

press gallery  
**EUREKA STREET**

Vol. 8 No. 5 June 1998

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*Margaret Simons  
on the press gallery*

*Paul Chadwick  
on media diversity*

The press  
gallery





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*'Laurie [Oakes] is something of an amateur anarchist,' says Russell Barton, news editor for the ABC.*

*'If Laurie turns up to a doorstep, your heart sinks,' says Innes Willox, press officer for Alexander Downer.*

*'If Laurie mutters "That was bullshit" after your press conference, you know you are done for,' says one of the Prime Minister's press secretaries.*

— See 'Fit to print' by Margaret Simons, p16.



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## CONTENTS

4

### COMMENT

Ron McCallum on the groundshifts in the industrial landscape.

7

### CAPITAL LETTER

8

### LETTERS

10

### THE MONTH'S TRAFFIC

With Dewi Anggraeni, Peter Mares, James Nichols, Margaret Simons, Sean Doyle.

13

### SUMMA THEOLOGIAE

16

### FIT TO PRINT

Margaret Simons asks the double-barrelled question: does the Canberra press gallery led public opinion or is the gallery led by a new politics of information?

24

### THE CLASH OF SYMBOLS

Andrew Hamilton on the politics of communion.

25

### ARCHIMEDES

26

### COUNTING OPTIONS

Paul Chadwick asks can a high-tech Grub Street guarantee media diversity?

30

### SHADES OF SIR JOHN

Blasts from the past: the February Constitutional Convention was constrained by the events of November 1975. Spencer Zifcak argues for a fresh look.

34

### BOOKS

Peter Cochrane reviews Henry Reynolds' *This Whispering In Our Hearts*, Michael McGirr explores Murray Bail's *Eucalyptus: A Novel* (p36), John Uhr reviews David Solomon's *Coming of Age: Charter for a New Australia* (p37).

37

### POETRY

'Schubert's Dog' by Peter Porter.

39

### MUSIC

Jim Davidson reviews the 1998 Opera Australia season.

42

### THEATRE

Geoffrey Milne surveys the warts-and-all theatre of playwright Daniel Keene.

45

### FLASH IN THE PAN

Reviews of the films *The Object of My Affection*, *Nil By Mouth*, *Twilight*, and *The Boys*.

50

### WATCHING BRIEF

51

### SPECIFIC LEVITY

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# New times, new tactics

**I**T IS AN OFTEN-QUOTED SAYING of military historians that, when fighting wars, generals and politicians alike are guided more by the tactics and manoeuvres of the battles they participated in when young than by current technologies and strategies available to them.

The misunderstanding of trench warfare by the British cavalry-trained generals was undoubtedly a contributing factor to the slaughter on the Western Front in World War I. Similarly, one of the reasons why Prime Minister Churchill delayed the opening up of the Normandy western front in World War II was his technologically unsound fear that the D-Day landings would re-create the Flanders battlefields of the previous generation.

When the history of the 1997-1998 waterfront conflict is written, it is my belief that it will be concluded that advisors, consultants and politicians were caught in a similar time warp. When framing scenarios to oust the Maritime Union of Australia (MUA) from our wharves, they were guided more by the laws and manoeuvres of the heady 1980s than by the laws and strategies of the '90s.

The 1980s were not a good time for those trade unions that relied principally upon industrial muscle to achieve their ends, because more often than not, these organisations fell foul of the law. In England, Prime Minister Margaret Thatcher led the charge by defeating the miners' union when its executive were foolish enough to call an illegal strike in contravention of the 1984 balloting laws.

In Australia, section 45D of the Trade Practices Act, which outlawed secondary boycotts, was a brick wall that blocked the power of both the meat workers and the Builders Labourers Federation. When attacking new slaughtering arrangements in the meat industry, for example, the meat workers acted in contravention of the secondary boycott laws and were ensnared in legal proceedings concerning picketing, injunctions and eventually massive damages. The Mudginberri litigation was akin to the 1916 battle on the Somme—the 'Meaties' were bled white. The Dollar Sweets litigation showed also that the rules of the common law could be used to prevent uncontrolled and ill-disciplined picketing. Even the pilots, who when in dispute with the airlines in 1989 sought to escape the rigours of the law through mass resignations, found themselves on the receiving end of common law litigation and administrative adjudication.

When the Coalition Government came to power in March 1996, one of its first projects was to enact new industrial laws. Two aspects of these laws warrant comment. First and foremost, the laws on strikes were tightened in order to limit legal strike activity only to genuine negotiations for certified agreements during valid bargaining periods. The flagship of these new laws was a more tightly drafted section 45D of the Trade Practices Act—crafted to prevent trade union secondary boycotts. Section 45D even contained special provisions to limit both primary and secondary boycotts on the waterfront (section 45DB).



Second, in order to outlaw the closed shop, new freedom of association laws were placed in the Workplace Relations Act. Ever since their enactment at the turn of this century, our industrial laws have contained provisions prohibiting the victimisation of employees who happen to be members of trade unions. In the '70s, these protections were extended to conscientious objectors to trade union membership, provided they obtained exempting certificates. These laws—and this is crucial—made it a criminal offence to victimise. This meant that persons who were victimised were required to pursue remedies within a criminal, as distinct from a civil, paradigm. The Howard laws sought to make it easier for persons to seek redress, and so the new freedom of association laws were placed in the civil arena with civil penalties, civil awards of damages, and that most special of equitable remedies, the mandatory injunction.

These new laws did not, however, simply protect—via civil remedies—non-unionists who wished to work in unionised industries. Rather, as freedom of association measures, they extended the same protection to unionist and non-unionist alike. Employers who engaged in conduct contrary to these freedom of association laws had the legal cards stacked against them.

When it was revealed in December 1997 that a group of Australian non-unionists was to receive stevedoring training in the Middle East port of Dubai to equip them for employment in Australia, it was thought, I have no doubt, that this might usher in a full-blown strike by the MUA. A complete downing of tools would leave the way open for the union to be crippled by section 45D fines and injunctions. When this did not occur immediately, it was hoped, I suspect, that the late January 1998 sub-leasing of a portion of Patrick's Melbourne Webb Dock to the National Farmers Federation's PCS Operations Pty Ltd would set off a chain reaction where not only would the MUA react, but oil and transport workers would lose their cool and call for sympathetic but illegal strike action. Although some immediate strike activity occurred, the threat of Commission and/or court sanctions stopped MUA industrial action in Melbourne where the union was bound by a certified agreement. However, no such agreements were binding upon the MUA and Patrick Stevedores in either Sydney or Brisbane, and accordingly, the MUA was able to initiate periods of industrial action at those ports and claim that the action was protected.

When the MUA got wind that its members were going to be terminated through some fancy corporate restructuring, they sought court protection, arguing that any dismissals were contrary both to the new civil freedom of association provisions and to the common law. Approximately 12 hours before this matter was due to come before Justice North in the Federal Court on Wednesday morning 8 April, Patrick put their termination and restructuring plans in operation.

The remainder of the story to date is well-known. On Tuesday 21 April, Justice North held that the MUA had made an arguable case that legal breaches had occurred, and, through the use of injunctions, ordered that the workers resume their waterfront work, at least until the administrators had concluded their duties. This decision was subsequently upheld by a Full Federal Court and

then, on Monday 4 May, by the High Court, with the provision that the administrators were freed from some constraints which had affected their discretionary powers. On Thursday evening 7 May, just one month after Patrick's late-night terminations, the MUA workforce was back working on the Melbourne and Sydney docks.

At the time of writing, the future for the MUA and its waterside workers looks bleak. At best, many will lose their jobs through redundancies. At worst, Patrick's restructured employing companies will be wound up and cease stevedoring operations altogether. It is likely that in the near future, the MUA will have to accept the presence of some non-union employees on our wharves. While the MUA won the freedom of association battle in the courts hands down, this is an extremely limited victory because it is clear there will be heavy job losses, changed work practices and some non-unionist stevedores.

**W**HAT LESSONS can be learned from these events? First, never assume that your opponents will adopt a pavlovian approach, continuing to do what they did a decade before. It is a mistake to assume that persons, trade unions or corporations do not learn from their blunders. When enacting its new industrial laws, the Government spoke loudly and often of limiting strikes on the waterfront. Little wonder the MUA decided to refrain from all-out strike action. They could rely on other tactics, such as the discipline of their members and international assistance via the International Transport Workers' Federation. Anyone caught up in a Mudginberri time warp was bound to be wrong-footed.

Secondly, in high profile industrial disputes which are covered by the media, perceptions are of more significance than industrial realities. By telegraphing the importance of this dispute, the Government ensured high media coverage. The video footage of guard dogs and security personnel around midnight on Tuesday 7 April irrevocably altered the public's perception of events. Increased public support for the sacked workers followed, and once a court had found in favour of the MUA's freedom of association claim, the Government was in a 'no win' situation.

Thirdly, picket lines which possess mass public support are difficult to nullify via precise injunctions. Provided a perception of discipline is maintained—even though in this instance violence did occur—it is hard, legally, to dislodge large groups of committed citizens.

Lastly, although the Patrick's restructuring manoeuvres failed in part, it would also be a mistake for the trade union movement to get caught up in a Patrick time warp. Legislation to come before the Federal Parliament later this year will facilitate corporate restructuring in order to enhance the Multilateral Investment agreement (MAI). While the 1996 Howard industrial laws shifted the focus from the Australian Industrial Commission to our courts, I have no doubt that legislation facilitating corporate restructuring will alter our focus again. But this time our gaze will shift from the courts to the nation's corporate board rooms. ■

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



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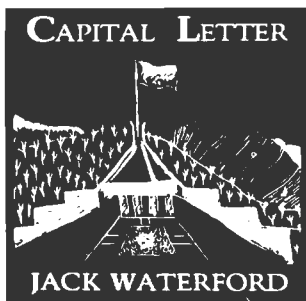
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# The Brennan Court and beyond

**T**HE DEPARTURE of Sir Gerard Brennan from the High Court represents the end of an era in which a generation of judges almost entirely reshaped the common law, and settled, probably for a long time, most of the outstanding constitutional issues. It also ventured into fields, with its *Mabo* and subsequent *Wik* decision, which made the power and importance of the court clear to all, and made the character and personalities of the judges a matter of public controversy.

It is, of course, not a clean break. Mary Gaudron and Michael McHugh were there for the last part of the revolution, and Bill Gummow and Michael Kirby—and probably even Ken Hayne—belong to the broad philosophical set that marked judges such as Tony Mason, Bill Deane, Gerry Brennan and John Toohey.

Most of the achievements and not a few of the controversies (including *Mabo*) of that generation of judges pre-dated the day when Sir Gerard became Chief Justice and the court acquired the shorthand title of the Brennan Court. But Sir Gerard was a significant force in both the Gibbs and Mason courts. Because those courts were often finely balanced, his was often the critical vote.

One might say that with a 4–3 or 3–2 decision, any one of the majority votes is critical. But because Sir Gerard often had an approach different from that of other judges, or drew the line in a different way (often borrowing arguments from both sides of the debate), his tended to be the judgment which set the limits of the precedents created. The majority could use him for the result, but, often, he would not go as far as they wanted: their judgments represented binding law only to the extent that he agreed with them.

Though few judges ever devoted as much time or as much space to rigorous explanation of each stage of their reasoning, Sir Gerard cannot be called one of the court's adventurers. The more likely that a decision upset settled law, or created new law, the less likely that he would write broad propositions going beyond the controversy at issue. Others, such as Deane and Toohey, painted with flourishes on big canvases, but Sir Gerard, while willing to make conceptual leaps, tended to proceed incrementally, leaving the filling in of the canvas for later controversies.

Some of the other judges, for example, wrote expansive judgments on freedom of communication when they were considering, first, laws restricting political advertising and strident criticism of arbitration judges, then, later, several not-very-worthy defamation cases. Brennan's judgments were not expansive. The court's retreat to a safer position in the *Lange* case was possible because of his caution. Similarly, though he copped the brunt of the abuse from conservative quarters of the legal profession as a result of *Mabo*, his was by far the most restrictive decision in a tight majority, and set the limits of it. And when *Wik* arose, he held to the line of his *Mabo* decision and found against the Aboriginal applicants. That *Wik* was won was not because of any retreat by him, but because the majority decision in *Mabo* was not followed, either by those who had been there before, or by the new judges on the court.

I saw Gerry Brennan do his first hearing as a judge—a not very important matter in the ACT Supreme Court. He had gone there after a career at the Brisbane bar in which he had become one of the first Catholic barristers to cross a strong sectarian line and receive briefs from the Protestant end of town (an achievement the more remarkable because the big end of town had always hated his father

and had for a long time visited his imagined sins on Gerry). He had prosecuted in the Tolai murders in Papua New Guinea, appeared for Fijian sugar farmers in a signal defeat of Australian colonial interests, and had represented the Northern Land Council in the Woodward royal commission hearings which had led to the Northern Territory Aboriginal Land Rights Act.

What struck me at that first hearing was his capacity to grasp a point and to express, in a proposition of only a sentence or so, the idea it contained. Later, the playing with that point might involve many pages of very technical and dusty reasoning but, if sometimes difficult for the layman, it was reasoning with the end in view. At the same time, he was the foundation president of the Administrative Appeals Tribunal, laying down broad principles of its operation which have survived to this day, even if the institution itself is now under sustained assault. There too he demonstrated something for which he has received little credit in an environment of abuse of judges for judicial activism: a fine understanding of responsible government and of the line between judicial review and the

substitution of the judge's value judgments on policy for that of the legislature.

**O**N THE FEDERAL COURT, he and Deane and Toohey were grabbing an expanded federal jurisdiction with a breadth of thinking which was making their promotions inevitable. But Brennan also wrote some brilliant judgments on civil rights—particularly with the murders at Huckitta by some Aboriginal children—that will ring loud long after the majority judgments are forgotten. Indeed, it was when he knew he was outnumbered that he wrote his most brilliant and expansive judgments: on the High Court the judgment which most shows the measure and the passion of the man is his dissent in *Marion's* case, involving the sterilisation of a retarded girl.

The Chief Justiceship is largely a position of honour: the court administers itself collegially. Brennan has always felt diffident about giving interviews or discussing the particular work of the court; he fears that a court which issues press statements or summaries of decisions for journalists will give such interpretations a status they should not have, compared with the formal process of reasoning. As a judge he was impervious to criticism of long judgments from several individuals (making it uncertain, even to the specialist, what the binding points were); he did not oppose collaboration, but insisted that the responsibility for decision did not shift from the individual judge.

Will the Gleeson court be much different? Murray Gleeson, like Brennan, is intensely private, but probably better able to deal with politicians. He may be somewhat more inclined to prop at fences which involve radical shifts in judicial thinking, but likely to follow the body of thinking the court has developed. The court has few great challenges before it—largely because of the work of the courts over the past 20 years—but there is plenty of room for consolidation, and the prospect of the court's getting a significant role in settling any issues which arise from the shift to a republic. What is unlikely, however, is a vast change in style or in the output of the court.

Sir Gerard Brennan leaves a court in better shape than some of the critics would suggest, having given it a legacy which extends beyond those three years which will be called the Brennan Court. ■

**Jack Waterford** is editor of the *Canberra Times*.

## Light fantastic

From Allen Volz, Toowoomba Turf Club Secretary

Why is it when anything is done in Victoria, Victorians assume it to be an Australian first?

*Eureka Street* (March 1998) featured a report by Peter Pierce (turf correspondent) that Australia's first night thoroughbred race meeting was conducted at Moonee Valley on Australia Day.

Toowoomba Turf Club has been racing twilight under lights at Clifford Park Racecourse since March 1992, with an average of four night races under lights every week.

The Club then staged Australia's FIRST full night race meeting with all seven events under lights (1000 lux on track) on 4 September 1996 followed by Australia's SECOND on New Year's Eve 1996.

Moonee Valley shared the honour of staging Australia's THIRD night race meeting with the TTC on Australia Day this year.

*Eureka Street* welcomes letters from its readers. Short letters are more likely to be published, and all letters may be edited. Letters must be signed, and should include a contact phone number and the writer's name and address. If submitting by e-mail, a contact phone number is essential. Address: eureka@werple.net.au



Your correspondent then stated that Winter would provide the test for night racing. Had he properly researched his subject he would have known:

- i) That Moonee Valley was not the first with night thoroughbred racing;
- ii) That neither MVRC nor TTC plan to conduct night racing in winter.

Please point these facts out to Peter Pierce, if only for his own benefit.

Allen Volz

Toowoomba, QLD

*Editor's note: Peter Pierce was born in Tasmania and now lives in Townsville. He'll be visiting Toowoomba soon.*

## 'C' here

From Rev. Dr Christopher Dowd, *or*, Dean, Mannix College

For Ms Uhr's information (*Letters, Eureka Street*, April 1998), the word 'creed' has at least two different meanings in Catholic usage. It can refer either to those set, specific, self-contained texts setting out the foundational beliefs of the Christian faith which were formulated at particular stages in the early centuries of the Church and are used in the liturgy—the Apostles' Creed, the Nicene Creed, the Athanasian Creed, etc.—in which case the word is usually spelt with a capital 'C', or to the entire, integrated corpus of doctrine understood in a more generalised way, in which case it is spelt with a small 'c'. The creed which Ms Uhr says in

church every Sunday is presumably of the former type whereas the word as I used it in my letter refers to the latter.

There are many points of Catholic beliefs which are not found in any capital 'c' creed—Grace, the Theological Virtues, the Decalogue, the Moral Law, the Seven Sacraments, the Immaculate Conception, Assumption, Papal Infallibility, Purgatory and so on—but which are nevertheless contained in scripture or have been defined by Councils and Popes, are therefore found in the small 'c' creed and consequently require the adherence of those who claim to be members of the Catholic Church.

The reservation of priestly ordination to men is not found in any capital 'c' creed, it is true, but it is an example of a small 'c' creed doctrine, established by the unanimous and unbroken witness of the Great Church in its eastern and western manifestations and repeatedly reaffirmed by modern Popes, most recently in the present Pope's apostolic letter *Ordinatio Sacerdotalis* of May 1994.

