which I could frame a 2012 retrospective editorial, a colleague asked me to recommend a good article on the topic 'the media and the vulnerable'. Looking at our archive, I discovered this was a constant throughout the year.

Still current is the fallout of [actions](#) of 2DAY FM employees who appeared to have prompted the death of nurse Jacintha Saldanha, who was vulnerable to suicide. Also recent is the criticism that, while the media were [empowering](#) church sexual abuse victims by telling their stories, the victims and their stories were providing fodder for one of the year's biggest media events, so that media outlets were in effect capitalising on lives broken by the church. [Earlier](#) the BBC was exposed for suppressing coverage of the exploitative behaviour of one of its own, Jimmy Savile.

Back in January, we were reflecting on the [film](#) *The Iron Lady*, and Meryl Streep's determination not to make a plaything of Margaret Thatcher. Instead she would continue her own lifelong effort as an actor to 'defend the humanity of people that we've made into emblematic figures of one sort or another'.

Also in January, we used Pope Benedict XVI's idea of a communications '[eco-system](#)' to mute the shrill 'Stop the boats!' political rhetoric in order to allow space for a hearing of the hope and fears of both asylum seekers and the Australian people. The Pope had urged a balance between silence, words, images and sounds, which is more likely to give voice to the poor than cacophonous social and mass media.

[Another](#) comment observed that the iconoclastic tone of much TV comedy 'lacks the values and moral centre needed to counter xenophobia' exists in the community. The same could be said for violent video games, but there was also the [view](#) that they are easily demonised when proper funding for mental health services is also needed. Another form of media was [threatening](#) to exploit vulnerable people — online gaming and betting apps.

In [March](#), and again in November, Sydney University's St John's College was in the news, and the media made a meal of accounts of students having to submit to humiliating rituals to gain the acceptance of student elders.

In May we used the term '[Big Media](#)' to suggest that large media corporations are just like 'Big Tobacco' in their relentless exploitation of captive small people for the end of shareholder profit, but that the National Broadband Network might provide diversity if the government followed recommendations from its Convergence Review rather than the wishes of the large media owners, as successive governments have for many years.

Some things never change, but we live in hope that they will, and that we will all live in a better world as a result. That is our hope for 2013.

Climate view from a nation doomed to drown

ENVIRONMENT

Paul Collins

I've been to Kiribati, so I understand its vulnerability. Straddling the equator in the central Pacific Ocean, the sea is everywhere. You're never more than one or two metres above the ocean on the long, narrow strips of coral atoll that make up a country with a total land-mass of just 811 sq km.



The significance of Kiribati is that, together with Tuvalu, it will be the first country to be drowned by global warming. The 101,998 people of Kiribati can only retreat into the lagoon or the ocean.

Already the islands are badly eroded, and unprecedented long and severe droughts are affecting fresh water supplies and the vegetation on which people depend for food. Wind directions have changed and unseasonal and more violent storms are lashing the 21 inhabited islands. It may be already too late for this unique culture, and the Kiribati government has begun negotiations with Fiji to purchase land to re-settle people.

Given that last year Australia took 170,000 immigrants I find it extraordinary that we are doing precious little for our Pacific neighbours in Kiribati who share much with us culturally and religiously. The islands are 55 per cent Catholic, 38 per cent Protestant and 3 per cent Mormon.

Geographically it's a long way from Doha to Tarawa, the Kiribati capital, but it's even further in terms of understanding the effects of global warming.

Sure, at the recent Doha conference the rich nations pledged funds to repair loss and damage from climate change in poor countries. But even though there has been recognition of the impact of global carbon emissions on poor countries like Kiribati, there is no legal framework to guarantee compensation, and high polluting countries are still unwilling to tackle their own emissions.

For instance Australia's reductions are derisively small while we remain one of the world's largest exporters of coal, a prime source for greenhouse gases.

As the Seychelles representative Ronald Jumeau bluntly told delegates 'If we had more ambition [on emission cuts from rich countries], we would not have to ask for so much money for adaptation ... What's next? Loss of our islands?' That is precisely what it means for Kiribati. And the Seychelles face a similar threat.

Nevertheless, despite fierce opposition from the United States, the agreement on compensation was recognised as a step forward even though it stopped short of any admission of legal liability on the part of the developed world and developing world polluters. It was proposed that a fund of \$100 billion annually be set up to help poor nations deal with climate change disasters.

Where would these funds come from? Perhaps from existing aid and disaster relief budgets? Climate Change Minister Greg Combet rushed in to assure Australian taxpayers that they would not be exposed to these 'loss and damage' provisions, even though many Australians would not object to supporting our neighbours.

The US still refuses to ratify the Kyoto treaty so the Doha conference set up a three year process to negotiate a global climate treaty that would embrace both developed and developing countries cutting their emissions. It is proposed that it be signed in 2015 in Paris, coming into effect in 2020.

This is going to be a massively difficult process, with China, the world's biggest polluter (much of it from Australian-sourced coal), determined to retain its status as a 'developing country' even though its economy by 2020 will be the world's largest.

Meanwhile, out in the real world, where the International Panel on Climate Change (IPCC) is projecting temperature increases of more than 4°C by 2100, we carry on as though nothing was happening.

The IPCC told the Doha conference that 'approximately 20 per cent to 30 per cent of species are likely to face increased risk of extinction' if temperature rises exceed 1.5°C to 2.5°C above 1980–1999 temperatures. If the rises exceed 3.4°C 'model projections suggest extinctions ranging from 40 per cent to 70 per cent of species assessed around the globe'.

The IPCC continues that 'by 2020 between 75 and 200 million people [in Africa] are projected to be exposed to increased water stress ... Agricultural production, including access to food in many African countries is projected to be severely compromised.' Add to that ice sheet melting and sea-level rises in regions like the Ganges delta where some 135 million people live, and we have a monumental problem.

While we wring our hands and climate sceptics pretend there is no problem, back in Kiribati people are already in the midst of a climate change disaster.

Nuns, gurus and rebels: the best of Eureka Street TV

VIDEO

Peter Kirkwood

For the past three years video consultant Peter Kirkwood has produced a fortnightly series for Eureka Street TV, published on [Eureka Street's Youtube channel](#) and featuring some of the world's leading thinkers on faith and spirituality in the 21st century. As Peter embarks on an extended hiatus from the role, we take a look back at some of his best Eureka Street TV interviews of the past three years.

Anwar Ibrahim

Outspoken Malaysian politician talks about the urgency of interreligious dialogue, how to deal with religious pluralism, the need for open debate amongst Muslims, and the true meaning of sharia law.

Hans Kung

Controversial theologian speaks about the need for interreligious dialogue, a global ethic and the state of the Catholic Church.

Robina Courtin

Interview with an Australian Buddhist nun.

Laurence Freeman

Benedictine monk and leader of the World Community for Christian Meditation talks about the importance of inter-religious dialogue, and the dangers of religion without the contemplative dimension.

Tariq Ramadan

World renowned Islamic scholar talks about the need for Muslims to be open to other faiths, and about the crucial role of education in overcoming inter-religious conflict.

Joan Chittister

Leading Benedictine nun talks about the great need for inter-religious forums like the Parliament of the World's Religions, her inspiration to take part in dialogue, and the status of women in religion.

James Allison

Interview with an openly gay Catholic priest and theologian.

Sandra Schneiders

American professor of New Testament and Christian spirituality on the significance of the Second Vatican Council, and how it overturned the negative stance of the Catholic Church towards the world.

Peter Kennedy

Rebel Catholic priest Peter Kennedy talks about his St Mary's-in-Exile community, how he views mainstream Catholicism, whether there is any hope of reconciliation with the Church, and the importance of mysticism.

Swami Agnivesh

Prominent Hindu reformer from India, Swami Agnivesh, speaks about the urgent need for dialogue among religions, overcoming narrow religiosity, and his struggle against bonded labour and child slavery in his country.

Grace and intimacy in *Les Miserables*

FILMS

Tim Kroenert

***Les Miserables* (M). Director: Tom Hooper. Starring: Hugh Jackman, Russell Crowe, Anne Hathaway, Amanda Seyfried, Sacha Baron Cohen, Helena Bonham Carter, Eddie Redmayne. 158 minutes**

I once saw an amateur theatre group perform 'Do You Hear the People Sing' — a musical battle cry for lower class rebellion — while pretending to be commuters on a packed train carriage. At a time when there were a lot of stories in the mainstream media about overcrowding on Melbourne's trains and trams, the performance worked as a lovely piece of topical farce. But it also sent shivers down my spine. That song always does.

Les Miserables is like that. Claude-Michel Schoenberg and Alain Boublil's 1980 musical adaptation of Victor Hugo's 1862 novel is replete with rousing anthems and stirring torch songs, which have cemented it as one of the great 20th century stage musicals. It is true that even good musicals can make for bad films (look at what Chris Columbus did to *Rent*); Hats off to director Hooper then that his *Les Miserables* stops just south of magnificent.

Hooper is best known as the director of *A King's Speech*, a character and dialogue driven film that showcased a magnetic performance by its lead actor Colin Firth. *Les Miserables* is set some years after the French Revolution in a society still suffering badly from class divisions. Yet despite this epic scope, and perhaps unsurprisingly considering his *King's Speech* pedigree, it is the more intimate moments of *Les Miserables* on which Hooper excels.

