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THE ARTS AND THEOLOGY
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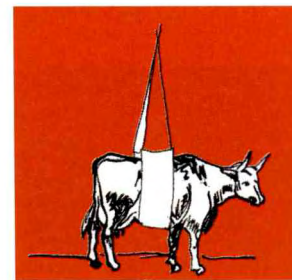
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In appealing times

ON A SATURDAY MORNING about a year ago, protesters gathered at the base of a Melbourne city office block, home to the Victorian branch of the Department of Immigration and Multicultural Affairs (DIMA).

'Let them stay! Let them stay! Let them stay!' Their chants bounced around the cavernous portico.

'Set them free! Set them free! Set them free!'

In the midst of protesters huddled three Timorese men. A fourth man gradually circled them, wrapping them up in metres of red tape. There was no mistaking the villain in the piece. The fourth man had 'Minister for Immigration Philip Ruddock' written on his back.

The street theatre symbolised the plight of some 1650 East Timorese asylum seekers, some of whom came to Australia more than ten years ago. Most arrived in late 1994 or early 1995, after a brief period in

which the Australian consulate in Bali was unusually liberal in issuing visitor visas to people from East Timor.

With an eye on Jakarta, federal governments—both Labor and Coalition—opposed their applications for refugee status, arguing that people born in East Timor had an inherent right to Portuguese nationality, and therefore no right to refugee status in Australia. This argument is based on Article 1A(2) of the Refugee Convention which says that a state is not obliged to offer refuge to a person who 'has not availed himself of the protection of one of the countries of which he

is a national'. In other words, East Timorese who fled Indonesian persecution should make use of their right to go to Portugal before seeking protection elsewhere.

The ethical vacuum of Australia's position is self-evident. Australia was the only developed nation to recognise Indonesian sovereignty during its 24-year occupation of East Timor, and argued at the International Court of Justice that Portugal's residual rights had been extinguished. But morality is one thing, the law is another. Inevitably the matter ended up before the courts, and DIMA put all East Timorese asylum cases on hold, leaving 1650 people in limbo.

The first important decision, handed down by a Full Bench of the Federal Court in May 1997, marked a partial win for both sides. The court did not dispute the existence of Portuguese nationality, but argued that a second question must also be considered: was that right to Portuguese nationality a 'merely formal' matter, or did it afford *effective* protection to refugees from East Timor?

A second test case was brought, involving Mr Lay Kon Tji. In November 1998, Justice Finkelstein ruled in his favour, arguing that Portugal did not afford effective protection. The decision was based largely on a statement from the Portuguese Embassy, which declared that people born in East Timor could only become Portuguese nationals if they made a *voluntary* application for citizenship. The Commonwealth immediately appealed, but before a Full Bench could consider the matter, the world changed. The people of East Timor voted for independence at a UN referendum, pro-Indonesia militias went on a military-backed rampage and finally, Jakarta let go of the territory.

In the wake of those events, the Immigration Minister discontinued his legal action and announced that 'a favourable resolution' on the status of the asylum seekers was imminent. The Minister was expected to issue a special humanitarian visa to allow the Timorese to stay. But Mr Ruddock was rolled in Cabinet. His detailed submission arguing for a special visa category was knocked back on the basis that Australia was contributing billions of dollars to a UN peace-keeping mission designed to make East Timor safe.

Instead of visas, the Commonwealth offered to unfreeze the East Timor cases, and allow the applicants to argue for asylum before DIMA and the Refugee Review Tribunal. This meant that claims of



An East Timorese protestor waves the flag of independence at the steps of the Victorian Parliament.

persecution would be measured against East Timor's new reality. The asylum seekers would have to demonstrate a well-founded fear of persecution, not under Indonesian rule, but under UNTAET, the United Nations Transitional Administration in East Timor.

Again the matter ended up before the courts, but this time the venue was the Administrative Appeals Tribunal (AAT). It was the first use of a provision in the Migration Act which allows the Principal Member of the Refugee Review Tribunal to refer a matter to the AAT because an 'important principle, or issue, of general application' is involved.

On 5 October, the AAT ruled against the Commonwealth. It found that 'SRPP' (his real name was suppressed) is 'a person to whom Australia has protection obligations under the Refugee Convention'. The reasoning behind the AAT's decision makes interesting reading.

First, it had to determine whether East Timor, in its transitional state, was actually a country for the purposes of the Refugee Convention. It found that it was. Second, it had to determine whether 'SRPP' would have a right to enter East Timor under UN administration and be treated as a national. It found that he would. Then came the more substantial question of whether 'SRPP' would face persecution in East Timor. The Tribunal found that there was 'an objective basis for the Applicant's genuine fear' of persecution, not because of any malevolence on the part of UN authorities in East Timor, but because 'SRPP' is ethnic Chinese and a potential target for racially motivated attacks.

The Tribunal's finding was based on statements by people familiar with the current situation in East Timor, including UNTAET chief, Sergio Vieira de Mello. On 27 June, Mr de Mello had told the UN Security Council that he was 'concerned by attacks on minority communities, namely the Muslims, the ethnic Chinese and the Protestants ...' He also expressed anxiety about the low priority given to prisons and courts, and the lack of funding for such matters: '... words can only feebly reflect the challenges we have to face each day in East Timor, challenges which I must confess we are often ill-equipped to deal with.' The Tribunal was not convinced that the UN transitional administration could protect 'SRPP' from persecution, given 'the concerns expressed by Special Representative de Mello, the reports on inaction of the police at present in relation to less serious crimes, and the virtual non-operation of the justice system, which lacks even the most basic facilities.'

So 'SRPP' was found to be an East Timorese national who faced persecution if returned to that territory. But this was not the end of the matter. The Tribunal still had to deal with the Portugal question, and here it largely agreed with the arguments offered by Justice Finkelstein in the Federal Court two years earlier. The Tribunal said that it could not make 'a

positive finding that the Applicant is a Portuguese citizen under Portuguese domestic law'. The Applicant may have a right to acquire Portuguese citizenship but the application must be voluntary, and all applications would be considered on a case-by-case basis. 'We are therefore not satisfied that the Applicant will receive effective protection in Portugal', the Tribunal concluded.

THE COMMONWEALTH HAD the option of appealing the AAT decision to the Federal Court but, much to the surprise of 'SRPP's' lawyer, it failed to do so within the 28-day window available. Thus the decision now stands and has profound implications for other East Timorese asylum seekers in Australia, of whom the large majority, like 'SRPP', are ethnic Chinese. It is bizarre but true that neither DIMA nor the Refugee Review Tribunal is obliged to see the decision in 'SRPP' as a precedent that must also be applied in similar cases. Despite the fact that the case was referred to the AAT on the basis that it involved 'an important principle, or issue, of general application', the decision is not legally binding.

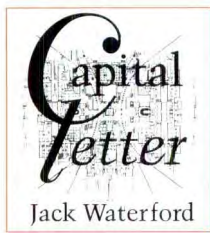
Thus DIMA could insist that all remaining 1650 cases be considered individually, and hope that the situation in East Timor will gradually improve with time, so that Representative de Mello's comments eventually become redundant.

However, the AAT has provided a compelling legal argument that all East Timorese of Chinese background should now be seen as refugees entitled to Australia's protection. The immediate grant of permanent residence under a special visa category would save time, money and administrative effort. There is also a compelling moral argument that the same protection should also be extended to the non-Chinese among the asylum seekers, in recognition of the fact that they have now lived in Australia for several years and established new lives here. As a matter of basic human decency, the government must finally bring an end to the debilitating uncertainty which the East Timorese asylum seekers have been forced to suffer.

At the end of the protest outside the DIMA office in Casselden Place, the three Timorese men were cut free from the red tape, handed symbolic passports and welcomed to Australia with cheers. It is high time for real life to mimic art. ■

Peter Mares presents the *Asia Pacific* program on Radio National and Radio Australia. His book on asylum seekers will be published by UNSW Press in February 2001.

With an eye on Jakarta, federal governments—both Labor and Coalition—opposed applications for refugee status, arguing that people born in East Timor had an inherent right to Portuguese nationality, and therefore no right to refugee status in Australia.



Guns and money

IN THIS SEASON OF PEACE and good will, the federal government is about to commit itself to increasing defence expenditure by 60 per cent a year on current levels within a decade. This will bring Australia back to its rightful position beside Israel, India, Taiwan and Korea as a major middle power of our region. Well below China, Japan and Saudi Arabia, of course, but again comfortably outspending Iran, Indonesia, Singapore and any five of the South East Asian countries put together.

Defence correspondents are busily adopting the shopping lists being touted around the various services, and lamenting the fact that, even with a lot more money, it will be impossible to get everything on the wish list. When the Navy starts mentioning aircraft carriers, you know it is party time.

Even the opinion polls suggest that the public appreciates that more has to be spent. No doubt this is as much a result of a sickly feeling, in the middle of the panic about East Timor last year, that the then budget could not sustain a major deployment of troops. There is also the obvious instability of Papua New Guinea, Vanuatu, Kiribati and Fiji, begging for some intervention we might not be up to. Others might have heard that we are spending a mere 1.8 per cent of GDP on defence. Real men, it is said, would not be seen dead with less than three per cent, the figure the White Paper will set as a target.

In fact, there is nothing obvious or magical about any particular percentage. The biggest spender on defence in our hemisphere is Japan, at one per cent of its GDP—but a GDP so large that it dwarfs everyone in the area but China. China's military expenditure is about the same, but takes more than five per cent of its GDP. Dear old China, with a population 60 times ours, armed forces outnumbering us 45 to one, and a GDP nearly twice ours, would almost certainly cream us if we were each playing away with our air forces and armies. But it lacks the navy, the transports, or the amphibious equipment even to attack Taiwan, assuming it wanted to. India has a navy, nuclear weapons and three per cent expenditure on defence, but even if it were not preoccupied with Pakistan, its energies only put it on about level pegging on gross expenditure.

Of course it is true that Indonesia, China and India can sustain far more soldiers for a dollar than we can, and that, in certain situations, numbers count. But our civil infrastructure is more readily adaptable to military infrastructure than anything in any other country (except Japan, bar the fact that it lacks oil) in our hemisphere. That is even before one thinks of great and powerful friends and resuppliers.

Ah yes, they say, but to be at the new leading edge costs much. Our neighbours, moreover, are as concerned as we are

about potential instability and will spend more. Unless we increase our pace, they will catch up.

It is not as simple as that. For one thing, though much of our equipment is of the 1960s and 1970s in conception, there has hardly been a 1980s, 1990s or 2000s new generation of the same type of equipment. We may need to maintain and renew such equipment, supplement it perhaps with radar and missile systems, and keep such things as their avionics or electronics systems up to date. They are, however, about as good as one can get for the foreseeable future.

BUT THIS IS NOT what the White Paper will argue. The reason why, however, has little to do with the resources necessary to defend our population or our boundaries. Defence is now to involve new roles, about which there is no clear consensus. It is possible to imagine that Australia will play a far greater role in peacekeeping and, beyond peacekeeping, peacemaking.

Peacekeeping and peacemaking are becoming more sophisticated, but are much more expensive of manpower than of capital, even if a progressive upgrade of communications and supply becomes warranted. The skills our men and women might need guarding the border between, say, Irian Jaya and Papua New Guinea, or in intervening to save lives in Fiji, may well be different from those required for continental defence. This poses a major challenge for our forces, particularly if the chief ingredient, manpower, is heavily rationed, a reserve system is maintained only for public relations purposes, and if there is no scheme for a rapid build-up of forces. Australia playing regional citizen does not, in short, mandate a re-equipment justifying a diversion of resources from health, education, social security or, perhaps particularly, foreign aid.

Where our defence forces are almost certainly inadequate is in their capacity for overseas offensive operations. We do not have properly balanced forces. Our developing model of the well-educated, well-trained soldier operating with initiative, highly sophisticated equipment and tactical and strategic intelligence does not sit well in any Asian scenario. We (and our imaginable allies) are no better equipped for a war in the jungles of Vietnam, the freezing hills of Korea or a siege in Singapore than ever we were, and it is doubtful whether a massive re-equipment would make much difference. This does not mean that such situations are unimaginable, or that we should do nothing if they do occur or appear likely. But it does mean that we have to have different ideas about how we cope with them. ■

Jack Waterford is editor of the *Canberra Times*.

Wrong way, go back

From Jon Greenaway

Peter Mares ('The Ones That Don't Get Away', October 2000) refers to comments made by British Home Secretary Jack Straw after 58 Chinese migrants suffocated in the back of a tomato truck as they were smuggled across the English Channel. Straw said that a better international system is needed to cope with asylum seekers and pointed out that the 1951 Refugee Convention allows for the claiming of asylum but does not compel countries that have ratified the treaty to allow passage across their borders. Therefore, those fleeing with a genuine fear of persecution travel in the same manner as economic migrants: in the back of trucks, in leaky boats and with false documentation.

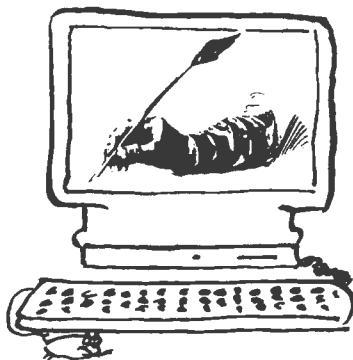
Surely the manner in which asylum seekers arrive in Australia, combined with Australia's historical fears of being swamped from the north, fosters negative attitudes among the general community and this has allowed the current government to take an unsympathetic stance. Mares also writes that Straw observed that refugees seeking resettlement, should be able to 'apply "outside country" without having to go through the hurdles they face at the present'.

Straw's comments highlight the problem that the international regimen currently in place to deal with refugees actually contributes to illegal migration. Australia is one of many countries, including Britain, to have a relatively fair refugee status determination procedure—that is, for now—undermined by punitive measures dealing with illegal arrivals. Increasingly, asylum seekers move through countries that they can gain access to more easily, but which do not offer much by way of refuge, until they see a chance to get past the barriers and into Australia, North America or Europe.

Thailand is one such country. Many from the Middle East who are currently inmates of Woomera, Villawood and Port Hedland would have passed through Bangkok on their way to Australia. Thailand is easy to get to and stay in and, while not a signatory to the refugee convention, has many embassies geared to accept applications for resettlement after people receive refugee status from the office of the United Nations High Commissioner for Refugees (UNHCR). It also has many groups involved in human trafficking.

If Australia and other countries adopted a policy of accepting more refugees for

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resettlement from places such as Bangkok, instead of the few hundred that are screened through each year (this includes a quota for Burmese), then perhaps fewer genuine cases would end up thrusting wads of US dollars into the hands of smugglers. Certainly at least it would balance our tough border policies.

However, there seems little cause to hope that such a change is in the air. Department of Immigration and Multicultural Affairs staff take an inordinate amount of time to determine applications. According to many embassy officials, this state of affairs has less to do with establishing bona fides than with the hope that applicants will get discouraged and move on to another embassy. One family I spoke with last year was still waiting for a decision after 16 months. During Minister Ruddock's visit to Bangkok in July, he distributed a laughably crude video, designed to be seen by would-be illegal migrants, that showed sharks, crocodiles and burning boats along Australia's north coast and people locked up in the middle of nowhere.

Implementing Jack Straw's idea is not without problems, not the least that 'out of country' locations become asylum-seeking ghettos. Yet a blunt appraisal of Bangkok might produce the conclusion that it is better to be that than what it is at the moment: an illegal migrants' ghetto. Such changes would have to be implemented by all refugee-receiving countries, however. The UNHCR, which has been limp on the issue of asylum seekers during the stewardship of Sadako Ogata, needs to take a lead under newly appointed High Commissioner

and former Dutch prime minister, Ruud Lubbers. Otherwise, anomalies will start diminishing what protection there is 'in-country'. Mr Ruddock noted one such anomaly in August: that only five to 15 per cent of Iraqis and Afghans detained by authorities in Indonesia were considered refugees by UNHCR, yet in Australia 90 to 95 per cent were being granted temporary protection visas on the basis of precedent in the Australian courts.

Jon Greenaway
Bangkok, THAILAND

On balance

From Neil Ormerod, Catholic Institute of Sydney

Re: Maurie Costello's letter on *Dominus Iesus*.

While one may recognise and appreciate the angst in the letter from Maurie Costello, one may question its effectiveness against its target, the latest Vatican document, *Dominus Iesus*.

Mr Costello begins his letter with a powerful affirmation of Trinitarian and Christological faith. In fact a good half of the Vatican document is a reaffirmation of this same faith. The Trinitarian and Christological faith which Mr Costello professes is based on the historical claim that 'Jesus Christ has a significance and a value for the human race and its history, which are unique and singular, proper to him alone, exclusive, universal, and absolute' (*Dominus Iesus*, n.15). Without that claim there is simply no belief in Trinity.

Mr Costello goes on to assert that 'the Holy Spirit brings salvation to all through all religions'. In fact *Dominus Iesus* comes pretty close to affirming the very same thing—'the salvific action of Jesus Christ, with and through his Spirit, extends beyond the visible boundaries of the Church to all humanity' (n.12). But what *Dominus Iesus* recognises, and Mr Costello does not, is that such a statement is de facto an assertion of the special, though not exclusive, role of Christian faith. Belief in the Holy Spirit, as third person in the Trinity, is a Christian belief, not Muslim, or Buddhist. To read other faiths as part of the work of the Holy Spirit is to present a very Christian reading of them, and to claim to know more about these religions than they do of themselves. If this is an arrogant judgment on the part of *Dominus Iesus*, then Mr Costello shares it.

Dominus Iesus has been much misrepresented in the press. It deals with some

complex issues with more openness than has been given credit. It has undoubtedly caused offence to some, but in its basic thrust it seeks to preserve the same faith Mr Costello holds dear.

Neil Ormerod
Strathfield, NSW

Close enmities

From Philip Mendes

Recent events in the Middle East are disappointing and disturbing. Disappointing because peace seemed so close at Camp David, yet now seems so far. Disturbing because the local Israeli–Palestinian national conflict (arguably still resolvable in a fair and practical way) appears to have been transformed into a broader Israeli–Arab and Jewish–Muslim global religious and cultural conflict.

The latter interpretation was particularly vivid in the recent SBS news item which depicted a group of young Indonesian girls running through the streets of Jakarta thousands of miles from the Middle East, calling for a ‘jihad’ against the Jews and Israel. Most of these girls would never have met an Israeli or a Jew in their life. It is also unfortunately present in local Australian protests which may have significant implications for our multicultural society.

For example, we have witnessed demonstrations by some local Palestinians which have included the chanting of anti-Jewish slogans. There have also been a number of examples of anti-Jewish vilification and incitement in sections of the Arabic-

language media. Perhaps, most significantly, there was the case of the firebomb attack on a Canberra Jewish Centre. Instead of condemning the attack, the local PLO representative, Ali Kazak, suggested bizarrely that the Jewish community may have committed the attack themselves in order to distract attention from Israeli actions.

There is no verifiable evidence that any violent anti-Jewish actions have been committed by local Arabs or Muslims. Nor are any of the above actions necessarily endorsed by most members of the Australian Arab and Muslim communities. In fact, some Jewish and some Arab/Muslim groups have continued to engage in co-operation and dialogue despite the current hostilities.

It is also not my intention to deny the legitimacy of Palestinian anger in the current circumstances. Palestinians have been the major victims of the conflict for 52 years, and it is understandable that they seek to express their solidarity with their brothers and sisters in the West Bank and Gaza Strip.

What is of major concern, however, is when a legitimate political grievance gets transferred as per the above examples into broader religious and racial bigotry. It also has some potentially serious implications when considered in a historical context.

It is easily forgotten that most Arab countries have a significant history of intolerance and discrimination towards Jews which long predates the emergence of the modern Jewish state of Israel. While certainly not comparable to the genocidal history of Christian anti-Semitism, this

intolerance culminated in the brutal expulsion of over half a million Jews from Arab countries in the immediate post-1948 years.

Contrary to the claims of some historical literature, this exodus was not identical either in cause or motivation to the Palestinian refugee exodus of 1948. Nor was it a fair or justifiable population exchange of Arab Jews for Palestinian Arabs.

However, just as Israel has never compensated Palestinians for its major role in their exodus, so the Arab states have never atoned or apologised for the expulsion of their Jewish population. The ironic and perhaps most pertinent factor is that most of these Jewish refugees settled in Israel, and today form the backbone of the right-wing parties which refuse to recognise Palestinian national rights.

In considering both the tone and means of their support for the Palestinians, Australian Arabs and Muslims may want to reflect on this history of intolerance, and its potential lessons for local Jewish–Arab/Muslim relations today.

Philip Mendes
Kew, VIC

For Pius

From Christopher Dowd or

It was predictable that the daily newspapers reacted without sophistication of historical judgment to Pope Pius IX's beatification, but disappointing that *Eureka Street* did likewise. Fr Dan Madigan (*Eureka Street*, October 2000) laments that the recently



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declared *beatus* is 'a cause of scandal to so many', without saying who was/is scandalised and why.

Fr Madigan refers obliquely to 'disastrous choices'. What are they? The declaration of the Immaculate Conception? Since this is a dogma of the faith it is essential to Catholic belief. The dogmatisation of papal infallibility? Ditto. Perhaps Fr Madigan objects to the manner in which the dogma was obtained. Pius IX intervened in favour of the proposition at the First Vatican Council but the basic reason why papal infallibility was adopted was that, in an ultramontane age, the bishops almost to a man believed in it and a large majority thought that, if it were true, they ought to say so.