Ms Uhr asserts that when discussing the response of the Congregation of the Doctrine of the Faith, the Prefect, Cardinal Ratzinger, stated that 'these matters are not contained in the deposit of faith'. It is not clear which response she is referring to, but it is presumably the one dated 28 October 1995 and signed by Ratzinger which replied to a doubt which had been raised as to whether the teaching of the apostolic letter, that the Church has no authority to confer priestly ordination on women, belongs to the deposit of faith.

The words that appear in the quotation attributed by Ms Uhr to Ratzinger do not correspond with the text of the response itself: 'This teaching requires definitive assent, since, founded on the written Word of God, and from the beginning constantly preserved and applied in the tradition of the Church, it has been set forth infallibly by the ordinary and universal magisterium' (cf. Second Vatican Council, Dogmatic Constitution on the Church, *Lumen Gentium*, 25,2).

Thus, in the present circumstances, the Roman Pontiff, exercising his proper office of confirming the brethren (cf. Lk. 22:32), has handed on this same teaching by a formal declaration, explicitly stating what is to be held always, everywhere and by

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This month, the writer of each letter we publish will receive a pack of postcards featuring cartoons and graphics, by *Eureka Street* regulars, Dean Moore, Siobhan Jackson and Tim Metherall.

all, as belonging to the deposit of the faith'. Ms Uhr and her circle are wasting their time.

**Christopher Dowd**  
Clayton, VIC

## The stones shout

From P.S.M. Procter

A recently rediscovered letter breaks new ground in the issue of Aboriginal tenure of land in Australia.

Governor Sir Thomas Brisbane made a startling admission in 1821. He said, 'Great things ought to be done. The Mother Country is transmitting annually from 30 to 40,000 £ of goods to the American Indians, as a compensation for their country; we have taken the land from the Aborigines of this country, and a remuneration ought to be made, and as far as I can prevail with the Ministers of His Majesty at home I will, for the amelioration of their sufferings ...'

One witness at the meeting when this remark was made was William

Walker, an early missionary to the Aborigines of NSW. The statement is quoted in his correspondence, Rev. William Walker to Rev. Richard Watson, WMMS London, 29 November 1821, in the Bonwick Transcripts (missionary boxes) BT 52 p.1043-44.

When Brisbane says 'We have taken the land from the Aborigines ...', there can be no doubt about the direction of his argument. Governor Brisbane admits that the Aborigines had tenure of the land. No doubt a court case could explore the words 'remuneration' and 'their country'.

Brisbane's last sentence is poorly phrased. Were the Ministers in His Majesty's government suffering from some delusion about Aboriginal land tenure? They are today!

How did Brisbane prevail? An official despatch follows on his promise. It turns out to be a 'core' type promise which becomes severely revised. He makes his case.

'... I should beg leave to recommend that your Lordship would be pleased to direct the sending out annually a few gaudy Articles, such as those presented to the Chiefs of the North American Tribes, with a few fowling Pieces and Tomahawks, as I feel confident it would be the means of greatly attaching these Chiefs to His Majesty's Government, and become an inducement for them to render service generally to any British Subject.

'The amount of the present I should propose not to exceed 20 pounds, and to accompany the other requisitions.'

This is part of a despatch, Brisbane to Bathurst, Despatch no.7 of 1824, per 'Ocean', 14 February 1824, in HRA ser.1 vol.xi p.226. The analogy with the North American situation marks it out.

Of course, if the trinkets did arrive and were applied to the purpose for which they were requested, we are left with another problem. In some way it may be possible to argue that Aboriginal land already has been purchased with trinkets. However, as there was probably no consent by one of the parties, it cannot be a proper contract or payment.

Would others care to comment on the importance of Governor Brisbane's admissions?

**P.S.M. Procter**  
Duffy, ACT

## Eureka Street Congratulates ...

Barbara Odachowski from Victoria, winner of first prize in the 1998 **Jesuit Publications Raffle**—\$10,000 worth of international travel and accommodation for two people. Other prize-winners were: second prize to J.S. & E.E. Stretch (WA), third prize to J.M. Rowe (NSW), fourth prize to O. & E. Totinu (WA), fifth prize to Richard Smith (NSW).

## On the agenda

### Eureka Street Talks

'ART AND THE RELIGIOUS  
IMAGINATION'

**Rosemary Crumlin**

Curator of *Beyond Belief: Modern Art and the Religious Imagination* at the National Gallery of Victoria

**Friedhelm Mennekes SJ**

Curator, Kunst-Station  
Sankt Peter, Centre for  
Contemporary Art,  
Köln, Germany.

Sunday 5 July 1998 at 6.15pm

St Carthage's Church,  
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Melbourne. Entry by donation.

★

### 1998 Social Justice Lecture

Catholic Commission for Justice,  
Development and Peace

'WORKERS, UNIONS AND  
THE UNEMPLOYED'

**Fr Peter Norden SJ**

Director, Jesuit Social Services

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### Brigidine celebration

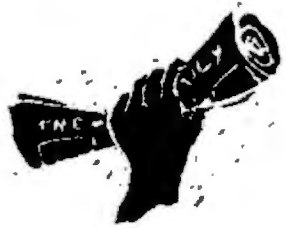
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# THE MONTH'S TRAFFIC



## Rupiah burning

ONE OF THE SECTORS the IMF wants Indonesia to reform is the banking sector. While this international body may not have gone very far in other sectors, it has at least left its mark on this one. Among the banking fraternity in Indonesia, IMF is known as an abbreviation for 'I'M Finished!'

In the decade leading to the economic and political crisis in Indonesia, there was a proliferation of private banks luring savings with high interest returns and even prizes. Until recently, not many people knew how shaky a number of them really were.

The first shock for the public came at the beginning of November last year when a visit by the Deputy Executive Director of the IMF, Stanley Fischer, was followed by the closure of 16 of these banks. The closures were part of the restructure demanded by the IMF. Bank Indonesia, the Indonesian reserve bank, partially underwrote the debt to the depositors. And on 26 January this year, the Government formed a body called the Indonesian Bank Restructuring Agency, known as IBRA, which was given sweeping powers in order to remedy the ailing sector.

Early in April, Stanley Fischer again visited Jakarta and within days 14 more banks got the chop. While this time the IBRA took over the management of the banks' finances, it was still Bank Indonesia which had to fork out the money to the creditors.

What stunned even the most *au fait* business practitioners was that among the 14 that fell into the net were big, seemingly solid banks like Bank Danamon and Bank Dagang Nasional Indonesia, whose owners were listed in the Indonesian equivalent of *Who's Who of Indonesian Millionaires*. The inevitable revelation was that these banks had been relying on Bank Indonesia for their cash flow to the tune of up to five times their own reserves. The reserve bank, as it turned out, had been pouring out around US\$10-12 billion to prop up each of these banks to lend them semblance of health.

The rot began to set in, it appears, in September last year, when the then Minister for Finance, Mar'ie

Muhammad, decided to shift all state-owned enterprise funds from private banks to state banks. Since up to 50 per cent of the private banks' capital had come from state-owned enterprises, they were left with a yawning gap in their reserves. The banks became seriously anaemic, having to rely merely on depositors' money. Unfortunately for them, this happened at the same time as the onset of monetary crisis in the region. Even this reliance on depositors came to an end when on 1 November the Minister for Finance liquidated 16 banks.

Though it later became obvious that the criteria for selecting the 16 banks were arbitrary at best and biased at worst, the Minister's action had eliminated in one fell swoop any confidence the public still had in private banks. This was aggravated further by the official statement that the Government would only guarantee depositors' money up to Rp20 million (then US\$4000). Naturally, panicking depositors rushed to their respective banks—even state banks—and withdrew their money, preferring to bury it or stash it under mattresses. During November alone, some US\$3 billion was withdrawn, and nobody would be surprised if some found its way into foreign banks.

Confronted with the result of its action—big shells of banks empty of reserves, the Government felt it had to do something helpful. Bank Indonesia Liquidity Credits were issued to ailing banks. However, this

had the effect of tying down almost all Bank Indonesia's own reserves. Every day when the private banks ran dry before closing the balance, Bank Indonesia had to come good with its promise.

Some bankers, it was alleged, did not help the situation. Karni Ilyas, the editor-in-chief of *FORUM Keadilan*, a news and law magazine, was told by one of his sources that some irresponsible bankers grabbed this opportunity to maximise their own wealth. They allegedly doctored the balance of their banks, so that they would receive the promised credit from Bank Indonesia. No sooner had they arrived than the funds were transferred to the bankers' private companies. The following day the banks failed to balance again. And so it went on.

When the new governor and board of directors woke up to what was happening, they promptly stopped issuing the liquidity credits to private banks, and took over the management of 14 of those banks. US\$10 billion of taxpayers' money forked out by Bank Indonesia has now disappeared into a black hole and those banks that the reserve bank reportedly had tried to save died nonetheless.

Nobody has come forward with a *mea culpa*, and nobody has pointed the finger at anybody either, obviously heeding the proverb 'people who live in glass houses shouldn't throw stones'. The authorities, from the Police Force to the Attorney-

General's office, are still at a loss about where to start probing. They appear to know that they are out of their depth, and the dire situation the country is in no doubt makes them nervous. Until now, none of the liquidated bank cases has reached the courts, despite the *Banking Act 1995* specifying that any bank officials who breached or flouted the Act or other regulations in relation to banking, can be sentenced to six years' imprisonment or fined up to Rp6 billion (US\$750,000).

If the rumour mongers were correct, the Government has opted for the easier option—print more money. As I write (May), US\$1 billion worth of rupiah is being printed. The potential inflation is not so ominous; it is a problem that can be spread among the people.

—Dewi Anggraeni

WOW, THIS IS INCREDIBLE! YOU MEAN YOU'VE NEVER GONE TO THE HIGH COURT ABOUT ANYTHING EITHER?





## Wharf playback

**I**N THE BATTLE for hearts and minds on Australia's waterfront, the wharfies have received a pretty bad press. They stand accused of being overpaid and underworked, of featherbedding and rotting, of holding the country to ransom. The MUA and its predecessor unions (such as the Waterside Workers Federation) are portrayed as selfish, thuggish and unpatriotic. Writing in *The Age*, Ross Gittins dismissed support for the sacked wharfies as misguided, concluding that the drama of events 'seemed to have blocked out all recollection of the long history of the waterfront and the wharfies' part in it'.

Workplace Relations Minister Peter Reith gave that history a personal twist when he recalled his father's memory of landing at Balikpapan without tanks in 1945 'because the wharfies had refused to load them'.

In the absence of greater detail, it is difficult to judge the veracity of this piece of Reith family lore, though it is certainly true that the wharfies took industrial action during World War II. Busy ports and a labour shortage (with men away at the front) meant an opportunity to regain some of the ground lost under the 1928 Transport Workers—or 'Dog Collar'—Act. Under the legislation, waterside workers had to pay one shilling—equivalent to the price of a dog collar—for a permit to labour on the wharves. Unionists' cards were pink while those of non-unionists were brown, making it easy for employers to discriminate between the two when hiring labour. At the 'pick-ups', preference was given to members of the small 'volunteer' Permanent and Casual Wharf Labourers Union, P&C. (The NFF's decision to christen its new non-union operation P&C Stevedores was a provocative reference to this period.)

In *Ship to Shore*, Rupert Lockwood's pro-union history of the Melbourne waterfront, a waterside worker recalls the indignity of the intense competition to get hired by a foreman during the 1930s:

It was well known that Patrick's foremen took bribes. For a man to get a job he would have to tell the foreman that there were so many bottles of beer for him to collect at the Batman Hill, Great Britain, Markillies,

the Hotham or some other pub. One foreman was known as 'the Matchbox Man'. Wharfies had to go through the ritual of borrowing matches from him ('Got a match?') and returning the box with a ten shilling note in it.

Communist-led unions like the watersiders made some absurd twists and turns in policy as they attempted to remain true to Moscow during World War II. Initially they opposed fascism in Spain and Germany, but when Stalin signed a pact with Hitler, they dismissed the conflict in Europe as a bosses' war. When Germany attacked the Soviet Union, they threw their support behind the war effort once again.

With a Labor government in power, war in the Pacific and the US military pushing for a more efficient Australian waterfront,



a new deal was negotiated on the docks. The 'pick-up' system of casual labour hire was replaced by a roster of work gangs.

Conditions improved but the wharfies did not exactly have it easy. Waterside workers were among those killed when Japanese planes bombed Darwin harbour and wartime workloads in all ports were enormous. In another sympathetic account of the Melbourne docks, historian Wendy Lowenstein quotes dock worker Tom Hills:

We were required to work two twelve hour shifts, an eighty-four-hour week. Wages were frozen but we earned good money—it was the hours we put in ... I remember working weeks at a time—these twelve hour days—without a break.

Two episodes in waterside history clash particularly starkly with the image of a union characterised solely by selfishness, greed and bloody-minded militancy.

The first has been recalled already during

the current dispute. In 1938, wharfies at Port Kembla sparked a nine-week strike by refusing to load pig-iron onto a ship bound for Japan, whose soldiers were already marching and massacring their way across China.

Less well remembered is the waterside workers' support for independence in Indonesia.

Through its wartime alliances, the Australian Government was committed to the restoration of Dutch sovereignty in the Netherlands East Indies. The colonial administration had sought refuge in Australia, setting up a government-in-exile on the outskirts of Brisbane. However, Sukarno's declaration of independence at the end of the war changed the political equation. On Friday 21 November 1945, Indonesian seamen alerted local unions that

cases of ammunition were being loaded on to a Dutch ship in Brisbane harbour. A boycott was endorsed and by the following Monday Australian ports were closed to the loading of Dutch ships.

The late Molly Bondan, an early supporter of Indonesian independence, recalled the impact of the trade union action on Australian awareness of Asia:

No matter what the Indonesians might have said or done, and they had street-long demonstrations in Sydney and in Melbourne and in Brisbane ... they could never have aroused the interest or even have attained the attention of the press and government in any way at all comparable to the way in which the strike did. And in turn, of course, with press and government involvement, it was possible to obtain the attention ... of the United Nations.

Molly Bondan concluded that but for decisive trade union action to delay the

Dutch ships, 'the whole history of the Republic would have been different' and 'Indonesia would have resembled Indochina much more closely'.

In a letter to Prime Minister Chifley in 1947, P.E. Teppema, Netherlands Minister to Australia, admitted the impact of the bans:

It needs no comment that the continuation of the boycott places a heavy financial burden on the Netherlands at a time when the foreign exchange position is extremely difficult ... No gesture of goodwill could be more telling nor have greater effect than if the Australian government were to use their influence for the termination of the shipping ban.

This was the time of the White Australia policy. Yet between 1945 and 1949, Australian trade unions, led by the waterside workers, actively opposed the reimposition of white colonial rule in Indonesia. Wharfies have reason to be proud of certain moments in Australian history, when their union had a much broader and more far-sighted perception of the national interest than the government of the day.

—Peter Mares

## Hell's history

ON ANZAC DAY, hundreds of Australians gathered in the ravine that is Hellfire Pass, Thailand, where more than 400 World War II prisoners of war died cutting a sheer passage through solid rock and jungle on the infamous Burma Railway.

The Memorial Service was ushered in at dawn by candlelight to the whining sounds of a military pipebag. Breaking the moment, Prime Minister John Howard began his address to the sober audience—veterans, former POWs and survivors of the Death Railway, in company with families, friends, sons and grandchildren. Mr Howard expounded the sacredness of the event, his voice echoing through the surrounding valleys via a dominating sound system devised especially for the occasion.

The Reverend Michael Forer led the order of service with poise, and the reader of the 'Act of Remembrance', the Honourable Sir John Carrick, was moving, particularly when he read:

We feel them still near us in spirit. We wish to be worthy of their great sacrifice ...

as the dawn is even now about to pierce the night so let their memory inspire us to work for the coming new light into the dark places of the world.

But apart from these moments, the event did not do justice to the occasion or to the history: the constant flashing of cameras and a surreal sense of political points ticking over made it difficult to think about those perished lives and tortured souls.



I found myself looking around the forcibly-created cutting and waiting for something magical to happen. The moment never really came, except briefly, at the end of a soulful yet nervous Last Post, when a 'yeehaa' could be heard coming from the very ends of Hellfire Pass. It was just distant and reverberant enough to sound Australian and 'ocker', a ghostly tribute from one of the Australian Navy officers to his fallen comrades.

After the Final Blessing, Mr Howard proceeded 'campaign-like' through the tightly grouped crowd and could be heard saying, 'G'day, how are you? Do I know you?' as TV crews jockeyed for position. I too was caught up in the moment as I snapped half a dozen photos when he came past me. An hour later and Mr Howard was off in a Chinook helicopter to the next official engagement at the War Cemetery in Kanchanaburi, donning the Akubra.

The previous day's ceremony had been dedicated to the opening of the new Hellfire Pass Museum, a fine exhibition displaying the full history of the Japanese occupation of Thailand, and the subsequent construction of the Burma Railway. The Museum is 80 kilometres north-west of the bridge over the River Kwai at the Hellfire Pass site.

The new Museum tells us that the construction of the Hellfire Pass cuttings commenced on ANZAC Day, 25 April 1943.

The section was behind schedule by June 1943, and in July of that year, the labour force was supplemented with Australian and British prisoners to increase it to 1000 men in an attempt to complete the section on schedule.

The excavation of soil and solid rock, to a depth of 20 metres, was carried out with eight-pound hammers, steel tap drills, dynamite, picks, shovels, wide hoes and small cane baskets. The men laboured at Hellfire Pass under intense pressure from the Japanese engineers and Korean guards at the height of the wettest monsoon season for many years.

From June 1943, until the work was completed in August 1943, the prisoners were forced to work 12 to 18-hour shifts each day. The POWs applied the name 'Hellfire Pass' to the cuttings constructed during the attempts to catch up on a failing schedule. The prisoners were forced to work at night by the light of fires, which, if viewed from above, gave the impression of the jaws of hell. The deadline was achieved, but at the price of many lives, several hundred men dying between late June and early July 1943.

In retrospect it was difficult to ignore and also difficult to appreciate the Prime Minister's presence, but the time he gave and the words he spoke symbolise something important to us all:

For all our heroes, they were armed with human virtue alone, and their victory was over the darkest recesses of the human heart.

—James Nichols

## A first draft

AS EUREKA STREET goes to press, the new-look Sydney Writers Festival is only half over, with the highlight weekend sessions still ahead. Any review of the success or otherwise of the new date, the new venue and the new organisers must therefore be





# SUMMA theologiae

## Sacred trouble

tentative, and perhaps necessarily unfair.