And there are plenty of these. The musical is populated by characters who incessantly plough their own moral and emotional terrain, or describe or challenge that of others through charged vocal exchanges. Hooper and his cinematographer Danny Cohen focus a lot on faces; there are many close-ups, and moments where characters sing directly to camera, the audience placed in the role of confessor or as the object of supplication.

He is blessed to have a lead actor of Jackman's calibre. Jackman portrays the story's tortured hero, Jean Valjean, a good man brought low by poverty and imprisonment, now on a lifelong quest for absolution. Jackman is a good actor as well as a great singer, and emotes rather than simply performing, plumbing the depths of Valjean's soul-searching. Other cast members, notably Seyfried as Valjean's adopted daughter Cosette, and Redmayne as young revolutionary Marius, prove similarly capable. The camera devours the intimate moments with voyeuristic vigour.

On the other hand Hooper does not cope as well with the larger-scale sequences. The wickedly witty comedic number 'Master of the House' — which

showcases Cohen and Carter as dodgy innkeepers and cruel guardians of the young Cosette — is a mess of sight gags that either fall flat or get lost in the chaos.

More significantly, he botches the 'barricade' scenes that form the centrepiece of the second act. This extended siege and battle sequence, set during the ill-fated, anti-monarchist June Rebellion, is marred by awkward staging and shambolic editing that robs it of its emotional power and thematic and historical significance. This is one of a handful of serious flaws that stop the film from being a masterpiece.

Crowe, who portrays Valjean's nemesis, the coldly righteous lawman Javert, is another. Some reviewers will say Crowe's gruff charisma gets him by. It does carry him a long way, but his muddy tones tend to flatten a scene, especially when he is up against such a skilful vocalist as Jackman. And he mangles 'Stars', a terrific song at the end of the first act in which Javert articulates the sense of divinely ordered justice that drives and torments him. If this was a deliberate choice to favour an actor rather than a singer for the role, it has backfired.

This is in contrast to Hathaway. She *can* sing, even though like Crowe she is known primarily as an actor. Here she appears in the brief but pivotal role of Fantine, a single mother sunk to desperate acts that shred her dignity, whose fate is central to Valjean's tortuous moral formation. Hathaway's appearance culminates in a devastating, single-take performance of 'I Dreamed A Dream', her face contorting with the existential anguish of each syllable. It is the performance of the film, and its emotional zenith, the only problem being that it occurs too soon.

To his credit Hooper doesn't tone down the religious dimensions. Valjean and Javert are both 'men of God', Javert's Old Testament sternness contrasting with the compassion and generosity to which Valjean aspires. Early on Valjean betrays a priest who's been kind to him, and the persistence of that man's mercy despite this betrayal sets the tone for the remainder of Valjean's journey. *Les Misérables*, then, is centrally a reflection on grace.

Practical solutions to climate despair

ENVIRONMENT

Lyn Bender



The Doha climate talks have come and gone, and it is all business as usual.

Dr Pep Canadell of the the Global Carbon Project has [crunched](#) the numbers. 'Emissions are the highest in human history and 54 per cent higher than in 1990 (the Kyoto reference year).'

And yet it seems the outcome from Doha was *full steam ahead*, particularly with coal, despite dire warnings from the World Bank that if we don't turn down the heat we face clear [threats](#) to our great God the Economy. In fact the world as it now operates could just go bust, in a way that would make the GFC seem like a walk in the park.

Researcher Ann Scorbet has some startling figures for Australia alone. She states that delays in acting on climate change will cost Australians \$5 million per week by 2020 as we [struggle](#) to catch up. The Stern Review in 2006 warned that unchecked climate change could cost the world \$3.68 trillion. We could either deal with it now or face a cost at least 20 times [greater](#) .

Emeritus Professor Ian Lowe has [warned](#) that Australia should cease exporting coal. Gasps of disbelief and cynical laughter may greet this pronouncement. But failure to do so is tantamount to continuing to sell asbestos, despite knowledge of its lethal nature. There may be immediate financial gains, but immeasurable costs in health, lives and sustaining our environment and the world, long-term economic implications of inaction aside.

Paul Gilding, former CEO of Greenpeace sees adaptation to a sustainable energy as the disruption we have to have. Somewhat more optimistically in his book *The Great Disruption*, he [proposes](#) that the climate crisis will transform the world's economy. Despite the fact that it looks increasingly like we will never reach a global agreement, Gilding says that business and the world will shift to renewables at the 11th hour.

This may be wishful thinking. The scientific consensus is that we are heading, not for the almost manageable 2 degrees, but to 5 to 7 degrees of warming unless we completely disengage from polluting energy within two decades. Yet world governments are dithering with inadequate or counterproductive responses, and vested interests are fighting like hell to keep mining and selling coal and fossil fuels.

And although it is the youth of today who will suffer the consequences, a recent [survey](#) by Mission Australia says concern for the environment has dropped, trumped by concern for the economy.

On the other hand, awareness is growing, and sceptics are looking out of tune with reality. Infamous denialist Lord Monkton, who has been sponsored by Gina Rinehart to give talks in Australia, was ejected from the Doha talks for impersonating a delegate while disputing the science, [claiming](#) there has been no global warming for 16 years.

Psychologically, humans use avoidance and denial when confronted with undesirable or untenable realities. Like the myth of the ostrich with its head in the sand, this creates an illusion that all is fine but leaves us vulnerable and exposed. We are merely shutting our eyes.

Despair is another option that can seem to make things easier: nothing can be done, my effort doesn't count, others aren't doing enough, so might as well just party like hell, drink, make as much money as possible or give up and fall into a numbing depression.

There are healthier, more helpful ways to respond. In taking some deliberate action we reduce the sense of powerlessness and the crippling state of depression.

This action can take many forms. We can reduce our personal emissions (consumption of electricity in Australia has actually [declined](#) in the past year). We can become informed, inform others, and reduce wastage. We can withdraw investments from coal and polluting industries and invest in green industry. We can pressure politicians and the electorate to act.

Former PM Kevin Rudd asserted that climate change is the greatest moral challenge of our times. It is also our greatest moral responsibility. We are on the threshold of an enormous catastrophe. We can choose denial or despair, or take moral responsibility for all our actions to reduce emissions and losses. We owe this to the future.

Tintin's rocket and Mauritian moon memories

NON-FICTION

Bernard Appassamy

I saw the toy shop out of the corner of my eye as I walked along a drab stretch of Sydney's Pitt Street. I kept walking and glazed over rows of plastic toys behind the window display. Among the merchandise, I recognised figurines of comic characters, some matched with their extravagant modes of transport. They looked cheap, mass-produced and sad, seemingly anticipating a more vibrant future than gathering dust.

One item practically screamed at me and stopped me in my tracks. A red and white checked rocket standing upright on three legs — a rocket I had read about and drawn countless times during my childhood in Mauritius in the 1960s: Tintin's rocket from the *Explorers on the Moon* and *Destination Moon* books. At around 20 cm high, this resin replica was glistening and of high quality. The memories came hurtling back.

My mother instilled in me the pleasures of reading and drawing. From an early age, I learnt how to keep myself entertained since my two older sisters had grown-up occupations of their own.

While art supplies were readily affordable, books, most imported from France and the UK, were prohibitive and a luxury. I was given comic books for my birthday and Christmas, and given my speed at devouring them and my family's short-lived calm, my joining a library soon became an imperative.

Saturday morning. On the way to the bazaar for the weekly groceries, my parents dropped me off at our parish library, the Biblioth que Saint Joseph, at the back of Notre Dame de Lourdes, our church in Rose-Hill.

I was entrusted to two elderly single sisters who ran the library on Saturdays as volunteers. Known deferentially as the Demoiselles Chauvin, they arrived in great style, chauffeur-driven, in a vintage black car with tomato-red leather seats. That car belonged to their friend, Countess Julie de Carn  who later died at 102, a discrete figure in Mauritius if not for her imposing colonial residence.

I, of course, could not care less. What mattered was my selecting my weekly allocation of books before my parents picked me up again.

Tintin was the first of my super heroes and my favourite. From my isolated dot on the world map, he took me travelling to distant lands, and opened my eyes to foreign cultures, their history and rituals. He personified courage, a thirst for investigating and learning, and a dogged determination against injustice no matter the perils involved. He stood for freedom and making good.

I fancied myself as Tintin-*sous-les-tropiques* and my dalmatian Kim as Snowy as we sought and chased evil chameleons up the Casuarina trees that lined my

family home.

None of Tintin's adventures thrilled me more than the double whammy to the moon, more so given the concurrent Apollo lunar missions at the time I was reading them. The construction of the Apollo rockets, the launches, the trips to and the landings on the moon, and the returns all fraught with dangers — Tintin had conquered those feats and more years before.

Fortuitously, my parents and I were staying with friends overseas when Apollo 11 landed on the moon. The Mauritius Broadcasting Corporation didn't have the technology then to transmit such events live on TV. My father woke me up in the middle of the night and sat me in front of the black and white TV to watch Neil Armstrong's first lunar steps live. 'I am sorry but you need to see this. You will remember it for the rest of your life.'

I was so obsessed with rockets that I naturally progressed to secretly planning to launch one.

I engineered a prototype by folding two giant paper planes and gluing them back to back. Then, during the family's sacred siesta, I sneaked into the garden and stood my makeshift rocket on the sewerage manhole cover (my idea of a launch platform that could sustain extreme heat temperatures). Finally, I whispered the countdown, struck a match and lit the base, expecting the 'ignition' flames to blast my rocket into orbit.