The Syllabus of Errors? The fuss among Catholics over this document is mystifying. While a few of the *Syllabus'* positions have been rendered obsolete by the passage of time, many are still endorsed by the church today: the existence of God, divine revelation, the connectedness of faith and reason, the problem of indifferentism, the foundation of the church by Christ, the right of the church to preach its gospel and manage its internal affairs without civil interference, the divine basis of the moral law, the sacramentality of marriage, the role of religion in education. Some of the condemnations—against state totalitarianism and unrestrained capitalism—have a distinctly contemporary ring to them.

The defence of the Papal State? Although the Papal State was an inoffensive member of the international community, it was repeatedly the victim of military aggression. As the civil ruler of that State, the Pope had a duty to protect its citizens. Furthermore, Pius IX believed that the papacy's spiritual functions depended on its not being subject to civil power which in turn implied having some territory of its own. We know now that this can be achieved without owning a quarter of Italy, but Pius IX did not know that and the principle underlying his position is still accepted by the Holy See, enshrined in the post-1929 arrangement of the Vatican City State.

The Mortara case? Nobody today would defend the baptism of a child without his parents' knowledge or his removal from their care without good reason. However, as Pope John Paul II remarked on the occasion of Pius IX's beatification, such a decree does not entail approval of all of the subject's attitudes and deeds. On this issue the last word should go to Edgardo Mortara himself. He remained a Christian and a priest throughout a very long life, took the

name 'Pius' in religion and was zealous for the conversion of the Jews.

Pius IX has been depicted as rejecting the modern world, but did he reject it or did it reject him? In his lifetime the Catholic religion was subjected to Enlightenment-inspired philosophical assaults, often of a scurrilous character, revolutionary or liberal attacks on the church's institutions, theft of ecclesiastical property and, in the worst cases, the slaying of clergy, religious and laity. Pius is criticised for opposing the unification of Italy under the leadership of Piedmont, but he could not fail to notice that wherever Piedmontese rule was established, a campaign of confiscation and interference inevitably followed. Had it been a little less rude, the 'modern world' might have been viewed more positively by the 19th-century leadership of the Catholic Church.

His faults notwithstanding, Pius IX was a man of principle who stood up for the supernatural character of the Catholic religion in the face of the onslaughts of various 19th-century '-isms'—atheism, naturalism, rationalism, materialism, secularism. He tried to hand on to his successor what he had received from this predecessor: the entirety of the church's doctrinal patrimony together with those other elements which he believed were vital to its survival. For this he endured heroically much suffering and disappointment, but through it all managed to maintain a resigned dignity and cheerfulness. Overcoming a childhood disability of epilepsy, he was a man of deep, if simple faith and of generosity towards his enemies. In this light, perhaps the assertions of Pius IX's saintliness which sound so hollow to Fr Madigan are not so hollow after all. The question is not whether Pius should prefer to 'pass misunderstood into oblivion' but whether the truth is to be told about him.

There were claims in the media just before the beatification that nobody has any devotion to Blessed Pius IX. For the reasons given above, I, for one, have been an admirer of his for several years and welcome his honouring.

Christopher Dowd of
Camberwell, VIC

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The Month's Traffic



Global-regional

GLOBALISATION IS ONE of those terms that have always been difficult to get a grip on.

Does it mean that the internet has brought us all together because a 38-year-old truck driver in Helsinki can discuss John Grisham novels with a trainee beautician in Brisbane? Or is it a reference to the worldwide availability of standardised products and services provided by multinational corporations? (Perhaps Coca-Cola should resurrect an ad they ran 20 years ago that featured a bunch of happy, beautiful young things traversing a lake inside a giant plastic ball that they propelled by scampering up the sides like hamsters on a wheel.) Maybe it has more to do with the IMF, Third World debt and the consequent trashing of McDonald's stores in city centres by balaclava-wearing protesters.

Whatever the cause, or causes, everyone seems to agree that for good or ill, globalisation is with us.

Regionalisation, on the other hand, is a nuts-and-bolts description of an evolutionary process within global society.

We have seen the way the European Union has come together over the last decade, the signing of the North American Free Trade Agreement between Canada, the US and Mexico, and we remember Paul Keating's enthusiasm for APEC. And as South East Asia became an increasingly significant economic zone in the last 20 years, Australia began to look longingly at the ten-member ASEAN grouping. While the Howard Government wanted it known from the start that there would be no more of Labor's forelock-tugging in the direction of Asia, there has been no denying that Australia has to be party to some regional structure so that our exports can compete in the future. And in early October yet another attempt was made to get involved in ASEAN.

The place was the northern Thai city of Chiang Mai, the occasion an ASEAN economic meeting. Australia's Trade Minister, Mark Vaile, along with his New Zealand counterpart, Jim Sutton, went to argue the case for a tie-up between the proposed ASEAN Free Trade Agreement and the trans-Tasman Closer Economic Relations (CER) pact.

A growing regional centre with about a million residents, Chiang Mai is an appropriate location for such a discussion. In this melting-pot city there are merchants recently arrived from China, peoples from the more than 20 hill tribes that still have their place in the golden triangle and along the Thai/Burma border, and backpackers on their way to or from a trek in Thailand's hill country.

Vaile and Sutton were confident of getting some sort of an agreement. Prior to the meeting, a report produced by an ASEAN taskforce recommended the drawing-in of the CER pact. Also, a study by the Australian think-tank, the Centre for International Economics, saw a US\$50 billion benefit over the next 20 years if an agreement was forged.

But after three days of meetings, instead of announcing a winding back of tariffs according to the recommendations of its own officials and in accordance with Australia and New Zealand's offer to give them a head start in the CER trade zone, the ASEAN trade ministers said only that they would look into ways of closer agreement. They gave no commitments on tariffs.

In the end the problem was not a structural issue (for example, Australia's tough quarantine regulations that have delayed the arrival of Philippine fruit). It was a political one, according to Australian officials and diplomatic representatives who came out of the meeting with their tails between their legs. Indonesia was obtuse and Malaysia was blunt, and the two combined to quash any chance for the expansion of free trade. Australia is not popular with our two nearest neighbours in ASEAN. Malaysian Trade Minister, Rafidah

Aziz, a close Mahathir ally, went so far as to say she could not see an agreement with comprehensive reduction in trade barriers ever being signed.

There was some consolation for Australia and New Zealand in the evident signs that ASEAN's house is still in disorder after being ransacked by the 1997 financial crisis. Malaysia again acted in keeping with the return to mercantilism that has characterised the post-Anwar period: it refused to accede to tariff reductions on automobiles in order to protect the Proton, its national car. This stance kept the meeting from producing any substantial and binding agreements.

All of this suggests that it might be time to return to APEC and attempt to re-energise a regional forum whose agenda Australia has more opportunity to influence. Enough time has passed since Paul Keating's prime ministership (enough certainly for him to have written a book about it). Now it is time for APEC to be revisited with force by the Coalition government.

—Jon Greenaway

Local-regional

IT IS MORE THAN a year since the federal government convened the Regional Australia Summit, yet much still needs to be done for our many disadvantaged regional communities.

Despite the health of the economy and the benefits to some of Australia's communities, globalisation and related structural economic reforms have had destructive consequences for many of the nation's regional communities.

A striking example is provided by comparing core metropolitan Sydney, which now enjoys unemployment rates of close to four per cent, with regions such as Mersey-Lyell in Tasmania or former manufacturing areas of Melbourne and Adelaide. There, unemployment rates are up to five times the 'global' Sydney level. It is now well

established that disadvantage is highly concentrated within specific regions, and the supposed 'trickle down' effect of national economic growth continues to prove illusory.

In light of these disparities, which persist after a decade of much-vaunted economic growth, the federal government's rediscovery of the nation's regions is welcome. There have been a number of laudable, if piecemeal, initiatives, including the establishment of rural transaction centres, to provide rural communities with some access to the services that had been stripped from them previously. There is also the significant but belated Regional Health Package announced in the last Budget.

The Australian Catholic Social Welfare Commission has recently issued a discussion paper, *Regional Australia in a Globalised Economy*, which addresses the nation's glaring regional disparities. It calls on the federal government to adopt a coherent strategy for regional development in the new economic context.

According to the authors, three key issues cry out for region-specific responses from government:

- the impact of globalisation on the regions;
- the need for a recognition of the diversity of needs; and
- the entrenchment of disadvantage in particular regions.

If the government is to address regional disadvantage meaningfully, a concerted effort has to be made to create jobs, and it must be job creation specifically tailored for the places that have missed the economic benefits enjoyed by other communities. This is not a call for government to 'pick winners' among the regions, but simply to ensure distributive justice so that all communities benefit equally from an increase in national wealth.

The federal government has already taken tentative steps in this direction. Its Regional Solutions Programme devolves some responsibility to regional communities by encouraging them to identify their own development needs and to conduct much of their own planning.

However, the federal government is also charged with responsibility for the common good. It must therefore assist regions in the co-ordination of planning and at the same time commit itself to a full range of programs designed to provide employment, stimulate economic growth and assist private enterprise in the regional communities concerned. Policies emphasising 'local leadership' and 'self-reliance' are not likely to be sufficient for the renewal of the most disadvantaged regions.

Traditionally, the federal government has made its principal contribution to regional development by providing the economic infrastructure—the roads and communications. We have now seen a long-term deterioration in public infrastructure spending. That, together with the Regional Australia Summit's emphatic call for a

of globalisation. Governments need to be aggressive in using their funding and regulatory powers to ensure that corporations protect regional employment and put an end to vast job shedding.

The government certainly displays a heightened sensitivity to regional concerns, particularly as we move closer to a federal election. But the main game must remain the redressing of the destructive consequences of structural economic reform in regional areas. The distributional outcomes of economic reforms and their allegedly 'transitional' costs must become central considerations in *designing* policy—not merely an afterthought and solely out of electoral necessity. Ad hoc and palliative adjustment assistance that seeks only to 'facilitate change' or aid in the removal of 'structural rigidities' remains inadequate.



'sustained and long-term program of infrastructure development', suggests that the government response to date has been inadequate. Rather than commence a small number of 'big ticket' projects following a burst of enthusiasm, the government might do better to respond instead to the repeated calls for sustained infrastructure spending tailored to regional needs.

The scandal of corporations blithely shedding labour also raises the crucial issue of corporate responsibilities in the context

The debilitating cost of fuel is the latest in a litany of regional disadvantage, but the 'comprehensive and convincing response' to such challenges called for by the Regional Australia Summit is yet to materialise.

Globalisation requires that the activities of governments be recast in important ways, but governmental responsibility for the common good, for distributive justice and in particular for the nation's most impoverished regional communities remains unchanged.

—Toby O'Connor



An eye for a tooth?

AN IMAGE FROM THE EVENING NEWS stayed with me as I made my way to the opening service of the Anglican Diocese of Melbourne's Synod in mid October: a lone Palestinian boy wielding a sling, hurling stones at a heavily armoured Israeli vehicle. Less than an hour later, in St Paul's Cathedral, a version of Psalm 122 was being sung as the second hymn of the Synod Eucharist. This psalm includes the verse, 'Pray for the peace of Jerusalem: May they prosper who love you. Peace be within your walls, and security within your towers.' In a powerful irony, as we reached this point in the hymn, the line of text refused to scan with the music, reducing the 800 plus-strong congregation to an awkward, frustrating muteness. It was as though we were faced with an unutterable prayer.

This frustration was partly eased, partly exacerbated, when Synod considered a motion concerning the crisis, which included the phrase, '... and notes the disproportionate violence'. While the intention behind the words 'disproportionate violence' is immediately evident, the expression does make you wonder what 'proportionate violence' might look like. Violence is inherently disproportionate.

In his concise study, *War and Peace in the Middle East*, Avi Shlaim (Professor of International Relations at Oxford University) evaluates the initiatives for peace up to 1995 under 'Pax Americana'—the latest incarnation of the post-Ottoman syndrome. Shlaim argues that the 'New World Order' announced by President Bush and established by the Gulf War was largely a restoration of the old order (contrived state boundaries with little or no legitimacy in the eyes of their citizens) dressed up in the clothes of the new. Yet the solution of the Arab-Israeli conflict was one point of that administration's five-point post-conflict plan that received serious, sustained and even-handed attention.

President Clinton's return to the 'Israel-first' approach of Reaganism, however, set a pattern of selective US indulgence towards negotiation-by-force which was first evident in the 1993 Israeli bombing of Lebanon and which the one-sided casualties of recent weeks continue to bear out. The rhetoric of calling both sides of the conflict to account fails to square with what Shlaim describes as America's 'derisory' monetary commitment to the experiment of Palestinian self-government. Having seen the poverty endured in Gaza and the West Bank, during a recent visit to Israel, I don't find it difficult to understand why Yasser Arafat struggles to contain the anger of groups such as Hamas.

If it is naive to expect that those with competing claims to Jerusalem will 'turn the other cheek', then the ancient wisdom of 'an eye for an eye'—a common heritage of Judaism, Islam and Christianity—must be insisted on. Given the frightening speed at which chronic instability can devolve into uncontrollable and—yes—disproportionate violence, 'Pax Americana' (of which Australia is surely still an outpost) must check the posturing of its David-turned-Goliath. For a new David has arisen in Palestine, and we all know the unlikely outcome of that story of disproportionate violence. ■

Richard Treloar is Associate Chaplain to Trinity College, University of Melbourne, and teaches in the United Faculty of Theology.

Your everyday tragedy

IF YOU TAKE NEWS broadcasts as a guide, there seems to be an inordinate amount of tragedy emanating from Russia of late. Bombs going off in underground stations. Submarines sinking. In August, Moscow's Ostankino telecommunications tower caught fire, bringing fresh disaster to the Russian capital. A number of firefighters died in the inferno. There was, officials announced, no guarantee that the tower would not come crashing down, its supporting cables irreversibly weakened by the flames.

The one constant in all of these reports is that we view them through the eyes of the Western media. And so we are meant to digest, in predictable style and order, the footage of shocked relatives and friends, public reactions, simple outpourings of grief, memorial services and indignant politicians ordering solemn inquiries. It's a tried and tested template; but it's also a very Western one. And when applied to the Russian experience, cracks begin to appear in the template.

So what is going on in Russia? In struggling with that question, we might first examine the devices through which we are viewing the events, rather than the events themselves. The pressing question seems to be whether conventional media coverage does much to help us understand the nature of life, death and grief in modern Russia.

It may be a little unfair to target the Western media in such a way. After all, such institutions deliver that which we ourselves expect and hope to receive: when tragedy visits, we want to empathise. We seek out the families and friends of the victims as human faces of the otherwise impersonal events. It is not ghoulish to ask for such things: a will to share sorrow is a noble-enough faculty. There is also no reason to suggest that many Russians don't experience the most intense and protracted grief at the difficulties and disasters that visit their country. But it is folly to suggest that this or that disaster, among the many that Russia endures with regularity, will equate to a similar event in the West. In Russia, such events are not a cruel anomaly. They are more or less the expectation of daily life.

Russia is a nation that has an almost uniquely guarded approach to tragedy. It is a posture that seems now to be adopted

almost instinctively, after hundreds of years of exposure to despotic regimes, invasions, occupations and the rigours of life in a climate that can be extraordinarily hostile.

In the last century alone, the Soviet era's doctrinaire focus on the strength of the collective at the expense of the individual further eroded people's right to express sorrow and abandonment. In the face of terror, an entire people can become conditioned to repress natural and spontaneous grief. In Russia, when people are executed, when entire regions are starved or worked to death, the first reaction is silence. Indeed, in the 20th century, silence was a necessary survival mechanism. During Stalin's regular purges, overt sympathising with the victims could be viewed as an act of potential dissent or disruption. Unless, of course, the grief had first been sanctioned by the State.

Anna Akhmatova wrote of the phenomenon when, in her poem *Requiem*, she spoke of the sorrow and anger that she was forced to suppress as she grieved for her son, incarcerated by the authorities:

Today I have much work to do:
I must finally kill my memory,
I must, so my soul can turn to stone,
I must learn to live again.

Such inhumanities no longer exist on such a scale in Russia. But the vestiges of the Soviet State's will to silence refuse to drop away: witness the sailor's mother, sedated by authorities for launching a tirade against the authorities and their policies, the ineptitude of which killed her son on the *Kursk*. If no longer completely State-sanctioned, silence is still the preferred response in Russia. Silence is golden. It avoids the messiness, the expectation of action that follows rigorous democratic debate. We who enjoy such privileges—to the point where they are no longer regarded as privileges—should not lose sight of the fact that Akhmatova's great poem is still a valid contemporary parable in Russia. And while *Requiem* speaks of the anguish involved in the act of suppression, it also hints at still darker possibilities: what if there comes a point when suppressing one's grief becomes instinctive and irreparable?

*

It is mid August and the nuclear Leviathan *Kursk* sank only days ago. On the frantic Russian newscasts, the older generation's response to the disaster is distressingly taciturn. Newly Westernised Russian hacks walk the streets of Moscow searching for

the requisite vox pop, but older Muscovites are not offering. Regrets are expressed, but people remain guarded when asked for simple, honest responses to the event. Discomfort in front of the cameras might explain a little of this, but there's more to it than that. Few of these older individuals venture anything of themselves.

In contrast, younger interviewees rail against the government's handling of the submarine disaster. President Putin's carriage of the matter is called into question. The military is berated for papering over inadequate safety levels. These young Russians are variously raging and sorrowful. And just like people on the streets of contemporary New York or Melbourne, they want heads to roll after a disaster that appears linked to official negligence. They are refreshingly forthright in their grief, anger, disappointment and cynicism. But it would pay us to realise that such an indignant public response is something that Russia is only now beginning to exercise with confidence and impunity. It may take even longer for the moribund machinery of the Russian administration to learn how to deal effectively and appropriately with such democratic openness.

The machinery of the Russian State is already working overtime and it is not accustomed to delivering compassionate government. While dealing with an unserviceable national debt, an outmoded industry base and an inability to feed itself with poorly run, recently decollectivised farming practices, Russia is funding and fighting what military experts call a 'high-intensity' war in Chechnya. 'High-intensity' is a martial way of saying that the gloves are off. Whether one believes official Russian casualty reports or not, the fact remains that thousands of young Russians and Chechens are being sacrificed and ripped apart in the Caucasus. When they do not die outright, wounded Russian soldiers are sent home to military hospitals that often do not have adequate supplies of anaesthetic and linen. God only knows what happens to wounded Chechens.

The alternative to being paid to be a soldier in Chechnya is at least as hopeless, if not as vivid. Many young Russians cannot find work. Alcoholism and narcotic addiction is rife throughout the country, as hope

inevitably gives way to despair. Those individuals who do have work are often paid at irregular intervals, if they are paid at all. The sailors on the *Kursk*—the pride of the Northern fleet—had in all likelihood not been paid for months.

And beneath these basic social and economic ills there is the insidious Mafia activity compromising almost every level of Russian society. The latter's effect on daily life cannot be overstated: as long as it exists, foreign investment—that global panacea to unemployment and debt—will stay away.

But there are still more disturbing trends: the incidence of crimes involving cannibalism is rising alarmingly. In the southern industrial city of Rostov-on-Don, the number of serial killings is now, per capita, the highest in the world. Russians are forced to live alongside such truths every day. In such a context, one could forgive people for failing to muster visible collective grief over one more disaster. There must come a point at which the individual contends in vain against the enormity of events.

Technical reports suggest that the Ostankino fire originated in an electrical short-circuit. Apparently, the modern telecommunications boom in Moscow had forced the tower to be hastily and (probably) negligently overloaded with hundreds of new mobile phone and television lines. The intricacies of a socio-economic system that took the United States over 200 years to develop find themselves condensed into a decade in modern Russia's quest to redefine itself.

And in this mad rush, even more Russians suffer, mostly in obscurity. Given that the nation retains such a powerful nuclear capability, perhaps we should be thankful for the stoic patience of the country as a whole and hope, quietly, that the vehement compassion expressed publicly by ordinary young Russians in today's streets will manifest itself in the Russian administration of tomorrow.

—Luke Fraser

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Beyond dispute

Ron McCallum weighs up contending 'freedoms' in industrial relations.

WHEN THE HOWARD Government partially deregulated federal industrial law in 1996, the centrepiece of the Workplace Relations Act comprised two freedoms. The first freedom gave employers and employees a greater choice to determine terms and conditions of employment, and I shall call this choice the 'freedom to manage'. Employees, employers and contractors were also given the freedom to join, or not to join, trade unions and employer associations, and this freedom is well known throughout the community as 'freedom of association'. In the BHP and Commonwealth Bank disputes that occurred this year, the Federal Court was called upon to determine which of these two freedoms would supplant the other when the freedom to manage conflicted with freedom of association.

Before the neo-liberal reforms of the 1990s, a centralised industrial relations mechanism was operating. Employers were almost always obliged to respond to written demands by trade unions (known

as logs of claims) seeking higher wages and better terms and conditions of employment. The Workplace Relations Act endeavoured to turn the tables by enabling employers to be on the front foot and to make trade unions react to employer demands. This was achieved by increasing the choices available to employers that are corporations. Employers may enter into collective agreements with trade unions, or they may conclude collective agreements directly with their employees, or they may make workplace agreements with individual employees. When a workforce is unorganised or where union members are thin on the ground, employers are able to invoke any of these choices with relative ease. However, where the employees are unionists, the freedom to manage may, and often does, collide with the freedom of association.

The Howard Government passed freedom of association laws which, through the remedies of re-instatement, damages, compensation and especially

injunctions, guarantee the right of every employee not to have to belong to a union to obtain or to retain employment. More importantly, the freedom of association laws also gave every employee the right to belong to a trade union. In my view, the primary reason for enacting these measures was to smash 'closed shops'—that is, de facto compulsory unionism which still existed in many blue collar industries.