This year was meant to be a coming of age—the year when Sydney’s festival would cease to be poor cousin to Adelaide and Melbourne, and demonstrate that the Sun and Surf City could organise something uniquely exciting.

The original vision was to make it a spring writing festival by the water, in the old international shipping terminal with all of the Sydney trademarks of Bridge, Opera House and Harbour in view.

As well, this festival was to have a different sort of program, with a strong Asia-Pacific focus and an appeal to a more diverse group than the well-to-do middle-aged women who always seem to swell the audience when writers gather to talk.

But so long did the bureaucracy in the office of the Minister for the Arts, Premier Bob Carr, take to make decisions that for a while it looked as though there wouldn’t even be a Writers Festival in Sydney this year.

At last the new venue got the nod, and May was announced as the date. The latter was a surprise to most of the industry. Everyone had expected it to be September, to tie in with the Premier’s Literary Awards, and make co-operation with the Melbourne Writers’ Festival possible. Organisers were left with close to impossible deadlines.

So has the vision been realised? Yes and no. The biggest disappointment is that attendances are well down. Most sessions held to date have been less than half full. Even the landmark ‘Stolen Children’ evening, held in the Sydney Town Hall, was only about three quarters full—a pity, since those who heard it will remember Sir Ronald Wilson’s speech for a long time.

Another disappointment is that the Asia-Pacific focus has not been realised. Shuntaro Tanikawa, the eminent Japanese poet, and Samoan writer Sia Figiel were the only visitors of note from the region. They were all but ignored by the mainstream media, which means their sessions were no better attended than far duller fare.

The venue has heaps of potential, with rooms strung along a wharf, lots of space for readers and writers to interact, and The Rocks only a short walk away. Not all this potential was realised.

Signposting to the festival venue was totally inadequate. You didn’t know you had arrived at the right pier until you were right on top of it, and even then, locating the rooms in which the various panel sessions were to be held was a matter of asking around until you found someone

**D**URING APRIL, church leaders irritated the Government by criticising its stand on Wik and the wharf dispute. Coincidentally, many articles in this month’s periodicals explore the extent to which churches should be countercultural.

In the most recent edition of the Lutheran magazine, *Currents in Theology and Mission* (December 1997), Robert Kelly asks whether Luther’s basic insight that we are saved by faith alone does not run clean counter to the modern Western belief that our success comes by our own skills and hard work. There can be no middle ground between self-reliant capitalism and justification by faith alone.

Kelly believes that in the United States, the dilemma is not even felt. In place of its inheritance, the church has tended to adopt medieval liturgies, hierarchical bishops or Jesuit retreats, or to become like mainstream Protestants. His diagnosis is clear, but his remedy seems limp—to work co-operatively and non-acquisitively, and to be deeply countercultural in holding that salvation is through God’s grace alone. But would the culture be troubled?

Claude Geffré treats the consequences of globalisation for the churches in *Recherches de Science Religieuse* (1998.1). In the face of the temptations to collapse into a homogenised Christianity or to retreat to a sectarian fundamentalism, Geffré insists that churches should retain their identity, but should focus on their relationship to the wider world. Life will be countercultural when it is lived in love by a church sure of its identity and open to others. True, but not much bite here.

José Gonzalez Faus, the doyen of Spanish theologians, who is unfortunately little known in the English-speaking world, is more sharply focused. In *Revista Latinoamericana de Teología* (December 1997), he insists that if theology is based on a passion for God, it must meet the greatest argument against God’s existence: the plight of the poor. Furthermore, only through solidarity with the poor will we have no option but to come as beggars before God knowing in our bones that our salvation cannot come from our own works. He concludes that while poverty may not be an ultimate question, we can deal with ultimate questions about the reality of God only when we grapple with penultimate questions. Among these, the plight of the poor has precedence.

Gonzalez Faus concludes movingly:

If I was convinced that the Kingdom of God has nothing to say about the growing misery and the demonic world structures, on the grounds that its laws are autonomous and ethically neutral; and if I was convinced that God is only to be found in an experience of peace or silence, exclusively interior, aesthetic and metaphysical, and is not to be recognised in the passion to change the situation I have described, then I believe that, out of solidarity with my suffering brethren, I would have to abandon my faith in that God, and with Paul to be cast away for the sake of the brethren. God would not want that.

In case anyone should believe that the tension between Christianity and Government is new, Allen Brent writes on Ignatius of Antioch in *Vigiliae Christianae* (1998.1). Late in the first century, Ignatius was arrested for being a Christian, and was sent under guard to Rome to satisfy the Colosseum’s need for victims. On the way, he wrote ahead to the churches he was to visit, and was accompanied by Christians from the cities which he had just left.

Brent argues that Ignatius deliberately choreographed his journey to make it a parody and a refutation of the growing emperor cult. He went like a priest of the cult, accompanied by other cultic figures. He was to be sacrificed in Rome, after the example of Christ, the true Emperor, who died on the cross in order to destroy the cosmic powers involved in emperor worship. While Brent perhaps goes too far in making Ignatius a man of a single metaphor, he shows strikingly how subversive of state ideologies was the Christian imagination in its beginnings. When crucifixion was still a common punishment administered for reasons of state, the God whose love was shown in a crucified man stood clearly against totalitarian claims. Christian faith was creative in subverting the ideology of state control.

Both for Ignatius and for Gonzalez Faus, being countercultural leads inevitably to visible conflict with the current idols. Australia’s currently troublesome Christians keep good company. ■

**Andrew Hamilton** SJ teaches in the United Faculty of Theology, Melbourne.

who knew. One signpost pointed straight down, seeming to suggest that the venue was to be found at the bottom of the harbour.

All this, plus the low numbers, gave the festival a secluded, clubbish atmosphere. This was both good and bad. The mix of the audience was refreshing—lots of young people, lots of practising writers, and therefore lots of interesting and probably fruitful interaction. Helen Daniel's interview with David Ireland, for example, had a prickly, writerly air about it quite different from what would have been achieved had the audience been larger and less professional.

In all the sessions, better questions than usual were asked, and better answers given. All the same, as one writer was heard to remark, the panel format common to writers' festivals rarely works, and is beginning to look very tired. Surely a festival should mean something more than authors grouped together to discuss some idea which supposedly links them, but in fact quite probably interests none of them.

It is hard to think of an alternative way of presenting writers, but someone should be working on it.

In the meantime, Sydney now probably has potentially the best venue of any of the writers' festivals with the possible exception of Adelaide, but so far the ferment and flurry that are the real signs of a fecund festival have not materialised.

Given another year, more time to plan, though, and the Sydney organisers may excite us all.

—Margaret Simons

## Hell on the doorstep

CONSIDER THIS string of sad facts about an island all too close to home. The World Health Organisation identifies it as the most violent place on earth outside a combat zone. Life expectancy is a mere 40 years. The murder rate there is 15 times higher than on the mainland; the rate of serious assault is 30 times the national average. Up to 30 people live in each dwelling. The unemployment rate is 88 per cent. Since 1994, the island's inhabitants have been committing suicide at the rate of one a month.

What and where is this hellhole? Well, it's Palm Island, a gem of a spot just off the coast from Ingham in far north Queensland, surrounded by the glittering tourist resorts

of the Whitsundays. It sounds like just another playground in paradise. It is not.

Between the ages of three and seventeen, I lived in Cairns. Two days after finishing high school in November 1979, I left. By then, tourism had grown, but didn't really boom until the early 1980s. The world-on-holiday invaded the place, and left bits of itself behind.

Cairns in the 1970s was no bastion of interracial harmony. There was only one Aboriginal boy in my class—he was a cheery kid, and well-liked. In my last two years, an Islander kid joined the roll; he excelled at sports, and was also popular. I didn't know any other Aborigines or Islanders. When I went out with my mates on Friday and Saturday nights, we'd see groups of



Aborigines drinking in the city parks, swaying around beer gardens, and sometimes brawling in the streets.

These fights scared me, but rather than admit to fear, my peers and I embraced loathing. Among the worst schoolyard insults we used to throw at each other were, 'You're from Yarrabah', or 'Go back to Yarrabah'—Yarrabah was an Aboriginal settlement a few kilometres around the coast of Trinity Bay. No whitefella I knew had ever been there, but we teenage white boys, trying to work out who we were and what the hell we were doing in this tropical backwater, spoke of Yarrabah's reputed filth and degeneracy. You'd think we'd all been to the mountain top.

In the primary school classroom we learnt nothing of Aborigines beyond the 'noble savage' stereotype: they were good hunters, knew how to build a makeshift shelter in no time, and could make fire at will. Nothing about massacres, poisonings, stolen children, social ruin. They existed as fallout, in a half-life. We were instructed to feel sorry for them—not for what our forebears had done, but because they could not progress, could not adapt to the winning ways of white Australia. In high school, they weren't mentioned at all.

We didn't know any better and our elders were equally ignorant. The Queensland Government of the time pretty well wrote the book on bigotry.

In 1995, on a work trip to Alice Springs, I had to confront a few of these childhood prejudices. There, in the Todd Street Mall and in the Todd's dry riverbed, were groups of Aborigines, drinking, shouting, fighting. The old gut reaction hit me—watch out, they hate you because you're white, cross to the other side of the street. But I'd travelled in some pretty rough countries, had the occasional hostile reception, and not let it get to me. And here I was, anticipating an unpleasant incident out of my own insecurity. The challenge was to deal with it.

I am a freelance journalist, writing mostly about travel and tourism; I've also written some Aboriginal-related pieces. I keep up with the news, and consider myself reasonably well-informed. And, like virtually everyone I know in Sydney, I have no Aboriginal friends.

In February of this year, I happened to glance at a copy of *The Sunday Times Magazine*, featuring a cover story called 'Devil's Island'. Curious, I opened and began to read.

'Devil's Island' was not about Papillon's Caribbean prison, it was about Palm Island. At first, I had trouble believing the article—a media beat-up, I supposed, maybe a case of self-righteous Pommie mud-slinging at the old colony. I didn't want to believe it. But the people, the figures and the stories are all there on the record for public scrutiny. A dead son is a dead son.

How can this be? If things were that bad, surely we would not only know about the place, but also know of some course of official action aimed at alleviating the problem. Wrong.

Palm Island had been a vision of hell since 1918, when a penal settlement was established by the Anglican Church. Authorities transported more than 40 different tribal groups, and the mission incarcerated them. Its regime was typical of that described repeatedly before the 'stolen generation' inquiry: a ban on indigenous languages, practices and beliefs; the separation of families; slave labour; floggings. All this continued until the mid-1970s—precisely when I was being taught what skilled hunters Aborigines were. When white authorities finally left the island in 1985, they dismantled everything—homes, shops, the dock, the timber mill—and took



it all away. The Queensland Government has since opened a shop that sells its goods at double the mainland price. Today, the Palm Islanders own nothing: the Government created a 'deed of grant in trust', which 'loans' the island to its 3,500 inhabitants. Whenever the state wants once again to ride roughshod over the islanders and develop the place for tourism, no legal impediment exists to stop it.

To cap it all, for decades the state government appropriated the wages of the island's slave labourers. The Aboriginal and Islander Legal Secretariat in Brisbane is currently preparing a case, which will be launched in June this year, to have the money—more than \$700 million—returned to the islanders.

Last December in Canberra I saw the 'Captive Lives' exhibition, featuring an Aborigine called Tambo. Tambo lived on Palm Island until he was snatched by agents for P.T. Barnum's American circus in 1883. Hauled off to the States with other Aborigines, including his wife, Tambo was billed as a 'Cannibal Boomerang Thrower', and led Barnum's parade. He died a year later. It wasn't until 1994 that his body was returned to Palm Island and buried, but his descendants no longer knew the correct

rites for laying his spirit to rest. They buried Tambo in the wrong position but couldn't bring themselves to exhume him. The island's young men say that, since then, a ghostly figure called the Hairy Man has appeared to the island's young men at night; he hands over a rope, and the youths do the rest.

Whether you believe that Tambo's ghost, seeking revenge for the wrongs done to him, drives the youths to suicide, or whether it's an earthier cocktail of drink, drugs, despair and futility, the causal logic is clear: past brutalities are wreaking present havoc.

What I read about the island appalled me. The fact that I'd never heard of the place before frightened me. I'd lived a mere 150 kms away from it for 14 years, and on numerous occasions I'd been to Ingham to play soccer.

Why do I have to learn about this place in an English magazine, a publication that relatively few Australians would read? Why has no Australian newspaper, magazine, television or radio current affairs program devoted a fraction of its massive resources to this story? By any criterion, it's newsworthy—possibly more so now than ever, given the prevalence of unresolved Aboriginal issues in the media during the past year or two.

Someone should go up there and write the story that must be written. The present Queensland Government should take immediate action to rectify the injustice—put it on their list—and the politicians and bureaucrats responsible for past human rights abuses should be brought to book.

—Sean Doyle

*This month's contributors:* Dewi Anggraeni is the Australia Correspondent for FORUM Keadilan and the Jakarta Post; Peter Mares presents Asia Pacific on ABC Radio National at 8pm each weeknight and at 8am on Saturdays; James Nicholls is a freelance writer; Margaret Simons is a journalist and novelist; Sean Doyle is a freelance writer.

## Credits



At the Australasian Catholic Press Association awards for 1998, *Eureka Street* won:

### Best Editorial

Andrew Hamilton, 'Zero Sums', on the excommunication of Sri Lankan Catholic theologian Fr Tissa Balasuriya —March 1997.

### Best Magazine Front Cover

Photograph by Bill Thomas, design by Siobhan Jackson (see above)—December 1997.

At the Australasian Religious Press Association awards for 1998, *Eureka Street* won:

### Best Layout (Magazines)

Siobhan Jackson and the production team.

### Best Feature (Newspaper or Magazine)

H. A. Willis, 'The Colour of Blood', on injustices to Aborigines in Western Australia —January/February 1997.

and was highly commended for

### Best Story by a New or Non-Professional Writer

Tracey Leonard, 'In at the Death', on her experiences in Mother Teresa's Kalighat Hostel for the dying —October 1997.



# Fit to print

*'I could tell you a lot/ but you got/ to be true to your code,'  
crooned Frank Sinatra in 'One For My Baby'.*

**Margaret Simons** spent time in Canberra's press gallery, bars, taxis and corridors of power, analysing the codes and asking whether journalists sing that same old song.

**W**E DROVE TO THE national capital on an autumn Sunday afternoon, past smooth hills corkscrewed with the futile tracks that sheep make, the grass chewed close to the ground. I was sitting in the back. Four-month-old Lachlan was asleep. Clare, nearly two, needed to be. I pretended to nod off, hoping she would mimic me, and she did. Too well. Head on one side, eyelashes brushing her cheek. But when I opened my eyes to peek at her I found she was watching me back. Little lizard eyes—a slit of wet between the lids, and a smile at the game we were playing. Slowly, slowly, her eyes fell all the way shut. Then the flicker, and a wicked laugh when she caught me watching.

So we continued. Pretending to sleep. Pretending not to watch. Catching each other out. Watching me, watching you, while the capital grew closer and the road hummed and the gum trees were sketches of grey on pasty margarine-yellow. The pretence took over. At last she turned inward, and was sunk in her imprecise two-year-old dreams, her limbs abandoned to gravity, the job of watching left to me. I was still watching as we rolled out of bugged-up sheep country and into the low-rise office block city, towards the immaculate green mound of Parliament House.

There are four doors to Parliament House. Four eyes looking out from under the turf. The public entrance at the front, hardly ever used by the people who work there, is for tourists and for show. The Senate side door is to the west and the House of Representatives door to the east,

but the real 'eye' of Parliament House is the Ministerial Entrance, which is at the back. When you see ministers on television they are likely to be standing at the Ministerial Entrance. This is where they do 'doorstops', which is the modern substitute for a sit-down press conference. Once upon a time a doorstop meant being caught unprepared by a watchful media. These days, they are rather like the spontaneous demonstrations in Orwell's *Animal Farm*. Doorstops are announced by press release. The advantage for the politicians is that they can always walk away.

The Ministerial Entrance is set up for doorstops. There are special boxes set into the pillars. Open them up, and there are all the plugs and special powerpoints the television crews need to broadcast to the nation. Watching me. Watching you.

**Y**EARS AGO when I was a journalist on *The Age*, career advice was given in the pub, after ambition and envy had been softened and sentimentalised by the wash of beer. It was in the pub that the editor surprised me one night by saying that I was a journalist in mid-career. I was only 25, and had rather fancied I was still at the beginning. 'Career paths are shorter these days,' he said, and told me that if I wanted to be anything in journalism, I must go to Canberra and learn how government worked.

Canberra used to mean many things in those days, but never a city. In the headlong rush to deadline in the evening, you would hear the newsdesk say 'Canberra is filing'

or 'Canberra thinks ...' In the pub, you would discuss what 'we', meaning the paper, should be doing, and then it was, 'There's too much Canberra', or 'Canberra is out of touch'.

In this context Canberra meant our bureau, and usually, a single person—chief political correspondent Michelle Grattan, a woman with fuse-wire hair, thick glasses and hunched shoulders, legendary for her capacity for hard work and her alleged lack of a personal life. There were so many stories about Michelle. One night when she was madly typing, a pen firmly between her teeth, a drunken sub-editor was said to have drawn out his penis and laid it on the desk in front of her, with a suggestion that this was what she really needed. 'Put it away cobber,' she was meant to have said, without a pause. 'Put it away.'

There was another story about how she had, many times, sat by the bedside of a colleague's dying child. They say Michelle used to read her fairy stories. Lots of people told you this story, and they would always begin by saying: 'Not many people will tell you this about Michelle, but ...'

I wonder if any of the stories were true? To junior reporters like me, Michelle was a collection of such stories. And of course, she was her copy, which usually dominated the front page.

I never took my editor's advice. I used to take pride in saying that it was a career ambition of mine to avoid the capital. I presented this as principle, but really, each time the opportunity was presented it was really some doomed love affair or personal



timidity, a cleaving to the intimacy of the office I knew, that kept me in Melbourne.

Now, 12 years later, my editor had been proved right. Twenty-five had been mid-career, and now that career was behind me. At last I was in Canberra, but this time I was there to watch the watchers. I had enough contacts—former colleagues and friends—to get a security pass and a desk. Not enough, I thought, to be compromised by what I was sure was a club.