Thankfully, no damage was done other than my own humiliation, and I was manic in disposing of any trace of my charred experiment.

Back on Pitt Street, I stepped into the toy shop ready to succumb to an impulse-buy, but the price tag of three digits shattered my fantasy. I still held my recollections for free. Besides, Father Christmas is coming.

Gloomy forecast for Aboriginal super

ECONOMICS

David James

At a recent conference hosted by the National and Torres Strait Island Council (NATSIC), a gloomy conversation point emerged. The discussion was meant to be about Aboriginal superannuation. But Anthony McCarthy, marketing development manager for [Catholic Super](#), says a surprise was in store.



'Most of the questions were about funeral benefits and (provisions) for the beneficiaries,' he says. 'Almost none of the questions were actually about retirement or how to access money at an earlier stage during the life span. It was a little bit shocking. They didn't seem to see it as something they could access through their lifetime.'

Superannuation is not generally available before the age of 55. For most of the population of Australia this is scarcely a problem, as they are likely to live well into their 80s. The question tends to be more about whether there be enough of a nest egg to last that long.

But the average life span of Aboriginal Australians is much lower — according to the Australian Bureau of Statistics, just 67.2 years. Many will not live long enough to derive financial advantage from their super.

Graeme Mundine, executive officer for the [Aboriginal Catholic Ministry](#) in the Sydney Archdiocese, says the age difference between the Aboriginal and non-Aboriginal populations ranges between nine and 15 years 'depending on where you are living'. He says the average is about 12 years difference. 'It used to be 20.'

One reason the misalignment of life expectancy has not received great attention is that Aboriginal super is not well developed.

According to a recent report by the Association of Super Funds of Australia, 'Equity and Superannuation — the Real Issues', Indigenous Australians have lower coverage and lower balances on average than the general population. Indigenous Australians' coverage is about 70 per cent for men and 60 per cent for women, compared to 85 per cent for men and 80 per cent for women in the population more generally.

Average balances are also lower than for the equivalent Australian population as a whole.

Current superannuation arrangements and administrative requirements, according to the report, often do not match the circumstances and needs of indigenous Australians, particularly those in remote areas who may have difficulty communicating with their superannuation fund, claiming benefits or identifying lost

accounts.

Craig Arthur, national administrator of the National Aboriginal and Torres Strait Islander Catholic Council (NATSICC) says the shift in governmental policy to raise the preservation and retirement age for superannuation access, which reflects the increasing life expectancy of the Australian population, is not representative of the Indigenous community.

'When that is combined with the increased financial stress suffered by Indigenous people, the argument for lowering the preservation age for Indigenous people grows stronger,' he says. 'Raising the (retirement) age will only make the situation worse.'

How, then, should superannuation be adapted to meet Aboriginal needs? Linda Burney, the Aboriginal member for Canterbury in the New South Wales legislative assembly, says there are many complexities to resolve.

'On the surface (reducing the retirement age) looks perfectly reasonable,' she says. 'But the practicalities of having different approaches in a regular super fund are difficult. It would be good if the big super funds took the issue seriously and had a practical discussion, which I don't think has happened. It is not as if nothing is happening. The Closing the Gap strategy is improving the life expectancy of Aboriginal people.'

A first step, apart from a willingness to discuss the issue, is to determine who should prosecute the case to change the treatment of Aboriginal superannuation.

'No-one has been put in charge of it; it is just a general discussion, a thought that has been bantered around a bit,' says Mundine. 'It is possible, as far as I am aware, to get the aged pension early if you are an Aboriginal; perhaps something similar is possible with super. But who is the best one to deal with it? If the (interested) groups are strong enough, they have to take it to NATSICC.'

Arthur argues that better education is important. 'The statistics reveal that Indigenous people spend a shorter amount of time in each job (for many reasons including short contracts, casual employment and other factors), and are more likely to have several positions over a working lifetime. The result is often small amounts of superannuation spread across several different funds.'

Developing more flexibility is another option, according to Arthur. He says that determining the time when superannuation becomes available is only part of a required rethink on 'future proofing' for future generations.

'There are currently extenuating circumstances that can facilitate the early release of superannuation. NATSICC is of the opinion that these regulations have the scope to be more individualised and to take into account a person's health, life expectancy and circumstance.'

Developing an appropriate response to the Aboriginal issue exposes a perennial

tension in the sector. Superannuation is a service provided to individual savers. But it is also a system-wide initiative designed, at least in theory, to reduce government spending on the aged.

That means it needs to be matched to individual needs, but consideration also needs to be given to the wider effects on the economy and society. Changing the treatment of Aboriginals will have repercussions in the system.

'This is an issue they are starting to get their heads around, and what needs to be done about it,' says McCarthy.

Empathy and irony in post-Howard Australia

POETRY

Barry Gittins

Becalmed, bereft, besieged

What of your flesh, nestled at her mother's hip unravelling chords, plotting progressions,

dancing from voice to piano to violin? What course would you set for her if, adrift of government policies, she fled, seeking compassion and safe harbours?

What of your blood, teasing the dog with balloons, bubbles, grass; grist the hound

renders in growled fury illimitable? See him exiled from health and home:

would studied negligence, fell bastardry, suffice? Appease your conscience's qualms?

What of your bone, your breath; soul lover? If, in intransigence, your passion incarnate

was damned to rot for years — human flotsam — would listless inaction be your lodestone?

Would you contend for her release, or resign yourself to discontent's torpor?

Becalmed, bereft, besieged by race memory and hip pocket absorption
a nation of travellers and seafarers swallow leaders' sleight-of-hand, as they
conjure pirates from refugees, demons from daughters, sons and lovers.

Asylum primer

Agenda bloodied,

courage dances

ever fleeting,

gasping, harried.

Imperium jars.

Kindness lags;

mythos never

overcomes pride.

Quantifying reverts
solely to

ulcered verities.

Welfare? Xenophobes

yell 'zenith!'

Unworthy

Cluttered at the back of early memory are hurried public conversations.
Shared laughter at outsiders. Furtive whispered epithets against
women, gays, wallies; anyone with skin or ideas unlike ours. Pushing back
against alien creeds, beliefs, unlikely hopes, setups failing our expectations.

Oz duly knocks urgers and pushers and bloody bleeding hearts
who bitch and moan, whinging against 'our country'.

We're a tribal mob; if you challenge us we'll cock a snook,
kick your arse from here to Broome; label you unAustralian.

The latest floods of rejected life flow in the wake of peoples
who got a fair go and a crack at redemption, Oz style.

But just let your memory wander back far enough,
Ockers, Ockers, Ockers, oi, oi, oi. Read what went down
and you'll cop a mind's eyeful of Jews fleeing for their lives;
Abe's children we kept shut up in ships, sent back quick smart
for Adolf to deal with, sent right back where they'd come from.

They were deemed unworthy of a spot in this man's land.

Rednecked summers come and go, UN boffins can bleat away,
but reffos won't desert our haunted dreams, or set foot upon our stolen
inheritance.

Below lies excerpts from a speech by Prime Minister John Howard on 28 October 2001, ironies unintended:

'National security is ... about a proper response to terrorism. It's also about having a far sighted strong well thought out defence policy. It is also about having an uncompromising view about the fundamental right of this country to protect its borders, it's about this nation saying to the world we are a generous open hearted people taking more refugees on a per capita basis than any nation except Canada, we have a proud record of welcoming people from 140 different nations. But we will decide who comes to this country and the circumstances in which they come. And can I say on this point what a fantastic job Philip Ruddock has done for

Australia.

'What a contrast with the Labor Party. The morning, well the day I made the announcement that we had to board the motor vessel Tampa I was told by the Leader of the Opposition that the last thing I wanted or Australia needed was a negative carping opposition. But in four and a half hours he was accusing me of engaging in wedge politics and fanning Hansonism. He voted against the border protection bill, he ultimately voted for it although it covered a wider area and while the debate was going on in the Senate many of his colleagues were darkly muttering if we win the election we'll change it. We have had a single irrevocable view on this, and that is that we will defend our borders and we'll decide who comes to this country.

'But we'll do that within the framework of the decency for which Australians have always been renowned.'

We all lose when governments trash the law

POLITICS

Andrew Hamilton



In recent months more than 400 Sri Lankans have been summarily repatriated. After arriving by boat, they were screened out by Immigration officials. This action has received little attention, as public attention has been focused on the brutalities of Nauru and on the five year sentence to bare survival that awaits other recently arrived asylum seekers. But it is deeply disturbing nonetheless.

It is also arguably unjust and illegal — ‘arguably’ not because the evidence for the claim is lacking or weak, but because the screening-out is so totally lacking in transparency. There is no way of knowing whether in fact those repatriated did not wish to claim asylum, or whether they would have been found to be fleeing persecution. We rely on the arbitrary and unreviewable judgment of officials.

Doubts about this process are intensified because, together with the new Pacific Solution, the deprivation of work rights and prolonged delay in processing claims, it forms part of a desperate and *ad hoc* attempt by the Government to be seen to be serious about stopping the boats.