Ironically for the government, which believed these laws would be used mainly against trade unions, the freedom of association provisions have been used rather skilfully by trade unions to protect the rights of their members. This is because the essence of freedom of association is to enable workers to undertake work for employers, whether or not they are unionists. As employers possess the capacity to hire and fire, it is employers who must comply with the freedom of association laws when taking on or when shedding labour.

The freedom of association laws, I suggest, can be best thought of as having two limbs: the discrimination limb and the bargaining limb. A recent example of the discrimination limb in action was the 1997–1998 waterfront dispute where High Court injunctions prevented the employer from giving the jobs of its unionised employees to a non-union workforce. The bargaining limb of the freedom of association laws is aimed at protecting not solely the right to belong, but also the capacity of workers to exercise their membership rights. In my view, these membership rights include the right to be represented by the trade union in individual workplace disputes, but more importantly, the right of members to have their trade union engage in collective bargaining on their behalf. After all, the primary reason why employees form and join trade unions is so that the unions can engage in collective bargaining. In this year's BHP and Commonwealth Bank disputes, the Federal Court was required to rule on whether and under what circumstances the bargaining limb of the freedom of association laws will guarantee the right of unionists to have the terms and conditions of their employment determined through collective bargaining.

BHP UNDERTAKES Iron Ore mining and processing in the Pilbara region of Western Australia, and until November 1999 the terms and conditions of its workers were governed by an award and by collective agreements made under Western Australian industrial law. Two other major mining concerns in the Pilbara region are operated by Hamersley and Robe River, and for some years these two employers have managed their mines using individual agreements. They gave up collective bargaining with trade unions and instead managed their employees through the use of individual contracts. The high labour turnover, coupled with variable wage rates in individual agreements, has led to a lessening in their labour costs. At Hamersley and Robe River, trade union membership is now very low:

In November 1999, in order to reduce its labour costs and to become more competitive, BHP offered its employees individual workplace agreements and refused to engage in collective bargaining with the unions. The workplace agreements contained more beneficial terms and conditions of employment than were available under the existing award and collective agreements, and by January 2000, approximately 45 per cent of the employees had signed workplace agreements.

The unions brought proceedings seeking interlocutory injunctions, asserting that the offering of workplace agreements contravened the federal freedom of association laws. They attacked BHP on two fronts. First, the unions argued that those workers who had not signed workplace agreements had been injured in their employment. In the view of the unions, the BHP employees who remained on the award had been unable to secure the beneficial terms and conditions of employment set out in the workplace agreements. This was because they wished their union to collectively bargain on their behalf, but BHP had refused to bargain. The union case had a second front: that having regard to BHP's workplace agreement campaign and its refusal to engage in collective bargaining, the offers of individual contracts amounted to inducements to members to leave their union.

Interlocutory injunctions are commands from a court to maintain the status quo, until the rights of the applicant can be conclusively determined in a trial where testimony is given by witnesses for both sides. In interlocutory proceedings for an injunction, the court is required only to rule that the affidavits and documents disclose that there is a serious legal question to be resolved at the forthcoming trial, and that the balance of convenience is in favour of the applicant obtaining a status quo injunction.

On 31 January 2000, Justice Gray granted interlocutory injunctions against BHP, forbidding the company from offering further workplace agreements until the completion of the trial. On 7 April, a Full Federal Court upheld the injunctions, but via a process of reasoning different from the reasons given by the first-instance judge. In the view of Justice Gray, it was arguable that the award employees had been injured in their employment, even though their remuneration and other terms and conditions of employment had not been diminished. The more beneficial terms in the workplace agreements, coupled with BHP's refusal to engage in collective bargaining, injured the employees in a collective sense. In Justice Gray's opinion, 'The concept of membership ... is more than

It is erroneous to argue that freedom of association only protects union membership, but not the right of collective bargaining. This type of argument is akin to saying that freedom of religion protects the right to be a member of a church, but not the right to practise the faith through attending religious worship and related ceremonies.

Ironically for the government, which believed these laws would be used mainly against trade unions, the freedom of association provisions have been used rather skilfully by trade unions to protect the rights of their members.

a mere formality. It includes the notion of the ability to have terms and conditions of employment regulated on a collective basis.' He also held that it was arguable that the offers of workplace agreements combined with the refusal to bargain collectively was conduct that amounted to impermissible inducements to members to leave their unions. In his Honour's view, conduct could amount to an inducement, even where there was no express intention to impermissibly induce.

For the Full Court, the provisions of the Workplace Relations Act prohibiting employers from injuring the employment of employees had not been breached by BHP. The judges asserted that these provisions operated in an individual sense and not in a collective sense. In other words, injury in employment requires intentional acts directed to individual employees leading to some actual diminution in the terms and conditions of employment. Giving other employees more beneficial conditions cannot of itself injure award employees. However, the injunction was upheld because it was arguable that there had been impermissible inducements by BHP.

Two further comments on the reasoning of the judges are pertinent at this point in my narration. First, in their reasoning, the Full Court did not hold that the freedom of association laws necessarily protected the right of members to insist on collective bargaining. Second, although the reasoning of the Full Court is somewhat unclear, it also seemed to be of the opinion that for inducements to be impermissible, an actual intent to induce must be shown. At the time of writing, the trial of this proceeding has not concluded.

SINCE ITS ESTABLISHMENT early in the previous century, relations between the Commonwealth Bank and the banking unions have been co-operative. However, in 1996 the bank was privatised and endeavoured to become more competitive. At the beginning of this year, negotiations for a new collective agreement took place between the bank and the Finance Sector Union of Australia; however, by mid August negotiations reached an impasse. The bank stated that it had made its final offer and that it was up to the union to accept it. In order to place pressure on the union, on 1 September 2000, the bank wrote to its employees offering them individual workplace agreements, but the offers were only open for three weeks.

On 28 September, Justice Finkelstein sitting in the Federal Court granted the union interlocutory injunctions preventing the bank from taking further steps to offer or to process workplace agreements. The judge was bound by the holding of the Full Court in the BHP case that the offering of workplace agreements without altering the conditions of the award

employees could not constitute injury to their employment. However, Justice Finkelstein held that it was arguable that the bank had impermissibly induced members to leave the union because the intention behind the offer of the workplace agreements was to pressure the union for the purposes of any future bargaining negotiations. The bank knew that the offers would induce some employees to leave and thus to weaken the union.

IN MY VIEW, the right to be a union member does include the right of unionists to have their terms and conditions of employment collectively determined between the union and the employer. It is erroneous, I suggest, to argue that freedom of association only protects membership, but not the right of collective bargaining. This type of argument is akin to saying that freedom of religion protects the right to be a member of a church, but not the right to practise the faith through attending religious worship and related ceremonies. As Justice Gray put it in the BHP case, union membership 'would be a mere shell' if the members could not engage in collective bargaining.

In my opinion, the central issue in both the BHP and Commonwealth Bank cases was in what circumstances can an employer who has been engaging in collective bargaining withdraw from collective bargaining and instead institute a regime of individual workplace agreements? In other words, what types of employer conduct will or will not amount to bargaining in bad faith? Unfortunately, the collective bargaining mechanism in the Workplace Relations Act is a crude mechanism. The statute allows unions and employers to take industrial action to pressure one another, with the role of the Australian Industrial Relations Commission being largely confined to terminating bargaining only in very exceptional circumstances.

The BHP and Commonwealth Bank cases show, in my judgment, that what is required is for rules to be fashioned concerning trade union recognition for the purposes of bargaining, as well as rules requiring unions and employers to bargain in good faith. Collective bargaining comprises much more than using the economic weapons of the strike or lockout. It is necessary to amend the Workplace Relations Act to fashion rules governing the holding and frequency of meetings; the making of offers; the requirement to respond in good faith to offers and counter-proposals; the prohibition of employers from unilaterally altering terms and conditions of employment during bargaining; and above all, resort to mediation and/or conciliation. Rather than leaving such matters in the hands of the courts, which are ill-equipped to administer ongoing disputes, the administration of these rules should be in the hands of the Australian Industrial Relations Commission. ■

Ron McCallum is Professor at the Faculty of Law, University of Sydney.

It's what I do

Nicole Deas—Postal Delivery Co-ordinator

Everyone becomes more aware of the mail at Christmas time. But do we think about the people who sort and deliver it?

Peter Davis meets one of them.

I SAW THE JOB advertised and I said I've got to have that, it's outdoors, you meet people and you get to ride a motor-bike. I really pestered them until I scored an interview. And I did a lot of research to find out exactly what a postie does.'

This is how Nicky Deas, 32, describes securing her job as a postie. Now she knows exactly what a postie does. And after three years delivering the mail for Australia Post she was elevated to the status of a Postal Delivery Co-ordinator. For the past three years she's been telling other posties what to do. This means being based at an outer suburban mail centre and ensuring all the posties are geared up for their daily rounds. She describes the mail centre sorting room as being something like a factory floor. And to watch her walk the floor is to watch someone who clearly enjoys her work.

Nicky is not afraid to make decisions. During her smoking break she was approached by a postie who complained that another postie wasn't pulling his weight. Nicky didn't hesitate to issue appropriate orders. 'Sometimes you have to be firm,' she says. She may be boss to other posties, but come Christmas she'll be back on her bike. 'Christmas is a crazy time of the year and it's all hands on deck. Besides, doing the deliveries keeps me in touch with the grass roots. People know that you are not going to ask them to do anything that you are not prepared to do yourself—that's important to me.'

Being 'back on her bike' means cruising the suburbs on a 110cc Australia Post-issue motorcycle. But Nicky's real love is her 1340cc Harley Davidson road bike. This postie is a passionate biker. She even has extensive body tattoos (not for the camera). But she insists that owning a Harley is not about wanting to conform to an image. 'I don't belong to any clubs or anything like that. I just enjoy cruising

and looking at the scenery. It's a beautiful bike, it's very powerful and my legs can reach the ground. Also, it helps me stay sane and it gives me a sense of freedom. It's what I do in my non-work time.'

Before joining Australia Post, Nicky was a swimming pool lifeguard in the Victorian country town of Echuca. Other jobs have included bank teller and pizza delivery. She left school after her HSC and decided against working on her father's intensive piggery in northern Victoria. 'It just didn't appeal,' she says.

Much can be gleaned about the changing nature of our society by what's in the postie's satchel. 'There's a lot less private mail and a lot more business mail now,' says Nicky. 'Things like the GST, mobile phones and shares generate huge volumes of mail. I guess email has been



Photo by Peter Davis

responsible for a decline in private mail.'

The size of a postie round will vary according to the terrain. In the outer eastern suburbs of Melbourne where Nicky works, the average daily round is 1100 delivery points or mailboxes. 'That doesn't leave much time for chatting,' says Nicky. ■

Peter Davis is a Melbourne-based writer and photographer.

Australia Post—the big picture

According to their 1999–2000 annual report, Australia Post

- Handled 19 million articles every working day
- Maintained 10,404 vehicles (cars, motorbikes and trucks)
- Employed 26,915 full-time and 8,482 part-time staff. (Of the full-time staff, 33 per cent deliver mail and of these, 22 per cent are female.)
- Delivered mail to 8.5 million points around Australia
- Operated 4479 retail facilities around Australia (including nearly 3000 licensed or privatised post offices).
- Earned \$3.7 billion in revenue and returned a profit of \$391 million.

Other facts

- The average annual salary of a postie is \$35–\$40,000 including overtime.
- Almost 90 per cent of posties belong to the CEPU (Communication, Electrical & Plumbing Union).
- The main competition to Australia Post comes from electronic substitution for mail, global postal competitors, local road freight companies, and courier companies.
- Although Australia Post management deny the existence of any privatisation strategy, CEPU delegates claim that a desire for an increasingly deregulated market underpins every management decision.
- According to the union, Australia Post workers are among the most closely observed workers in Australia. A current issue with management is a new manual sorting frame which requires workers to sort 18 letters per minute—an 'impossible number' according to the union. Management claim that the sorting targets were determined by an independent ergonomist and have been exceeded by staff without unreasonable pressure.

On saving children

'Imagine that you are charged with building the edifice of human destiny, the ultimate aim of which is to bring people happiness, to give them peace and contentment at last, but that in order to achieve this it is essential and unavoidable to torture just one little speck of creation, that same little child beating her chest with her little fists, and imagine that this edifice has to be erected on her unexpiated tears. Would you agree to be the architect under those conditions?'

—The Brothers Karamazov, Fyodor Dostoevsky

THE HUMAN RIGHTS Act came into full effect in the United Kingdom on 2 October 2000.

The rights contained in the European Convention on Human Rights are, by this Act, dynamic ingredients of the British legal system.

How, and how much, those rights will influence British legal tradition is up to British judges to decide. With the same kind of faith in the Common Law as the drafters of our Australian Constitution had, who chose not to include a 'bill of rights' at all, the UK Parliament left the implementation of the new rights regime to the Courts. How are they going to handle the 'new' rights in the European Convention, how change old laws and settled principles of legal interpretation? The answer, in the case of children, is not terribly well yet.

Just before the Act came into effect, an English Court had decided that the conjoined twins, Jodie and Mary, born to a Maltese couple, should be surgically separated, though this would kill Mary, the 'weaker' twin, and the parents refused consent. Both babies have an 'absolute' right to life under the Convention but the certainty of death for both without surgery was determinative. The Official solicitor, representing the doomed twin, was given permission to appeal to the House of Lords. He did not take it. That week, both he and Jodie's lawyer had signed a letter to the *Times* in support of the Court of Appeal's reasoning. How would a man on death row feel, if his prosecutor and defence lawyer publicly announced that his conviction and sentence were right? The parents said



they, too, could not maintain the legal fight.

On 2 November, a 'right to life' activist asked the Court to remove the Official Solicitor and appoint him instead as Mary's guardian so he could run that appeal. One judge said, 'No.' The 'right to life' activist appealed. Two of the three judges of the Court who had made the original decision heard and refused his application. Under old Common Law rules, a 'guardian' can only be removed for impropriety or incompetence: this, they thought, was neither. The man was not allowed to appeal further, because in their opinion there was no reasonable prospect of winning.

So Mary died under a hero's scalpel on 6 November 2000. Her 'absolute' rights to life and a fair legal defence were, after all, conditional. And what will Jodie feel?

Two others with a terrible burden of a child's death have found more effective use for the new human rights regime.

Eight years ago, Jon Venables and Robert Thompson abducted, tortured and murdered two-year-old James Bulger. They were ten years old. After a circus of a trial, they were sentenced to at least eight years' detention. This was later reviewed: once by the Chief Justice, who substituted a ten-year term and then, in response to public demand, the Home Secretary who fixed 15 years.

The boys went to the European Court of Human Rights in Strasbourg. Late in 1999, the Court said that a politician's fixing of a sentence is not the independent and impartial tribunal required by Article 6 of the Convention. So Lord Woolf, England's top judge, reviewed the case again, and he has concluded that eight years is enough to qualify them for parole. Why? Because their lives have potential. They have made 'striking progress'. They are each 'genuinely extremely remorseful'. They have their mothers' support and the risk of their re-offending is low. They were convicted while very young (and have spent nearly half their lives in detention). Finally, Lord Woolf said, it would not be in the public interest to send these teenagers to a young offenders' institution, whose 'corrosive influence' would undo all the good work.

England does not deal well with its underclass children. It hasn't learned much. The Home Secretary wants blanket curfews for all under-16s, according to the postcode area in which they live (for which read lawless 'estates').

Juvenile detention centres generate recidivists and are so run-down that, recently, the head of the largest one resigned in protest at its 'Dickensian' conditions. Criminal justice procedures are still not designed for children—Thompson and Venables' conviction followed a show trial (which they could not understand) designed to establish their moral culpability, with tabloids whipping up the lynch mobs outside. In most European countries, they would not even have been legally culpable. Since then the UK has abolished the 'doli incapax' rule, which required a prosecutor to prove that children aged between 10 and 14 understood right and wrong. Adult courts continue to try children charged with serious crimes.

When is a child's right, really a right? Can you imagine a court directing an adult to sacrifice his life for another? When is a child's right as serious as a court's opinions? ■

Moira Rayner is Director of the London Children's Rights Commissioner's Office.



Deletion incompletions

IN MEDIEVAL TIMES, before the advent of paper, books and documents were written on specially prepared animal skins known as vellum or parchment. It was scarce, expensive and highly prized—so precious that it was often recycled by washing or scraping off an earlier text and writing something else on top. Thus was created the palimpsest. Strangely, what initially seemed an act of desecration where ancient 'heathen' texts were scrubbed by monks in favour of more godly works, has turned out to be an unlikely act of preservation. Modern techniques employing infrared light and digital enhancement can recover much of the erased text.

Most of us, in our offices and studies and homes, are now unwittingly in the same business as those medieval monks, creating palimpsests. Only this time the medium is far more familiar—it's called a computer hard disk. Even when a file or email has been deleted, and the disk space reused, traces of what once was there remain. And using appropriate techniques, it can be exhumed. In what must be a windfall for investigators of swindlers and child pornographers, such information can be admitted as evidence in a court of law. These days it's often not even particularly hard to get hold of data that in the past would have been shredded. Several helpful features of the modern computer assist.

First, as Judge James Rosenbaum of Minnesota points out in a recent paper in the law journal, *Green Bag*, 'The computer lies when it says Delete.' Instead of erasing fully what it is supposed to be deleting, the computer simply removes the address, so it no longer knows where to find it, and can write over it. But the information is still there, for the most part in an easily recoverable form. Second, most files are stored several times for various purposes. Besides the official named file, there are temporary files, swap files, references in the registry, and more besides. When the master file is deleted, some of these others may remain. Finally, traces of the original message persist even after the disk space is reused. If someone is determined enough to do it, they can recover them.

In the worst possible case, the rough draft of that abusive email you thought better of sending to your insufferable boss, the sexist cartoon some 'friend' forwarded to you and the industrial relations proposal the company never adopted, could all be dragged into court and used. In fact, Rosenbaum argues, the computer's capacity always to remember and never to forget endangers freedom of speech. *New Scientist* tells of a woman sacked from a British company on the strength of emails she had sent to a former boss now working for a rival. She had deleted the emails, but they were retrieved. As the law stands, the magazine reports, it is possible to libel someone just by leaving material accessible on a hard disk.

So what should we do? Rosenbaum suggests a kind of statute of limitation on deleted data, after which it would be inadmissible as evidence. Others suggest that this would be difficult to administer technically. And anyway, some argue, it would greatly hamper our ability to combat organised crime and terrorism.

But if we don't come up with a practical, commonsense solution to the problem of computers' elephantine memory, we will be forced into 'dangerous self-censorship over our ideas and expressions', says Rosenbaum. A strange concept indeed in the information age. ■

Tim Thwaites is a freelance science writer.

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'Why can't you just make peace?'

Anthony Ham explains why, in the Israeli–Palestinian conflict, there is no simple answer.

THE PALESTINIAN refugee camps of Sabra and Chatila in the southern suburbs of Beirut are places where bitterness dies hard. Palestinians, many of whom still carry rusted keys to their homes in pre-Israel Palestine, live in desperate poverty. There is practically no infrastructure. A gleaming new sports stadium towers over the fringes of the camp. A cemetery is the only memorial to the thousands of Palestinians massacred in 1982 by the right-wing Phalangist militia while Israeli troops watched through binoculars and prevented Palestinians from leaving the camp and fleeing the killings. Every second wall is riddled with bullet holes.

When I visited the camps three years ago, the bitterness towards Israel was tempered by a vague hope that the peace process would bring some positive change in their lives, or at least in the lives of their children. Then, as now, Israel steadfastly refused to countenance any prospect of these people returning to their former homes in what is now Israeli territory. Then, as now, the Lebanese Government wished that they would just go away, typifying an Arab world long on supportive rhetoric but short on substantive action and the provision of basic rights for Palestinians.

One thing has changed. It is not necessary to return to Sabra and Chatila to know that the few fragments of hope which survived against all odds have disappeared. The reason is the rehabilitation of Ariel Sharon as an influential figure in the politics of the region. Sharon, the man who engineered the Israeli invasion of Lebanon. The man who was held responsible, on the Israeli side, by an Israeli judicial enquiry, for events in Sabra and Chatila. The man who was, not so long ago, publicly claiming that there was no such thing as a Palestinian.



Within this context, Sharon's visit to the Al-Aqsa Mosque—the third holiest site of Islam in the disputed capital of two nations—accompanied by thousands of heavily armed Israeli troops, was one of the most brazenly provocative acts in recent history. The eruption of anger which followed was as inevitable as it was understandable.

This is a man who has never wanted peace. He is the representative of the extremism over which neither side of the Israeli–Palestinian divide has a monopoly. This incitement to violence, coming at a time when the peace process was promising, if delicately poised, was a calculated act. It is not without precedent. When Yitzhak Rabin and Yasser Arafat made great progress in peace negotiations, an extremist Israeli

assassinated Prime Minister Rabin. The peace process collapsed, and the opponents of peace won the day.

The tragedy this time around is that Prime Minister Ehud Barak, a man supposedly elected with a mandate to forge peace with the Palestinians, has fallen in line with Sharon's agenda and given legitimacy to his act. Barely a week after Sharon's visit to Al-Aqsa, Prime Minister Ehud Barak met with Sharon. There was no condemnation of the Likud Party leader's actions. Instead Barak stood by Sharon, defending his right to visit what Israelis call Temple Mount. Since then, Mr Barak has been in negotiations to form a government of national unity with the man Palestinians most revile.