The truth is, of course, that as soon as you get in touch with old friends you are compromised. They were good to me. They fetched me coffee, invited my family for dinner, spoke freely and looked offended when it became clear I meant to quote them. Michelle Grattan's first words to me were: 'You don't happen to want a cat do you? I found this kitten wandering around outside Parliament House last night, all alone, so I took it in. But you see, I have dogs ...'

And so sometimes I found myself wanting to pull my punches. Wanting to be nice.

'The reason Graham Richardson was so powerful was because he did things for people. He is a very nice man,' said Fia Cumming, chief political correspondent for the *Sun-Herald*.

A little later, she asked me to treat what she had told me about her own private life 'sensitively'. Fia Cumming was co-author of the first article published that named the former student with whom Cheryl Kernot had had an affair.

Was that a legitimate story? I asked.

'Absolutely,' she replied.

Margot Kingston, correspondent for the *Sydney Morning Herald*, and the gallery's token radical, said it all in one of her articles about the whispers that were circulating in corridors when the Liberal leadership was up for grabs: 'Journalists can only tell you what's really going on in code. Politicians only talk to us because both sides play by strict rules. We can't tell you directly what they really say.

'We must solemnly report bogus pledges of loyalty and hypocritical media bashing. With this type of story, it is absolutely necessary to slant stories one way or the other—that is, engage in some comment in news pieces, to give the public an inkling of what's going on. And to write unsourced comment pieces going as far as we can to explain, as far as we know, what we have judged might be happening.'

To deal with people, to be part of a community, is to make alliances and compromises, and in Parliament House the

conversations in cafeteria and corridor are about code, about shared knowledge, and what is and is not done. You do things for people. You become powerful. In these things, the press gallery's politics are like those of any other office. Notices in the tearooms for people to wash up their mugs. Photos of parties on the wall. Shared jokes.

Shared views. But these people are watching for us.

IT IS NINE O'CLOCK on the morning of 16 February 1998. Australia is poised to send troops to a foreign war. The High Court is shortly to make a decision on the Hindmarsh Island case. The Federal Parliament is considering the Wik legislation. The Government is talking of changing the way we are taxed.



The preceding week, Cheryl Kernot, Labor MP-to-be, has attacked journalists for intruding into her private life, writing about her 20-year-old affair with her former student. It has been said, in various columns and letters to the editor and even in editorials, that something has changed in the way the Australian media do their work—that they are more willing than ever to intrude into the personal.

The offices of the parliamentary press gallery take up the whole of the second floor of the Senate side of Parliament House. This is a place of gleaming parquet corridors and pink carpet. At this hour the offices of the nation's media companies are mostly deserted. Only a few junior radio journalists are on duty.

Meanwhile, Parliament House is being manicured. The high windows are being cleaned with mops specially designed for the nooks and crannies. The lawns and garden courtyards are flawless. They use specially designed mowers to mow between the flagstones. The drink fountains are being stocked with cardboard cups. In the four weeks I spend in Canberra, I never find a drink fountain that is not adequately stocked with cardboard cups. It is so unusual, these days, for a public building to

be properly maintained that this adequacy feels like excess. And all this work is done unobtrusively in these early hours, when the rush to the six o'clock news is still a long way away, and the television monitors on the second floor of the Senate side of Parliament House are tuned to Humphrey B. Bear.

The heavy-hitters of the gallery are still in bed, or eating toast, or in their dressing gowns reading the newspapers and listening to AM, or feeling guilty about not reading the papers and not listening to AM, because they are trying to juggle the rest of their lives.

Laura Tingle has just resigned as Canberra bureau chief for *The Age*. This is the third time she has changed employer in the last five years, but she has moved a total of about 25 metres along the pink corridors. This morning she has no job to go to, and has dozed off listening to AM, and woken just in time to hear '... and now in financial news ...'

Her husband is Alan Ramsey. Once he was a Michelle Grattan equivalent, a God correspondent. Now he writes a twice-weekly column for the *Sydney Morning Herald*. For once she won't have to give him her standard line about why she has to go in early. 'Some of us have to file more than twice a week, darling.'

Margot Kingston is sitting at home playing solitaire and chewing nicorettes. She is invited regularly on to ABC Radio to give commentary on politics, but is restricted from doing so in her own paper. 'Do I want to be a hack all my life?' she is asking herself. She won't make it into the office much before lunchtime.

Laurie Oakes, chief political correspondent for the Nine Network ... who knows what Laurie Oakes is doing? Ask anyone in the gallery, or any of the political minders, who they believe to be the leading journalist, and they all say 'Laurie Oakes'. He breaks the stories—about John Sharp's expense claims, about Howard's directorship of the Menzies Centre. All manner of stories. The Prime Minister appears frequently with Oakes on the *Sunday* program. Oakes writes a column for *The Bulletin*.

'Laurie is something of an amateur anarchist,' says Russell Barton, news editor for the ABC. 'If Laurie turns up to a doorstep, your heart sinks,' says Innes Willox, press officer for Alexander Downer. 'If Laurie mutters "That was bullshit" after your press conference, you know you are done for,' says one of the Prime Minister's press secretaries.

What does Laurie do before the working day begins? One imagines his great soft body contained in a silk dressing gown, his survey of the papers lordly and detached. Or perhaps his wife is nagging him. Or perhaps he is walking out to the compost bin, a bowl of kitchen rubbish in his hand. Or perhaps he is playing the glockenspiel. I don't know how Laurie Oakes spends his mornings, because he wouldn't talk to me. 'I don't want to talk about the press gallery,' he said to me in his office on the second floor of the Senate side of Parliament House. 'I hate the press gallery.'

'Is there anything I can say that will change your mind?'

'No.'

So there they all are, reading or not reading the papers, and this morning is unusual, because *The Australian* has broken a story.

The Environment Writer, Stephen Lunn, has documents released under Freedom of Information legislation. They show that the money raised from the sale of part of Telstra, which was to be used for environmental projects, has nearly all been spent in Liberal and National Party seats. The distribution of money is decided exclusively by Robert Hill and John Anderson, the Ministers for Environment and Primary Industries respectively.

It looks like the equivalent of the sports-rorts affair that saw Ros Kelly sacked when Labor was in power, but as usual things aren't so clear. By ten o'clock in the morning there are already notices on the board in the press gallery. One announces a press conference to be held at 11.30am in Hobart by the Shadow Minister for the Environment, Duncan

Kerr. 'Revelations in today's *Australian* ... is (sic) prima facie evidence of rotting on a grand scale' it says. And another notice announces that Hill will hold a press conference in Cairns.

This noticeboard is at an important part of the second floor of the Senate side of Parliament House. Look at the board, and

you get an idea of what is happening that day. Today, as well as the notices announcing Hill's and Kerr's press conferences there is a letter from the Smith Family thanking the press gallery for raising \$2000 to buy Christmas presents for needy children. Someone has written above it. 'Cheryl, the Media aren't all bad.' Opposite the notice board are the boxes into which press releases are distributed. Every media organisation has one. In fact, some media organisations exist for nothing but having a box and channelling the information that lands in it to paying clients. On the walls next to the boxes are two locked wooden frames, where the Prime Minister and the Leader of the Opposition post their media schedules for the day.

Now the reporters are arriving for work and gathering around the noticeboard and the boxes. Michelle is still looking for a home for that kitten. Someone else is complaining about Hill's 'presser'. 'Ten minutes notice of something happening in Cairns. What are we meant to do? Beam up Scotty?'

In the *Australian* office, the bureau chief is having trouble persuading the author of the scoop, Stephen Lunn, to come in to work. Lunn is meant to start holidays today before being transferred to the Melbourne office. He wasn't planning to come in. The bureau chief exerts some pressure. 'The editor, quite legitimately in my view, was expecting you to come in and do the follow up.'

Lunn comes in.

At midday the television monitors in the press gallery offices are broadcasting Kerri-Anne Kennerley. Her guest is John Pasquarelli, former head of staff for Pauline Hanson, and once a familiar sight wandering the corridors of the second floor of the Senate side of Parliament House. He has just published a book on his former boss. The gallery members gather round the monitors. Kerri-Anne accuses Pasquarelli of being a liar. The gallery roars and claps. She does it again, and they cheer.

Meanwhile, one of the Government's media minders is leaning over Lunn as he writes his follow-up story. They laugh together. As the minder walks away, Lunn says: 'So the PM's office says for the record that Senator Robert Hill is very lucky to have his job today,' then laughs. The ministerial minder grins, and walks on. Is it a joke? It must be, another reporter says when I tell the story later in the day. Nobody is suggesting that Hill is on the skids.

One o'clock, and a notice goes up on the board announcing that Anderson will have a doorstep at the Ministerial Entrance at three. When the time comes, cameras are packed up and carted down. A long, loose crocodile of notebook-carrying reporters makes its way down the lifts and through the corridors. They are talking among themselves. There is a party on Saturday night. Not everyone can go. It has been called at short notice. 'I'm sorry, I'm sorry,' says the hostess. 'One day I'll get my act together.'

There is a divergence of opinion on *The Australian's* story. The transcript of a radio interview given by Hill on the issue has already been circulated in the boxes. He said, 'I can't be held responsible for the fact that the Labor Party's only got three bush seats as opposed to 40 Coalition. That's somebody else's problem.'

'Good yarn,' says a commercial radio reporter.

'Yeah.'

'Not a bad line of Hill's though. When you've got all the rural seats, you should get most of the money.'

'Yeah.'

'Good yarn though.'

'Oh, I don't know.'

The camera operators set up little stepladders at the Ministerial Entrance. This is so they will be able to get several angles of the Minister talking—from eye level, from knee level (they drop, almost as one, to their knees), and from above.

The Minister comes out, and says that the story is an outrageous beat-up, that the money is most needed in rural areas, which just happen to be Coalition seats. He also says that there was no need for *The Australian* to use documents obtained under Freedom of Information legislation. The complete documentation on how the grants were decided is available for anyone to see.

The Minister walks off. The camera operators pack up their stepladders and unplug their cameras from the pillars of Parliament House. Anderson's press secretary is busy handing around flow charts of the grant-awarding decision-making process. He spruiks them: 'Flow diagrams, flow diagrams, excellent for radio,' and everyone laughs.

Now it is nearly five o'clock. The six o'clock news are almost in the can. I am sitting in a corner of the *Australian* office, buried in press clippings, when I sense that something is going on. There is a rustling, an organising on the second floor of the





Senate side of Parliament House. People are moving fast. They are excited. What is it? I wander out into the pink corridor and see film crews urgently lugging equipment. I catch a glimpse of Michelle Grattan's blue dress disappearing down the corridor. Michelle will know what is happening. I set out to follow her.

Down the pink carpet corridor. Down a white staircase, along more parquet, round a corner, through heavy glass doors high enough to allow access for giants. Down another corridor. She keeps getting ahead of me, but always there is that glimpse of the blue dress, the click of her heels on the parquet.

Then suddenly we are in a cool stone courtyard, and it is clear that we have arrived. A circle of reporters is grouped around the heavy wooden doors at the far end. Almost directly above is the giant Australian flag that sits at the apex of Parliament House, and on either side of the wooden doors there is another, normal-sized flag. There is a lectern in the middle, and the flags are spaced just the right distance from the lectern to appear in any shot of the speaker.

This is a courtyard of stone and water—a fountain surrounds a four-humped sculpture in the middle. Wisteria covers trellises on either side, but the green barely softens the stone. A man in a suit and tie comes up to me.

'Who are you?' he demands

'Margaret Simons. Who are you?'

He looks at me. I expect to be expelled, but he moves on.

Now the Prime Minister is standing at the lectern, and he is announcing that tomorrow, our troops will leave for what looks as though it is going to be another Gulf War. The Prime Minister says he knows that all Australians will wish them Godspeed.

As we walk away, one of the *Australian* reporters says, 'Lunny didn't get to ask any questions.'

'What about?'

'His greenie story.'

'Ah.'

But now there is no time. The press conference was called just in time to make the six o'clock newscasts, not in time for the reporters to gather any dissenting opinion. In the public areas of Parliament House, the last tourists are leaving. The sun sets. The lights come on. Clatter clatter go the keyboards on the second floor of the Senate side of Parliament House.

Now the six o'clock newscasts are playing. 'Godspeed' say the little topic boxes behind

the heads of the television announcers. Then the television offices gradually empty.

In the newspaper offices, the clatter continues for an hour or two. Then the gallery goes home.

'Godspeed' says the headline on the *Daily Telegraph* the next day.

Meanwhile, *The Australian* is the only paper to follow up comprehensively on the National Heritage Trust story. *The Age* carries a small item pooh-pooing it. The *Financial Review* and the ABC carry straight reports of the allegations, and the Government's response. Most commercial television newscasts do not cover the story.

By the end of the week, the environment story is dead.

The next day, I ask Margot Kingston how the gallery suddenly *knew* about Howard's press conference. I had seen no announcement, heard no telephone calls.

'They probably rang the bells,' she said.

She tells me that when something urgent—or fake urgent—is happening, those putting press releases into the boxes or posting notices on the board ring a bell so that everyone will know to go down and have a look. The bells, I find out later, were rung ten minutes before Howard's press conference to announce the departure of Australians for a foreign war.

'The bells, the bells,' I say, doing my hunchback of Notre Dame impression. Margot doesn't smile.

The next week, I do two interviews with Government media minders.

Innes Willox was once my chief of staff on *The Age*. Now he manages the media for Alexander Downer. He says that sometimes, when someone in the gallery breaks a story, the rest of the gallery kills it. There is a bias against breaking ranks.

He says, 'Last year Lindsay Murdoch on *The Age* broke a story about Downer supposedly not paying duty on some cigars he brought into the country. It wasn't a story. He didn't have to pay the duty, but when I woke up and read that story, I thought, "Bugger, there goes my week." I thought I'd have to spend the whole week killing that story. But when I went up to the gallery and began to talk to people, I found they had already killed it. The reporters on other papers were calling it a beat-up. They were quite sympathetic to me. I didn't have to do a thing. They killed it for me.' He pauses. 'The gallery kills its own.'

My second interview was with John Anderson's press secretary. He spent a lot of time explaining how he handles different media. He writes two press releases on

many issues—one for the country media, and one for the boxes in Canberra. 'The gallery can interpret political speak. The bush can't.'

He also said his Minister was often frustrated at not being able to get on the six o'clock news. Rural issues were rarely good television, but soon they were going to have an item to do with sniffer dogs at airports. 'Cute dogs, cute minister. That will make it.'

And the big success story of the previous year had been an announcement of drought assistance grants. The press secretary had organised the media conference on a Sunday, on a farm property near Queanbeyan, and the entire Sunday-rostered gallery members had attended. The Minister had copped some flak, he said, for holding the conference near Canberra, rather than somewhere like Longreach, where the money was actually going to be spent.

'I told him, do you expect the gallery to decamp to Longreach? No. And the fact is that we got on all the newscasts that night, which we wouldn't have done any other way.'

I asked whether any reporters had asked to see the documentation on the National Heritage grants that both Anderson and Hill had said was available to anyone who asked.

Not one reporter had asked for it.

'Can I see it?' I said.

His eyebrows went up. 'Well, it's a huge volume of stuff, you know. Very dull.'

'But I can see it?'

'I'll have to check. Did he really say that? Did he really say it was available?'

'Yes.'

'Um. I wasn't aware of that.'

**M**ARGOT KINGSTON was the only person I wanted to interview whom I had forewarned of my arrival in Canberra. I knew she would tell me the gossip. Kingston is not only a reporter, but also a player of the game of politics. She talks quite plainly about how various stories she has written have influenced the course of events. Other reporters don't put it this way. They talk



about 'breaking' news. This means they publish something first. Sometimes the breaking news is a leak of a report or an opinion due to be released anyway. Breaking it simply means getting it first. Other times, breaking news means publishing something that would otherwise remain secret, such as Laurie Oakes' breaking of the stories about ministers' abuse of expense accounts. But reporters rarely examine, let alone talk about, how they decide what to break and what to let lie.

Kingston is what a journalist should be—discriminatingly indiscreet.

How does the press gallery cope with her?

She says, 'I think the structuralists think I am probably a good person to have around.' 'The structuralists?'

'The ones who think about the whole animal of the gallery. They would think that I fill a positive role.'

To others, she is anathema.

One of her former bosses said to me: 'Ah, Margot. Yes we were always talking about how to manage Margot, but of course the truth is she is quite unmanageable. But then she does break stories.'

And Innes Willox said to me: 'Margot will pick up stories that nobody else will touch. She must have the hide of a rhinoceros to do that in this place.'

I got to know Margot when we both worked out of the Fairfax newspapers' office in Brisbane. She was writing for the *Times on Sunday* and I was correspondent for *The Age*. She was a chain smoker—impossibly thin, impossibly pale—always dropping cigarette ash over my desk while she asked for my opinion on some current event of the day. She didn't always listen to my reply. If I got angry with her, she would just blink, and keep talking. She sat at her computer all folded up like a tortured paperclip, and tapped away. I liked her immensely, which does not at all conflict with the fact that there were times when she was hard to stand.

Now, ten years later, Margot and I meet at Ossies, the coffee shop in the non-public area of Parliament House where Ministers and reporters and office workers queue together for their excellent cappuccinos in a self-conscious show of camaraderie, an elite sort of egalitarianism.

I have just come from another staged doorstep event, where everyone was polished and reasonable. Margot was late, depressed, in a T-shirt and a waistcoat with a torn shoulder seam, blinking palely in the sunlight of the manicured courtyard.

Since she came to Canberra, Kingston

has broken stories, and pursued others after they had been dropped. She broke the story about Noel Crichton-Browne telling a journalist he would 'screw her tits off' if she quoted him. She pursued Ros Kelly over the sports rorts affair long after the rest of the gallery had dropped off the story. Eventually they were forced to pick it up again. She also broke significant aspects of the story about Graham Richardson and the Marshall Islands affair.

'The gallery went very soft on Richo,' she says. 'You see the perception was that he would survive, so they didn't go for him. And when he got back on to the front bench, there was hardly a murmur.'