The introduction of summary repatriation was accompanied by extensive publicity by Sri Lankan and Australian ministers and officials. They declared that the growing number of Sri Lankans arriving by boat were not asylum seekers but were deluded by people smugglers into seeking a better life in Australia. Both Governments agreed that Tamils could return with impunity to Sri Lanka. This publicity implied that repatriation would not be unjust.

In the last week, however, evidence that summary repatriation is neither just nor legal has mounted. Bishop Rayappu Joseph of Mannar in northern Sri Lanka has added weight to widespread reports from within Sri Lanka by warning that asylum seekers returned to Sri Lanka face harassment, restriction on their freedom and other penalties. He has begged Australia not to return asylum seekers.

These continuing reports of serious human rights abuses in Sri Lanka raise serious questions about the cooperation between Australia and the Sri Lankan Government on asylum seekers. This is the Government against which asylum seekers claim persecution.

Evidence about the persecution of returned asylum seekers calls into question the justice of summary repatriation. At the same time the actions of the Australian Government itself have thrown doubt on its legality.

Lawyers for 56 Sri Lankans screened out and facing repatriation brought a High

Court case against their treatment. But before the case could be heard, the Government agreed to process the people affected as it would other asylum seekers. The case was therefore discontinued.

It is reasonable to presume that the Government feared that the Court would find its actions illegal. But it has not renounced the practice of screening out and repatriating asylum seekers.

This move confirms the extent to which bad and makeshift asylum seeker policy has corrupted respect for the rule of law. Bad policies encourage the demand for unconfined power. For a government to treat people brutally is bad enough; to do so in ways that are not transparently legal is worse; to abort a legal process to avoid having illegality discovered is sneaky; subsequently to keep open the possibility of acting in the same way is contemptuous of law.

The attachment to summary repatriation is the current high-point of a history of hostility to the law in asylum seeker policy. The placement of the first remote detention centre at Port Hedland was driven largely by the desire to restrict asylum seekers' access to lawyers.

The excision of Australian territory from the immigration zone and the Pacific Solution were more sophisticated attempts to prevent asylum seekers from appealing to Australian courts. This exclusion was eventually found by the courts to be illegal but not until it, like the remote detention centres, damaged lastingly the minds and spirits of so many asylum seekers.

The rule of law in society is a delicate spider web of relationships that protects the weak from the tyranny of the great. It is handed on in trust to all of us, and especially to governments, to respect and strengthen. We are all the weaker when it is torn.

That is why the Government's lack of care for legality and justice in its treatment of the deported asylum seekers is so concerning. It hacks down the hedge that protects us all.

My brush with Israeli militarism

POLITICS

Lyn Bender

Aged 18 in 1967, during a period of great personal confusion and in search of an expression of idealism, I impetuously considered volunteering for the Israeli Army.

I am utterly embarrassed by this. I had been indoctrinated within a community of holocaust survivors who had latched onto militant Zionism as a means to reclaim Jewish pride and safety. At youth groups we enacted mock battles between Jews and Arabs in the same way non Jewish youth played at cowboys and Indians.

In early adulthood when the brain is not fully matured, youth is particularly vulnerable to being captivated by idealism and a purportedly noble cause. It is the age of the search for meaning. An age when the young may be conscripted and sent to war. An age when many serve in the Israeli Army, some from the Jewish Diaspora.

Post traumatic stress disorder intensifies with time rather than diminishes. So too, the soldiers who took part in these assaults, as well as the victims, can remain injured by the visions, sounds and smells locked into their mind until their own deaths. Traumatization can also be transmitted as a grim legacy to the next generation.

A fragile ceasefire has been brokered between Gaza and Israel. Had this not succeeded, troops that had been massing on the boundaries of Gaza would have commenced a ground invasion. Hundreds of heavily armed, shoot-to-kill soldiers would have advanced on largely defenceless civilians.

This would likely have been a repeat of Operation Cast Lead, the devastating and brutal invasion of Gaza in 2008, whose aftermath is depicted in the award winning documentary [Tears of Gaza](#).

How many could watch this without shedding tears for the victims? But the soldiers who are sent into battle have their own horror to bear.

In the short documentary [Cleansing Gaza](#) three Israeli soldiers are tracked from the 'discos of Tel Aviv' and the gung-ho massing on the Israeli border. They describe being revved up and feeling part of something powerful as they advanced into Gaza. But their qualms and pain become increasingly evident.

One remembers 'looking a Palestinian in the eye' through the sights of his rifle seconds before he shoots, and thinking, 'he is not different from me'.

Another describes breaking down when he returned to his own scrubbed-clean, renovated home and contrasting it with the Palestinian home that the IDF had



occupied and fouled. He thought of the bathroom filled with excrement, the defaced family pictures, the torn clothes, and the smells and destruction the soldiers had left. 'At that moment everything changed. Then came the sadness and tears and pain.'

Another remembers the Palestinian families leaving with no bags, but carrying babies and leading children, a little white flag held aloft on a stick.

In a war young soldiers bear the brunt of 'following orders and doing their duty'.

Australian Major John Cantwell, who served in Operation Desert Storm and later in Afghanistan, kept his pain hidden for decades, finally breaking down upon his return from the Middle East in 2011. He found himself unable to take up a new post. Instead he was admitted to a psychiatric hospital.

In his memoir, *Exit Wounds*, Cantwell describes the bulldozing of enemy trenches as part of Operation Desert Storm. This buried Iraqi soldiers alive. A stark image emblazoned in his mind was of the hand of an Iraqi soldier reaching out of the sand. He carried that image, among other horrors, in his mind and heart, for over 20 years.

Trauma remains in the human brain for a lifetime, bringing intense feelings of fear, remorse, rage and shame. Both the actor and the acted upon may experience this life sentence of flashbacks, triggering painful feelings and alienation. It brings depression, anxiety, relationship disintegration and loss of friends and loved ones. Many sufferers resort to alcohol and other forms of addiction and distraction to alleviate symptoms.

Recognition of this disorder, therapy and community support can make this chronic condition subside. But ultimately war is an insanity that bestows a horrible legacy on all: even bystanders in faraway lands.

Royal Prank blood is on everybody's hands

EDITORIAL

Michael Mullins



The weekend's media was dominated by the tragic turn of events in the 2DAY FM royal prank media saga. The 46-year-old British hospital nurse and mother of two who took the prank call was found dead after her apparent suicide.

As the culmination of such a moment of unspeakable sadness, the behaviour of the social and mass media lynch mob was no less shocking and shameful than that of the 2DAY FM 'shock jocks' themselves.

The proliferation of ill-considered opinion is an unfortunate consequence of the advancement of media technology in the 21st century. Comparatively lengthy production processes of the past had a moderating effect on intemperate opinion and its consequences.

In the context of the fast-moving royal prank crisis of the last few days, it would indeed be tragic if shame provoked the shock jocks to follow the lead of the nurse, in line with a [fear](#) expressed by beyondblue chairman Jeff Kennett.

While 2DAY FM has a very poor track record in reining in the excesses of its presenters, the station and its shamed employees are not entirely to blame. All parties bear responsibility, including the hospital itself, whose chief executive [declared](#) in his measured statement of defence: 'Our nurses are caring, professional people trained to look after patients, not to cope with journalistic trickery of this sort.'

But why not? It would seem that, in the modern world, accepting royal patients and being vulnerable to media trickery go hand in hand for such an institution. It is surely irresponsible for the hospital not to train its staff to cope with journalistic trickery, and it follows that its CEO is partly to blame when he fails in such preparations and there are tragic consequences.

Trickery and magic has always been integral to the world of entertainment, which often contributes to the healing and wellbeing of those suffering ill-health as much as the care provided by some hospitals. This is perhaps what was on the mind of Prince Charles when he initially [joked](#) about the prank with reporters. Indeed professional jesters have always contributed to the good spirits of royal families.

That is one line of argument that is no more far fetched than suggestions that the presenters should have known that the nurse was vulnerable to self-harm and directed their trickery elsewhere. The point is that everybody is to blame and nobody is to blame. In some sense it is a variation on the theme of social sin,

which Sandie Cornish [wrote](#) about in *Eureka Street* last week.

When tragedy occurs, the best and only response is to let cool heads prevail, and take Prince Charles' approach to the fanatics of social and other media, allowing space for a sense of community perspective to emerge. NSW premier Barry O'Farrell went further with his simple but empathetic words [surmising](#) that the shock jocks must be feeling 'terrible'.

'I think there are some people today who are suffering, not just the family of the nurse but those who in some way were involved with what appears to be the trigger for this tragedy.'

Minority Government stands the test of time

POLITICS

John Warhurst

The final session of Federal Parliament had a familiar ring to it. The Opposition was putting Julia Gillard under enormous pressure by calling for her resignation over the AWU slush fund affair while the Government was attempting business as usual. Whatever happens now there will be no election until March 2013 at the earliest.



This means the Gillard Labor Government has gone almost full term despite relentless pressure from the Opposition and a hung parliament. Even a mid-March election would mean the Government has run for more than two and a half of its three years, about par for the course for Australian governments.

Gillard herself has survived since the last election on 21 August 2010 despite constant pressure from her predecessor Kevin Rudd, one unsuccessful challenge and regular speculation about his intentions.

Her minority government has survived against the odds. There have been no by-elections to change the parliamentary numbers, and no one has deserted the Labor Government on the floor of the House to facilitate a change of government.

We've had two and a half years of speculation about the fate of Craig Thomson over his alleged misuse of Heath Services Union funds. He now sits on the cross-bench rather than with Labor.