If you were a Palestinian, what would you do? Palestinians have been living

under brutal oppression for more than 50 years. First they were driven from their homes when the state of Israel was created on their land—an event which Palestinians still call al-Nakhbah, the catastrophe. Then, in 1967, Israel occupied the Gaza Strip and West Bank with Arab East Jerusalem coming under Israeli rule. Since then, even as peace negotiations have continued on paper, the Israeli authorities have, with state sanction, been changing the reality on the ground through a relentless policy of building Jewish settlements on disputed land.



The respected Palestinian leader, Hanan Ashrawi, was recently asked on the BBC, 'Why can't you just make peace?' Little wonder that she responded with incredulity. Statements by Israeli government spokesmen have been similarly condescending. They have called on Palestinians to stop the violence. More than 150 Palestinians have been killed. Israel claims to have been acting in self defence, despite all the killings taking place on Palestinian territory, in towns like Nablus and Ramallah. Palestinian anger is called terrorism. Israeli anger is 'a symbolic warning' designed 'to deter retaliation'. This is the language used to a subject people by the powerful.

There are two enduring images of the crisis—the shooting of a teenage boy in

full view of the world's cameras, and the mob killing of two, perhaps three, Israeli reservists near the police station in Ramallah. Both were acts of barbarism for which the offenders should be punished.

And yet, there is a vast difference in the way the two sides have responded to the killings. The shooting of the boy was defended by Israeli authorities as being unintentional, that they were unable to see him or to see the fact that he was unarmed. This is incomprehensible. How could he be in full view of the cameras for 45 minutes and not be seen by Israelis looking down their gun barrels? How could a shot fired in a straight line not be intentional when it hit a target which had not moved or retaliated? Not one Israeli official has called for the perpetrator to be brought to justice.

The killing of the Israeli reservists who inexplicably strayed into the path of a Palestinian funeral in an entirely Palestinian town, was equally inexcusable. No credible Palestinian leader has, however, defended the killings. Although culpably slow in arresting those involved, the Palestinian leadership has publicly recognised it as a criminal act.

What Israel has failed to acknowledge is that when you brutalise an entire people for decades, they will respond with brutal acts, with a primal scream which is all many Palestinians have left in the face of occupation forces, in the face of an entire nation mobilised against it, in the face of helicopter gunships. Israel called the killings barbaric. Indeed they were. So too was the shooting of the boy.

In Prime Minister Barak's first speech to parliament after the crisis began, he refused to recognise any responsibility for the hostilities. He laid the blame, as he always has done, squarely at the door of Yasser Arafat. In doing so, in conceding the moral high ground to the likes of Ariel Sharon, he may have saved his coalition, but he has provided ammunition to the extremists on the Palestinian side and has dealt the peace process a potentially fatal blow. If ever courage were required of a leader, if ever understanding of the opposing side were needed, it was at this moment. By failing the test, Ehud Barak undermined moderate Palestinian leaders, taking from them any prospect of regaining legitimacy in the eyes of their people. Barak accused Arafat of not wanting to be a partner in peace.

He completely failed to recognise that Palestinians cannot talk peace with a man whose partner is an unrepentant Ariel Sharon.

IN CHRISTIAN and Jewish schools around the world, children have been taught that the Jews are God's Chosen People. The Jewish people have suffered some of the most horrific crimes in history as a result of their faith and the hostility generated by this doctrine. Whatever the injustices surrounding Israel's creation as a modern state, the fact remains that it has provided a refuge for a traumatised people.

The danger is that Palestinian children have no such refuge. Unless urgent measures are taken, these children will grow up believing that Israel stands for a blatant disregard for the faith of Islam and the Palestinian people as manifested in disrespect for the holy sites, in intimidation, in an inability to recognise the suffering of others. The reality is deceptively simple. If enough of these Palestinian children lose their belief in a better future, in an ability to live alongside Israel, then Palestinian predictions that worse is yet to come will prove true.

Ehud Barak stands at the most critical crossroads in recent Middle Eastern history. If he were to pull his troops back from Palestinian areas, if he were to publicly distance himself from Ariel Sharon, then he might just save the peace process. But perhaps it is already too late. Perhaps too much blood has already been spilled. Perhaps too many Palestinian families have lost too much to have a stake in pursuing peace, to care whether there is peace or not when they will never have peace from their grieving.

The bloodshed caused within Israel through decades of Palestinian resistance and terrorism left many deep scars. It was a leap of faith for many Israelis to countenance peace with their erstwhile enemies, and when Palestinians turned from their guns, peace became possible. Israel would never make peace with a gun pointed to its head. Israeli terrorism has the same effect and it is unreasonable to expect that the Palestinians would respond any differently. If that is not recognised, we will not have peace in the Middle East for a generation. ■

Anthony Ham is a *Eureka Street* correspondent.

Broadcast blues

THE ABC'S NEW Managing Director, Jonathan Shier, began his five-year term in March 2000. It is possible that by the time you read this he will already be planning his exit. Shier has declared publicly that he is 'not interested in managing decline'. Increasingly, he is beset: suffering the growing antipathy of ABC staff, the pusillanimous support of the chairman of the ABC Board, the indifference of federal Cabinet,

An analysis of ABC funding shows that in 1975–76, the ABC received 0.75 per cent of federal government budget outlays; by 1990–91 this had declined to 0.55 per cent; by 1994–95 it was down to 0.43 per cent and even lower by 1997–98: 0.37 per cent—exactly half of the 1975–76 figure.

To put this decline in context, and to recognise how massively the ABC's budget has been reduced in real



and the slings and arrows of a public outraged by his emphasis on ratings, marketing and whiz-bang technology. The MD may well decide that life is too short for all this aggravation. He lived happily in Europe for 23 years; the pleasures of a comfortable, less burdensome job selling television programs in Scandinavia may prove irresistible.

Certainly these are dangerous times for the ABC. The national public broadcaster, weakened by two decades of funding cuts, has been grievously damaged by especially severe cuts in 1996–97 from a government ideologically driven to reduce public instrumentalities and with a particular aversion to the freedom and community support enjoyed by the ABC.

Government rhetoric that the ABC merely 'shared' in cuts to all areas of federal expenditure is false. The figures demonstrate that the broadcaster was selected for special punishment after the March 1996 election. Had there not been a massive public outcry, it is likely that the proposal from the powerful departments of Prime Minister and Cabinet, Treasury and Finance (contained in a leaked 1997 Cabinet document) to cut the ABC's funding by \$540 million over four years would have been implemented, and the ABC reduced to a niche, commercially sponsored broadcaster.

terms, consider the figures provided by Dr Allan Brown, senior lecturer in Economics at Griffiths University. Brown compared federal budget data from 1988–89 and 1998–99. In real values, adjusted for inflation, he noted the following changes over that decade:

Gross Domestic Product (GDP):	+32.7 per cent
Total federal government expenditure:	+21.8 per cent
Defence:	+9.7 per cent
Education:	+16.2 per cent
Health:	+57.9 per cent
ABC appropriation:	–20.3 per cent

If the comparison were between 1985–86 (the peak year of ABC funding in the 1980s) and 1998–99, then the decline is 34.1 per cent in real terms. The financial circumstances of the ABC in the current financial year are even gloomier, for there has been no government restitution of the funds cut in previous years, and the provision of only a fraction of the \$194 million required for the ABC to develop programs for digital, multichannel broadcasting.

As a result, staff numbers have been reduced from 6500 in 1996 to just over 4000, local television production now constitutes barely 50 per cent of programming while cheap British repeats proliferate, and the ABC's one-year training program for 'cadet'

broadcasters—respected industry-wide—has been trimmed to six-month contract positions.

These parlous circumstances are the direct result of government policy. The ABC Board is now stacked with a majority of members sympathetic to the conservative side of politics. The Board's pall of secrecy, limp response to government attacks and insistence that ABC staff struggle to do more with less has resulted in a widespread view that it is a mere creature of government. Still, it is primarily the government, not the Board, which has inflicted atrophy and exhaustion on the public broadcaster. And this is the uninviting environment in which the new

MD—in his own words a would-be 'mini-mogul'—must operate.

SYMPATHY FOR Jonathan Shier's predicament should not blind us to the worrying implications of his actions so far. In what must be an all-time record, in less than a year he has alienated significant sections of the Australian community—and a large number of his own staff. Public and staff alike find his constant denigration of the ABC's achievements distasteful and erroneous. They wonder why a cash-strapped MD would replace a raft of experienced producers and managers with expensive recruits from commercial broadcasting, adding perhaps \$10 million to staffing costs. Forty-one distinguished artists and writers signed an Open Letter to the Board in October expressing their concern that 'the emerging outlines of the current ABC structure are disadvantaging key areas of commissioning and broadcast which relate to the arts'.

Both city and country audiences feel threatened by the MD's decision to cut \$4 million from the budget for News and Current Affairs (insiders say it is closer to \$8 million) and invest it in 'new media'; indeed this action alone has resulted in the usually supine National Party demanding that all News and Current Affairs programs remain intact, and produced a volley of indignant broadsheet editorials. Radio, the most intimate and beloved broadcasting medium, is to lose \$2 million. Classic FM and Triple J, despite their vastly different audiences, now share one manager. And all this accompanied by rousing calls from the MD for higher ratings and more promotion of programs.

When asked at his first public meeting—the Friends of the ABC (VIC) AGM in Melbourne on 9 November—about his policy towards commercialising the ABC, Shier promised not to introduce advertising on existing radio and television networks. As he also indicated that he believed these are 'old' media which would soon be supplanted by 'the new media which is going to be the only media', this promise offers little comfort to those—the vast majority of the population according to polls—who want the ABC to remain a public service, not a business.

Nor is there much enthusiasm for the MD's plan to obtain targeted program funding from State governments and the CSIRO. In the unlikely event that these bodies would have the money, or the desire, to fund ABC programs, such a shift from federal funding would make the broadcaster vulnerable to local pressures and threaten its independence.

A hopeful and productive future for the ABC is more likely to be found in the recommendations moved at the Friends of the ABC (VIC) AGM by The Honourable Sir Rupert Hamer, former Liberal Premier of Victoria, seconded by The Honourable John Cain, former Labor Premier of Victoria, and passed with acclamation by the 550 people in the crowded hall. These recommendations begin with the following declaration:

This meeting recognises the ABC as a major Australian institution, essential to our democracy and culture, whose integrity and independence can only be maintained through national public funding. We call on the Federal Government, all political parties, the ABC Board and Managing Director to ensure the ABC thrives as an independent and comprehensive national public broadcaster, free from commercial and political influence. ■

June Factor is a writer and commentator. Her most recent book is *Kidspeak: A Dictionary of Australian Children's Words, Expressions and Games* (MUP). She is Vice-President of Friends of the ABC (VIC).

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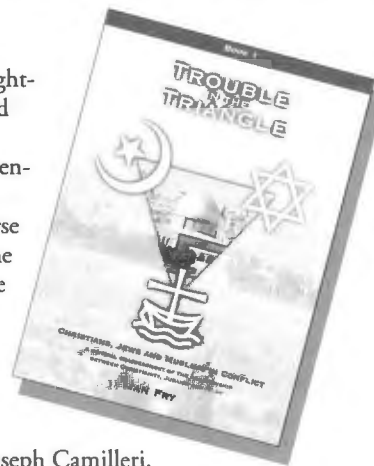
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ONE RECENT WINTER I went to stay on the cattle stud of friends near Ipswich Queensland.

16th July, 'Cyncoed'

A cow is down in the valley and can't get up. It injured a hind leg giving birth. Lois and Herb, the owners, pulled the calf out from the cow this time yesterday. Lois said, 'I could feel it dying as I tried to free its head. I had my hand in pulling it out from behind the occipital bone where it was stuck.'

Today, seeing the placenta lying on the green hillside where no crows have found it, she said, 'See, it's separated, that's why the calf died. The oxygen escapes and nothing gets through the umbilical cord. It's the same in humans too.' Lois walked over to the truck driven to bring down bales of lucerne to prop the cow, Exceptional, up off the paralysed leg. Colin the workman, Lois and I pushed the rump, shoving a bale of hay hard against the cow. But we could not shift her. It was like rocking a huge stubbornly stuck boat; a keel stuck in mud. 'Have you seen cows like this before Colin?' I asked. 'Yes, plenty: we had three over the years and our neighbours had a couple. But some give up. They just chuck it in. You've got to shoot them then. The vet said as long as she keeps eating and drinking you've got a hope. When they're down for a while, they just give up. We had one strung up in a sling for two months. But the vet said that if she's not up in ten days you might as well destroy her. But I've got a bit of faith she might get up.'

It is lush feed that made the calf too big. Lois said that they know this now, too late. 'The cows should be put into a yard and just fed old grassy hay which has hardly any lucerne in it. That stops the calf growing too large. But the trouble is that affects the fertility of the cow shortly after the birth and they can't get pregnant again as easily. So you're damned if you do and damned if you don't.'

We left the cow and Lois added, 'But then you do have a live calf and if you're maybe a month or two late in getting them in calf again it doesn't matter that much. Now we've got no calf and if Exceptional lives it will be another year before we can get anything out of her. So that's two years we've had to wait. And she's a very good cow too; we don't want to lose her. Yet there's old Dolly up there, a calf yesterday and going well.' We passed this cow placidly eating the placenta to regain iron and at the other end, the calf drinking steadily.

'You name this calf, Kate, it has to start with Q,' Herb said. (The alphabet is used for stud names.) 'What

The battle fo



about Queneau?' I said. So now Lois has called me in to the computer screen to see the details of this calf and its name inserted into the pedigree.

'Lois is down tending a sick cow—can I take a message?' I say while people ring up asking for a booking with Herb who's an anaesthetist. This is a Santa Gertrudis stud bought five years ago. Herb drives to Brisbane to his practice. 'I find veterinary medicine very frustrating. It is based on economics. The first question the vet asked me yesterday was how valuable Exceptional is. I said she's very valuable and he said that if she wasn't and was just an old scrubber, we might as well knock her off now. But if we keep moving her from side to side and keep her off that leg as much as possible, and if she keeps eating and drinking, we might get her up. But after 48 hours we have to get her up in a sling.'

We go down to see the cow every three or four hours. It is the sheer size of a cow that is defeating. Lying defecating, dangerous even though the horns are filed, weak and pitiful in the valley while the icy wind blows above her. She is so heavy we can't dislodge her, try as we may, heaving together, rocking her red hairy side every few hours. Yet Exceptional has moved herself further down into the valley in the mud when we were not there. She is somewhat out of the wind now and the sun is warming her flank. Lois held a bucket of water and it was drunk, some lucerne hay was eaten. So we wait.

Later: Though not yet up, the cow is more alert and, warmed by the day, may be improving. But she

r Exceptional



is still lying on the paralysed leg and the damaged nerve. So the blood supply can't be helped by the dead weight. Lois, Colin and I are going to try again to turn her. The tractor is there nearby and the front grading blade had been used yesterday by Herb to turn the cow. But now with Herb at work, there is nobody here who can drive the tractor. Lois is taking down another syringe of penicillin to help avoid pneumonia.

'Success has crowned our efforts!' I said as we walked up the hill having turned the cow and trying to put a good light on the sad hard business. 'I think we're going to lose her,' Lois said, setting out cold roast venison from last night's dinner. 'We done good,' said Colin, consoling Lois as he walked out to the verandah and opened his metal lunch canteen and stood his silver thermos on the table. Rocking the cow from side to side, we had launched her over off the paralysed leg. Lois gave the injection. But the fact remains Exceptional can't move or stand.

A mood of anxiety has permeated the house. We ate a rocket and garlic salad with the meat and bread, drank tea and spoke of other things. Stardust we once were and stardust we shall become. This cow Exceptional may be dust soon.

The house, an old wooden Queenslander on stilts, looks out from a hillside over part of the Brisbane Valley. The view of blue dams reflecting the sky, low hills, cream and pale acid-green paddocks and trees stretch to the Deagula mountains. On both sides of the room the windows open out to great stretches of landscape and sky. It gives a tremendous feeling of

openness and freedom. At this table we take our meals. In the open kitchen beside it is where Lois mixes milk powder for the new calf she is rearing from her milking cow.

EXCEPTIONAL IS LYING beside the big rose bed in the front of the house eating hay. Herb, Lois and Colin are down there standing talking, handing her hay, bringing a bucket of water. From time to time Lois massages the paralysed leg.

17th July

This morning while Herb went to work the cow was brought up lashed to a tray on the tractor. We rolled her over out of the deeper mud into which she'd dragged herself in the night. Noel, a neighbour, used jump leads to start the tractor and brought it down into the gully beside the cow. They lashed the horns to the iron frame and tied her legs. Up the cow went. Lois walked ahead taking a lower front hoof so it did not snag or break on a rock or log.

Earlier, when I first saw the cow lying head on the ground, the white of her eye showing, it seemed quite hopeless. 'Oh, you're not going to give up on me, are you girl?' Lois said. I turned away thinking it was useless and even cruel to bring her up to the house. But no sooner was she untied and rolled on to her good side than her head lifted, she ate and drank, and though trembling, seemed better. Herb rang from his car and I shouted a happy report to him as he drove home. But the fact is the cow must go into a sling on a jib tomorrow unless she can stand alone. The vet said on the phone to give her this extra day. 'Just worked out, I've remembered we've got a rug for her,' says Herb, walking in from the verandah in his city clothes. 'The scrub sister this morning who comes from Chambers River said it was minus four degrees there when she drove in.' Record cold temperatures have been made all round the district. But the sun is out, the day seems mild. 'I've just hand fed those two young bulls by the fence there,' Lois says walking in, 'They'll be company for Exceptional. She likes having them there. They give up if they don't have company.'

We sat around this table at morning tea and ate lentil, barley and pork hock soup with bread from the oven. The scene was biblical, the workers, the bread, the soup, the land stretching away under the blue sky, cattle grazing on a hillside. 'The Battle Hymn of the Republic' was playing on the radio. 'A woman wrote this, didn't she Kate?' Lois said, turning to the men. We had just discovered that Julia Ward Howe was the author, from the frontispiece of John Updike's new

The Beauty of the Lilies which we were reading, sharing it.

In the beauty of the lilies Christ was born across the sea,
With glory in his bosom that transfigures you and me:
As he died to make men holy, let us die to make men free.

This black iron stove is a pleasure. Colin chops slim logs and it warms the room. It's a Furphy stove made by the firm in Victoria at Shepparton. 'Do you know the origin of the word "furphy"?' Herb asked when he first showed me the stove. 'I think it means a sort of white lie doesn't it?' 'Yes, well, it means a tall story. This company made water carriers that were used in the First World War for the Australian Light Horse Brigade in Egypt. The men used to gather round them and fill their pannikins and tell stories and that's where the word came from; "To tell a furphy".'

Colin shot a dingo. When he was having smoko this morning I asked if he'd read the newspapers I'd bought for him. 'No, we had visitors yesterday. Gawd Kate, I don't have time to read them papers. I shot a dingo. A black one. He was on the hill and we shot him from about 200 yards. He was a big black one.' I said that perhaps it was the dingo Lois saw when she went out with a torch yesterday morning at four because the geese were calling. She saw two eyes gleaming and thought it was a fox. It was partly because of fear of foxes and dingoes that Exceptional was brought up near the house. That, and to be nursed.

While Lois boiled the dogs' food before she left with Herb to see *Lucia Di Lammermoor*, I asked her to tell me what she thought was important in her life. 'Good friends and family,' she said, stirring the mince. 'I like to relate to people and animals. You see that's why I don't farm crops. You can raise animals or seed. I rear animals. Interaction, that's what I like.' Then as she pulled a casserole from the oven I persisted, 'Is there anything more than that?' 'Well, I'd like to think I could call on people when I was old and that they would call on me. I wouldn't like to be in a nursing home. The ideal would be to be like Colin's father at 90, still in his house. If anything goes on here, Colin says, "I'll ask Dad about that." It'd be nice to be able to give advice. Herb says that in years to come people will say, "There's that old woman up on the hill. Her husband's been dead for years and she's still there talking to her animals." I think things happen to you because you're in that place at that time. It's divine intervention because God wants something for you. I think God's been good to me. I could've been a great sinner. But I've never been in that position.'

'Well,' I said, 'I think you possibly have been tempted, you must have been surely, it's just that you didn't choose.'

'No, I see girls now who can have one-night stands and all that sort of thing, it's almost expected of them, I was lucky to escape all that pressure. It's like my Aunt Ethel said, who I told you about. She told me because I'd helped her move house when she was

dying of cancer that I'd meet somebody very intelligent and special and I'd never want for anything. And that was Herb. I met him soon after that.'

With that she drew out the last dish of meat, closed the oven door, waved the gathering flies away and said, 'Now does that satisfy you? I've got to shower now, Herb will be home soon and we must get going.'

Colin said as I stepped on to the verandah as he brought in a pile of logs, 'Do you like snakes?' 'Yes, where is it?' 'I buried him. Killed him down there by the K-wire fence by a little sheet of tin. And when I dragged that sugar bag past it reared its head out. Then when I stopped, it ducked back under. So I whacked down with the grubber on top of the iron and took the iron off and then killed him proper. And buried him in the underground wash.'

'Why kill it? Aren't they protected?' 'Blow protection. One killed a calf here once. I killed him too. Yes, we don't like them,' said Lois standing to see from the balcony where the tin lay.

Birth and death lie all around us. I think of life as a short period between the darkness of caves and then ecstasy. We came from a cave; that cave was our mother. Then for a while we dance in the light. Then death's cave. To dance in the light. It may sound odd but I think it's a responsibility to be happy if we can.