The gallery, she says, doesn't necessarily like a scoop. The National Heritage story wouldn't have been picked up because, 'There would be pressure—because they had it and we didn't—to talk it down. To say that it wasn't a good story. And everyone hates the Oz anyway, because they never attribute follow-ups. If we follow up an Oz story we'll say where it came from, but they never do that when they follow up ours.'

But in spite of everything, Margot, always in love with her work, likes the gallery. She even claims to like the fact that it runs as a pack. 'I think it's good for journalism,' she says. 'Everyone knows if you've made a mistake. Everyone knows if you've broken a story. We police each other to some extent. We all watch each other.' She claims that the gallery did not promote Pauline Hanson—that was done by radio talkback shows and non-gallery journalists. The gallery members who did give Hanson what the pack judged to be too good a run were constantly chuffed about it, she says, And how hard is it to run your own race within the pack, with such 'policing' going on? She blinks and doesn't really answer. Margot just does what Margot does. Utterly vulnerable. Utterly undentable.

**I**N THE INTRODUCTION to *The Faber Book of Reportage*, John Carey, Merton Professor of English at Oxford University, talked about how reporters must resist the slide of language into sameness, and distancing from the real. He talks about how language can either confront us with the vivid, the frightening or the unaccustomed, or do the opposite—muffle any such alarms.

'The good reporter must cultivate the innocent eye, but he must not be innocent,' Carey claims. The reporter must talk about blood, and killing, and war, not adopt the circumlocutions of casualties and offences and strategy.

Yet the reporting of the Canberra press gallery is full of such distancing. Politicians have kneejerk reactions. They call for things. They condemn things. They appeal to things. They do all sorts of things that are presented in a coded language, a sort of politics-speak that is not only distant from the way things really happen or are decided upon, but also masks the personal element, the aching heart, the compromised belief, the friends and enemies and who drinks out of whose coffee cup, and who lies to whom, and who loves whom, and all the other whispers and shouts and joys and sadnesses that happen in that big well-kept building under the smooth green lawn.

**T**HE TERM 'God correspondent' needs to be explained. It comes from Laura Tingle, wife of Alan Ramsey who used to be one. Or perhaps still is.

Ask gallery members and political minders to describe the stratification of the gallery, and they tell you there are three levels. There is only a small amount of disagreement about who belongs on which level. First there are the young and the restless—junior reporters who come in, attend whatever events and press conferences they need to attend, churn out their stuff—he says this, she says that—and go home, or more likely go on to a hectic social life.

On the highest level (and again there is only a small amount of disagreement about who belongs on it) are the gallery leaders. These are, most agree, Glenn Milne, who works for the Seven Network, but also writes a weekly column in *The Australian*; Paul Kelly, when he is in town; and Laurie Oakes, although some put him on another level, all by himself. These people have the power to lead gallery opinion. Some of the ex-God correspondents are on this level. Others are no longer part of the gallery, or have shifted sideways. Michelle Grattan, now working for the *Australian Financial Review*, is generally agreed to be running a different race because she writes for what many journalists deem a 'boutique' publication. Of course, the fact is that the *Financial Review* is one of the few outlets for lengthy articles on policy.

The gallery can also be led by people who aren't actually there. The ABC's *7.30 Report* is influential, although its anchor, Kerry O'Brien, works from Sydney.

Then in the middle are the heavy-hitters, and Laura Tingle is one of these. They are people in their 30s or 40s. They hold senior jobs and cover important specialties.



Sometimes they head bureaus. The expectation is that they get below the surface, talk to Ministers privately, and report what is really going on.

While I am sitting with Tingle in Ossies, one of the staff members for the Health Minister, Michael Wooldridge, drops by. 'My bloke's going to give you a ring later. We thought you and the boy might like to catch up for dinner tonight.' The 'boy' referred to is Ramsey. Or Alan.

I knew Tingle only from her picture by-line in which she looked inappropriately girlish for a heavy-hitting reporter—long blonde curls, and a small pointy face. Now, face to face, she looks older, the blonde hair cropped into a wavy bob and her eyes crystalline blue.

I had rung her on my first trip to Canberra. She had just resigned from *The Age* as their Canberra bureau chief, sick, as she puts it, of constant interference and lack of attention to her requests. 'They didn't seem to realise that when I said we needed more staff I might actually mean it.' She refused to talk to me then. 'I'm just sick of the gallery at the moment,' she said. 'I don't want to talk about it or anything connected with it.'

But by the time I return four weeks later, Tingle is back in the gallery, a few metres down the hallway in the *Sydney Morning Herald* office, and willing to talk.

She says, 'When I started in journalism, there were the God correspondents. Paul Kelly would ring up and say "I will be writing tonight", and sometimes you wouldn't even know what he was writing about, but space would be made available. "I will be writing tonight." It was like Moses descending with the tablets.'

Paul Kelly used to be Canberra bureau chief for *The Australian*, then became editor of the paper for a few years, during which time it became known among print journalists as the best paper in Australia.

Michelle Grattan was the Kelly equivalent at *The Age*. She had influence and sometimes even control over what ran where. And Alan Ramsey was another God correspondent.

Over cappuccino in Ossies, Tingle refers to her husband Alan Ramsey in two ways. When she talks about their personal life she calls him 'Alan'. When she is talking about the phenomenon, the public guru, the journalist, she calls him 'Ramsay'.

But really, Tingle says, the God correspondent is dead, and she feels ambivalent about the passing. On the one hand, political reporting has changed and people are tired of being told what to think by journalists. On the other hand, there isn't the same deep engagement with policy issues now that there once was.

So what does a heavy-hitter actually do?

Before Tingle gets into work in the morning, she will have read or glanced through all the newspapers and listened to the radio news and current events. She arrives at the office at around 10.30am. Sometimes, on those days when she is writing a feature or a comment piece for the Saturday sections of the newspapers, she will arrive much earlier, at 5 or 6am, because



that is the only time when sustained thought is possible. The piece will be finished by mid-morning, and then she can get on with the rest of the day.

These days, thanks to modern media management, a frightening amount of verbiage is available to the press gallery. When she has worked as a bureau chief, one of Tingle's first jobs for the day was to look through the transcripts of what the Prime Minister had been saying. There would be press conferences, radio interviews, five or six transcripts on her desk every morning. 'The workload just dulls the senses. You have to read them all. He may have said it all before, but what you are looking for is not just something new, but a rhetorical breakthrough, a new way of saying something, that gives you an indication of what is happening under the surface.'

'Textual analysis?' I suggest. This term has been suggested to me by one of the God correspondents, who has said that working in Canberra these days is a bit like being in Hong Kong in the last days of British power. You watch China, watch what they say, and analyse it for true meaning.

Tingle says: 'Yes that's it. That's it exactly. You are analysing the text, reading into it with your knowledge of what's going

on. As well, the political minders might ring you. They might give you a spin, and you think about all that, and out of that comes a point of view.'

'And how do the shifts happen?' I ask. 'How is it that the whole gallery seems to change its mind at once?'

I talk about the way the gallery changed its mind about Alexander Downer as leader of the Liberal Party—one day 'young Turk', the next day, 'dickhead'.

Tingle denies that there is much caucusing. 'Perhaps among the junior journalists, and the radio journalists.' But mostly the agreement comes 'because we're all watching the same things, reading the same stuff—there are only so many ways that you can write that World War II started today.'

At the end of last year, she says, there was a view in the gallery that Howard was in trouble, and that he might lose the election. Now that view has changed. The gallery sees him as being on the front foot again.

'And how is that view arrived at? What are the mechanics of that?'

'Well, he came back this year very assertive, and Labor were in a bit of a decline after their conference. It's largely in the tone of the rhetoric, the tone of a press conference. He might respond to you, "I reject the tone of that question"—you know, very assertively, and of course it's all fraudulent. You know it's being done because someone told him that in qualitative polling people said he wasn't assertive enough. And then it comes across in Parliament. It's a "no surrender" sort of style.'

'And so the gallery changes its mind?'

'Yes. We are terribly vulnerable to being sold a line.'

**P**ARLIAMENT IS SITTING. It is the end of March. The Wik legislation will shortly fail to pass the Senate for the second time. All the politicians and their minders are in town, and although life continues much the same on the second floor of the Senate side of Parliament House, there is a sense of the place being more crowded, of there being more people to talk to, and more to do. Under the noticeboard and around the boxes are cardboard cartons piled with copies of the reports being tabled in Parliament that day. Most of them are centimetres thick. Most have to be read, or scanned. Or, since that is impossible, at

least the press release folded into the front cover will have to be read. Or scanned.

The monitors are on along the pink corridors, but people are only half listening. The proceedings are sleepy, routine. But all that changes at two o'clock. The bells ring. (The bells, the bells.) Question time, the main event, begins in the blue-green chamber of the House of Representatives.

On the second floor in the public area, I see people queuing up to be searched, metal-detected and let in, but I don't want to sit with the public. I want to sit with the journalists. If only I walk around the chamber for long enough, I must find the press gallery door, I think. And so I begin, down green-grey corridors. Now question time has begun. I can hear the voices, great angry booming male voices, through the corridors. Occasionally I catch a glimpse down into the chamber, and I can see suited bodies lolling on Government and Opposition benches. But most of all there is the noise. Roars and booms, as I walk around on the second floor on the House of Representatives side of Parliament House, trying to find a way in.

I give up on the second floor, and go down to the ground. Again, the booming, again the glances through windows, except now I am on the same level as the speakers, and what I can see is the people in the public gallery above looking down—pink poised faces, like characters in a Rembrandt painting, and above them in a special glassed-off area, the rows of falling socks and scuffed knees on the legs of the school children, brought to see democracy in action.

On this level there are several entrances, but all of them are marked 'locked door', 'no entry', or 'members only'.

Up to the third floor then, far above the performers, and here there is more light than anywhere else. The ceiling of the chamber is a great window, and you feel that you are near the surface of things, at the top of the sea, where the sun can be seen and even felt, but the big fish—the life of this aquarium—are down below. Boom boom go the voices in the grey-green chamber.

Eventually, back on the second floor, I find the unmarked wooden doors that give

an entrance to the press gallery. There are four rows of tiered seats. The heavy-hitters of the gallery sit close to the front. I sit in the back row. The only other person in this row is Paul Kelly, who is only half listening. He is reading a book by Opposition front-bencher Mark Latham. In a column published later in the week, Kelly will describe it as a heavy read, but a genuine attempt to redefine what Labor might stand for in the era of footloose capital and predatory multinationals. Now he is absorbed in his reading, but occasionally he

looks up and smiles down at the big fish, with the air of someone who has heard it all before.

Below us the heads of the press gallery are like coconuts. Each one has a notebook and from here it is possible to get a good view of their doodles. They draw circles, and tents, and turreted castles with flags on them. One draws a series of interconnecting staircases.

The Treasurer, Peter Costello, is on his feet. He is replying to a Dorothy Dixier, asked with almost comic weariness by a backbencher: 'Is the Treasurer aware of ... will the Treasurer explain the Government's position on ...'

'I thank the member for her question,' starts Costello ... and then launches into an attack. Boom boom. Hands on hips. Leaning forward over the table. The Opposition assumes attitudes of disdain and mockery. Then the reply. Boom boom. A pointing of the finger. Roars of laughter. The occasional titter from the gallery, accompanied by a cessation of doodles and the beginning of note-taking. Costello is attacking Mark Latham, and through him the Labor Party. Latham's ideas don't accord with Labor Party policy, you see. Inconsistency is weakness. Inconsistency is bad.

Question time finishes, and suddenly, there is a great exit. All the big fish leave. The press gallery empties. The eddies settle. The booming stops. On the floor of the Parliament a solitary figure stands and reads out petitions.

Later, Peter Cole-Adams, chief political correspondent for the *Canberra Times*, tells me over coffee that question time has been very rowdy lately. The rumour is that Leo McLeay, the Opposition whip, has a pot of money on his desk for the first ALP member who gets expelled by the new Speaker,

Ian Sinclair. Sinkers, knowing this, is supposed to be reluctant to expel them.

I congratulate Cole-Adams on his account of question time the previous day. 'Politics is mostly theatre,' he says. 'I think someone ought to review it.'

Cole-Adams is something of a wise old man of the gallery. 'There are an awful lot of young reporters around who tend to write things like 'in an unprecedented move ...' he says. 'What it really means is, "I don't remember anything like this happening before, and I have been here nearly three years."'

And on another occasion, he says, 'Like most human activities, politics is deeply comic.'

I AM SITTING in the Prime Minister's press office. There are about half a dozen staff here, mainly well-dressed young women, sitting at word processors. They have on disk transcripts of every press conference, of every radio interview, and they can call them up to order. It is one of these transcripts I am waiting for.

While I am waiting, one of the minders tells me that Parliament House is actually not very good for media. The blue room, where press conferences are normally held, is all wrong. The Minister or Prime Minister is standing up. The journalists are sitting down—too comfortable. 'We've got stuck in there for 55 minutes sometimes, with them just lolling around throwing in questions.' That is why the Prime Minister's courtyard—that place of stone and water—is being used more often. But what this minder would really like is a set-up like that used by Jeff Kennett in Victoria. There the Premier is seated on a dais, and the reporters are in ranks beneath him. That works well.

The radio in the pressroom is tuned to John Laws. While I wait, one of the young women makes a telephone call to some media monitoring service. She wants a transcript of something on the John Laws show. 'It was about twenty minutes ago. Something about tax. It was only short, just a throwaway line and a bit more, but we want it. Yes. Thanks.'

In a recent article published in *AQ Magazine*, Paul Kelly commented that when he was a boy, John Laws was a disc jockey. He played music. Kelly used to listen to him when he did his homework. Now John Laws is the most important political commentator in the country.

Meanwhile, Kelly wrote, the influence of the newspapers (natural home of the God





correspondent) has declined, and in any case they no longer engage regularly with deep policy issues. Kelly wrote, 'When have you read something worthwhile about the health system in this country, or about the difficulties in the education system? I believe that the press gallery is a declining force and a declining institution. People may applaud that but the question is, what's substituting for it? Who really cares about the old-fashioned political story? What happened in Cabinet yesterday? When did you last read what happened in Cabinet yesterday? It rarely happens because of modern media management.'

I meet a former God in Ossies. Like all the former Gods, this correspondent does not want to be identified. The correspondent agrees with me vigorously when I say that I have been following the gallery around as it troops from one event to another, and that reporting in the gallery seems to me to be very stagey.

The correspondent says that the gallery has had three distinct eras. In the old days, immediately after the war, the gallery was much smaller, and briefings from politicians were frequent and intimate. This was the cosy stage. Then came something else—a period the correspondent has trouble tagging—through the '60s and '70s. Then, in the '80s and '90s, it has become theatrical. This is the stagey stage.

I press the correspondent to find a tag for the '60s and '70s, which were of course the period when the power of the God correspondent was at its peak. After much pressing, the correspondent calls it the 'free market' period, when people went in different directions, when they developed their own contacts across a broad field, within the bureaucracy as well as within Parliament. It was also the time when policy-makers in the bureaucracy and the politicians read the papers, and could be influenced by what they saw there.

The former God correspondent tells me that the young people in the gallery these days are far more cynical than the older people. This, the former God says, is part of broader trends. It is a sadder world, a more cynical world, and people are cynical about politics. This is, of course, partly because it is reported to them cynically.

'I suppose we came from a generation that didn't have much to be cynical about.'

'We were part of an intellectual community. The gallery leaders were part of a whole intellectual community in this town that was part of how policy was

developed,' the correspondent says. Now, the gallery is on the outside.

'Is there no influence then?'

'The media influence how the game is played. We don't influence policy.'

I HAVE BEEN told I must go to Manuka while Parliament is sitting, because that is where the social life happens. The Grange bar, particularly, is meant to be the scene of many affections and defections, although Laura Tingle says she hasn't been there for a long time. It's more for the young people, she says. 'The young reporters and the young staffers go there, and I guess it is useful if you are new, to develop contacts, and hear what is going on, but I think you'd only get low level gossip there. The senior people have a different scene ...'

Nevertheless, I go. It is the night that the Wik legislation goes before the Senate for the second time. It is the day before the High Court hands down its decision on the Hindmarsh Island case. It is a fine and cool night. The taxi drops me off outside The Grange.

The dark and silky quiet of well-off suburbia is only a few hundred metres away, but here the street is lit up, the cafés have tables on the footpath and piped music comes out of every little eatery. Men in baggy coarse-weave pants and black skivvies and women in little black dresses wander along the sidewalk. The restaurants are all full. They have windows almost down to ground level, so you can look through and see who is eating with whom.

The Grange is quiet tonight, the bar staff almost leaping over the counter in their eagerness to serve you a drink. A man and a woman, still in workday clothes, are sitting in a booth. He is a reporter. She is a junior political staffer. They have a bottle of wine empty between them and are leaning towards each other—every touch or lack of touch significant.

At the bar sit another couple. He is on the mobile phone for almost an hour. She plays with her straw, occasionally using it to pick her teeth. 'Tell me mate,' he says into his mobile, 'Is it a marginal seat? If it is, no worries ...' He sees me, and looks at me suspiciously.

In a coffee shop across the way, a junior minister is dining with a woman. It emerges, as I listen in, that she is divorced with children, and he is single with a big house. 'Ah, but at least your place is home,' he says. 'You say you've forgotten what it's like to be alone, but at least you don't go home to an empty house ...'

I catch a taxi from the rank opposite The Grange to go back to my hotel. We whip up to Capital Hill, where Parliament House is floodlit. On the plaza at the front, a Japanese man in a suit is standing in front of a television camera, talking earnestly. Why is he there? What are they making? A company video? An advertisement? A documentary?

Then as we turn north towards the heart of the continent and the centre of the city, the taxi driver says to me gruffly, 'Have you heard the good news?' Thinking he must be talking about Wik, I turn towards him, but he is offering me a booklet about the Baha'i faith. My instinct is to reject it, but I stop myself. After all, it is only a short journey to my hotel. In the next few minutes, he shows me several of the volumes of Baha'i literature he carries with him, and tells me how the great prophet early this century got the leaders of the world's nations together to encourage co-operation. But they didn't listen.

'Unfortunately that is why World War I happened, and World War II.' He shrugs. 'But at least we have the United Nations.'

How long had he been sitting on that rank, I wonder; how long has he spent on other Canberra ranks, how often has he watched the people who know the corridors of power, the people who analyse the texts, and who write the texts, and who gain or lose or regain their jobs on the texts.