We've had two and a half years of extreme personal pressure on the rural Independents, Tony Windsor and Rob Oakeshott. This pressure has been exacerbated by public opinion polls, specially commissioned by media outlets, predicting their certain downfall at the next election. All this has been waged against two individuals who, with no political party to support them, must rely on a small circle of friends and colleagues.

We've had 12 months of concentration on the Coalition deserter, Peter Slipper, who was offered the speakership and then, after a few effective months in the office, was forced to resign following sexual abuse allegations.

We've had Independent Andrew Wilkie's rupture with Labor over the Government's failure to proceed with his plans for poker machine regulation. His personal relationship with Gillard has broken down but he has not forced the Government out.

These controversies have made for a remarkably turbulent period in Australian politics but the minority government arrangements have survived.

Academics have been quite cautious about the likely fall of either Gillard or her

Government before a full term. But insiders, spurred on by the media looking for stories and briefed by either Tony Abbott or the backers of Rudd, have regularly predicted imminent catastrophe. I've been told confidently on innumerable occasions that there would either be a change of government, an election or a successful leadership challenge.

Yet the determination of the Government and the PM to survive, together with the self-interest of those MPs backing her, made a full term the likely outcome.

The best chance for Labor and its four parliamentary supporters to survive was to go full term so that some progress could be made on policy implementation and time could bring some community healing and some sting taken out of Opposition criticisms.

The Gillard Government has now made the next federal election into a competitive contest. Public opinion polls over the past three months suggest the Government has a chance. The same polls report that Gillard has got the best of the Opposition leader for the time being. Pressure seems now to be on the Opposition for the first time.

But stability is never guaranteed. Leaders and governments can disappear at short notice. Gillard is now the focus of renewed Opposition attack over her professional dealings before entering parliament. There is even the chance that she herself will call an election for March or April as the Government's budgetary situation worsens.

Survival has come at a cost. The Government bears damaging scars. To survive is no guarantee of emerging victorious in the end. Labor is still unlikely to win the next election.

Nevertheless history will now record that the Gillard government has survived much longer than the doomsayers thought would be the case.

Retirement home bureaucracy comes unstuck

BY THE WAY

Brian Mathews



Bureaucracy is often irritating, and petty bureaucracy can drive you crazy. Even the calmest of temperaments bridles in face of someone 'Dress'd in a little brief authority/Most ignorant of what he's most assur'd'. And the trouble is, brief authority often concerns itself pompously with the most trivial of causes.

Our neighbour's mother is 94. For the past five or so of her widowed years she has lived happily in a retirement home not far from her daughters and some of the grandchildren. She is a keen walker, does yoga, meditates, reads voluminously, gardens, and is a spirited, witty and intelligent conversationalist.

Recently, along with all the other residents, she moved into a smart, brand new 'facility' — as the administrators called it. Her new premises were bright and colourful, the garden area a bit spare and bland and the general atmosphere less free and easy than the 'old place'. This was because, along with the new paint and characterless exteriors had come a new manager and some additional senior staff.

One day, our neighbour's mother — we'll call her Pam — returned from a pre-lunch walk and, entering her still unfamiliar, paint-smelling hallway, felt that something was different. She looked across to the flowers in her vase and then to the books and papers on the table. All were as she had left them as far as she could tell.

She sat down in her armchair and then, from that different angle, she realised what had happened. Three photographs that had been on the living room wall — her five grandchildren, her daughters, and a picture of a family gathering at Christmas — were missing. Where they had been, the wall was blank and white.

Galvanised with the beginnings of indignation, Pam rang her eldest daughter, Alice our neighbour, and told her the story. A feisty youngster of 70, Alice rang the retirement village and asked to speak to the manager. 'I decided I'd start at the top,' she explained when she recounted the story.

Easier said than done, however. Alice could not get past the manager's secretary who was not sure when or even if her boss would be back that day and couldn't guarantee he would be available again during the week. As this was all happening on a Wednesday Alice suspected she was being massively fobbed off in the hope that everything would be forgotten by the following week or that she would just give up.

Alice was not the giving up type. She drove the couple of kilometres to the village, stormed into the front office and, when told the manager was away, sat

down at the secretary's desk and told her about the photographs in detail and with some force.

The problem, it turned out, was that Pam had stuck the photos to the wall with Blu-Tack. This was forbidden.

'But people have to see their family photos,' Alice argued. 'They need their mementoes and somewhere and some means to display them.' The secretary said she would pass on Alice's and Pam's objections to the manager.

On the following Monday, the manager left a message on Alice's home phone — she was out on the bay in her kayak for most of the morning — explaining that Blu-Tack was absolutely forbidden because it lifted the paint on the walls and promoted a general sense of untidiness. But he would see what alternatives were available. Pam and Alice conferred later that day and decided to wait a while to see what he would come up with.

A few days later the manager 'came up with' something. Pam rang Alice to say that a notice board in a cream painted frame had been added to the living room wall in each unit. Personal photographs and other favourite items could be 'affixed using the pins provided'.

Alice was unable to inspect this remarkable innovation that day, but Pam reported that she had retrieved her photos and would be affixing them along with several other bits and pieces and a calendar. Only hours later, however, she told Alice the board was so hard she couldn't get the pins into it and hammering was forbidden.

Next morning, Alice rang Pam and was relieved to hear a lightness in her voice as she described her photograph-covered notice board and the Leunig 2012 calendar which she'd put away in a drawer at the old place but had rediscovered and displayed on the new board even though there was only a month left in the year.

'That's wonderful, Mum,' Alice said, with genuine pleasure. 'So you got the pins in after all?'

'No,' Pam said. 'It was much too hard.'

'So what's keeping the photos up on the board?'

'Blu-Tack. But you'd never know.'

Sad stories of teenage trauma

FILMS

Tim Kroenert

***The Perks of Being a Wallflower (M)*. Director: Stephen Chbosky. Starring: Logan Lerman, Emma Watson, Ezra Miller, Paul Rudd, Johnny Simmons, Mae Whitman. 102 minutes**

Charlie (Lerman) has a sad story. He is the youngest child of an affluent suburban family. He is intelligent and loved by his parents. But there is trauma in his past, including most recently the suicide of his best (and only) friend. He's dealing with this as best he can while also confronting the daunting prospect of entering high school — a place where he is bullied even by other smart kids. He is literally counting the days until he graduates.

Charlie narrates *The Perks of Being a Wildflower* via a series of letters he is writing to an anonymous recipient whom he merely addresses as 'Dear friend'. These written monologues are part journal, part confessional. They relate his first awkward days at the new school, and his eventual discovery of a network of older kids, including charismatic Patrick (Miller) and his half sister Sam ([Watson](#)), self-declared misfits who take him under their wing.

Charlie, an aspiring writer, finds in Patrick, Sam and their assembled gang of goths, punks and artists not only sympathetic souls but kindred spirits. They nurture his individuality, introduce him to their most beloved music, take him to parties, share drugs and dreams. He becomes infatuated with Sam, and their relationship forms the heart of the film, and is sweetly, authentically evocative of high school not-quite-romances.

Charlie's sad story contains other sad stories. An introvert and a writer, he is deeply empathetic. He sees in others sad stories that reflect his own. Sam is a smart girl with troubled self-esteem. Patrick is openly gay but is engaged in a secret affair with a closeted jock, Brad (Simmons). Charlie's sympathy regarding this painful scenario is mainly for Patrick, but he sees enough to understand that it is a sad story for Brad, too.

The sadness is evoked but not laboured by first-time director Chbosky, who wrote the screenplay based on his own 1999 novel. Far from self-indulgent, Chbosky's treatment of his source material is suitably economical. His tightly constructed screenplay is coaxed to life by a gentle directorial touch and nicely naturalistic performances. Chbosky's empathy for the characters, mirrored in their empathy for each other, elicits an aching pathos.

Even loose narrative threads are plucked for their emotional resonance. Charlie's sister is in a physically abusive relationship; this is not dwelt upon by Chbosky, yet it remains central to Charlie's emotional milieu. Similarly, Charlie's relationship with an (apparently deceased) aunt — and the closeness and also

horror associated with that relationship — is poignantly, painfully revealed through the most fleeting and understated of flashbacks.

I sat with a lump in my throat for 70 per cent of this film. It ploughed deep into my affective memory of being a high school 'wallflower' myself, with all the empathy and voyeurism and destructive self-absorption that entails. Part of the irony of such an existence is that while you feel deeply for others. Sometimes being so deeply introspective means that you can miss the possible hurtful consequences of your own actions.

Charlie learns this the hard way. He becomes involved with punk/buddhist Mary Elizabeth (Whitman), even though he does not reciprocate her affection. He defers the pain and conflict of a break-up until he eventually snuffs the relationship in brutal and humiliating fashion. The experience serves as a painful reminder to Charlie that there is a world beyond the bubble of his awareness, upon which his actions can impact significantly.

This is less a 'teen movie' than a period drama whose main audience is surely adults who were adolescents in the 1990s. It takes place in a world where mix tapes are *de rigeur* (do kids these days exchange iTunes playlists with the objects of their affection?). Music is central in the life of Chbosky's characters (his novel was published by MTV); it is central to their emotional formation and to their social and self-actualising epiphanies.