EXCEPTIONAL IS STANDING. But it is with the help of a pair of iron callipers clamped around the wings of her iliac. The tractor hums, holding the hook up in the air from which she slings pathetically. Lois and Herb are down with her watching. This heroic effort of erecting the cow is done four or five times a day for half an hour or more each time. Exceptional is gently released and sinks down into a bed of hay. Lois, Colin and Herb roll her over, prop her with bales and leave her to rest.

'Do you think if we had got her up on her feet earlier it would have made any difference?' I asked Herb. 'Yes, possibly. If it ever happens again, and please God that it won't, I'd get it up on the first day.'

The vet in his khaki overalls, with his bag and assistant, came late yesterday afternoon. By this time Exceptional's tail was flaccid as it had not been before, and movement had also been lost in the other hind leg. With the deft efficiency of the undaunted, he hauled out the clamps, folded two jute bags, padded the clamps with the bags and screwed them into the cow's hips. The tractor was driven close, the hook the vet had brought linked on and slowly the cow rose up. The hind legs bucked over. Putting his boot to the knuckle the vet Bob rubbed it back, straightening it saying, 'While you're having a smoke, any time you're here, just keep doing this, they'll straighten up.'

'What do you think her chances are?' Herb asked. 'Er,' he said looking over at the cow swinging like a wet flag, 'About 30 per cent.'

To watch Lois slave to save this animal is something. She rubs the head, offers a handful of hay, a bucket of pellets or water and turns to me saying, 'You couldn't do this at first. This breed are aggressive after they've calved. That's why no Santa Gertrudis calf's weight is in the records books. No-one can get near to weigh them. See, she likes to be scratched. You can see them rubbing up against posts, they itch.'

I make bread, soup and a lime syrup cake, anything that might give a bit of comfort. Euthanasia is a big topic now with legislation passed for it in the Northern Territory. Herb is opposed. 'It's our job to save life. There's a doctor here who performs hundreds of abortions a week. I see the cars lined up outside his surgery when I drive in. That's murder. But he has his view of it, and to him it's not. It's not for me to judge him. I just have to use what talents I have to save life.'

'Here are three articles in the *MJA*, one in favour of euthanasia, one opposed and the other, the official line more or less fence-sitting. It's just arrived, take a look if you like.'

Brilliant sunny days, the kettle whistles like the wind. The sun shines, the dams gleam, dark trees on the hillsides shine, the cattle nuzzle each other, lie curled together out of the wind, chew the cud and thrive. Exceptional hangs in her swing in the wind and every hour increases the odds against survival.

The man and the woman work on Exceptional from daylight to dusk. When Herb leaves it is dark and when he comes back it is noon. They are tender to this cow. What we don't say is what we are thinking. We talk at meal times about their time training in Wales near Cyncoed after which they named this farm. The music they heard in Wales, the concerts, the choirs. They play records. It will take more now I think than 'The Battle Hymn of the Republic' to brace our fading hope.

The young bulls come up to the fence and watch Exceptional hanging from the hook. People keep saying this company is good for the cow. Like us they are more likely to give up when isolated from their kind.

It is usual I suppose to ask what one's life is worth. What's the purpose? Is any effort worth it? Before Socrates drank the hemlock, he was learning a melody on the flute. He was asked. 'What use will that be to you?' He replied, 'At least I will learn this melody before I die.'

I asked a lover what he wanted most from life. He was a professor of English and might have had time, I imagined, to think this through. 'Point,' he replied.

'What?'

'Point. I'd like to be able to see some point in my life and I can't.' It put our affair in its place so I held my tongue and mulled it over, chastened and shocked.

I remember the women volunteers caring for the koalas burnt in bushfires. Caring for something, some creature or somebody, can give point. Devotion lets

the self slip away, gives a moment's peace from the frantic ego crying down there in the well. It is better to take water from the well than to drip down honey's polluting flattery.

The man I met at dusk on the banks of the Nile in Uganda, when I asked him later at dinner why he'd come out of retirement to work with refugees in the Sudan said, 'I wanted to empty myself. That is what I wanted. To be empty. This seemed as if it might help.' It half killed him I think. At 67, a retired Jesuit, working in camps of horror, disease, bad food, no trees. He had malaria and about a dozen other things I suppose. A man inspired. He wouldn't wear a hat or take my sunblock: the people had no such things and so neither would he. Jack Morris, I must write to you. Are you empty yet? Are we only empty at death?

The Matron of Mt Olivett, a hospice in Brisbane, said she thinks it is important for people to be given the chance to reach a certain development, a stage of growth and peace, before they die. Growth of the spirit, that's what I'd like. To abandon rancour, childishness, the selfishness.

I see people with moral intelligence and that may give them point. Sometimes I think it's just an accrual of close attention hour after hour. What you do every hour that gives point in the end. To pay attention, that is the great thing.

WELL, WE'VE DECIDED it's no use, Kate,' Herb said as he walked into the kitchen. 'We've decided to put her down.' Lois and he had been out pulling Exceptional up on to her legs again while I watched from the balcony. Both back legs had seemed to move a little so it gave a glimmer of hope. How slowly hope is willing to die. 'She's got a spinal injury. It's not going to get any better.'

21st July

Because Lois and I must go to the city today, Exceptional will be shot and buried while we are gone. Lois nodded as she walked in, then silently went to dress.

Later. We came in and passed a mound of fresh earth in the side paddock. Colin and Lois are spreading newspaper and straw, on which the cow lay, around the new rose bed for mulch. As she came up the steps Lois handed me the first of her 27 yellow Freesia roses to bloom. She had been putting the geese into the shed for the night. 'The first rose. It's for you for helping me through this day.' We smelt it in turn; lemon, lime a whiff of old face powder on a grandmother's dressing table and on her cheek bent down at the doorstep to greet a child. Then like a whiff of brandy on her breath comes the melancholy thought that the cow is dead. Yet there was no kindness that cow lacked. It wasn't for money, although at first that came into it. It was because these people are kind. It is a melody that runs through their lives. ■

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Open House

for Tony Coady

Please walk only on the overlay
between the cord barriers. Five dollars
for all the hands-off history you can mooch past,
colonial timbers waxed into submission,
long faces framed in gilt, the guns and samplers.
This is not any world I intended to come to.

We used to have a magnificent plan
for slipping a raspberry cushion
into the seat of the mighty.
How do these stone-hard mansions still persist
where my sort of name came only
to clean the toilets or carry the piano?
Title has passed from under long noses
into deep pockets; new bums
disdain or polish the historic chairs,
rows of the World's Great Books turn foxy, unread.

Now when the help gather
to chat off the sweat or unify their claims
I stand offside, framed
in their cheerful or contemptuous chiac,
stranded without a football team, hearing
my once-was-pommy voice
talking about the wrong TV shows
in the wrong words. My in-clan smile
tilts to a small tic of fear: they'll label me
'more brains than sense', even suspect
I'm here to sneak reports
for those immovable men with quickfinger minds
who survey from their pillared balconies
this wet gathering of losers.

I cannot speak
from the name of those who hear me foreign,
who imagine me in some synthetic boss-skin
my body can't recall wriggling into.
I should at least swear against that skin
but when did I ever beat out
in true black lines
on thin paper
the full bastard?

Behind the windows, checking the database, signing
contracts to rationalise an industry
the boss doesn't hear my rustle and squeak
in the hush of redundant machines.

*

Polite white gloves
show us the exit.
I stare back from the roadway, drawn aside
but bystanders are not necessarily innocent.
I need new plans:
for slipping a crown of thorns into the seat of the mighty
(then let's see them turn the other cheek).

*

Beside a late drink I punch your table:
this is not the world we intended to live in.
You are better than I at folding your arms and breathing,
at patiently asking again the Socratic questions
that don't come as T-shirts or ads.
Perhaps the shatter
of significant bones in your long
fall to hard ground set you that shape. My falls
are short, absurd. Tangling bruised on public land,
knocked from breath and composure
under the gossip gaze of cheap apartments,
or glimpsing through opulent windows
such highly amused eyebrows,
I am barrowed away by practical neighbours
and abandoned on my own doorstep.

I am just going outside, I may be some time.
When my freeze-dried foot has learnt to kick some shit
out of this stubborn constipated world
maybe I'll come back sober.

Aileen Kelly

An Die Musik

So repetition has its lovely place
Being the engine-room of harmony:
These ringing notes are all we know of grace.

Sound wings away and doesn't leave a trace,
The air vibrating with fragility,
But repetition has its lovely place.

Mere lives are dwindling at a carnal pace.
Given that gods are what we cannot see,
These ringing notes are all we know of grace.

The planet slowly chills in pitchblack space;
You can't get back to the lawns of infancy
But repetition has its lovely place.

Time works at etching wrinkles on a face:
There's always pathos to our comedy.
These ringing notes are all we know of grace.

Listen: a texture delicate as lace
Repeats the long-gone master's melody.
These rising notes are all we know of grace
But repetition has its lovely place.

Chris Wallace-Crabbe

Simple

It used to be simple, large
self-supporting God with worldfinger on
all the pulses, lifting dozey new Adam
out of the clay under the surprised light. Then
proposition and inquisition untuned
the pulses, squirted back the mud,
crosseyed the saints, racked
sweet fanatic poets between lambchrist
and tigerchrist, candle and stake.

Accounts are rearranged,
the winners win. St Paul's is sideswiped
by the parade of tallest and tech-best towers.
A few church mice unaccountably strong of stomach
come with soup and patience to the dark arcades
where losers piss themselves
off the edge of memory.

This morning the fingerless mist lay
over asphalt and brick, over grass and gravel
spreading yourself thin but everywhere here.
Fetching the paper I thought I heard you sigh
or laugh in the mintbush by my gate
and who was it flipped the petals, hiding under a single
petal, little god? But when I turned a wet leaf
there was only a websoft texture,
an intimate scent
that troubled my fingers till someone ground the coffee.

Aileen Kelly

Still moving: variations on a theme

A TEACHER OF metaphysics I once had earned affectionate notoriety by saying, on occasion, 'Let us take, as an example, some being or other.' He was a metaphysician indeed. He was also nobody's fool, and knew that it was the strain of reality at large, rather than the press of the particular, that mattered for his project.

Such a bent might seem altogether at odds with poetry's venture, except when the poet is, like Lucretius or Pope or Wallace Stevens, a courtier of generalisation. And yet I doubt this. A poet may be intent upon singularity—as intent, say, as Hopkins—and still find, in reflection upon his poem, that perpetual things reassert themselves, as though for a first time. Robert Graves begins his 'To Juan at the Winter Solstice' with the words, 'There is one story, and one story only', and whatever one may think of the myths to which he then plays redactor, the poem itself is both intimately indebted to them and as individual as could be wished. Richard Wilbur, Seamus Heaney or Amy Clampitt can write with vivacity and precision of nature's shifting show, and each is impossible to mistake for either of the others, but the archaic ensemble of the elements as earth, air, fire, and water continues to figure itself in much of what they write. If Memory is the mother of the Muses, what she often remembers are primordial questionings, primordial framings.

Among those, perhaps the oldest is the contrast between what might be called the Still One and the Moving Many. Philosophically, the first of these is sponsored by Parmenides and the second by Democritus: and however recondite their speculations may seem to us, the contest they represent can be identified in countless areas of human enquiry and formulation. Their shades seem to brood still over modern physics, for example: and certainly any serious reflection on nature's ways, or on tradition as a vital force, or on the modalities of politics, or on psychology as a humanistic discipline, would be impossible without an implicit tribute to their terms of reference.

Poetry's own tributes are usually implicit, and when, as now, I want to think a little about what I call 'Still Moving' in poetry, it is with an eye not so much to a theme's being explored explicitly as to a preoccupation's being given imaginative play.

The theme has in fact had a good deal of expository attention, sometimes with great success, as for instance in the work of T.S. Eliot, of Howard Nemerov, and of Charles Tomlinson; but I want here to see what happens in poems by three other poets, who go about things in rather different ways. The first of these is P.J. Kavanagh, and the poem in question is called 'Autumn'.

Why not a Sir Gawain alone on his steed in the Wirral,
He thinks, as some Quester inside him receives an armorial
Check-list of messages laid out before him by weather,
Why not a Sir Gawain alone with his steed in the Wirral?
For his flesh is the horse he is riding, or rather
His soul goes clanking beside it, where eyelevel
Pennants of trailings of spider-threads, gossamer,
Stream horizontal from fence-wires on unmoving air,
Catching afternoon light intermittently. Glad to be here.
Like everyone, long ago dropped into Mission Impossible,
Never defined, forgets what his Quest is and wonders
If ever he knew. So, for now, is observing the off-and-on
Morse-light from fence-threads he thinks he nearly deciphers,
Knows the full force of, but never quite reads his emotion.
Feels his flesh-weakness. Around him are blazons of autumn,
Bronze arbours, thread bannerets floating and, raucous above him,
Sun-gilded on azure, cold rooks indignantly circle
As though they were mobbing an owl, or for nothing at all.
Horseman and horse stand at gaze looking upward, the quarrel
Floats further away. He knows he is going somewhere and will die.
Now, into fresh silence comes singing—too yellow for Wirral,
An impossible pairing of brilliancies sing as they fly.
So sweetly they sing in their quarterings—'Oriole?'
Frowningly doubting a sky of improbable chances,
Feeling a pang of belief. The type of aloneness,
Chivalric and flesh-frail, a soul in a vale of connections,
In and out of its flesh-steed, and baffled by imperfections,
Lonely of course. He talks, as he walks, to his horse.

(P.J. Kavanagh, 'Autumn', *Collected Poems*, Manchester: Carcanet, 1992, p197.)

Kavanagh, himself of Irish stock but English by birth and lodgement, writes at one point in his book *Voices in Ireland: A Traveller's Literary Companion*:

There is now a 'Yeats Trail' in Sligo, with signs bearing a quill in an inkwell, which from a distance looks like steam coming off a cup of tea, or froth from a pint of stout. The Trail was foreseen fifty years ago by Yeats's sister Lily, who wrote that at Innisfree there would be signs: 'The beans must not be eaten. They are the property of the Land Commission.'

(P.J. Kavanagh, *Voices in Ireland: A Traveller's Literary Companion*, London: John Murray, 1994, p257.)

This is characteristic Kavanagh in its blend of attention to the past, wryness at what has been made of that past, and residual good temper about normal human behaviour. And, like the whole book in fact, it entertains the presence of the companionable dead while itself going the rounds of a situation. 'Autumn' is of a piece with all that. Kavanagh might be said to be a writer, a poet, of 'hanging fire', of moments and situations waiting to discharge their often striking energies. Another poem, 'Eight', from his book *About Time*, begins 'Car, arrived in shed, disturbs the wren./ A life of movement. And a life of silence./ Wren gone, the car cools, ticks. The shed drips.' The 17 stanzas which follow expand to encompass living and dead, a 'winging-in of ghosts', and end with 'Distant silences/ Still sonorous with new arrivings.' The practice of that poem is like the one commended in art, music and writing by Joseph Joubert who, as David Kinloch reports,

... paints a night sky in which the independence of his stars is never compromised by their proximity to one another and where this proximity may be translated as the distance or *espace* necessary for them to shine upon and illuminate each other ...

(David P. Kinloch, *The Thought and Art of Joseph Joubert (1754-1824)*, Oxford: Clarendon Press, 1992, p102.)

Another way to put this is to say that dramatic suspension is essential to Kavanagh's poetry, that caught gesture is both his captured and his captivating thing: though of course it would have little enough authority if it did not adumbrate either a movement from

which it has issued, or a movement into which it is to be resolved, or both.

Consider 'Autumn'. The figure of a questing knight is innately 'tensed', in that on the one hand it stands for action and on the other it has the stillness of the ancient, the virtually archaic. Then, Kavanagh has chosen with precision when he presents Gawain rather than, say, Galahad or Lancelot, to be thought through, in that in the traditional English reading of Gawain, he is no man for the finished event, and is only precariously in possession of his quest. Malory, in the *Morte D'Arthur*, has his Gawaine encounter



a hermit whom he asks why his questing has not come to much. He is told that the problem is his sinfulness, and:

... Sir, said Gawaine, it seemeth me by your words that for our sins it will not avail us to travel in this quest. Truly, said the good man, there be an hundred such as ye be that never shall prevail, but to have shame. And when they had heard these voices they commended him unto God.

Then the good man called Gawaine, and said: It is long time passed sith that ye were made knight, and never sithen thou servedst thy Maker, and now thou art so old a tree that in thee is neither life nor fruit; wherefore be-think thee that thou yield to Our Lord the bare rind, sith the fiend hath the leaves and the fruit. Sir, said Gawaine, an I had leisure I would speak with you, but my fellow here, Sir Ector, is gone, and abideth me yonder beneath the hill. Well, said the good man, thou were better to be counselled ...

(Sir Thomas Malory, *Le Morte D'Arthur*, Bk XVI, Ch.6.)

This is autumnal talk, all right, stark in its appraisal, and looking both to the exigent order of things and to decision in their regard. Kavanagh's Gawain is not offered so directly ethical or spiritual a confrontation, but as he is gathered into the traditional confrontation between flesh and spirit, body and soul, he is certainly at odds with himself—'never quite reads his emotion', 'feels his flesh-weakness', is 'chivalric and flesh-frail'. Worse, in a way, he is or has 'a soul in a vale of connections./ In and out of its flesh-steed', just as, earlier, 'his flesh is the horse he is riding, or rather/ His soul

goes clanking beside it'. The problem is as much ontological as ethical—not only what to do and how to do it, but what to be and how to be it. I assume that Kavanagh expects us to hear an echo of Keats' proposition that the world is a 'vale of soul-making', the Keats for whom aesthetic alertness had an existential intensity; Kavanagh does not look like Keats' disciple, or anyone else's: but nor does he look like someone on whom sharply focused experience is lost.

One is reminded of just how variously the motif of man-with-horse has been deployed in the human imagination. Sometimes the beast is 'steed', a kind of grand servant; sometimes, as with Centaurs, a potent curiosity; sometimes, and drastically, as with the Houyhnhnms, both eerie and ominous. Drudge or soul-mate, hack or judge—the figurings come at least in part from our changing readings of our identity in the world. Traditionally, as it happens, the name of this knight's horse is 'Gringaleit', which

being interpreted means 'Runt'. Kavanagh does not mention this, but then perhaps he does not need to.

'The soul doubtless is immortal—where a soul can be discerned'—so Browning's warily festal Venetians. 'Autumn' is in part about discernment, an enterprise which has as much of a stake in constancies as in human shifts. It tallies both of these, so that we have, under the rubric of 'stabilities', the armorial checklist, the Wirral itself, the unmoving air, the blazons, the bronze, the azure, the circling for nothing at all, the being at gaze, and so on: and under that of 'mobilities', the weather, the

be 'the type of aloneness' near the poem's end. We do, even the most confident of us, model ourselves along the lines of the already known: we typify ourselves, and unless we did so we would be even less comprehensible to ourselves than we are. The generic is our friend, our mentor in recognition. At the same time, even those writers most theoretically sceptical about selfhood go on hankering after the distinctive, the unprecedented, the uncovenanted, in what they say. The gambit adopted may be to write as plainly as plain can be, but that too becomes insignia—a Hemingway's style is not a given of nature—and so does any



Quester, the-riding and clanking, the off-and-on Morse lights, the attempted reading of emotion, and the emotion itself. 'He knows he is going somewhere and will die' is masterly understatement of a standard human predicament, with the 'going somewhere' hovering between assurance and perplexity, the 'and will die' pointing at once to fact, menace, and attenuated hope. Kavanagh has a short poem, 'Pilgrims', which goes in its entirety, 'We pray to a picture. A candle lit,/ Before the Madonna del Parto by Piero,/ To give you an easy birth and healthy baby./ I believe in it, as I believe the green/ Grapes outside will grow unless it hails.' (Kavanagh, *Collected Poems*, p164). Much virtue in 'unless', here, and in all the nuances of provisionality which attempt to meet the complexities of our condition.

'Autumn' begins, not with perfect fusion between the figure called 'He' and Sir Gawain, but with 'a Sir Gawain', and the detail, repeated, is important, as will

deviation from 'plainness'. In 'Autumn', whose very title signals both cadence and recurrence, there are all those indices of the stilled, as though the whole of nature were a blazon on a cosmic shield: and all the others of an almost-Socratic interrogation, concluding, in comic poignancy, with the knight's talking to his off-duty horse. Auden, in an essay on tone in poetry, quotes a passage from E.A. Robinson's 'Ben Jonson Entertains a Man from Stratford', where Jonson muses on the desirability of Shakespeare's having a dog—'To counsel him about his disillusion,/ Old aches, and parturitions of what's coming,—/A dog of orders, an emeritus,/ To wag his tail at him when he comes home,/ And then to put his paws up on his knees/ And say, "For God's sake, what's it all about?"' Gawain's horse is, so to speak, out of the same stable as Shakespeare's dog, and each is an apt, disparate companion for someone who will not simply 'fit in'.

Many kinds of birds do not 'sing as they fly', and the paired, flamboyant orioles' behaviour contrasts touchingly with the lonely figure's talking as he walks. And in fact the whole poem, for all its air of partial fragmentation—the four-line 'sentences', the elided subjects—is a tessellation of comparisons and contrasts. Of the poem's 28 lines, ten conclude with words which chime with 'Wirral', seven chime with 'weather', and there is an array of other suspended or slanting echoes all through 'Autumn'. Sometimes these are wry—as when 'connections' rhymes with 'imperfections'—and sometimes striking in their poise—as in the last line, which is a kind of poem in its own right, and could have stood alone under the title. All of this designing fortifies, in some degree, one's intuitive sense of pattern, whether in nature or in human beings who are at least partially *en rapport* with that nature: but none of it annuls the force of 'Never defined, forgets what his Quest is and wonders/ If ever he knew', whose own lyric touches solace a pain they cannot entirely abate.