How long had he been sitting there, with his taxi full of faith, thinking about the reasons things happen, and a lonely prophet who wasn't listened to, and how that has made all the difference?

But at least we have the United Nations.

THE NEXT DAY we drive out of Canberra. It is a sunny day, but the forecast is for sleet and rain, and we are trying to get home before it arrives.

Lachlan and Clare sleep, and wake, and cry, and eat, growing older every second.

What side of the divide will they end up on? Will they be on the outside, sitting in the dark, turning to tales of prophets and journalists?

Or will they be the ones on the inside, amid the light and the chatter, confident that they know, if not the answers, then at least where the answers are to be had?

And if they are in the dark, how will they find out what is going on? ■

**Margaret Simons** is a novelist and journalist. This essay, commissioned for *Eureka Street*, is part of work in progress for a book of reportage.

# The clash of symbols

**S**YMBOLS are the lifeblood of churches. They are also of interest to politicians, among whom Victorian Premier, Jeffrey Kennett, is a master. So, Kennett's decision to make an issue of his exclusion from receiving communion in Catholic churches deserves reflection.

The practice of Eucharistic hospitality - the giving and receiving of communion outside church boundaries—differs among the churches. Generally, the Orthodox and Catholic churches discourage it, while other mainstream churches offer communion to those who are in good standing with their own churches.

Underlying these different practices are divergent symbolic frameworks. For Catholics and Orthodox, the central symbol is the image of the early church gathered in a common faith and way of life under the Apostles. The united body of Christ, the church receives the one Eucharistic body of Christ. For a divided church to receive the Eucharist would be to act out a lie. From this symbolic framework it follows that those who are publicly outside the faith and life of the church, such as non-Catholics and the divorced who have remarried, may not receive the Eucharist.

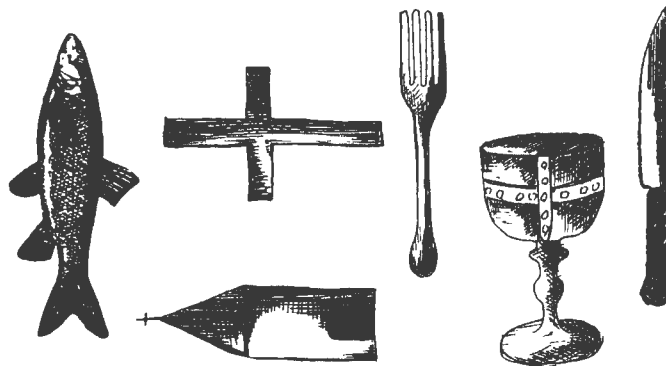
For Anglican and most mainstream Protestant Churches, the controlling symbol is the practice of Jesus as it is described in the Gospels. He ate with sinners, fed the crowds, and embodied in his life the non-discriminatory love of God. It follows that the Eucharist should also be inclusive, so that all who are baptised should be invited to receive it. In the Eucharist, Christ feeds the hungry.

Each of these approaches to the Eucharist is coherent. But conflict can arise when each party interprets the other's practice in the light of its own symbolism.

Anglicans, for example, can see the refusal of Catholics to receive communion in their churches as self-righteous and inhospitable, while Catholics can regard the Anglican invitation to all to attend as indicating a low esteem for the Eucharist and

a lack of passion for the unity of the church.

If Catholics accepted without any qualification that the Eucharist can be received only within church boundaries, the desire of a Kennett or a Clinton to be allowed to communicate would have been seen as simply impertinent. But they do not assume this, and with good reason. For the Second Vatican Council emphasised



what Christians have in common their baptism and following of Jesus, and as a result, where there was exceptional benefit to be gained, it allowed sacramental hospitality under exceptional circumstances. On occasions like weddings or the first communion of a child, for example, the local bishop can grant the request of non-Catholics to receive the Eucharist. So, the symbolic link between communion in the church and reception of Eucharistic communion is not without exception.

Many Catholics, too, express discomfort with their church's Eucharistic discipline because it seems to reflect a harshness that should be foreign to the church. They believe that the public life of the church should express the values by which Jesus lived: justice, hospitality and compassion. These values appeared more clearly in the church of an earlier day, when the church represented a fairly marginal group in society, when the service to the poor, especially by women religious, was visible and massive, and when relatively few were excluded from communion by their life choices. In such a church, a strict Eucharistic discipline did not argue against compassion.

Today, however, Catholic membership is not distinctive, ministry to the poor is less visible and more subject to managerial

criteria, instances of harsh treatment receive wide publicity, and a very large number of divorced and remarried Catholics are excluded from receiving the Eucharist. As a result, many Catholics are troubled because they cannot recognise in the church the compassion of Christ, and so question its Eucharistic discipline.

When Bill Clinton and Jeff Kennett seek to receive communion at Catholic Masses, therefore, many Catholics will be at least ambivalent about their church's position. Ambivalence may be compounded by the symbolism which attaches in the secular culture to admission to communion.

In public controversy, the issue is normally discussed in terms of inclusion and exclusion, approval and disapproval, and acceptance and rejection. To be offered the Eucharist is a symbol of approval and acceptance. To be refused is assumed to indicate disapproval and rejection. Indeed, it was commonly assumed that the fuss made about President Clinton reflected his moral qualities, and not his church allegiance. The disapproval implied in the refusal of communion has more weight when it is held, even inarticulately, that the churches have a unique access to God and so reflect God's approval or disapproval. Critics see the denial of communion as an offence against fair trading, and one which undermines the claim of the church to represent the whole community.

**T**HE DESIRE of Clinton and Kennett to receive communion in Catholic churches should perhaps be seen against this background. It would be too cynical to see in it simply a pitch for the Catholic vote or an opportunity to make a little mischief for their critics among Catholic Bishops. It shows an appreciation of the symbolic force of acceptance, inclusion and approval, and especially of an approval which transcends political and national divisions. It is as close to a metaphysical symbol of legitimacy that a democratic leader can approach.

Catholics, like myself, who can see no reason why the church should accommodate its symbols to this kind of interest, may find more food for thought in the decision of Mary McAleese, the President of the





## Tell it like it is

**U**SING SATELLITE TECHNOLOGY to track mutton birds as they travel 15,000 kilometres to Antarctica and back for a feed; uncovering previously hidden galaxies relatively close to our own; eavesdropping on bacteria signalling to one another; embarking on a journey to the centre of the earth via computer—whatever else was achieved by the National Science Forum, ScienceNOW!, it certainly put to rest any idea that Australia lacks creative young scientists.

The aim of ScienceNOW!, held last month at the Melbourne Exhibition Centre, was to generate an understanding of the excitement of science and of discovery by giving young researchers the chance to tell their stories to the media and the public. The focus of the activity was a series of sessions entitled 'Fresh Science', for which universities and research institutes and organisations were asked to nominate young scientists undertaking exciting work.

The 17 projects the Fresh Science researchers presented were significant and fascinating, but even more pleasing to the organisers was the fact that there were plenty more in the wings. In fact, with only six weeks notice, 90 nominations rolled into the organising committee from every state. The selection of the final 17 was made not solely on scientific significance, but on criteria that included the likelihood of media interest, the apparent ability of the scientist to present his or her material, and the level of peer review the work had undergone.

In scientific terms, many of the projects that did not make it to ScienceNOW! were just as worthy or important as those included. But for one reason or another—perhaps too much publicity in the past, perhaps too difficult a topic to make easily understandable—they did not quite fit the criteria. For some nominations—an advance in the treatment of breast cancer comes to mind—the selection committee decided it was simply too early to go public. These projects may well show up at next year's forum, again to be held in Melbourne.

Among the standouts that did not make it to the ScienceNOW! podium was an important new theory on the structure of atoms which has been recognised worldwide as resolving theoretical problems underlying basic chemistry. Then there was the young CSIRO scientist who has helped create the world's largest terrestrial robot, out of 5000 tonnes of coal excavating machinery worth more than \$50 million. This lumbering dragline can now be controlled by the movement of a computer mouse.

An engineer at a rural university campus has harnessed the energy of the sun to power refrigerators. His technology makes it possible to store vaccines and other important medicines in remote areas of the developing world, thereby giving them access to a quality of healthcare they have never known before. A computer scientist at an urban campus has been teaching computers to paint the Mona Lisa, and in the process testing new ways of approaching complex problems with computers.

Our local film and television industry have made us well aware of Australian creativity in the arts. Some of the most watched shows on world television, for example, are made in Australia. At the beginning of the '60s that would have been unthinkable.

Announcing the world's largest-ever transfer of funds into scientific research, the US president, Bill Clinton, said recently that he was hoping the money would be used to counter the image of the future portrayed in the 'Road Warrior' (*Mad Max*) movies. It is an extraordinary affirmation of the power of the Australian arts that a US president should admit that a series of Australian movies have affected the outlook of a generation of Americans!

But what does it say about popular images of science and the future? And what will it take for Australian science and technology to gain equivalent recognition without stereotype or distortion?

A first step would be to portray science for what it is, a natural human activity. Science is not some sort of inexorable alien practice with a life, outlook and agenda of its own—a view so often carried in the media through statements such as 'Science says ...' and '... known to science'. Science is a systematic means of satisfying what is perhaps the most human of all traits, curiosity.

ScienceNOW! and its fresh researchers have gone a long way to demonstrating that. ■

Tim Thwaites is a freelance science writer.

Irish Republic, to receive communion at a non-Catholic Eucharist in Belfast. Although she has not replied to strong criticism by Catholic leaders in Ireland, her action was, clearly, carefully considered. It combined in a powerful way the secular symbolism of acceptance and inclusion, and the Christian symbolism of reconciliation that is at the heart of the Eucharist. The gesture recognised the importance within sectarian violence of the religious grounds offered for rejection, exclusion and disapproval.

Certainly, as the Bishops pointed out, her action was in conflict with the symbolism that links communion to church. But it showed clearly why the force of that symbolic link will be difficult to recognise unless the life of the Church embodies clearly Christ's acceptance, compassion and reconciliation. Issues of due process, the place of women in the church, the welcome given to the divorced and remarried, and the option for the poor, are not peripheral to Catholic life. They shape things as central as the understanding of the Eucharist. ■

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**Liz Furler**, *Dept of Health & Family Services*

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# Counting Options

Paul Chadwick  
on media  
diversity

*Structural reform of the Australian media is unlikely, and tighter regulation would be a mistake. So where to from here?*

**M**Y STORY STARTS with a beaten green book, my journalist's contact book.

All journalists have them. Each is a unique resource. They record the many people with whom we make contact in order to gather the scrapings of life's daily chaos. Some are experts in particular fields. Some are ascending the ladder to prominence in their own area—perhaps politics, art, business, law, medicine, education, or the community sector. And while they pursue their specialist field, we generalists flit in and out of their lives in search of information or advice or direction to other contacts.

In this book a journalist will note the changes in people's lives: the names of their children or their new spouse; their changing addresses; their various professional roles and appointments. Contact between the journalist and each person varies in frequency and intensity. Some connections are fleeting; some are hostile, even while they are enduring because of the mutual dependence of, say, the political reporter and the politician. But other contacts produce lasting friendships. Trust is built steadily between particular journalists and

their contacts. Public figures will often have one view of a particular media outlet and another of a particular journalist who works for it.

So the contact books of Australia's journalists are key elements in prospects for greater diversity in the information available through the media to Australians as citizens. Each contact book is a strand in the thread that binds journalists together as journalists. Many of them are employees or casuals or freelancers dependent on a shrinking number of media conglomerates, and what they produce may be steadily adding to the hoard of intellectual property which those few organisations control. But journalists are far more than this, if they choose to conceive of themselves so. The basic element in media, the essential lubricant for any media owner's power, is each journalist's contact book. Over this the individual journalist is sovereign.

That fact needs to be kept in mind because the other prospects for genuine diversity emerging from the current media scene are bleak.

The press continues to fall into fewer and fewer hands, in the cities, the suburbs

and the bush. But the number of substantive titles is declining too. Since 1987, 15 metropolitan daily and Sunday newspapers have been closed. In 1992, a federal parliamentary committee concluded that the metropolitan markets were not contestable, the barriers to entry had grown so high. The prospects for new general-readership non-daily titles must be assessed in the light of the closure of the *Independent Monthly* and the *Republican*. The long-term trend in circulation is also down, especially on weekdays. Saturday and Sunday circulations have climbed, although they have not kept pace with population growth.

These trends may actually be good for the major publishers, who appear to be holding their share of total advertising revenue. As a business proposition, it may be an advantage to publish fewer titles and sell them in smaller numbers. But the implications for diversity are another matter.

What of television? Since the upheaval initiated by the Hawke Government in 1986, Australia has developed three American-style commercial networks



which have gradually bought or enslaved the regional stations. We have tortuously introduced pay TV, only to find that this first new 'medium' since the mid '50s is controlled by the existing media.

This repeats an old pattern in Australian media policy making: when Joe Lyons oversaw the introduction of commercial wireless, the press proprietors soon had it within their keeping. So, too, when Bob Menzies set the rules for free-to-air television.

No surprise, then, to find that the Howard Government's recent decision on digital television gave a massive advantage to the existing commercial networks, including a promise to immunise them from direct competition from the introduction of digital television in 2001 until 2008. The technology offers diversity aplenty. But control of it seems to be falling to the same players, who are making formidable alliances with each other: Rupert Murdoch's News Corporation with Telstra; Kerry Packer's Nine Network with Microsoft.

What does the non-commercial media offer as prospects for diversity? The remarkable efforts of the Friends of the ABC and its many supporters have beaten back, for now, what appears to have been an attempt to weaken the Australian Broadcasting Corporation (ABC) so that its audience could more readily be drawn away by commercial operators hungry for viewers from the right 'demographic'. Expect further attempts.

The defence of the ABC is about more than the protection of the single most important contributor to diversity in Australia's information media. To insist on the importance of the ABC is also to insist on the idea that civic institutions still matter. This is contested territory in a period in which the state's infliction of punishment through imprisonment can be seen as a proper activity to subject to the profit motive. In Victoria, the Premier has routinely referred to the Cabinet as a 'management team'.

This theme is briefly treated in the British communications scholar Anthony Smith's 1994 T.S. Eliot Memorial Lectures (published as *Software for the Self: Culture and Technology*, Faber & Faber 1996).

Smith argues that complete privatisation of broadcasting is as impossible as complete regulation in pursuit of quality. But, speaking in the context of the BBC, Smith is far less sanguine for Britain than I am about Australia's capacity to maintain the ABC both as a source of

diversity and localism in media and as a pillar of civic life:

Broadcasting presents the stark logic of a wider issue. If you are seeking the modern canon of the arts, the universally accepted texts, you have to look to the international market. The airport lounge is our canonic architecture. Japanese design in cars and household goods offers us our canonic art. American soap opera our canonic fiction. Those are the great wells of common allusion in a world of nations subject to a global economy. Those have become the materials of shared meaning.

**H**E SEES THE PROGRESS of that global economy as the continued working-through of the victory of Reason, of Enlightenment thinking. Drawing back to broadcasting, he says:

... to the generations born between the 1920s and the 1970s, the disappearance of the public places and public spaces on which public service broadcasting was built symbolizes the disintegration of the moral housing of the political world. The cultural consequences of the loss of that institutional power would be incalculable.

Smith thinks things will get worse before they get better, but he does predict for public service broadcasting 'a painful way back in the aftermath of the technological upheavals of the present decade'.

Naturally the literature contains various proposals to improve the diversity of the current information media. Some would be adaptable to Australians conditions, others less so. Generally speaking they include:

- structural reform to reduce the size of the largest players;
- use of competition law to prevent abuse of market dominance;
- internal change to devolve power through the largest organisations;
- encouragement of new voices through public subsidy; and
- measures to improve access to media for audiences so that people can do more than just view and listen—they can also speak.

I hold out little hope that any Australian government, of whatever political complexion, would seriously embrace any such reform proposals, with the possible exception of competition law—because its administration is in the hands of a statutory authority which sometimes shows a surprisingly strong spine. From the

politicians I expect nothing that would run seriously counter to the existing large media organisations because:

- They are scared of them, and perceive, rightly or wrongly, that their electoral fate can be critically affected by the large media organisations.
- Media policy is filtered by, and sometimes originates from, the media organisations. Both Labor and Liberal Governments invariably have a squad of staffers who move between public positions and executive or consultancy roles in the major media organisations. I call them the real Shadow Cabinet. Neither major party has shown the expertise, motive or interest independently to formulate policies which would put the public interest first.
- The media have conflicts of interest, so there is rarely an opportunity for dissent or serious alternatives to develop momentum and public support. Alone among public policy issues, media issues involve the fortunes of the media outlets on which we rely for information and debate about the pros and cons of proposed action or inaction. When major media policy is being formulated, coverage tends to be either muted or self-serving. When matters are settled, then debate breaks out as a kind of rueful post-mortem. Fresh approaches are in this way foreclosed.

The digital television decision is an example. Only after Cabinet had taken its far-reaching decision did the media provide in-depth reporting of the high stakes involved and the intensity of the lobbying which took place. So far, I have found no coverage of the question: Having given such a lot, what does the Federal Government expect in return?

The suggestions which I have for improving the diversity of the current Australian media scene are based on two conclusions: first, structural reform is unlikely and the trend is still to bigness; second, to seek tighter regulation of content would be a mistake.

If some sort of statutory tribunal were to be set up to police journalism standards it would be used, sooner or later, as a tool to punish or suppress the best of journalism, not the worst of it. That is what history teaches. (The one limited exception would be a statutory right of reply, which would compulsorily *add* speech, not suppress or punish it. This can be reconciled with free speech principles and is a justifiable response to the concentrated nature of the Australian media, which has aspects of a common carrier.)

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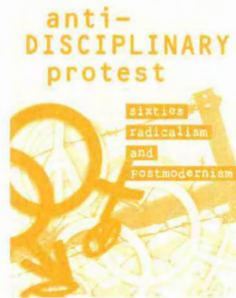
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On these bases, my modest suggestions would be:

- to encourage greater conscious separation by journalists of their information function, which has non-market consequences such as the maintenance of an informed electorate and the oiling of civil society, from their entertainment function, which belongs in the marketplace of fun.
- to protect and strengthen the ABC, in particular its information function.
- to generate within media organisations an expectation of editorial independence.