Most evocatively, David Bowie's 'Heroes' — which these hip teens adore, but are inexplicably unable to identify — provides the perfect aural and thematic backdrop to moments where youths on the cusp of adulthood declare they feel connected to the 'infinite'; to a universe vaster and more fantastic than their immediate lives.

It is during such a moment that Charlie has his most important epiphany: that he and his friends are not simply sad stories; they are alive. 'We can be us', howls Bowie, 'just for one day' — and hopefully for many more, too.

Sexual abuse is a social sin

RELIGION

Sandie Cornish

In an effort to encourage and support Catholics shaken by clergy sexual abuse scandals, Bishop Greg O’Kelly of Port Pirie wrote a [pastoral letter](#) to his people on 20 November. He rejected generalisations and inaccuracies in some media reporting, insisted that responsibility for wrongdoing lies with ‘individuals within the Church’ rather than with ‘the Church’, and pointed to the good done by many church organisations.

Much of what Bishop O’Kelly says is true, but he misses the opportunity to examine the relationship between personal and collective responsibility. There is such a thing as social responsibility and the Catholic Social Teaching concept of structures of sin can help Catholics to understand and deal constructively with their shame.

Bishop O’Kelly objects to the assertion that ‘the Church’ has committed sexual crimes against children, shielded offenders or obscured police investigations, yet presents examples of ‘all the good that the Church continues to do’. I don’t think we can argue that ‘the Church’ is responsible when individuals and Catholic organisations do good things, but that ‘individuals within the Church’ are responsible when evil acts are committed.

Sin, strictly speaking, is a free act of an individual person. Structures, processes and institutions, such as organisations and their cultures and policies, do not sin — people do. This is why Bishop O’Kelly rightly says that individuals are responsible for abuse.

Social structures, processes and institutions, organisational cultures and policies can reflect, reinforce and even encourage personal sins. They can do this by restricting our freedom to choose the good by conditioning and influencing us, or by condoning or providing opportunities to sin with impunity.

Catholic Social Teaching calls these structures of sin. They may mitigate but do not remove personal responsibility. They also give rise to a social responsibility. We share in responsibility for harms that we have not directly caused if we share in the responsibility for creating, maintaining or failing to challenge structures of sin.

Pope John Paul II in his encyclical [Reconciliatio et Paenitentia](#) explained it in this way:

Whenever the Church speaks of situations of sin, or when she condemns as social sins certain situations or the collective behavior of certain social groups ... she knows and she proclaims that such cases of social sin are the result of the accumulation and concentration of many personal sins.

It is a case of the very personal sins of those who cause or support evil or who exploit it; of those who are in a position to avoid, eliminate or at least limit certain social evils but who fail to do so out of laziness, fear or the conspiracy of silence, through secret complicity or indifference; of those who take refuge in the supposed impossibility of changing the world, and also of those who sidestep the effort and sacrifice required, producing specious reasons of a higher order. The real responsibility, then lies with individuals.

Responsibility lies with individuals, but not just those who directly committed acts of abuse.

We can't avoid the fact that the Catholic Church in Australia is a social institution by describing it in theological terms as the Body of Christ. Both dimensions of the reality of the Church must be acknowledged because this mystical body continues to be incarnated in time and place — and not as a collection of individual body parts.

We have already seen evidence that the organisational cultures and policies of some Church entities in particular times and places put the reputation of the Church ahead of the wellbeing of children. Such organisational cultures and policies can surely be called structures of sin just like the 'all-consuming desire for profit' or 'the thirst for power' which Pope John Paul II identified as structures of sin in his encyclical [*Sollicitudo Rei Socialis*](#).

Pointing to the good things done by the Church doesn't help. Catholics need to take responsibility, both personally and collectively, to dismantle structures of sin and build up instead structures of grace. The Church is indeed the Body of Christ, and the head can't say to the foot 'you kicked that person, I didn't'.

Preaching on divorce

RELIGION

Andrew Hamilton

What goes through a preacher's mind is often a mystery, sometimes to the preacher, too. Most readers will see it as a minor mystery not worth exploring. But a writer, like myself, who is also a preacher has the privilege of writing for small audiences.



Most of us Christian preachers base our sermons on texts of Scripture. That, of course, leaves us at the mercy of the text for the day. Many Catholic preachers, for example, groan on finding, for example, that Jesus' strong judgment on divorce is set for Sunday.

This passage (Mark 10.2–6) relates Jesus' response to a group of Pharisees. One of them asks him whether it is lawful for a man to divorce his wife. Whichever way he answers he will be in trouble. Jesus replies with a question — What did Moses, the recognised authority, have to say?

They answer that Moses allowed wives to be dismissed. Jesus then appeals to the greater authority of the story of creation, in which husband and wife are said to form one flesh. This shows that marriage is indissoluble, and that men and women who divorce and remarry commit adultery.

If we preachers groan when faced by this passage, it is because we find ourselves between a rock and a hard place. We see ourselves as standing under Scripture, called to interpret it faithfully. This forbids us to avoid difficult texts or to slide over them.

But we also know the congregations to whom we preach. Many members of the congregation, and indeed of our own families, are likely to be divorced and to have remarried. We know, too, that the coinage of broken relationships is pain, not blame, and that those whose marriages have failed may harbour guilt, shame and a belief that they are second class Christians.

They need encouragement, not the condemnation that a sermon based on this passage seems to invite.

The resolution of this tension lies, as so often in dealing with difficult texts, not in cutting and running but in burrowing more deeply into the text and its context. When seen against its context this story is not about law, crime, condemnation and shame, but about relationship and respect or disrespect.

The conversation between Jesus and the Pharisee is a set-up. The questioner had no interest in exploring the question he asked. He wanted only to trap Jesus into taking a position on a disputed point so that he could then be wedged. The questioner had respect neither for Jesus nor for the integrity of the conversation.

The wording of the question asked by the Pharisee also betrays a lack of respect that is entrenched within society. He asks whether a husband can ditch his wife at will. The question implies that a wife is a possession and that her rights and interiority count for nothing.

Jesus' tactic is to make his opponent name their shared legal authorities, and trump him by appealing to a more fundamental authority that deals with marriage in terms of relationship and not property rights. The statement that wife and husband are one flesh implies a unity of body and spirit and so a mutual respect. A relationship of this quality would make it impossible for either partner to dump the other by signing a bit of paper.

Jesus' focus on respect within relationships also invites judgment on the conversation into which he has been forced. The way his adversaries have turned conversation from an opportunity to seek truth together into an occasion of entrapment demonstrates a lack of respect. And their posing of the question in terms of getting rid of a wife shows a lack of respect for women. They treat conversation and marriage as an exercise of power.

Seen in context this story has much to make a modern hearer think. The insistence that marriage, like other human connections, is about total respect within a relationship, has challenging implications.

The idealism of this view of marriage and the adversarial context of Jesus' words also suggest that he is not condemning the majority of people whose marriages have broken. The distance and resentments that may come to infect their relationship are not attributable to an arbitrary exercise of power but more often to human weakness. And the partners may well have learned respect and faithfulness in a second marriage.

The priority given to relationship over power and condemnation calls into judgment critical attitudes to divorced people. To see them through the lens of sin, condemnation and exclusion mirrors the approach to law and power exemplified in Jesus' adversaries. If seen through the lens of relationship and respect they will be seen in their shared and frail humanity.

This text is not primarily about sex but about justice in relationships. It calls into question the use of power and law on Nauru and Manus Island as much as in the family home.

Labor stops short on migration and disability reform

POLITICS

Moira Byrne Garton

In April 2001, a Pakistani man granted refugee status set himself on fire outside of the Australian Parliament House. His self-immolation was presumably a protest for prolonged delays and frustrations surrounding reunification for his family spanning five years.

Visas for his wife and three daughters were rejected because his second daughter had cerebral palsy, deemed to impose significant costs on taxpayers. The man died within two months due to his burns and organ failure.

The Commonwealth Ombudsman was [critical](#) of the Immigration Department's treatment of the man. But despite a 2003 coronial inquest, there was scant evidence on the immediate precursors to the tragedy, and in 2005, the ACT Coroner cleared officials of blame.

In 2008 disability migration was examined more closely, after media reported public disquiet surrounding the migration case of Dr Bernhard Moeller. The Horsham physician's application for permanent residency in Australia was rejected because one of his children has Down's Syndrome.

Then Minister for Immigration, Chris Evans intervened and the regional medico and his family were [permitted to stay](#). But the issue highlighted the seemingly unreasonable health requirements in Australia's migration laws.

Within months, the Immigration Minister and the then Parliamentary Secretary for Disabilities, Bill Shorten, asked the Joint Standing Committee on Migration to inquire into the health requirement in the Migration Act. An [inquiry report](#) was all but lost in the media storm surrounding the Labor leadership change of June 2010.

The report, *Enabling Australia*, offered an impressive analysis and a persuasive argument for change. The committee sifted through over 100 submissions and many stories of potential migrants who were forced to handle tricky migration scenarios at the same time as managing disability or its diagnosis in their children.

Politicians of various ideologies worked together to produce a suite of recommendations that were specific, achievable and compassionate. The committee's recommendations were unanimous. During the 2010 election campaign, numbers of refugee advocates, concerned Australians and potential eventual citizens hoped the recommendations would be supported and implemented by any prospective government.