WRITING ON PASTORAL in the Renaissance, Sukanta Chaudhuri remarks, 'From the martial to the pastoral, and thence to the transcendent and spiritual: this is a well-established cycle, and *Don Quixote* may be seen, unexpectedly, to conform to it.' (Sukanta Chaudhuri, *Renaissance Pastoral and its English Development*, Oxford: Clarendon Press, 1989, p271.) This suggests an imaginative array in which 'Autumn' could find its place, though never without the ironies which so constantly attend Cervantes' mock-epic of enchantment and disenchantment. And thinking of 'Autumn' in such a context, I am reminded of seeing, 20 years ago, in a convent-turned-museum in Toledo, the gonfalon flown by Don John of Austria at the battle of Lepanto. Suspended for the eye of tourists, it showed a figure of the crucified Christ, pierced afresh by cannon-shot. Kavanagh writes like someone for whom none of this would be any surprise at all.

If Kavanagh's Gawain and horse, body and soul, are in some sense at a stand, I think it will be clear that that is far from the last word about them. If they have come down in the world, they are still making a go of it. But Deborah Randall's

'Hare' has not come down in the world—quite the contrary. This is how she presents it:

'The Hare'

The hare might almost be a concept
but is beyond thought,
quick as a cream-tailed comet,
mute as the colour brown.

The hare strips lychetts,
is blunt and gangling in play
but with a flick and a twist
leads the hounds of hell astray
over cliffs.

Pendulum-bellied cows munch ear-of-hare,
they tread hare in but hare is spring
and surfaces again further up the field.
The hare paddles the field, against
the grain of the grass.

The hare's ears swivel in weather-vanes,
register thunder, echo-sound shoals of wind,
an armada gathering in the channel.
The hare's nose tastes the many strains of
air.

The hare's fur is hyperactive
and untouched in a lifetime,
soft and mysterious as moleskin,
fast as fluid.

The hare's eyes are subterranean,
earth made them,
the grass laps their glassy balls
and drowns them.

The hare is a blood-song,
a song in the blood, a shivering
up and down the spine, from a time before
words outsped their meaning.

{Deborah Randall, 'The Hare', in Linda Frame (ed.) *Sixty Women Poets*, Newcastle upon Tyne: Bloodaxe Books, 1993, p228.}

Often, in poetry, the hare has been at best a figure of pathos, as at the hands of Cowper, or of timidity, as when Shakespeare allows one to beard a dead lion. Countless exercises in the genre of the still life reinforce these intuitions. Wordsworth, by contrast, has the hare body-out elation, when, in 'Resolution and Independence', he writes that 'on the moors/ The hare is running races in her mirth'. Randall's poem goes a step further, so that the hare is apprehended as both elemental and elusive.

But what hare? Looking at a shrike by Ted Hughes or a whale by W.S. Merwin, one realises that things are moving according to a quite precise keying or pitching of consciousness, which itself yields a distinctive reading of how reality shapes up—not simply how the shrike or the whale is, but how the cosmic ensemble, so met, is. There is an inrush of data, but at exactly the same rate there is a construal of these, and the construal speaks of a marrying of mind with all that is not mind—a marrying susceptible to many of a literal marriage's perils, but still enacted and displayed. Emblematically, this is registered in the hare drawn by Dürer in 1502, where, as Colin Eisler points out, 'If you look closely into the hare's gleaming eye, there is a revealing reflection. Not painted in Nuremberg's sandy stretches, it posed on a table in Dürer's house, as indicated by a studio window's crossbars mirrored in the animal's pupil.' (Colin Eisler, *Dürer's Animals*, Washington DC: Smithsonian Institution Press, 1991, p110.) First catch your hare: but do not expect it, thus caught, to come naked: it will be clad in the world, and a singled-out human world at that.

This whole poem is framed—the right word—between 'The hare might almost be a concept' and '... from a time before/ words outsped their meaning'. In between, Randall writes as though under the baton of Joubert, who says at one point,

A good mind, in order to enjoy itself and allow itself to enjoy others, always keeps itself larger than its own thoughts. And in order to do this, these thoughts must be given a pliant form, must be easily folded and unfolded, so that they are capable, finally, of maintaining a natural flexibility. (Joseph Joubert, 'The Notebooks of Joseph Joubert', in Paul Auster, *TransLations*, New York: Marsilio Publishers, EW Books, 1997, p136.)

... and at another commends seeking 'that style which makes one perceive or discover more meanings than it explains.' (Joubert, 160). The *métier* of the poem's bulk is change, whether in the abruption of the hare's raking bark off the box-thorn, or in the fusing of plant with flesh with season, or in a modulation from field as literal region, through a 'fielding' of obstacle, to those shifting fields of attention, thunder, wind, and the armada

which has itself been 'fielded' as maritime army. That 'The hare's nose tastes the many *strains* of air' is, in the circumstances, both as delicate and as exacting an achievement as could be wished.

A zoologist, if the name of the creature were left out of the poem, would still know it for that Lagomorph which is born with eyes open, is well-furred at birth, is on the move shortly thereafter, can handle 45 miles an hour, jinks in running, lies low in its form much of the time, is nocturnal, and is solitary by preference. Randall's hare is true to type, is stabilised for attention. But it—and genderless it is—can also be said to emulate the mind which has delivered it, changing gambits, revising postures, turning mercurial. Coleridge found nature, 'natura naturans', nature re-selving itself, able to 'make a toy of thought', and Randall's conceiving of the hare as at once 'beyond thought' and 'quick as a cream-tailed comet,/ mute as the colour brown' is something in the same vein. A signal quality of her small beast is its twinning of the palpable and the fugitive—'fast as fluid' is as good a way as I know of naming our being still in time. The poem's strategies do indeed honour 'that style which makes one perceive or discover more meanings than it explains'.

AS SUCH, 'The Hare', like much poetry, could be called the speech of the reticent. 'Mute as the colour brown' is not the conceding of an inadequacy but the characterising of a quality. Asked about speech being drawn out of silence, Seamus Heaney once replied (with Ulster in mind but the world in mind too):

It was highly in place in our minds and in our dumb beings that the unspoken was the trustworthy, and the completely trustworthy exchange was the intuitive one, and the making explicit of the intuitive somehow vitiated it. I think poets especially feel some sympathy with that, because in some sense their project resides in that unspoken nub of intuition and potential.

{Seamus Heaney, in Clive Wilmer, *Poets Talking*, Manchester: Carcanet, 1994, p78.}

It is certainly possible to 'feel some sympathy' with the prizing of the unsaid, even when words are being offered

fluently. In the affair of poetry, eloquence can be interleaved with silences of many kinds—as of horror, of ecstasy, of bemusement, of animus, of meditation. Joubert's notion that 'there are truths that cannot be apprehended in conversation' (Joubert, p38) has one of its applications here: the conversable, the negotiable, is all very fine, and has had splendid handling by widely differing poets, but it is hardly the whole story about poetry, even when the maestros of the utterable are at their work. Pope himself delivers his great strokes as often by understatement as by pyrotechnic display, Milton by enigmatic waning, Shakespeare by question. Randall's anatomising of her *Lepus europaeus* is superficially like that in a zoological reference book, and is fascinated by the material—the hare's pelage, for instance, is indeed a curiosity—but she is also after whatever it is that eludes description in terms of the material.

Perhaps the analogy is with some being from North American Indian mythology, especially Coyote. The ultimately supple being, nicknamed in the Karuk language 'he who lurks in the grassy places', cornered and killed but always rising again, bringer of fire to humankind, Coyote is the hero of an Indian saying that 'a feather fell from the sky ... the eagle saw it, the deer heard it, the bear smelled it, the coyote did all three'. Barre Toelken says that, for the Navajo,

There is no possible distinction between Ma'i, the *animal* we recognise as a coyote in the fields, and Ma'i, the *personification* of Coyote power in all coyotes, and Ma'i, the *character* (trickster, creator, and buffoon) in legends and tales, and Ma'i, the symbolic character of *disorder* in the myths. Ma'i is not a composite but a complex; a Navajo would see no reason to distinguish separate aspects. (quoted in William Bright, *A Coyote Reader*, Berkeley & Los Angeles: University of California Press, 1993, pp20–21.)

Randall's 'Hare' sounds to me like Coyote gone transatlantic, versatility perpetuated.

KAVANAGH'S HORSE and Randall's hare make it easier to apprehend some new things about the human, though far from easy to comprehend those things. One contemporary poet who has long

practised this refraction and reflection is Peter Porter. His poem, 'The Lion of Antonello Da Messina' is an exemplary case.

My lion tells me
that the word can kill and will do so
without warning. Together we have
house-trained terror till it's fit
to undertake a miracle for Science.
The underworld of things is Paradise,
the sun in stained-glass portholes made
to adore the laws of its dismantling
and all the books which must be studied
if Creation is to stay on course—
witness then the sheer assemblage
of this quiet; has any other sainted cell
so radiant a cross-section?
Without my lion nothing would connect,
he is the way imagination went
while God was still explaining it.
Antonello can't domesticate
my cauldron of a mind and so
he tidies everything and has the lion state
Jerome is king of thinking beasts.
But to get the entire world into
so small a painting is more than skill,
it adds up to theology.
Of all the lions I've had, this beast
of Antonello is the most complete;
he lays his muzzle in my lap
as if he knows it is a fearful thing
to fall into the hands of the living god.

(Peter Porter, 'The Lion of Antonello Da Messina', *Dragons In Their Pleasant Palaces*, Oxford: Oxford University Press, 1997, p41.)

Antonello's painting of St Jerome in his study, to be seen in the National Gallery in London, is indeed a coup of the imagination. In size only 46cm by 36.5cm, it contrives, by a number of convergent devices, to imply a world of doings beyond the room's apparent scope, while bearing firmly upon the scholar at gaze before his book. It makes provision for the luminous and the shadowy, for definition and insinuation. Peacock and partridge, cat and carnations, bookcase and wash-basin—these are so many foci for the wondering mind, and the whole is housed with architectural ingenuity and subtlety. Through windows, man and nature can be seen going about their business: in the study, light puts a spell of stillness over everything, including the saint.

Everything, that is, except the lion, who waits to one side in shadow and,

uniquely among living things in the scene, gazes outwards towards the viewer. Each detail in this painting has been worked over by commentators, often contentiously. Why the cat, the bowl, the small potted tree, the soiled towel? Is Jerome, here, doing duty also as a portrayal of Nicholas of Cusa? And what, as many have asked, are we to make of the lion?

I have my own hunch about the last question, explored elsewhere. But whatever the answer, if the beast were expunged, it would be natural to feel, as Randall Jarrell used to say when seeing representations of the saint alone, 'bring back that lion!' In the very long train of paintings and drawings of Jerome, this his emblematic creature has been as variously rendered as his master—who might himself have been understudy to Proteus. Jerome as penitent, as scholar, as teacher, as writer, as cardinal, as prefigurer of Last Things, as exile—each has had his day, and his century. Artist after artist has tried for more emphatic distinctiveness. Colantonio's 'St Jerome in his Study' is a nimbused sage who has interrupted his work to take a thorn from his lion's paw: Filippino Lippi's Jerome is a stylishly modelled penitent with a patronal coat of arms discreetly on view in a corner of the painting: Lorenzo Veneziano's man, if divested of book, miniature church and cardinal's hat, would look for all the world like the Ayatollah Khomeini. And the lions are comparably various.

All this might have been made for Porter. He is, in the first place, a poet of transmutations—of rendering this as that, of tracing wave-movement in the mind's ocean, of landscape in flux and spellbound grief. Whatever the theoretical fortunes of mimesis these days, Porter's poetry is incessantly mimetic, insofar as energy itself is up for imitation. The disconcertment which some readers experience upon exposure to his work comes less, I think, from what they take, sometimes correctly, for esoterica, than from the leaps and plunges of Porter's associative mind: it is as if the many hundreds of poems are tantamount to an advanced course in metaphorical intelligence. Canetti wrote that 'A great many ideas want to remain comets'; Porter's ideas and images are more often than not comet-like, but 'remain' does not seem to be the right word.

Not the right word in part because, in the midst of remarkable intellectual fertility, Porter is an impresario of loss. The medieval philosophical dictum, made over from Aristotle, that 'the generation of one thing is the destruction of another', has a kind of aching cogency in his imagination. One of his first instincts in the face of the given is to see that it can be taken away, and probably will be. The predicament is handled, commonly, with a blend of unillusioned trenchancy and stoical finesse, but handled it is, pretty well unremittingly. Sometimes the titles of his poems serve notice of what is to come—'Phar Lap in the Melbourne Museum', 'Mort aux Chats', 'The Easiest Room in Hell', 'And No Help Came', 'Men Die, Women Go Mad'—but he does not depend much upon such signals; rather, the verse has all the time that trace of the tragic, being courted by the ineluctable.

The truly extraordinary thing is to see this combined with imaginative vitality, not by concession or exception, but as if that were the norm in such things. Every church or theatre in which Porter contemplates complexity, every field or bay, seems indeed to be part of the great Globe itself, an instant before evanescence: but at that terminal moment insight is profuse, association emphatic, and imaginative mobility heightened. There is a Moroccan proverb to the effect that 'truth is a lion', and there is something leonine about Porter's handling of the things he sees. Shakespeare, in the second part of *Henry VI*, calls Salisbury 'That winter lion, who in rage forgets,/ Aged contusions and all brush of time', and Porter, long before his own particular brush of time, had the look of a winter lion. I am not trying to collapse the poet upon the poem, or the other way around, if only because the relationship between the two is stranger than critical dicta, old or new, commonly suggest. But the mind that welcomes is also the mind that forges, and what animates (in particular) one work of art may, in hospitable though stringent hands, come to animate another.

This notion is all the more warrantable when one looks to the habitat of the lion in question. John Hollander, in his 'Of of: The Poetics of a Preposition', remarks that 'for the poet, whose relation to his or her native language is always one of wonder born both of the deepest

familiarity and the most puzzling sort of estrangement, the fruitful ambiguities of the *X of Y* construction are a matter of intimate knowledge', and that 'For the poet's sense of language, words are not merely things, utensils, but beings, and those that relate are no less full of matter than those that designate.' (John Hollander, *The Work of Poetry*, New York: Cornell University Press, 1997, pp98, 100.) This is all native territory to Porter, of whom it might be said that he offers, in the face of language's cadences, that combination of bewitchment and illumination which he brings to the hearing of music, but that he finds this, in the one case as in the other, a new incitement.



So what of the title's 'of' here? The painting's lion is of Antonello's contriving: is the lion of his reading or interpretation: is in some sense his possession: is the lion we have had 'of' Antonello. So far, so good: but Porter is not one to leave the creature so, especially since he constantly finds the worlds of art, of nature, and of history permeable to one another. Perhaps the crucial lines in his poem are, 'Antonello can't domesticate/ my cauldron of a mind and so/ he tidies everything and has the lion state/ Jerome is king of thinking beasts.' Nobody could in fact 'domesticate' the cauldron-like mind of the historical Jerome, who is the most famously bad-tempered saint in the canon, and who is also remembered as the prototypical Christian translator of the Bible—translation being a combination of steeping, seething, blending, and transmutation. Having his customary fine time as verbal assassin, Jerome called one of his targets, 'a strange beast like that of which the poet tells us: "In front a lion, behind a dragon, in the middle a very goat,"' thus taking Lucretius' sketch

of the Chimaera as cue for the dissolution of a man into a monster (Eusebius Hieronymus, *Select Letters of St. Jerome*, trans. F.A. Wright, London: Heinemann, 1933, Letter 125, pp431–33.)

Such behaviour is itself 'monstrous', and whoever would frame such a figure can at best tidy things up somewhat, playing upon the possibilities of the leonine, which has after all carried many burdens in Western imagination and iconography, signifying a range of powers and demeanours from the feral and engulfing to the exalted and transfiguring. To the Jerome of Antonello, the lion of Porter bears witness that they are both in a world, a habitat, where much is menaced and most things are under stress, even if God, the cosmic handyman, is playing his part. As in Jakarta everything has the odour of cloves, in the Republic of Porter everything is scented with paradox, which is mingled often with irony, and sometimes with attested splendour. Painter, beast, saint, and the readerly intelligence stalk together through a milieu which yields, naturally as it were, such phrasings as 'a miracle for Science', 'house-trained terror', 'stained-glass portholes', 'the underworld of things is Paradise', 'to adore the laws of its dismantling', 'the sheer assemblage of this quiet'. It is a Serengeti of the imagination.

Canetti, in one of his notebooks, envisages 'A beast that has lived since the beginning of creation', and for all his love of animals, this is not entirely a comforting thought. They all come and go, but what if, for instance, *Smilodon populator*, had hung on, the big cat whose species name means, 'he who brings devastation'? Porter's own imagination reaches spontaneously towards the primal, less in terms of time than in terms of ontology: the torsions of his usual rhetoric wind the absolute into the light, and display it, explaining little but disclosing much. 'My lion tells me/ that the word can kill and will do so/ without warning' might be one of his half-dozen blazons, but this poem, like many another of Porter's, could also claim for itself words from Wallace Stevens' 'The Glass of Water': 'Light/ Is the lion that comes down to drink. There'. ■

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Local hero

Fighting Spirit of East Timor, Rowena Lennox, Pluto Press, 2000. ISBN 1 86403 089 5, RRP \$32.95

THE 20TH CENTURY was a cruel time for much of humanity. It opened with a series of brutal massacres of enormous proportions in Armenia. It moved through two world wars. Each produced its own sort of horror, ending in mass destruction and the slaughter of millions. Yet the century closed on a remarkable expression of a small country's national will. East Timor expressed a massive referendum vote for freedom. The occupying armed forces withdrew. However, they left behind a 'paramilitia' of psychopathological hoods, well trained and armed by the departing army. They set about slaughtering around 1000 victims and torching the country.

Two effects among many emerged from all these catastrophes. Each instance somehow shapes, or, at least, has some effect on the lives of people involved. Also, in so many instances, some people stand out, for all sorts of reasons, as 'keepers of the flame', as 'signs of hope against the prevailing despair', as 'inspiring leaders'.

The Catholic Church likes to make saints of the best within her fold. Nations with a different purpose promote such people to the national pantheon of their heroes. Whatever a grateful people does when peace returns, there will be someone who reminded the people in its darkest hour that something better is always possible. One such person was Salvador Martinho Da Costa Lopes.

Rowena Lennox stumbled on his story while visiting Darwin's East Timorese community in 1991. She learned the circumstances of his death. Then, when her friend, the New Zealander Kamal Bamadhaj, was killed in the Santa Cruz Massacre, 12 November 1991, she decided to write of East Timor's struggle as portrayed in the life and death of Martinho Lopes.

Lennox quickly discovered that East Timor counted for little in world affairs. During three centuries of Portuguese colonial rule, it lived in a state of backward indolence. Occasionally inter-tribal clashes took place. A number of serious uprisings against the hardship and cruelty of Portuguese administration also ripped the colony apart.

The Portuguese never made a serious all-out effort to colonise and settle the country. For them it provided a series of staging posts for ships plying trade through the East. There was a ready eye for extractive materials such as sandalwood and marble. Coffee became a steady earner once it was introduced from Brazil in the 19th century. But penetration of the countryside was slow.

At the same time, the Portuguese Catholic Church was part of the visiting ships' equipment. Companion to the colonial power, it added its efforts to the slow expansion. It made small but steady progress in converting pockets of people to the Portuguese way of being a Catholic—with Portuguese names, customs, saints, church structures, and international connections. Until the time of the Indonesian invasion on 7 December 1975, about 30 per cent of East Timor's people were Catholic. The rest adhered to various forms of traditional religion. However, there was a small, steady but increasing number of people seeking membership of the church. Eventually about 95 per cent of the people became Catholic. This was the political, social, cultural and religious world into which Martinho Lopes was born.

INVASION OF TIMOR by Japanese armed forces in 1942 brought East Timor on to the front pages of world newspapers. It also brought massive destruction and hardship. Memories of these days survive. In 1949 the Indonesian State emerged from the scattered elements of the Dutch East Indies. West Timor became a province of the new artificial nation—but East Timor settled back to quiet days.

Lopes was out of East Timor during the war, studying for the priesthood in the Portuguese colony of Macau, opposite Hong Kong. Its bishop had pastoral care of East Timor. The colony provided a cultural entrée to Portugal as well for the young student. He was shaping up to be a man of wide interests, always intensely Timorese, but also a lover of Portuguese ways.

Still a student, he spent 1947 in Lisbon. He returned home in 1948 to be ordained priest by the new and first bishop of Dili.

His country was in a mess. The war had destroyed so much. Economic activity was poor. Most successful ventures were owned by Portuguese companies. Subsistence farming, the source of nearly all food, was subject to the fluctuating seasons.

Lopes moved through a succession of church appointments in parishes, the seminary and central church administration as he acquired skills in leadership and exercise of sensitive authority. He also had a stint in Portugal as a member of the national parliament, representing 'Portugal overseas'.

All the while, the nation down south-east was recovering from its own injurious war experiences. Australia was on the edge of post-war expansion. It had minor economic interests in East Timor. Perhaps its major concern was the discovery of oil in the Timor Sea and the first tapping on shore in 1932 at Suai. The general departmental attitude towards the colony and Portugal's dictator Salazar was dismissive. This approach proved to be of no help in East Timor's time of need.