When subjected to public inquiry the major media organisations usually tend to claim that we need not be concerned about concentration of ownership because, although they do own many outlets, they devolve editorial power within the group. Fairfax, for example, has a formal charter of editorial independence. Part of the purpose of such charters is to separate clearly the commercial dimension of a for-profit media outlet from its public dimension, in particular to avoid conflicts of interest. But, even as window-dressing, the grant of formal editorial independence is in retreat. At Fairfax in Sydney and Melbourne, the publisher's position combines the positions of editor-in-chief and senior business executive. As Michelle Grattan recently pointed out in a speech at Queensland University, this 'removal of the church/state division and the apparent acceptance that this is not only necessary but an inevitable, acceptable and desirable development' is new, mostly unremarked and happening at a time when media organisations tend to have a wider range of potential conflicts.

It is time for journalists and audiences to act up about this blurring of what has previously been seen as a critical distinction. There are good reasons for separating the role of the commercial media outlet as a business—subject to government regulation and seeking custom from advertisers—and its role as an institution with public responsibilities—checking and antagonising government and, if necessary, embarrassing advertisers through its journalistic disclosures.

Media organisations and individual journalists could do much to add to diversity if they took self-regulation

more seriously. But the problem is that media people do not believe a government will legislate and so think they can continue to treat the question of accountability with the kind of breezy arrogance we see, for instance, in the television satire *Frontline*. But if this is the journalists' attitude, they take a bigger risk. As professional users of the right to free speech, they need the friends of free speech to be ready to line up with them when challenges arise, as from time to time they will. How long do journalists think they can take for granted the support of those who love free speech when the media organisations themselves appear to be part of the problem?

**B**UT WHAT OF the new media? What are the fresh prospects for greater diversity? (By new media I include the various discrete sources of content such as CD-ROMs and purpose-built program libraries. But chiefly I mean the internet.)

In sketching some of the preconditions for improved diversity in the information available to Australian citizens, I make certain assumptions.

- First, that Australians hunger to be treated more seriously as citizens. I do not believe people want to be 'amused to death'. The intensity of interest in the recent Constitutional Convention fortifies me in this conviction.
- Second, that digitisation and compression techniques really will bring about the 'end of scarcity' which has limited so severely the number of broadcasting opportunities and made government rationing of spectrum a necessity.
- Third, that some of the important barriers to entry into newspaper publishing will not apply in the on-line world, especially the huge cost of printing presses, newsprint supplies and a swift, broad distribution system.
- Fourth, that reasonably soon there will develop a form of 'digital cash' which will allow multiple low-price transactions involving information products on the internet.
- Fifth, we should assume that our public policy-makers will not so far fail us that, in this age of technological plenty, Australia repeats its historical pattern of allowing the dominant few in the old media to become gatekeepers of the new.

On the basis of these assumptions, what is required for Australia to improve the diversity of its information media?

We must have universal access to the internet: city and country; rich and poor; to



listen and read *and* to be heard and to publish. Whether this accords with the calculations now being done about returns from a privatised Telstra, I do not know. But there is little doubt that the technology exists for Australia to ensure universal access. We took 400 years to spread literacy, mass printing and public libraries sufficiently far to achieve almost universal access to books. It should be possible to use the wonderful opportunities of these technologies to spread more quickly the power that knowledge gives.

There should be universal access to an information commons. In other words, we

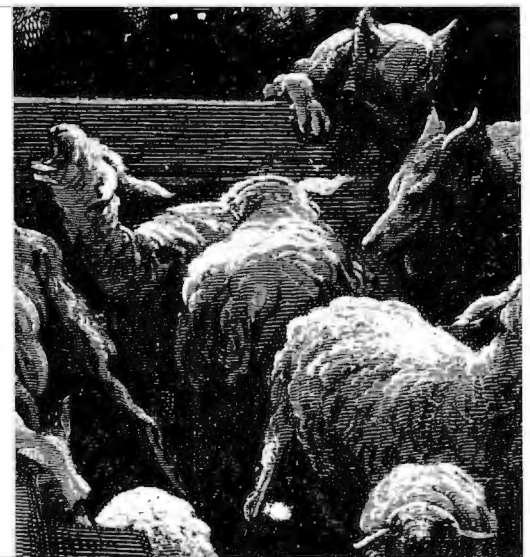
that we all grow thicker skins. Harsh words are inevitable, even desirable. Civic life means debate and debate means mistakes. If the potential of a 'wired society' is not to be chilled, or policed by the state or by the biggest corporate service-providers, then the law of defamation will have to be rethought from the threshold questions: What is a reputation? What constitutes harm to it? When might harm be justified?

This kind of reform requires a new sort of audience. People who walk on Grub Street must mind where they step. As malicious gossip and unsubstantiated rumour gets its brief but wide dissemination, all of us will

I imagine the day when some of our best journalists, and many of our brightest developing journalists, establish on the internet the equivalent of a newspaper or a radio or TV station. Slowly, reputations will grow: we will find web sites we trust; we will return to them; pay our digital cover price; come to know their personalities; cheer with them when they please us; and fume when they fail.

The early stages of this liberation of journalists from the major media organisations can be found in the United States. I do not mean the infamous Matt Drudge, (although even he fits neatly into

*Media organisations and individual journalists could do much to add to diversity if they took self-regulation more seriously. But the problem is that media people do not believe a government will legislate and so think they can continue to treat the question of accountability with the kind of breezy arrogance we see, for instance, in the television satire Frontline. ... How long do journalists think they can take for granted the support of those who love free speech when the media organisations themselves appear to be part of the problem?*



must guard against the hoarding of data and images, the collective artefacts of memory and experience which all should be able to mine and from which new art and politics are manufactured. In practical terms, this will require careful attention to intellectual property rules which were fashioned for other times and other media. Copyright law, with its ugly history of an alliance between private monopolists and state censors, will have to be rethought. It is almost seven years since Rupert Murdoch, writing in the News Corporation annual report, declared that the company's greatest assets were not its newspapers or television stations, but its copyrights.

There must be reform of laws governing speech. Laws regulating pornography and laws restricting speech which might prejudice a fair trial are already under pressure from the internet. If we are all to become writers and publishers and broadcasters, the law of defamation will need to be rethought. The law will have to require

have to require new standards of verification before we give credence. We must automatically distrust attacks that do not offer the target a chance to reply. Given the ease with which we can communicate with the target, we should seek out a reply ourselves.

The duty to self-regulate will apply to us all.

Assume that most of us will get on with our lives and continue to rely on professional information miners, gatherers, manufacturers, distillers and presenters for the basic diet we require to be informed. Where will new professional sources arise? In some ways, the new media are purer information businesses than the old. I do not mean that the information will necessarily be of higher quality, rather that presses, paper, ink and transmitters will be less and less relevant. The key asset will be the information offered. And the core elements for gathering it remain journalistic skill and contacts—the many equivalents of my old green book.

the idea of a new Grub Street). Rather the far-sighted projects some philanthropic foundations have funded. These foundations have financed small teams of experienced, journalists to investigate corners of American life the mass media have neglected. The fruits of these investigations are then widely disseminated, both through existing media organisations like established newspapers or book publishers, and through newer avenues.

I hope Australian philanthropists will consider seeding this model. It may be the beginning of a much more diverse, healthy media culture.

To adapt an earlier call to action, journalists have nothing to lose but their chain owners. ■

Paul Chadwick's next book on the media will be published in 1999 by Macmillan. This article is an edited version of an address given to the Victorian Free Speech Association.

# Shades of Sir John

*Sir John Kerr's ghost stalked the corridors of Old Parliament House during the Constitutional Convention. Having initiated Australia's most cataclysmic constitutional event—the dismissal of the Whitlam Government in 1975—it was Kerr again who did more than anyone else to determine the Convention's eventual outcome.*

**I**N 1975, Kerr removed Whitlam to break the impasse created by the Senate's refusal to pass supply. It was in his formal power to do so, but constitutional convention dictated that the power would rarely, if ever, be used and certainly not in the political circumstances which then presented themselves. This action stunned the nation, wounded the body politic and left scars which run deep even today.

These scars were evident in almost every aspect of Convention discussion. For Kerr's intervention had revealed clearly the breadth and force of the head of state's powers under the present Constitution. It had demonstrated that a head of state might not be trusted to use those powers in accordance with traditional constitutional understandings. And it had hurt, angered and polarised.

1975, then, was a republican moment in two paradoxical senses. Kerr's intervention demonstrated conclusively that Australia *had* an independent head of state since Kerr removed Whitlam without reference to the Crown. At the same time, Whitlam's dismissal ignited republican sentiment. After the Queen's representative dismissed the democratically elected prime minister it was, surely, only a matter of time before the monarchy would give way to an Australian republic.

The February Convention was dominated by two themes directly related to these events. First, there was the popular opinion in favour of the republic. This ensured that the delegates would take the next, important step in severing ties with the Crown. Second, the delegates brought to the Convention a profound mistrust of the

office of head of state and it was this that was critical in determining the form the new republic would take.

The fear that a republican president may act like a renegade, and the necessity for his or her control, was best exemplified in the position taken by Richard McGarvie and his supporters.

McGarvie advocated the most minimal constitutional alteration imaginable to effect the republic. The Queen's role would be taken over by a small constitutional council comprising former governors and judges selected by formula. The council would appoint and dismiss the president on the prime minister's recommendation.

McGarvie, a former governor and former judge, argued that any more extensive change to Australia's constitutional arrangements may imperil Australian democracy. Within that framework, his primary concern was to ensure that no president could act politically in a way that would destabilise prime-ministerial government. Any president that did so would be dismissable instantly at the prime minister's behest.

In my model, the sanction of prompt dismissal for breach continues the binding convention, essential to democracy, that the head of state's powers are exercised as ministers of the elected government advise. As elected presidents would in practice be undismissable, the convention would not bind them. Substituting a codified legal obligation would simply not be practical.

The McGarvie model did not cater to the possibility that a president, elected either popularly or representatively through parliament, might act with discretion and within convention. It was with the dangers of a



republican presidency that McGarvie was concerned.

The extent of this anxiety became clear as further details of the model emerged. The constitutional council could consist only of governors and judges as, presumably, only they would have the training and experience to understand the proper operation of the Westminster system. All retired, their ages could vary, but only from 65–79. The council would have no discretion with respect to the prime minister's recommendations as to appointment and dismissal. Whether proper or improper, the council would be obliged to give them effect. The sanction for failing to do so would be swift and decisive. Like the president, the council would be subject to instant dismissal at the prime minister's behest.

The thought that a president might act constructively, albeit symbolically, to moderate the effect of overweening executive government and hence enhance the quality of Australian democracy did not inform McGarvie's conception. Instead, it was imperative to keep Sir John

Kerr's successors 'on a short leash', to use Bill Hayden's most unfortunate expression.

**A**T THE OPPOSITE END of the republican spectrum, the convention delegates who supported the direct election of the president were also ensnared by Kerr. Unlike the McGarvie faction, these populist republicans were willing to trust the election of the president to the people and to trust that the president so chosen would act with restraint as the symbol and representative of the nation. In the climate of mistrust which prevailed, however, their path to home would inevitably be a difficult one.

They argued that a directly elected ceremonial presidency could successfully be combined with prime ministerial government and that overseas experience demonstrated the success of the cohabitation. In any case, Australian democracy could only be improved were the president and prime minister to check and balance one another. Capitalising on the self-evident disillusionment with conventional political practice and buoyed by opinion polls which suggested that popular election was the model favoured by most Australians, the populist republicans pressed their case fervently.

A head of state nominated by a prime minister and approved without debate or scrutiny by parliament, irrespective of the required majority, could not by any stretch of the imagination be described as representing all Australians. Office holders are bonded to those who have the power to nominate, appoint and sack them. The power of nomination is a sovereign power and in a democratic republic can belong only to the electorate as both a symbolic and practical expression of the political supremacy of citizens over State power in all its manifestations.

The demotic appeal of this position was inadequate, however, to overcome the pragmatism and mistrust so present among convention delegates and the parallel scepticism of the mainstream media. With editorial headlines like 'A Recipe for Political Mayhem' even public confidence in the direct election model began steadily to erode. And again it was the events of 1975

which laid the ground for the final defeat of populist stance. There were three main reasons for this.

First, the Australian Republican Movement (ARM) argued forcefully that there was considerable danger in an Australian republican model that embraced direct election because, unlike the position in other comparable countries, the Senate retained the constitutional power to block supply. Given this, it was almost inevitable that the events of 1975 would reoccur. If they did, the prime minister of the day would find him/herself confronted with a president having a strong popular mandate, making it significantly more likely that the wounding constitutional strife of the time would be experienced yet again.

This possibility might be averted if the Senate's power to block supply were removed. But, the ARM argued, a constitutional amendment to this effect required a degree of political agreement that was nowhere to be seen. As soon as the question was raised among politicians or in the populace, the old enmities re-emerged resplendent.

Second, were the president to be elected directly, it would be necessary at least partially to codify his or her powers. Disagreements about 1975 would make this difficult, although the problem is by no means insuperable.

Third, opponents of the popular model made much of the argument that a directly elected president would constitute a new, competing and destabilising source of democratic power at the heart of executive government. The bifurcation of power so created, they said, would produce uncertainty, confusion and conflict. Paul Kelly (international editor for *The Australian*), normally moderate in outlook, took off his gloves whenever direct election delegates made their presence felt.

It will mean a new and powerful politician in Canberra living at Yarralumla (far more magnificent than the Lodge); this would represent an ever greater centralisation of power in Canberra; it would institutionalise rivalry and conflict within the heart of executive power; it would create vast possibility for strife and conflict.

The unstated assumption here was that a directly elected president would be likely to spin out of control, trampling Westminster convention, confronting the prime minister and casting the legislature aside. Yet apart from the events of 1975, it is quite unclear why such an extreme assumption should necessarily have been made.

It is more likely that a new president, like the governors-general who succeeded Kerr, would absorb the political and constitutional lessons of 1975 and behave

*It might be better to construct an Australian presidency on the assumption that the president is to be trusted rather than feared. If we needlessly suppose that the president will be a 'tearaway', we may deny ourselves consideration of forms of presidency which will enhance, balance and improve our democratic traditions.*



accordingly. Certainly, the evidence from countries such as Ireland, Iceland and Austria, each of which directly elect their president, provides little sustenance for those who believe in the president as renegade.

Further, the problem was framed by the presumption that a president assumed only power upon election. But equally, election by the people would be likely to engender in any new incumbent a solemn, purposeful and compensating sense of responsibility. The performance

of former politicians like Hasluck and Hayden when they ascended to the governor-general's office adds strength to such a contention.

Few among the delegates, however, were prepared to embrace such an alternative perspective, to displace their anxiety with assurance, and to place their confidence in both the president and the people. The power of this anxiety was such that no significant change to the present Constitution was contemplated as practical and

## Iceland does it differently ...

**I**N RECENT DISCUSSION about an Australian republic, insufficient consideration has been given to international comparison. The insularity of the debate is best illustrated by the contention that we ought not to elect a president directly because to do so may imperil the fundamentals of our democratic system.

Yet there are several fully functioning western democracies which very successfully combine strong parliamentary democracy with the popular election of a ceremonial president. Iceland is one such nation.

I observed the recent presidential election in Iceland and there were a number of striking things about it.

The political parties, although strong in parliament, played no part in the presidential election campaign. There was a clear appreciation by the parties and the people that party affiliation should play little, if any, role in selecting the head of state.

Although former politicians have been elected president, this has been the exception rather than the rule. The most recent president, for example, had been the director of the National Theatre. The one before that, the chief executive of the National Museum.

A candidate's political views were relevant but not decisive in determining who should become president. Character, professional standing, international recognition and the candidate's ethical outlook loomed much larger in the public's mind as appropriate selection criteria.

Presidential aspirants did not engage in discussion about government policy. They expressed their commitments and concerns in broader terms, selecting the improvement of environmental quality, the enhancement of the position of women,

the war on drugs and the alleviation of poverty as areas of particular interest.

Iceland's president is elected once every four years. However, it has become a convention that once elected the president will not be opposed until he or she chooses to resign the office. For this reason, Iceland has had only five presidents since the establishment of the republic in 1944. The head of state has been an important source of political stability.

The presidency is ceremonial. The Constitution defines the president's powers and although these appear quite wide most are exercised upon ministerial advice.

Of the powers accorded to the president by the Constitution, the two most important are the power to choose which political leader will obtain an official mandate to form a government and the power to refer legislation to a national referendum. Both these powers are regulated by convention.

The president invariably selects the leader of the party with the strongest parliamentary representation to form the government. Only where parties are equally represented does the president's role become significant.

No president has yet elected to refer legislation to a national plebiscite. Instead this power has been regarded as a constitutional reminder of the need for a degree of harmony and common purpose in governmental policy making.

From the commencement of the republic there has been no suggestion that the president might act in a manner that would bring the office into direct conflict with the government. Rather, there appears to have been a studied appreciation of the difference between the offices of president and prime minister

and of the manner in which the two should interact in the wider national interest.

A number of important conclusions can be drawn from this description. We should not too readily assume that the Australian electorate will be unable to distinguish between the qualities desired in a president and those required in a government.

Similarly, we should not necessarily presume that a direct presidential election will be captured by politicians and their parties.

As far as I am aware, there is no other developed western democracy that has chosen a 'McGarvie' style model. Selection of the president by a gaggle of Governors, therefore, requires considerably more justification than has been provided thus far.

It might be better to construct an Australian presidency on the assumption that the president is to be trusted rather than feared. If we needlessly suppose that the president will be a 'tearaway', we may deny ourselves consideration of certain forms of presidency which will enhance, balance and improve our democratic traditions.

Finally, we should not underestimate the capacity of the presidency to bring stability and thoughtfulness to our political processes. Davis McCaughey remarked in a different context that 'the (head of state) represents the interests of the people in seeing that their organisation in an orderly constitution is respected ... The (head of state) symbolises what is of more permanent significance than parties and their changeable leaders.' If the Icelandic experience is any guide, a popularly chosen president can and should play just such a role.

—Spencer Zifcak



with that a raft of creative republican opportunities may well have been lost.