A month ago, the Minister for Immigration Chris Bowen [answered](#) some of those hopes when he announced 'a fairer approach to migration for people with disability'. This time Superstorm Sandy, the US election, and discussion

surrounding the excision of Australia's mainland from its migration zone, overshadowed the news.

The fact that the changes were announced concomitantly could be interpreted as a strategic political tactic. The bizarre and populist excision policy draws attention from the more humane policy modification, which could easily be presented as catering to Greens and other 'bleeding hearts'.

The new 'net benefit' approach to disability migration will see decision makers consider the advantages of accepting an immigrant, not just health and disability status. The 'Significant Cost Threshold' will be increased by more than 60 per cent, to \$35,000. In its full response to Enabling Australia, the Government [agreed](#) that the [health requirement](#) 'be updated and improved'; it was subsequently reviewed by the Department of Immigration.

Most other recommendations were agreed to or supported in principle. However four of the unsupported recommendations are significant.

First is the recommendation to amend migration regulations to assess diseases and medical conditions separately to disability; and second, removing cost assessment 'regardless of whether the health care or community services will actually be used'. So, even when care or services are unlikely to be used in connection with the disability, or migrants have requisite financial resources, cost remains grounds for rejection.

Third, although the Minister has discretion in other migration issues, this power does not include migration decisions relating to health or disability. The opinion of a Commonwealth medical officer must be accepted. Change of this element was also recommended, and unfortunately also rejected. Those engaged in disability know that many disabilities are rare or complex, and diagnosis frequently proves elusive.

Finally, a review of the migration exemption in the Disability Discrimination Act 1992 was ruled out.

Perhaps the Government was being more prudent in its treatment of migrants with disabilities at a time when preparations for its National Disability Insurance Scheme were underway. Taxpayers would not want Australia to establish itself as a migration destination based only on its disability policy.

But disability itself does not discriminate; people of every background, age group and gender are affected across every nation. And disability does not take into account the many different capabilities of those same people. Sadly, although Australia seeks to minimise discrimination in many other areas, the contentious issue of immigration means that ongoing disability discrimination in migration is unlikely to disappear anytime soon.

Flying sofas in the Great Australian Dystopia

FICTION

Barry Gittins



Across Australia a host of sun-scarred Athols, Bills, Jims and Dons hovered drowsily in their hoversofas alongside resolute Jeans, Dawns, Ethels and Graces.

Flies abuzzing, they chattered up a storm about their great-great-great-great-grandkids, bionic limbs, portfolios and the latest in hologrammatic personal entertainment. The inane self-absorption from grizzled veterans marked two minutes' ignorance to commemorate Hindrance Day at 12.11pm on 21 December 2112.

Hindrance Day is the anniversary of the First Gillard-Abbott War on unAustralians, back in 2015, with the collapse of parliament and the formation of the Get Tough Coalition of the Willful.

It was a gradual thing. They started by improving Australia's excising of refugee and asylum seeker zones to include people who arrived by plane — a move that, as time passed, included non-sanctioned teleportation, submarine commuting and ultralight spacecraft. Easily done; a proven vote winner. The traditional Australian 'out of sight out of mind' bastardisation continued merrily, with no heartstrings attached.

A bigger move was the permanent government's decision in 2020 to apply the same excision process to writers, parking inspectors, Jews, golfers, Aborigines, playwrights, poets, malcontents, non-country club members, single mothers, singletons, single fathers, desktop designers, drawers of small ducks and clouds, free thinkers, free feelers, nonconformists, nonentities, Holy Joes, jihadists, misanthropes, and dreamy-eyed lovers of hyperbole. Speakers of any and all languages other than Strine. Plus wearers of funny hats and aprons, or of nothing at all.

So in good time and manner, in a reverse Noah, anybody likely to ark up and ruin the national masturbatory ode to selective mateship was outside the good ship Oz.

Then in 2025, in a grand declaration of self-love, Australia (well, what was left of her) joined the Europeans and Yanks in withdrawing all foreign aid and contributions to the UN. The starvation of Africa and Asia followed en suite, toot sweet, with bioengineers parking their massive aero-utes in what was left to gather up the goods and human chattels. Slavery was in again; very utilitarian.

It's getting hot under the ozone dome. Having received the three minutes' recommended exposure to solar rays, the gathering hums quietly back

underground to recharge their hoversofas and refresh their drinks. They are oddly quiet considering the bonhomie of the ritual just shared.

Let's follow the gratingest generation as they hover along. To quote a rarely-cited Jewish bloke, What does it profit to gain the world but lose your soul?

If you were to press the need for a quick straw poll, your Ethels might cite stomach replacements while you wait. Optional skin replacements and/or re-sprays. Cybernetic pelvic floors.

The Dons? A scarce 50 million credits or so in reserves (it sucks being a pensioner). The latest in penile revivisections. Options for cryogenic nap times, or assisted suicides.

Somewhere outback, hiding in the furtive scrub, a snake's cacking itself.

Historical note on Hindrance Day rituals

Hindrance Day as a public event was conceived as a means of commemorating the millions of acts of self-indulgence that marked the First Gillard-Abbott war on unAustralians.

The two minutes' bland waffling was first proposed by a New York-based Australian journalist, Fifi-Jo McWilly. She was inspired by the intense lack of awareness from Noo Yawkers as she reported live on the dismantling of the United Nations in 2050. Their capacity to ignore the collapse of non-Western civilisation and non-government organisations while talking up the latest in sports franchises, Guillotine Frisbie, was an inspiration to billions.

The concept of two minutes' ignorance was popularly adopted across what was left of the civilised world and became a key ritual on annual celebrations of Hindrance Day.

A keyboard or a drone

POETRY

Various

1 Butterfly wings turn into bat wings

She's clumsy at things

Fell over into love

2 He strums his guitar

He's down on his knees

where the music has fallen

3 The rain against the window

makes me feel lonely inside

now there's puddles in the sky

4 A cool breeze stirs

A conversation of flowers in the backyard

A couple of married birds argue

Peta Edmonds

Poetry@facebook.twitter

They've spread their words — poets,

Around this firmament; across computers,

And between mutable mobile devices,

Filling servers with mass poetics:

The nascent urge to write poetry

Possessing young Shelleys who've sprung

From The Atoms of Democritus;

This is a new revolution, and isolation

Is smashed by connections, by sharing,

And makes poetry, and poets anew.

Good or bad, criticism is displaced,

Poets, will call themselves — poets,
From framed rationales to publish

Called by night's broad reveries.

B. F. Moloney

Rattle

Have this photograph.

Yes, the morning sun's shining, surf's up.

Yes, my cute dog appears to be begging —
paw out, nose pointed at imaginary bread.

But on the body strewn pavement
see the cardboard huts.

Digitally processed. Glossy finish.

As I rattle my tin, may it rattle your conscience?

Ross Jackson

Drones

and as we move apart,
impose a keyboard or a drone,
do you feel pain the less
from word or bomb,
the click of mouse
and shrapnel blast
if you are out of sight.

The lies we tell
are not caught out

when faces can't be read,
and distance builds a firewall
which no one can delete.

Michele Fermanis-Winward

Summer reign

Dark clouds

Rumbling

Towards us,

Tripping and falling,
Spilling shards of crystal
Which melt in low
Altitude;
Blurring vertical trails
And plunging off edges,
Leaving moist silence
In which
Clocks are heard tick-tocking;
Keeping odd, inhuman, time

James Rose

1 bud

bud burst
green flags
shiver on
the brittleness
of light

2 oranges

when I bring
out the glass
orange squeezer
ten years after
your death
& squeeze the fruit
for the morning
you are there
in the object's weight
a life time of oranges

3 sun

& memory rests

the edges
dull eyed
the corners crusted
creased in the morning
mist horizon
& on your finger
of years, a sun

4 after the eulogy

in the rattling
afternoon
a sink full
of teacups
we choose
to wash
to steam
our eyes
no one is drying
Jan, you fill
the chapel & the next
& the one after that
Rory Harris

Stifling media inquiries in Australia and the UK

MEDIA

Ray Cassin

When the British government last week released the [report](#) of Lord Justice Leveson's inquiry into abuses in the media, Australian journalists rushed to compare — and mostly conflate — Leveson's recommendations with those of Australia's Finkelstein inquiry. This rankled well-informed readers of both reports, such as Australian Press Council chairman Julian Disney, who pointed out fundamental differences between the two.



The blurring of Leveson and Finkelstein in the minds of journalists, publishers and the wider public is, however, an important fact in itself. It is a reminder of the anger that spawned the inquiries, and a broad hint about their likely consequences.

Both inquiries came about because of political decisions by governments — arguably a reluctant one in the UK, and arguably an opportunistic one in Australia. In the course of their investigations both accumulated abundant evidence of a reality that the public already knew all too well, and which journalists and publishers almost never acknowledge: that media self-regulation has been a demonstrable failure.

Both inquiries have proposed new regulatory regimes that would replace the wrist-slapping penalties of self-regulation with real ones. Neither has proposed anything that remotely resembles censorship or government control of the media, but people who rely solely on media reports for their knowledge of the recommendations can be excused for not knowing that. The Australian media's coverage of Finkelstein, in particular, provides an astonishing case study in distortion, misrepresentation and self-interested pleading.

British readers have fared rather better in the coverage of Leveson, perhaps because the abuses that inquiry scrutinised, such as phone-hacking, could not be defended even by those who had systematically perpetrated them, and perhaps because at least some sections of the UK media, notably *The Guardian*, had been instrumental in uncovering the abuses and calling for the inquiry.