Another factor that was formative in shaping national Australian policy (as it also affected the Australian Catholic Church's general view of the area) was the steady expansion of Communist influence in South East Asia. Australia had its own fair share of concern at a possible Communist takeover of unions, and of Communist-engineered industrial unrest. At the time, the secretive, carefully organised body calling itself 'The Movement'—inspired by Catholic teachings on social justice, by a share of worldwide Catholic dread of Communist domination, and with encouragement from bishops and lay people—penetrated to the heart of church and state. Eventually the Vatican intervened. The organisation stepped sideways but continued to influence attitudes and policies. The nation's relations with Indonesia were shaped in large degree by this fear, but also by any economic or political advantage that a friendly relationship might bring. All of these elements would be disadvantageous to East Timor's position, and to Martinho Lopes when the time came for help.

The invasion of East Timor in 1975 by the Indonesian armed forces was disastrous for the defenceless nation. The published reason for the invasion was Indonesian fear of a Communist takeover by the left-wing Fretilin party that emerged in East Timor after Portugal adopted a 'free the colonies' policy. Lopes saw the invasion of Dili on Sunday, 7 December 1975 while he was staying with the second bishop. The memories of the event seared his very heart and soul.

In 1977 the bishop retired, under the severe strain of the army brutalities. Lopes

generally he met a wall of silence.

Then he made a calculated brave move. It was to prove fatal to his future. He made contact with the resistance leaders in the hills several times. He knew of the widespread support for the resistance. He also knew of the incessant stream of public documents from various international sources supporting the Indonesian charge that Fretilin was dominated by Marxist activists. One Australian bishop, in a recent defence of those who supported Australian government pro-Indonesian policies at the

day. For such, there was much more to lose in Indonesia than in East Timor.

The Monsignor had to go. He had been embroiled in a huff-and-puff tussle with Australia's G. Whitlam over a famine—was it rumour, fact, or possibility? Whitlam called him 'mendacious'. He had accused the Indonesian military of a massacre of around 6000 people at Lacluta in early 1982. He had publicly attacked armed atrocities on a number of occasions. So, he was dismissed on 16 May 1983, and advised to leave the country.



East Timorese refugees re-enacting the Santa Cruz massacre for a theatrical performance. Dandenong Civic Community Hall, Melbourne.

was chosen to lead his people. He was appointed Apostolic Administrator with the title of Monsignor, but was never made a bishop. At the time, he was decidedly pro-Portugal, even though its colonial administration literally walked out of the colony in 1975. His churchmanship was also deeply Portuguese.

He worked through the period of concentrated military suppression and the induced famine between 1977 and 1983. One fact became very clear to him—his people were dying, being destroyed. He began to speak out. No-one listened. He sought help from outside. No-one listened. There were some muted replies, but

time, cited the commonly held fear of a Cuba on the country's northern doorstep as justification for the position. Lopes listened carefully to the resistance leader Xanana Gusmao, explained his own fears, pleaded a change in philosophy, and expressed support for nationalism. His expressed views had a significant effect on Gusmao and the leadership. Significant changes were made.

Indonesia had carefully cultivated relationships and defined pressure points with nations and power groups that might prove useful when needed. One was with the Vatican Secretariat of State and its diplomatic service, where a 'soft realpolitik' was a practised order of the

He travelled the world for some years, pleading his country's case—but to no avail. People who knew him well in exile never once heard him speak ill of those who forced his dismissal.

To the end, when he died in poverty, he had deep sorrow for his people in their suffering. He found peace at last on 27 February 1991 in a Lisbon hospital. His death notice gave birth to Rowena Lennox's search for his memory. This book will help place Monsignor Martinho Da Costa Lopes in his people's pantheon of heroes. ■

Hilton Deakin is an auxiliary Bishop of Melbourne.

All in together

Tips from a Travelling Soul-Searcher, Tim Costello, Allen and Unwin, 1999. ISBN 1 86508 225 2, RRP \$19.95

Observing Australia: 1959 to 1999, K.S. Inglis, ed. Craig Wilcox, Melbourne University Press, 1999.

ISBN 0 522 84866 4, RRP \$29.95

Goatperson, and Other Tales, Michael Leunig, Penguin, 1999. ISBN 0 14 029140 7, RRP \$19.95

I STARTED READING these three books on a typical Australian holiday long weekend. Appropriately, I was camping by a pristine stream, surrounded by what means the most to me about my country, what I can love without reserve—the bush. A pair of lyrebirds came out at one point and picked their way through the campsite. It was a fine place to reflect on the sort of society I have lived and am living in.

I say appropriately because these books take the reader to the Australia of living memory. In the case of the retrospective collection of articles by Ken Inglis, it is a trip back to the 1950s, when Inglis—now 71 and retired (though not removed) from a distinguished professional career in history—was beginning to write about the world around him: the Australia of my early childhood. It is not only difficult to explain to young people, it is difficult even to remember how different life was in Australia. And it is salutary to be reminded.

Try this on a teenager, or even a Gen X-er: when I was a suburban kid, TV was in black-and-white and transmission ended for the day around midnight. Everyone who wanted a job had one. Milk in bottles was delivered to most homes from local dairies by a milkman on a horse and cart. Kids could walk to school (the schools were local, and the streets were safe). Divorce was something practised only among movie stars, and American ones at that. The milkbar owner knew the kids' names. And the shops were closed at night, on Saturday afternoons, and on Sundays, and no-one seemed to mind. In some suburbs, you could

go to the local state school and still be ten or twelve before you heard the word 'shit'. It wasn't a bad life.

In *Australia Observed*, Craig Wilcox has gathered 12 of Inglis' essays on the structures that supported this kind of life. Inglis seems not to have written history, so much as about the history and use of history: the ways in which we have looked at and

The bibliography at the end of this book suggests how much more material could have been usefully collected and enjoyably read. I'm sure 'Gambling and Culture in Australia' and 'Questions about Newspapers' would be interesting. Inglis cannot be said to have pursued a wide range of subjects, and that's not a bad thing, but this collection could easily have been larger and more various.

Inglis is an honest researcher, generous in his assessment of others and rewarded by generosity in his turn. His commentaries before and after each piece make them quasi-autobiographical, and expand the sense of history.

He is intrigued by the ideas and institutions from which Australians have derived, or seem to have derived, meaning. Religion he believes to have been a powerful force, even in secular Australia. Yet the opening essay, on Billy Graham's evangelistic

crusades in Australia in 1959, evokes a fascinating but foreign world, in which inter-church politics were subjects for lively public dispute. Other ideologies—from the myths of Anzac to multiculturalism—have always shifted formal religion out of the box-seat in Australia. I can remember thinking, when I was at school, that Anzac Day and VFL football would both probably die out. I was only temporarily right about Anzac Day, and right, but in ways I'd not imagined, about the footy.

The chapter on writing a bicentennial history of Australia focuses on the work's publishing history, which seems a bit narrow for general readers. Inglis attempts to



Michael Leunig

celebrated our past. His magnum opus, *Sacred Places*, about Australian war memorials, was a multi-award-winning book in 1999. This collection includes pieces on religion, Australia Day, the Anzac tradition, the ABC, monuments and ceremonies, Australian history writing, and different doctrines (whether officially sanctioned and aptly named, or not: at the start, racism and in the end, multiculturalism). Most of them are commentaries on the subjects of his books.

This is Inglis' second collection of essays in two years. The History Department at the University of Melbourne published *Anzac Remembered* in 1998.

trace the origins and history of the terms 'national identity', 'ethnic', and 'multi-cultural', which is surely a fine way of reviewing how such ideas have penetrated our consciousnesses. He is interested in names and words generally; there are pieces (not here: see the bibliography) on the names of Australia, and Papua New Guinea, where Inglis worked at the university for some years. The final piece is a review of Stephen Murray-Smith's *Right Words*, in which Inglis makes his own contributions to observing good and bad writing. It is uplifting to read scholarship as clear, learned and patently applicable as Inglis'.



THE PAST represented in both Michael Leunig's and Tim Costello's books is of more exclusively recent memory. In fact, one has to pinch oneself to remember that it's over: Jeff Kennett's Victoria.

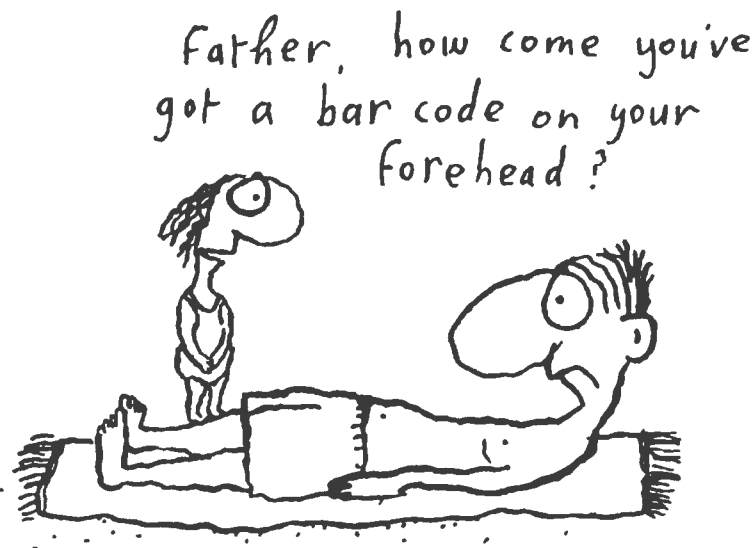
Some years ago, soon after the recently departed Victorian Liberal government was first elected, and just as it was getting into its stride, I heard Leunig being interviewed on ABC radio. He was very miserable about what was happening—he was thinking, he said, about leaving Victoria. Yet some kinds of art thrive in oppressive atmospheres, and one legacy of the Kennett years is having the iron put back into the soul of Michael Leunig.

As another school was closed, or public instrumentality sold to Americans, or some new fatuous 'major event' announced, Leunig's work became more focused, more incisive. As the rhetoric of the 'bottom line' became more and more cynical, so that financial considerations were not the final and decisive factors but the first and only factors, his faux-naïve doubts and questions seemed more and more accurate.

Leunig is certainly not a caricaturist, nor even a political cartoonist, and when he writes about things that have just happened, he does so obliquely. He does not usually comment on particular incidents, but he often uses a topical event as a focus in sending up the entire discourse. He is astounded by the things people say, the jargons that seem to certain groups to be

acceptable or sensible languages in which to discuss things. The millennium, ostentatiously frothy coffee, sporting events owned by media, the cycle of 'Festivals'—how can anyone believe in these things or imagine them to be important?

In gathering his work for the book-buying public, he or his editors seem to think we'd prefer not to be bothered with the more topical ones. Yet they are some of his best. I neglected to collect one last year



Michael Leunig

on globalisation ('How am I feeling? I don't know ... I'm feeling sort of ... global') and am disappointed not to find it here. When *The Age* started its 'Today' section, they let Leunig—such is his power—get away with a terrific one in which an editor instructs a young reporter to get out there and fearlessly report back on what groovy people like him and his friends are eating, wearing, talking about—'These are things,' the editor thunders, 'our readers have a right to know!' It was a tribute to *The Age* that they published it, and I think it's quite perennial enough to bear book publication.

It is interesting to compare Leunig's work with that of two recently departed cartoonists, Charles M. Schultz, whose Peanuts cartoons are known to all, and 'Mad's Maddest Artist', Don Martin. Leunig often points out that in a mad society, things that seem not to fit in represent the deepest kind of sanity. Many readers seem to miss the point, or in some cases, the pointed lack of point, in his work (one *Age* reader wrote in some years back, calling him 'Michael Loony'). But in lowly things, such as cartoons, the Divine is often located. Robert L. Short, who detected religious

messages in Peanuts, wrote two very sophisticated and successful exercises in popular theology, juxtaposing Charlie Brown and Snoopy with Kierkegaard and Bonhoeffer. John Honner in 1992 put together a book, *A Common Philosophy*, using Leunig cartoons and extracts from Karl Rahner.

Leunig gives us the mysterious fable of the glass slippers that fitted everyone. He celebrates the right to be ordinary and contented—to be an Alan, to delight in father's handstand in the sea, to be in a 'bizarre secret cult' called marriage. He lambasts the forces that promote and sell us lies (by the truckload), fashions and slogans and clichés like 'Get real' or 'Just do it'. He exposes how weak and cynical is our attraction to the transgressive (the accountant calling himself 'Crazy Daryl!'). There is something autobiographical about the way in which the Goat-person confesses at a Writers' Festival to having no ambition to write, and feeling very ordinary,

and is fêted by the crowd as 'Amaazing!' Leunig is the prophet whose works adorn tens of thousands of Australian fridges. Prophets are usually marginal figures, and Leunig's doctrines are hard to pin down, which of course makes him the sort of prophet with whom Melbourne Anglicans feel entirely comfortable. He was interviewed a few months ago in the diocesan newspaper. One lives in fear, not so much of his becoming too orthodox (he may well be already, privately, for all I know), but rather of his being cherished because he's amusing and spiritual without ever being too specific (like another Anglican icon, the ghostly Vicar of Dibley). Spirituality can require a bit of iron in the soul too.

FOR BOTH LEUNIG and Tim Costello, there is a delicate balance to be kept, between being admired and regarded with affection by the community, and being owned by its institutional structures.

It was in the context of a globalising, privatising, corporatising political culture that Tim Costello emerged as a public and political figure, rather than simply a socially activist Baptist pastor. Being brother to the

federal Treasurer made it certain that he would be noticed, but his own personal qualities and sense of his own calling would have made it inevitable anyway. Whether his career would have taken quite the upfront broad-ranging public advocacy role—it's impossible to know.

Secular sainthood, bestowed by the media, is not something that seems initially to suit a Baptist pastor. But much traditional Christian symbolism obviously has meaning for Costello in his ministry, as a virtual Baptist bishop. *Tips* is a book full of true but allegorical stories, a preaching style that is rather catholic and medieval. In his ministry, he apparently appropriates candles and vestments; he talks of his Collins Street Baptist Church as a 'cathedral'. He knows that sympathetic non-religious people find value in these things, as well as Leunig cartoons.

Tips is not, except obliquely, about the Christian faith or addressed to his fellow Christians, but presents Costello's vision of a civil society (but in which faith is integral). That's become a bit of a catchphrase recently, associated with both certain people on the left, and 'third way' figures, such as John Ralston Saul, whom Costello quotes more than once. It has emerged in an atmosphere in which society has, in terms of corporate and government policy, ceased to matter. Some odd alliances have been forged in an effort to alter the agenda.

Costello gives many glimpses not just of his pastoral life but his political life. We have interesting accounts of Jeff Kennett inviting him to a high place, overlooking Melbourne, and showing him all the kingdoms of the world; of Cheryl Kernot and Sid Spindler offering him a Democrat Senate vacancy; and—what seems most ridiculous—of Michael Kroger wooing him at the Savage Club. For the reader, it's a bizarre glimpse into the world of power-wielders and power-mongers, conforming to stereotypes—doing deals, flattering and buying off, dining at exclusive clubs. Costello has not yet lost his perspective.

The Democrats at least were taken seriously. Tracey Aubin, however, in her recent biography of Peter Costello, asserts that 'if Tim chooses in future to have another try at politics it will most probably be on the same side as his brother', and quotes him as saying, 'I would say that I'm a small-l liberal.'

Costello has been wise enough to have capitalised on his situation rather than be manipulated by it, and to do so with restraint and responsibility. Baptist wowsership about

gambling (indeed, organised Christian disapproval of any social vice) has become so unfamiliar to the Australian public that Costello's stance on these matters looks not conservative, but radical. The Kennett regime in Victoria, which was not so much traditionally Liberal as sort of capitalist-anarchic, alienated lots of conservative people, and they found themselves attending rallies and protests, at most of which they could have seen and heard Tim Costello.

In late 1999, he was asked by *The Age* (in, of course, the 'Today' section), 'Does Santa really care who's been naughty and nice?' It must be at times like this when he wonders whether being so media-friendly is entirely to the good. The byline they gave him was 'lawyer and community activist', rather than 'Pastor of Collins Street Baptist Church and President of the Baptist Union of Australia'. There are still presumably some issues about which Costello would prefer to keep his opinions to himself. But how far should one go in retaining the goodwill of the media, the corporations who invite him to speak, and the secular left general public?

Costello has struggled with this. Under 'Tip 5: Be proud to be a generalist', he writes about the dangers of celebrity. In 1998, both St Tim and St Michael were designated (by whom, I don't recall) two of 100 'Living National Treasures'. Who could live that down? Does it entail being co-opted by the same system that they are making a living out of critiquing?

Costello acknowledges that it is 'hard to be an independent these days'; but being a generalist now is virtually a speciality, and he does it well. People are looking for credible guides who don't appear self-interested. Postmodern people are wary of didactic writing—a sign of immaturity and fear of the written word, I think—and the title (*Tips ... Travelling ... Searcher*) rather overstates Costello's tentativeness. The 15 'tips' are hooks on which Costello finds he can plausibly hang most of what he wants to say. It is a wise book; not always profound, but if you want to hear decent values plausibly articulated—and lots of people have not—it is impressive.

As a book it could have been shorter and tighter. Granted, it's not a thesis, but the approach is a bit scatter-gun, and occasionally predictable (he quotes the text of five Leunig cartoons). But there is something to think about, and some new cultural scene to engage with on every page. There can be few people who have been to the evan-

gelical youth 'Blackstump' music festival, who are invited to give ethics lectures to bankers, and who deal with drug addicts and the homeless.

But the book is also a picture of contemporary Australia in which people uniformly have almost no sense of a bigger picture beyond their own needs and interests, to whom the Anzacs, or religious community, or history and the knowledge of it, mean very little. He might say, 'none of these generations is better or worse than the other', but I'm not really convinced, and I'm not sure Tim Costello is either.

Two of his tips are to choose a good story, and to appropriate some rituals. Reading—particularly books like these three—might be a reasonable way to start. ■

Paul Tankard is a doctoral candidate in English at Monash University.



2000 years on...

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at the inn**

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Noh mean feat

Kikujiro, dir. Takeshi Kitano. With this film, the fêted Japanese director (Venice Golden Lion for *Hana-Bi* in 1997) says he is out to confound expectations and stereotypes, especially his own. *Kikujiro* certainly represents a genre shift, though one with Takeshi Kitano's prints all over it—but that's no bad thing.

This is leisured, enticing cinema—the story of a lonely boy's journey 'home' to his lost mother. On his quest the nine-year-old Masao (Yusuke Sekiguchi, right, who is triumphantly uncute) is accompanied by Kikujiro, an unlikely, feckless guide (the director, in his actor persona, 'Beat Takeshi', right). Takeshi has Bogart's ability to play a character both downright seedy and utterly compelling. And do it without upstaging the rest of his accomplished cast (the film is worth seeing for its ensemble acting alone—very Ingmar Bergman).

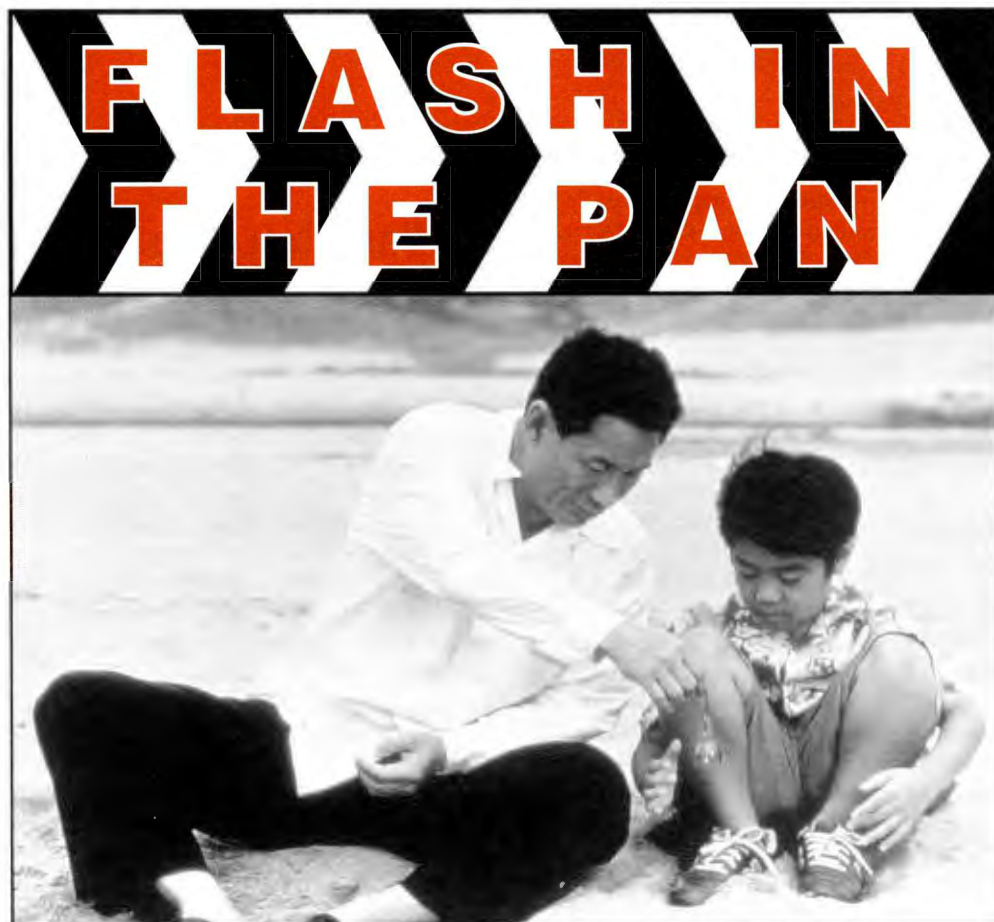
Masao's journey is a circular one, from expectation, through disappointment and around again to something like revelation. Kitano is no naïf, but with *Kikujiro* (both film and character in fact) he takes the kind of emotional risks that you might expect from a director with less experience or more cynicism. The film teeters on the edge of kitsch, but never tips. And that is its quality: it forces you to keep readjusting your own responses and reflexes. Does a tinkling glass angel spell sentimentality? Not in this movie.

Kitano uses long, real-time sequences, which give Masao and Kikujiro's odyssey an easy-breathing immediacy but also a timelessness. This is social realism and allegory and pastoral and sometimes a yakuza action flick, all seamed together, with the stitches visible. But it works. It also does for highway and byway Japan what a film like *Thelma and Louise* did for a raffish America: it gives you a sense of lives lived—in fields, in bus shelters and echoing hotels and on beaches at the edge of hope.

—Morag Fraser

Taking a position

Better than Sex, dir. Jonathan Teplitzky. I was pleasantly surprised by this film. I expected something different—embarrassing voyeuristic stuff, I suppose. The story is something of a modern Mills & Boon and, as Seinfeld would say, there's nothing wrong



with that. Two thirtyish singles meet at a party in Sydney and decide to have a one-night stand. They find that they are more than superficially attracted to each other and have to face up to the frightening prospect of emotional openness and honesty.

It's a very Sydney sort of film—everyone's a designer or a producer, but rather ockerish with it all. The sense of place is one of the best things about it. And there are devices used to prevent creepy voyeurism: a ruthless camera explores sun-damaged skin and streaked makeup forensically, bringing us closer to the characters and yet detaching us too, as a photographer or a doctor is detached. Teplitzky also frequently cuts away from the action to a quasi-documentary style, with the main characters and their peers discussing relationships and sexuality. Friends of the couple are continually roped in to give a sort of sociological perspective, a focus group on sexual attitudes and practices. We are witnessing more than a couple groping towards commitment; we are seeing a shortish but significant range of stances, all straight out of *Cleo* and *Cosmo*, the natural reading matter of this demographic.

David Wenham (Diver Dan from *SeaChange*) is perfect in the part of Josh, even though he's really playing Diver Dan the wildlife photographer in Sydney meeting the quirky and attractive free-spirited Cin (Susie Porter) who is of course a dress designer.

The film owes quite a bit to *Sex and the City*, that seminal work, if you'll forgive the obvious, collator of a whole *zeitgeist* of sexual attitudes. Or attitude, really, because there is no room in either work for anything but total libertarianism, complicated by a much-suppressed urge towards pair-bonding. Where Teplitzky is at his best he conveys, through all the postmodern coolness, the ineluctable drive towards proper trust and closeness, where a tender look or word is more perilous than all the frantic humping, or even passionate embracing.

Some things don't work so well; the omniscient, omnipresent taxi driver, *deus ex machina*, is merely irritating. The acting flags sometimes, with rehearsed shrugs and fake pauses as someone pretends to consider a question—all too frequent in the talking-head bits.

But the two lead actors are charming, the sex though graphic is not *pornographic*, and if you feel wistful for Romeo and Juliet or Beren and Luthien or even Rhett and Scarlett, then you're just an old romantic of about 50 and you ought to know better.

—Juliette Hughes

Shafted

Shaft, dir. John Singleton. At one level you could see John Singleton's *Shaft* as just another in the series of '70s remakes we've been subjected to for the past few years, an

attempt by studio executives to trade on cult value and baby-boomer nostalgia in lieu of actually having any new ideas of their own. Just as with, say, *Charlie's Angels*, much of the pleasure of watching the new *Shaft* comes from an ironic recognition of the absurdity and excess of the original concept. It's a pleasure akin to watching a Village People cover band—camp, pure and simple.

However, there's something else going on here as well. The original *Shaft*, released in 1971, has a political significance that goes well beyond camp nostalgia. Until the arrival of the Blaxploitation genre in the early '70s (of which *Shaft* is the best-known), the representation of Afro-Americans on screen had pretty much been limited to houseboys, slaves and Sidney Poitier. The eponymous John Shaft was something else again, a black action hero who doesn't just get the girl—he gets all the girls. By taking white mythologies and anxieties about black sexuality and black political activism and amplifying them into this iconic figure of blackness on screen, the original *Shaft* positions itself as an overtly political work; a black film by a black director (Gordon Parks), made for a black audience (though in practice it reached an audience well beyond that).

As one of the new generation of black directors in Hollywood, it's clear that at least part of what Singelton wanted to do with his remake was to pay homage to the significance of the original, a film and a director that paved the way for the black directors that followed. However, even though its story focuses on a racially motivated murder, the new *Shaft* sidesteps any real political analysis of what racism might mean in terms of structural inequality within a society, turning it into a question of just a few nasty individuals. Worse still, for the role of the obligatory psychotic drug dealer, where a typical Hollywood film would have a black actor, *Shaft* substitutes a Dominican, neatly transferring all of Hollywood's racist stereotypes of blackness on to Latino culture instead.

What we're left with, then, is just the camp—with none of the political impact of the original—which, frankly, just ends up feeling a little hollow. And let's face it, even though Samuel L. Jackson is one of the few actors with the charisma and iconic status to take on a role like John Shaft, even he can't pull off an on-screen seduction with a line like 'It's my duty to please the booty.'

—Allan James Thomas

Familiar haunts

What Lies Beneath, dir. Robert Zemeckis. What lies beneath this big budget, be-starred and technically superb film is every film-school graduate's desire: to out-Hitchcock the master.

Clare (Michelle Pfeiffer) is living the American Dream. She has a magnificent house, a beautiful daughter, and a perfect marriage with Norman (Harrison Ford), a sexy geneticist. But all is not well in the land of Vogue-living. Clare is beginning to think that she's haunted—literally, by the wraith of a young woman.

Luckily for the plot, the neighbours have been acting suspiciously. Has Mrs Next Door been killed by her husband, and is she the apparition? For a few reels it's a replay of *Rear Window* as Clare keeps her binoculars on the possible murderer across the fence.

Zemeckis might not be 'Big Al', but he is a skilled film-maker and the scares come thick and fast. It's a case of slow pans, tracking shots and 'For Christ's sake, don't go in there.'

So is Clare in the grip of a delusion or is she being visited from the afterlife? It turns out that all the plodding exposition of Clare's psychological state in the film's first half was mere narrative camouflage. Suffice to say, it's *Fatal Attraction* from beyond the grave.

As you would expect from an old pro like Zemeckis, *What Lies Beneath* is fine entertainment, but don't expect too much from a film more interested in homage than storyline.

—Brett Evans

Gems to Newcastle

Billy Elliot, dir. Stephen Daldry. I can't remember when a film got under my skin in the way this one did. Days afterwards, whole scenes were found loitering in my head. I kept listening to parts of the dialogue. Yet the story is so simple. Billy Elliot (Jamie Bell), aged 11, is the son and grandson of miners. The son and grandson of boxers. He goes off to boxing classes with his grandfather's boxing gloves and eventually comes home with a pair of ballet shoes lent to him by a ballet teacher, Mrs Wilkinson (Julie Walters). Mrs Wilkinson smokes like a stack. She's a bit of a bruiser. But she releases something in Billy which, in the narrow streets of industrial north England, is

enormously disruptive. Billy hides his ballet shoes under the mattress where he also keeps the letter written to him by his mother who died about a year before the period in which the film is set.

Billy's father (Gary Lewis) and brother, Tony (Jamie Draven), are part of the tragic mining strike of the mid '80s. The beauty of this film is that Billy's story never stands alone. It implicates an entire community. Indeed, the film brings back memories of the tense days when Arthur Scargill and Maggie Thatcher locked arms in an arm wrestle which brought communities to the brink of hunger. On one Christmas Day, Billy's family has to burn his mother's piano to keep warm.

You'd think there'd be no room for ballet in all this. But room is made and the growth that takes place in Billy's father and brother is shown so simply and unaffectedly that it is almost impossible to bear. Billy's interest in dancing becomes a ticket to hope for his family and, beyond them, for a depressed township. Indeed, one of the pleasures of the film is that, far from being an oddity, Billy is really a chip off the old block. This becomes clear during his audition for the Royal Ballet School. Other films have touched the same territory: *Brassed Off*, *Little Voice* and *The Full Monty* are among them. But none has mined so deep, found such wonderful images or had so much to say about blokes.

—Michael McGirr

Straight shooting

Cunnamulla, dir. Dennis O'Rourke. Dennis O'Rourke doesn't make comfortable films. His documentaries are a bit like a family Christmas—confronting, rich, troublesome, full of lives unravelling and knotting back together. Or not. They also remind you just how artful documentary can be—nothing left to chance except the degree to which your subjects will be forthcoming. And even that can be massaged by familiarity. For this film O'Rourke hangs around so long that one 'character' grows his hair from a number-one cut into a Peter O'Toole flop and then a blond Afro.

The film starts with a choral verse, 'While shepherds watched their flocks by night', as the camera plays over a ripple of dusty outback sheep. It's 'A Time Before Christmas. Cunnamulla'.

Cunnamulla is a small town in Western Queensland, a place at the end of the line—literally. One of O'Rourke's 'characters',

and his chorus, is Neredah. Neredah is a prodigious talker and a gargantuan human being. Her father once warned her off marrying anyone from a town at the end of the line. People jump off the train at the end of the line. You never know who they are. Or what they're going to do. That'd be right. In one scene Neredah embraces her next-door neighbour, Irene (who is Aboriginal and singing her heart out), and in the next, describes her way of dealing with the kid (Aboriginal or white, it doesn't matter) up the road, because he's stepped out of line. You 'bring him to heel in front of the public,' Neredah says, 'and then the parents should flog him in the main street.' Neredah's dog has an unusual way of urging her out of bed. 'You've gotta be broad-minded,' she tells the camera.

O'Rourke doesn't give you any other choice, either. This isn't a film about clear-cut divisions of soft-left or hard-right racial and social certainties. Cunnamulla is too far down the track for that.

There's Jack for a start. He's an Aboriginal pensioner who's adopted a white lad (Marko, the DJ/muso of many face rings and the varying hair). Jack's swearing would embarrass a wharfie. He sits in front of a fan and opines. But you like him for his

elemental honesty. The scrap-metal dealer is Herb, a Barnardo's boy now living a continent away from his English brothers. Separated. They write to him about Christmas dinner in England. Paul is 18, Aboriginal, heading for jail. He had a taste of traditional dancing once in Melbourne, but out in Cunnamulla there's 'no culture or nothing ... If you can't learn to live like a white man you're buggered.' Cara, 13, and Kelly-Anne, 15, are best friends, one black, one white, both equally frank about their sexual experience and reluctant to have a kid before they are 21. They are poignantly beautiful young women. They swear and they hope.

Slim Dusty talks to the local radio and there is a classical music segment by popular demand (popular in Cunnamulla can mean a handful, black or white). Ali Wood, a concert pianist, comes to town, bringing her own piano in a truck. She looks about as old as Cara or Kelly-Anne and plays Chopin's 'Minute Waltz' from a scrapbook with the sheet music glued to the pages. In rehearsal she gets some phrases wrong. Kelly-Anne and Cara light out for Brisbane, but Neredah gets her partner, the phlegmatic Arthur, to drive them to the stop in his taxi. Herb chops the head off one of his guinea fowls,

maybe for a dinner like his brothers' in England. Santa Claus puts on his costume. 'Desert Fox' and the Gulf strife blares out on the ABC TV news. The sense of time past is a mercy because it leaves you feeling (as I am sure O'Rourke intended) that these people had lives to be gone on with after the camera went away.

Cunnamulla is too raw and too studded with four-letter words and unsound opinions to be acceptable blockbuster megaplex cinema entertainment. But it is wonderful. If you get the chance, don't miss it.

—Morag Fraser

Dennis O'Rourke's other documentaries include *The Good Woman of Bangkok*, *'Cannibal Tours'*, *The Sharkcallers of Kontu* and *Half Life—a Parable for the Nuclear Age*.

Cunnamulla will open at independent cinemas in Sydney, Melbourne and Canberra in mid December.

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Art Monthly

AUSTRALIA

IN THE DECEMBER-FEBRUARY
ISSUE

- Daniel Thomas on Tony Tuckson
- The Turner prize, The Melbourne Museum reviewed
- The Pacific Arts Festival in Noumea
- Christine Nicholls on Dorothy Napangardi
- Tim Morrell and Joan Kerr:
two different views on Public art

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Nobody nose

THERE ARE TWO interesting programs on the ABC about now: one is *Superhuman*, the sequel to Robert Winston's successful program *The Human Body*, cause of much strife a couple of years back in households without a ten-year-old to program the VCR.

Superhuman won't be a *casus belli* in the same way unless you are of the vaguely hypochondriac persuasion, which in fact includes most of my family, especially one of my sisters, who does a great line in copycat illnesses. If you tell her that you have a Patagonian wart on your ear that is complicated by hives, spavin and the bends, she will without blinking inform you that that was exactly what laid her low last week. You curl your lip at this and suggest that what laid her low last week was more likely her much-abused liver's revenge after her valiant attempt on the title of Cheap Champs Champ at the family Melbourne Cup barbie, upon which she accuses you of being a heartless scoffer. Then she demands to see your medical qualifications, asking what kind of a diagnostician are you. You reply that it's good to see she can actually *say* 'diagnostician' again without needing first aid afterward. She then becomes haughty and refuses to lend you her lawnmower.

But even she will find it difficult to match the unfortunate chappie in the fourth (or is it the fifth?) episode of *Superhuman* who, to demonstrate the more colourful results of skin cancer, removes his false nose, utterly eclipsing one's uncle by (unwise) marriage who would remove his false teeth at, my mother would say, the drop of a hat. The sight of missing appendages is a confronting one, and not the least consideration is why the replacement colours are never right. The noseless chappie's prosthesis is a livid grey hue, unlike the rest of his ruddy, recklessly suntanned complexion. I now refuse to go out in the sun without a chador, a parasol and a small lead-lined portable hut. Thank you, Dr Winston.

And germs. He positively delights in telling you, nay *showing* you, all the invisible writhing creepycrawlies that inhabit every surface that isn't actually white-hot or regularly sluiced with poison. He lingers lovingly on the development of pustules, and then tells us we need more germs to stop getting allergies, but before we sigh with relief and stop buying Domestos, he warns us that antibiotics are losing the battle

and we'll all fall victim to invincible flesh-eating bugs if we're not careful. Thanks again, Doc. The sleeping pill manufacturers thank you too, having all rung up their travel agents to book that holiday in Mauritius. Business is great, they say. Winston is scaring the punters and they're queuing up for the Moggies. Haven't had it so good since the Gulf War.

SO, YOU NEED a little distraction from such hard realities, and the funny thing is that sometimes a gritty *noir*-ish program will do the trick. The other interesting new ABC offering, the BBC's *Rebus* series, based on the crime novels of Ian Rankin, is just the ticket.

Rankin is a Scot, and has a dark and sometimes funny perspective. He is capable of irony (wonder of wonders) and his creation, John Rebus, is likeable and human. The series tries to play the *noir* card a little too hard: there are voiceovers that the Rebus of the novels would think too Yankeeified and a bit self-dramatising. Vast liberties are taken with the plots in order to make Rebus a bit more sexy, but on the whole it's good fun, with John Hannah an excellent lead.

It is very hard to make a novel come to life as drama, as just about all the recent Dickens and Austen adaptations demonstrate. I remember a really shocking Peter Wimsey series of about 20 years ago, that

had Dorothy Sayers' Wimsey cast as a cadaverous lanky chap much addicted to wearing a bowler hat that was far too big for him. It sat firmly on the tops of his ears, modestly covering his eyebrows, and making the dapper man about town look like a Spike Milligan drawing. For Wimsey you really need someone like Peter O'Toole to give the precise nervous edge of aristocratic genius, with humour and attraction thrown in. Plus a dramatic adaptation done by someone who could read. There have been crime novel adaptation successes: Margaret Rutherford as Miss Marple, Basil Rathbone as Sherlock Holmes, but those have all been in film rather than television. The TV Inspector Wexford was OK, but was never compelling viewing.

It all comes down to whether what's going on on the box is interesting enough to make me look up from the book ... Oh, for God's sake, man, put your bloody nose back on! ■

Juliette Hughes is a freelance reviewer.



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IN THE DECEMBER/JANUARY ISSUE

Evelyn Juers' essay on the novels of Nicholas Jose

Henry Reynolds on Anna Haebich's *Broken Circles: Fragmenting Indigenous Families 1800-2000*

Chris Wallace-Crabbe on Frank Moorhouse's *Dark Palace*

John Button on Michelle Grattan's (ed) *Australian Prime Ministers*

Greg Craven on Geoffrey Bolton's *Edmund Barton: The One Man for the Job*

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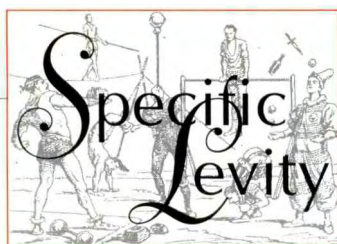
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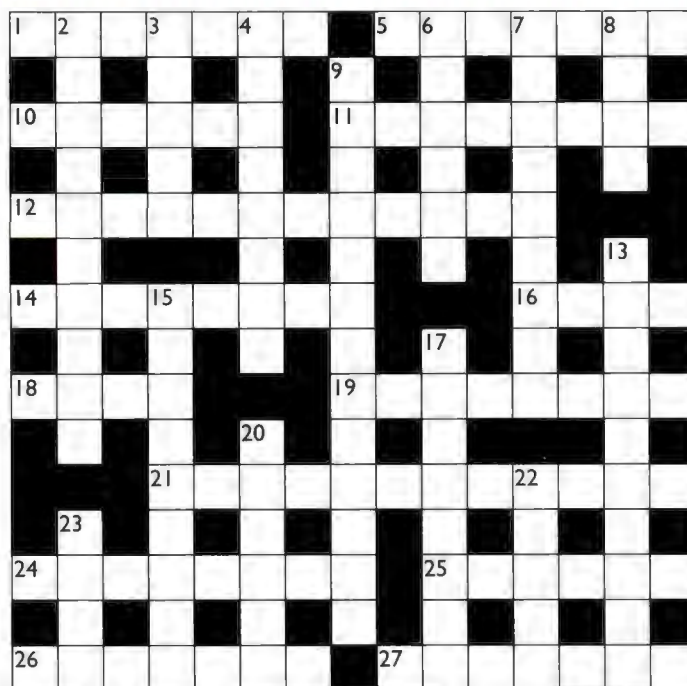
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Joan Nowotny IBVM

ACROSS

1. School is over-crowded—a hundred girls in some grades! (7)
5. Swell having a new general! (7)
10. Distance to the summit can be calculated by computer. (6)
11. It is obvious, I object, yes, I object to working beyond what is reasonable. (8)
12. The sheriff's posse's nosier about regaining title than one would have expected. (12)
14. Accredited document when initialled, perhaps. (8)
16. A law in ancient Rome for conservation of trees such as this. (4)
18. Long live the Spanish oral exam! (4)
19. Silly rot to have man in charge! Impractical! (8)
21. May be smitten with detail, but such curious activity is mere dabbling! (12)
24. Scotsman with his small moustache is hardly an example of flamboyant virility. (8)
25. Not those propositions, surely, to start with? (6)
26. Soldier found with scone mixture, I know. (7)
27. Whereabouts is garment at the present time? (7)

DOWN

2. Boat following the one in front does not show it. (10)
3. Begin working or you may start fighting. (3,2)
4. Treating film thus, to show grass in the picture? It won't succeed. (8)
6. Is answer right? No! Refer back to the *Book of the Mind*. (6)
7. Pay this to the waitress, for example, for the menu under scrutiny. (9)
8. Some amalgam patched up the old umbrella. (4)
9. Study team allowance for possible payment? (13)
13. Make decision, perhaps, about girl—head prefect reported her delinquency. (10)
15. Conjunction of conjunctions on the supposition that the event will take place. (2,3,4)
17. Little devil performed OK but found himself wedged in. (8)
10. Requests Dutch guilders first, before supplying the bottles. (6)
22. In time, successor takes possession of them. (5)
23. Ornamental strip father has love for. (4)



Solution to Crossword no. 88, November 2000



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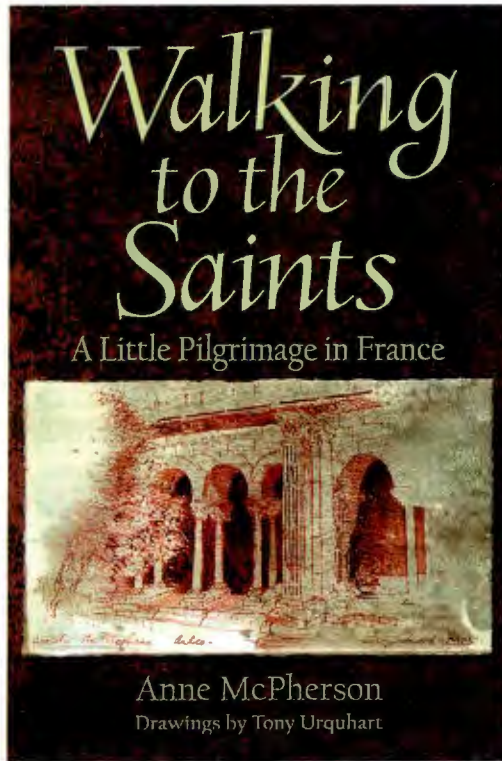
Next month: Fay Zwicky on the writer in the university; Alex McDermott on Peter Carey's Ned Kelly and what else we can learn from history.

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