For the record, and in extreme summary form, what Leveson and Finkelstein have both recommended is the creation of all-media regulators that would not be effectively controlled by proprietors, which is what has happened under 'self-regulation'.

(Australia's Press Council notionally has equal representation for publishers and the public with an independent chairman, but anyone who has ever endured its proceedings could not seriously doubt the influence of the publishers within it. And historically, the influence of News Limited, as by far the biggest contributor of

Press Council funds, has been the greatest.)

The regulators would be genuinely independent, not under government direction, and there are various mechanisms that could ensure this — Leveson recommends a regulator whose members would be chosen by an appointments panel operating at arms length from the government of the day.

The regulators would concern themselves with violations of the relevant codes of conduct; they would have no power to censor the production news or comment. As Leveson pithily observed with regard to the British tabloids, the problem is that they functioned almost as if their own code did not exist. It is a problem that publishers and broadcasters, in the UK and Australia, still do not readily acknowledge.

As Disney has noted, there are crucial differences between the two sets of recommendations. Finkelstein proposed that the regulator should have statutory powers of investigation; Leveson does not. And Leveson offers British media outlets something they have not previously had: a low-cost alternative to civil litigation for those who are willing to sign on to the new system.

Whether they'll ever get the chance to do so is extremely dubious, however, and not only because the publishers and broadcasters cannot overcome their instinct to scream 'censorship'. In the UK, Prime Minister David Cameron has said he is reluctant to increase regulation of the media, and in Australia the Finkelstein report has been gathering dust on the desk of Communications Minister Stephen Conroy since the day he received it.

The usual explanation for such responses is that governments, of whatever hue, are afraid of incurring the wrath of media proprietors. In Australia that is probably true. The Gillard Government, despite having commissioned Finkelstein in an apparent attempt to profit from the global wave of revulsion at the practices of News Corporation's British subsidiary, probably does not want a head-on confrontation in the lead-up to an election.

In Britain, the outcome may yet be different: the Labour opposition says it would implement Leveson's proposals, and the junior partner in the governing coalition, the Liberal Democrats, is inclined to do so, too.

The bitter irony, of course, is that global media corporations only possess the power to intimidate governments because governments have allowed them to grow so large. News dominates Australia's metropolitan newspaper market because the Hawke government allowed it to swallow the Herald and Weekly Times group, a decision that initiated a chain of events from which the mainstream media in this country have never recovered.

If Julia Gillard and Conroy now feel powerless, it is because of what their Labor predecessor set in motion.

Australia proves a soft touch at UN over toxic warfare

POLITICS

Donna Mulhearn

The Federal Government has already breached its recently announced 'Australian Agenda' at the UN, succumbing to US pressure to abstain from a vote on depleted uranium weapons that would strengthen civilian protections.

At the UN First Committee vote held earlier this month, which will be ratified by the General assembly this week, 138 nations voted in favour of the resolution seeking greater transparency and a precautionary approach in the use of [depleted uranium \(DU\)](#) weapons, known to be radioactive and chemically toxic. Four nations, the US, France, Israel and the UK, all users of DU weapons, voted against the resolution and pressured other nations.

Australia abstained, isolating itself from the majority of nations and blatantly breaching the admirable 'Australian agenda' which emphasises arms control, nuclear non-proliferation and women's rights. This leaves Australia in an awkward position ahead of taking up its temporary position in the UN Security Council.

The resolution put forward a non-threatening, commonsense approach that aims to provide better protection to civilians left to deal with the toxic legacy of weapons. A significant majority of states accept that precaution is justified and recognise the need for post-conflict measures to protect civilian health.

Depleted uranium, used in conventional weapons for its armour piercing capabilities, presents a clear risk to human health and the environment, the greatest victims being women, children and the unborn; as well as entire communities struggling to utilise land for agriculture in a toxic eco-system.

An estimated 400,000kg of depleted uranium has been dispersed in Iraq since 1991. The long-term impact on civilians is unknown, but several studies have linked it to a dramatic rise in birth defects in Basra and Fallujah.

On a recent visit to Iraq I spent a week in Fallujah Hospital. Each day I met babies with birth defects, including a new-born with a bloodied, fleshy hole in her back — a classic case of spina bifida, a common occurrence now along with brain dysfunction, spinal conditions, unformed limbs and cleft palet.

Another day I walked through Fallujah cemetery which is littered with small, unmarked graves for babies, and stood with Marwan and Bashir, a young, healthy couple, at the grave of their baby Mohamed, who lived five minutes after birth. He was their fourth baby to die. They will not try again.

Gynaecologists' recommendation to the women of Fallujah is simpy to stop falling pregnant, as it is likely they will not give birth to a healthy baby. The implication is shocking: a city of about 300,000 with a generation of young women who may never be mothers; and another generation who may not live, at least not

a healthy life.

Four new studies on the health crisis in Fallujah have been released in the last three months. The studies suggest the babies are dying of wounds from a war they never saw. That this epidemic is the legacy of toxic weapons dispersed in this community in the ferocious attacks by US forces in 2004.

The Australian abstention was lodged despite a vigorous community campaign for a 'yes' vote, and has been questioned for its inconsistency by experts, international activists, the Australian Campaign to Ban Uranium Weapons, and now by Labor MPs.

The Australian Defence Forces deem depleted uranium — the 'Agent Orange' of today — a hazard and will not use it. And a 2010 trade agreement with the USA specifically does not allow Australian uranium to be used for depleted uranium weapons — a significant and intentional inclusion.

Sydney Labor MP John Murphy raised the issue in Parliament noting the Government's appropriate wariness. 'The Australian Defence Force and the government are wise to take such a precautionary approach considering the well-documented hazards of DU weapons,' he said.

'It would therefore be consistent to extend this precaution to assist civilian communities caught up in conflicts where DU weapons are used ... Considering this precautionary approach, it is logical that Australia would change its vote from abstaining to voting yes.'

Despite the Government's acknowledgement of the hazardous nature of DU, Australia has repeated its line that the science does not support precaution. Yet the studies cited are deemed by experts to be outdated. They are short-term studies, none looking at long-term impact on civilians, and are now superseded by new science and research.

Many researchers argue the science is there and it is compelling. But even if there remain questions and uncertainty, the precautionary principle should apply.

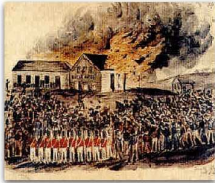
Militaries take extreme precaution in handling DU weapons. The spirit of this UN resolution is simply to extend this precaution to civilians, who, because of the nature of modern urban warfare, see battles arrive on their doorsteps and invade their streets and houses.

This issue draws attention to the dangers that remain in neighbourhoods when armies pack up and leave. Remnants of war that explode, such as landmines and cluster bombs, attract attention and clearance programs. But another deadly remnant exists, the toxic remnant of war whose silent legacy is still unclear.

Pro-business governments reversing Eureka Stockade achievement

EDITORIAL

Michael Mullins



Today is the 158th anniversary of the Eureka Stockade rebellion, in which around 500 miners rose against British colonial authority on the goldfields at Ballarat. It is often described as the birth of Australian democracy and the 'fair go'.

Peter Fitzsimons, who revisits the event in his new book *The Unfinished Revolution*, [explains](#) the cause as resentment towards the government, which was granting wealthy squatters use of large tracts of land for a pittance — 3000 acres for £10 — while the often dirt poor miners were having to pay 30 shillings to lease their 64 square feet mining plots.

The squatters controlled the government and the miners had no influence. The former built large pastoral empires and became very wealthy. In 1839, a group [got together](#) to establish the Melbourne Club, which still exists as a meeting place for Australia's richest and most powerful men. Like James Packer.

Packer has successfully lobbied the NSW Government to [back](#) his proposal for a \$1 billion casino and hotel complex at Barangaroo, on the edge of Sydney Harbour, with no competitive tender. It fits the Government's [Unsolicited Proposals](#) policy, and has bipartisan support.

Packer [responded](#) : 'I'm incredibly grateful to the Labor Party for not playing party politics and I'm incredibly grateful to Premier O'Farrell and the Liberal Party for doing what it has done.' He also has wide [support](#) from other influential politicians and business people who possibly believe they can benefit from his investment's boost to the tourism sector.

But other [voices](#) including commentator Mike Carlton and former premier Kristina Keneally are concerned that ordinary people have been cut out. Carlton [said](#) : 'Barangaroo is public space, owned by the people of this state, who are entitled to the final say in what happens there. Yet before a sod has been turned, the normal checks and balances have been tossed overboard.'

The NSW Government website [says](#) the Unsolicited Proposals policy's 'key objective is to provide consistency and certainty to private sector participants'. Private sector investment is an easy option for governments around the country that face the challenge of having to catch up on decades of underinvestment in public infrastructure.

Packer is funding much of the transformation of the industrial wasteland into a thriving modern urban hub. But in the end, it will belong to him and not the people, and its management will be geared towards increasing his personal wealth

and influence, and not the common good. It amounts to a reversal of the enfranchisement of the people which was the achievement of the Eureka Stockade.

Former Victorian premier Steve Bracks [called](#) Eureka 'a catalyst for the rapid evolution of democratic government in this country' and 'a national symbol of the right of the people to have a say in how they are governed'.