The ARM had argued for several years that the president should be elected by a two-thirds majority of a joint sitting of the Australian Parliament. The requirement for a two-thirds majority is calculated to ensure that a successful candidate has cross-party parliamentary support. This model is common in Europe and appears to work well. Properly constructed, there is no reason to think it would not be effective in Australia.

The ARM proposes (that) the head of state be chosen by a bipartisan special majority of the Federal Parliament. In that way we will always have a head of state who has the confidence of both sides of parliament and will be able, if called upon, to act as the constitutional umpire without allegations of political partisanship.

Cleverly, the ARM styled its model 'bipartisan', making it linguistically difficult to challenge. It also positioned the model between its two rivals, enhancing the prospect that it would be adopted as a compromise. The model was carried through the Convention by a committed and disciplined membership, it was favoured strongly by the Labor side of politics and when Jeff Kennett gave it his imprimatur in a short but decisive intervention it finally shook off its competitors.

To ensure the model's success, however, its proponents made critical concessions to populists and conservatives alike. To attract the advocates of direct election, the ARM made the process of nomination more open. To appease McGarvie, it made the dismissal of the president much easier. And it is here again that Sir John Kerr's influence is discernible.

**O**RIGINALLY, the ARM had proposed that the president should be elected and dismissed by a two-thirds majority of parliament. In response to argument from McGarvie, who suggested that no president would be removable if a bipartisan majority were required, it modified its position prior to the convention by suggesting that a simple parliamentary majority might suffice for dismissal. At the convention, in order to ensure that McGarvie's supporters would not vote for the present constitutional system in favour of the preferred republican model, the ARM changed tack again, opting finally for the president's dismissal by the prime minister alone.

Like the McGarvie model, then, the ARM compromise institutionalises mistrust of the president. In doing so, it places the fate of the head of state directly in the hands of the prime minister of the day. It is worth reflecting for a moment on the implications of such an arrangement.

Above all, the head of state must act as the guardian of the Constitution. The president stands for the Constitution against those who might uproot or abuse it. He or she acts to supervise the conduct of politics and government and may intervene where either the executive or legislature act beyond their proper legal or constitutional authority.

Any sober analysis of the workings of our current system of government will disclose that it is from the executive that the most significant potential threat to

our democratic fabric will arise. As Sir Gerard Brennan remarked in a speech in February at Bond University, the system has become unbalanced, ceding too much power to the executive at the expense of parliament and the courts. The traditional parliamentary mechanisms for keeping the government in check are in considerable disarray. Prime minister and party possess an unrivalled authority. Without vigilance, 'efficiency may give way to tyranny'.

In these circumstances, it would have been prescient and sensible to implement new constitutional arrangements which would ensure that a president in the role of constitutional guardian would have had a degree of independence secured by tenure sufficient to meet any political threat or danger. And yet it is precisely the opposite that has occurred.

In most European presidential models, in order to enhance his or her role as guardian, the president is guaranteed a term of office which is generally longer than that of any single government and his or her removal is made deliberately difficult. By contrast, in Australia we have just delivered the fate of the constitution's protector directly into the hands of its principal antagonist. This is an error which, if not rectified, we may live to regret deeply.

The Constitutional Convention produced many positive outcomes. Delegates agreed on a preamble of which we may genuinely be proud. They arrived at a conclusion with a sufficient degree of consensus to persuade the Prime Minister that the republican question should be put to the people and in doing so they avoided the breakdown so many had predicted. Perhaps most hearteningly, they persuaded many of us that inclusive, democratic forums of this kind have a very constructive role to play in the discussion and resolution of important social issues.

But in taking a negative rather than positive attitude towards the presidency, the Convention may have missed a splendid constitutional moment in which to strengthen and entrench Australia's democratic heritage. Instead, we have a usable but flawed republican model borne of anxiety rather than hope or aspiration. Sir John still has much to answer for. ■

**Spencer Zifcak** is Associate Professor of Law at La Trobe University in Melbourne, where he teaches constitutional law. See also *'Reshaping the republic'*, pp37-39.

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# Period peacemakers

*This Whispering In Our Hearts*, Henry Reynolds, Allen and Unwin, 1998. ISBN 1 86448 581 7 RRP \$17.95

**I**N 1932 six Japanese trepang fishermen and a white Northern Territory policeman were speared to death by Yolngu Aborigines in Arnhem Land and an officially sanctioned punitive expedition set out to exact a terrible revenge.

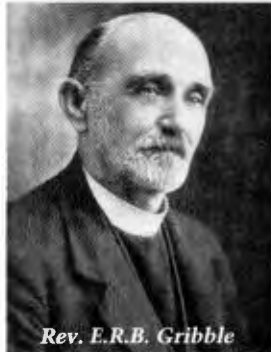
Reprisals of this kind had been a routine response on the Australian frontier for more than a century. As Henry Reynolds writes in *This Whispering in Our Hearts*: 'White fella violence was bad at any time. When driven by vengeance and fierce racial solidarity it was awesome.'

What was different this time, however, was the extent of opposition to the foreshadowed slaughter, and the outcome. The expedition was stopped by the sheer weight of public protest and bad publicity.

Reynolds' book more or less concludes on this high note though his main purpose is to sketch out an earlier history. Much of *This Whispering in Our Hearts* is an account of a threadbare lineage, hardly deserving the word 'movement', of courageous and sometimes eccentric reformers who knew what was happening to the Aboriginal people and would not be silenced. Their courage in 'stripping away euphemism, breaking complicit silences, [and] savaging the romantic image of the white pioneer' marks them out. Reynolds provides a collective portrait, tracing the fighting years of select missionaries, clergymen and others of humanitarian inclination. The names are mostly unfamiliar to us—Lancelot Threlkeld, Robert Menli Lyon, Louis Giustiniani, father and son John and Ernest Gribble, Mary Bennett and others. What they shared in common was an anguish that was ageless and a refusal to repress the whispering of that anguish in their hearts. 'Deeply then are we in arrears to these injured Beings at whose expense we live and prosper', wrote one of them, who signed himself 'Gentleman', 170 years ago.

Many of these reformers had, by chance or intent, become close to Aboriginal people. Some took the trouble not only to befriend them but also to learn their dialects and to study their culture and so came to see it sympathetically. Lancelot Threlkeld,

a Methodist missionary in New South Wales, likened the Aborigines to the ancient Britons resisting the Roman legions. Robert Menli Lyon, a settler and linguist at the Swan River Settlement in Western Australia, described the warrior Yagan as a patriot who 'distinguished himself in the defence of his country'. On Yagan's capture,



Rev. E.R.B. Gribble



Rev. J.B. Gribble

Lyon spent time with him and concluded

that 'the whole tribe are bards', since it seemed much of their oral tradition and history was handed down in verse.

With rare exceptions these individuals were not opposed to colonisation. They simply believed it 'need not be so brutal, so lacking in compassion, so drenched in blood'. They were moved, varyingly, by ideas such as 'Judgment', or the biblical notion of common origin and nobility, or British justice or equality, or a combination of these. Some were driven by specific objectives—feminists, for instance, wanted to protect black women from white men; others laboured, mostly in vain, to bring murderers to trial. But whatever their philosophical grounding and whatever their objectives, they generally believed that Aborigines owned the land and deserved 'a reasonable share in the soil'.

The fundamentally disturbing issue is prior ownership. The humanitarians knew that the community's refusal to acknowledge prior ownership made negotiation or reconciliation impossible. Perhaps their finest rhetoric was directed at the theft of Aboriginal land. Some were prepared to pay rent. Others to share the land in various ways. For the rest of society, understandably, they were pariahs. Today it is important for black and white Australians to know that

these possibilities were voiced from the earliest colonial times.

Another of Reynolds' achievements is to show that in the work of these reformers we find a record of fine oratory, powerful writing and great drama. Their passion for justice, and some kind of equality for indigenous people, put them at odds with most of their contemporaries. Some lived as fringe-dwellers among their own race, while others had to leave the country. But in taking a stand they left a remarkable record. John Saunders' sermon in 1838, perhaps the first preached in the colonies on behalf of the Aborigines, is a 'passionate, eloquent defence of human equality'. Robert Menli Lyon gave speeches that all school-children should read. The editorials in the *Queenslander* in 1880, 13 in all, under the heading 'The Way We Civilise', are one of the great calls to conscience in our history.

How did these individual efforts finally gather a momentum strong and wide enough to become a humanitarian movement? The answer is addressed in the concluding chapters of Reynolds' work, and the planned expedition against the Yolngu was a catalyst. The press had advertised the expedition in advance, with headlines such as 'Government Prepares Punitive Expedition against Blacks ... Massacre of Whites in Arnhem Land Feared'. But enough was already known of what these white expeditions did to blacks to galvanise a network of concerned reformers into action.

Police parties at large in the bush were answerable to no-one. Wholesale massacre was too often the result. In the 1920s public opinion had been stirred by two horrendous slaughters of black men, women and children in northern Australia. The first at Forrest River in the Kimberleys in 1926 led to a Royal Commission which, for the first time, found in favour of the victims rather than the killers. The death toll was probably around 100. The expedition burnt the bodies on specially constructed pyres at four different sites, and evidence—teeth and pulverised bone and bits of clothing—was gathered from the ashes. Two years later at Coniston in Central Australia, a Gallipoli veteran named George Murray led a



massacre in which possibly 100 Aborigines died. Murray coolly admitted to killing 17.

The international setting in the 1920s had also changed the moral mood. After the first world war the idealism inspired by the League of Nations was related to the practical business of responsibility for mandated territories. The League lifted humanitarian hopes because its Charter bound member nations to protect and uplift their 'native peoples'. Australia had accepted the mandate for German New Guinea in 1920 and humanitarians expected its newly acquired obligations there to extend to Aborigines in Australia. But Australia's international commitments stood in sharp contradiction to the plight of its own indigenous people.

The conditions of Aboriginal labour drew attention at home and abroad. That remarkable agitator, Mary Bennett, took her allegations of slavery on pastoral stations to the British Commonwealth League. Some anthropologists began to speak out. The International Labour Organisation in Geneva became involved, as did British humanitarian organisations such as the prestigious Anti-Slavery Society. A broader and far better connected movement of humanitarians was rallying to the cause with a new intensity. By the late 1920s, the Federal Government was worrying out loud about Australia's international standing. The Attorney-General John Latham told the Armadale branch of the Australian Women's National League that the Forrest River Royal Commission would be read all over the world and he could think of no other event 'which would so discredit the reputation of Australia'.

**J**UST A FEW YEARS LATER the expedition against the Yolngus was about to depart, but the public response was unprecedented. Telegrams poured in to the Prime Minister, Joe Lyons, from churches, missionary organisations, feminist groups, unions, the ALP and pacifists. Anthropologists and bishops penned letters of protest. There was pressure from London, from the British Commonwealth League, the Anti-Slavery Society and the Society of Friends. Joe Lyons was so shocked he declared that 'nothing even remotely resembling an organised massacre had ever been thought of seriously for a moment in Cabinet'.

The war party was scrapped and a 'peace party' sent, instead, into Yolngu country. It managed to bring back the five men allegedly

responsible for the killings and it marked the end of official punitive expeditions. But what it could not do was get the Yolngu men a fair trial in the Northern Territory. The Yolngu charged with killing the policeman was a man called Tuckiar. He was sentenced to death with little attention to dubious evidence and the mitigating details of his case. Apparently the policeman had raped his wife.

Again there was a nationwide outcry and Tuckiar's case was elevated to the High Court. In November 1934, the Court unanimously quashed his conviction in a pointed ruling which made it clear that courts were not places to affirm white dominance and settler solidarity. Tuckiar was released from



G.A. Robinson esq.



Lancelot Threlkeld

gaol and was never seen again. It was widely believed he was shot by the police and his body dumped in Darwin harbour. But humanitarians could still welcome the High Court verdict. As Reynolds writes: 'The ethos of the frontier had been decisively repudiated.' In its time this judgement was as important as the Mabo verdict would be 60 years later. Yet only now, thanks to Henry Reynolds, is it reinstated in our history. The case which has been widely remembered from that period is the High Court judgement on the civil rights of a visiting European, Egon Kisch. Perhaps in keeping with this kind of sublimation the indexer has left Tuckiar out of Reynolds' index.

Like Reynolds' previous books, this one makes a valuable contribution to our understanding of Australian history and to contemporary politics. It only falters, it seems to me, in the concluding chapters where the parameters of the humanitarian movement are seriously understated and the analysis, consequently, falls short. It is hard to imagine why Xavier Herbert does not get a mention in a book about anti-racist activism which concludes with the achievements of the 1930s. Or for that matter the circles of active humanitarians in the literary and artistic world of Sydney

and Melbourne. Eleanor Dark comes to mind. Margaret Preston too. And where might Reynolds have positioned Inky Stephenson, who surely had a whispering in his heart? Stephenson published the Aboriginal Progressive Association's journal *Abo Call*. He also helped publish *Capricornia*. He is no more complex or contradictory than some of the trouble-makers who do figure in this book. The internationalism of many communists also drew them into the struggle while the rise of fascism was surely a catalyst for rethinking the 'race problem'.

It would be as easy to idealise the men and women Reynolds has resurrected as it is for some historians to dismiss them as 'soft' racists whose caring too often merely facilitated the marginalisation and destruction of indigenous people. John Howard's 'see no evil ...' approach to the past is no worse than the ungenerous strand among historians which sees all white endeavour as undifferentiated 'racism'. Yet the ironies of purpose or motivation are inescapable. George Augustus Robinson promised the Tasmanian Aborigines refuge on Flinders Island. Instead they got a miserable and permanent banishment. Ernest Gribble, the Superintendent at the Forrest River mission, was tireless in his pursuit of the killers in 1926, but, as A.P. Elkin insisted, he was also a ruthless paternalist, an 'uncouth tyrant' who separated children from parents and married them in late adolescence without a care for traditional ties and obligations.

Many of these agitators were turbulent, oppositional souls, looking for outlets for pent up energies, wanting a cause, and finding confirmation of their rightness in the isolation and derision they encountered. Their ostracism seems only to have confirmed their sense of purpose. 'I glory in this work', wrote Lancelot Threlkeld, the Methodist missionary in 1825, 'because it is so much despised'. But, as Reynolds rightly argues, they deserve the most generous treatment by the historian. They copped more than enough in their own time: 'Some of them undoubtedly were racists in the way we understand the term today', he argues. 'They were people of their period. But if inquiry and understanding stops there we miss the passion for justice, the anger about cruelty and indifference which drove [them] along lonely, thankless and unpopular paths' ■

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# By gum

*Eucalyptus: A Novel*, Murray Bail, Text Publishing, 1998. ISBN 1 875847 63 4, RRP \$29.95

AS A NOVELIST, Murray Bail would hardly satisfy the criteria of productivity Peter Reith might establish. But luckily he doesn't work to those standards. *Eucalyptus*, his first major work of fiction in ten years, is still water. It runs deep.

The novel presents a deceptively simple story. A man called Holland puts an advertisement in the paper for a wife. He chooses from three responses. The wife delivers twins; the boy lives only a few days and the mother is so distraught that 'her life seemed to leak away'. But Holland, now widowed with a daughter, had bet against the likelihood of having twins. The odds were so favourable that, having grown up in the inner western suburbs of Sydney, he is now able to buy a large riverfront property west of the mountains. The land has known violence; it was all but denuded by its previous owners who had 'gone mad with ringbarking'. Holland begins planting eucalypts on the property. It becomes an obsession. By the time his daughter, Ellen, has matured, the land is home to hundreds and hundreds of varieties. Some of them are so rare that they have been previously seen and recognised by a handful; some are so out of place that their cultivation is a major work. Holland makes it known that he will give the hand of his beautiful, but hidden, daughter to whoever can identify every eucalypt on the property.

If such a pronouncement sounds like the kind of thing a king says in a fairytale, and if the daughter appears a little like the traditional object of a quest, the effect is intentional. One of the pleasures of Bail's fiction is the skill with which events are balanced on the edge of believability, sometimes tilting over the edge of the known world before returning to the safe harbour of a more familiar reality. In so doing, they stretch what the reader is capable of believing. And understanding.

*Homesickness*, Bail's first novel, has been reissued, along with *The Drover's Wife and Other Stories* (a version of which was first published as *Contemporary Portraits*), to coincide with the publication of *Eucalyptus*. *Homesickness* is the story of 13 Australian tourists traipsing haphazardly around the world. At one stage, in England, they visit a railway lost property office from which literally nothing has ever been thrown out. The attendant opens a door and shows them a complete railway station which has been mislaid and never claimed: the situation is absurd except for the fact



that nineteenth-century Australian history is dotted with wonder stories of stations and buildings which were intended for one place and ended up in another. One such story surfaces in *Eucalyptus*. At another time, the group encounters a genealogist who knows literally everything about everyone.

*Eucalyptus* does for the eucalypt what a lost property office does for random baggage or a genealogist does for random personal details. The *Macquarie Thesaurus* lists over a 100 species of eucalypt: there are probably as many again in this novel, many of them with names which Bail uses evocatively. But, as with other metaphors in Bail's fiction, Holland's inventory of eucalypts becomes a metaphor for imposing control on chaos:

... here was a maze of tentative half-words and part descriptions, constantly expanding and contracting, almost out of control—a world within the world but loosely contained ... this attempt to humanise nature by naming its parts has a long and distinguished history ... It may as well be regarded as residual evidence of the oldest fear, the fear of the infinite. Anything to escape the darkness of the forest.

Holland doesn't just plant the trees, he writes their names. One of the many ruminative excursions in *Eucalyptus* compares paddocks to paragraphs: too many small ones are a nuisance, they are both indented at the point of entry and so on. Bail is interested in the way words relate to reality. He is at pains not to show how reality is comprised of, or at least controlled by, any expression or articulation of it. This particular obsession has all but stifled the novel in the second half of this century.

On the contrary, Bail suggests how reality slips any fence words try to put around it. One of his best known stories, 'A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z', defied the trend of much story writing in the seventies, when it was published, by insisting on a reality beyond the authority of the writer: 'The word dog, as William James pointed out, does not bite; and my story begins with a weeping woman.' The narrator of that story notes that words match something: 'TREE: I see the shape of a tree at mid-distance, and green.' But the difficulty with such 'match-ups' becomes evident when he starts telling a story.

*Eucalyptus* bears this out. A tall gentleman called Mr Cave comes to the property. Slowly but surely, he begins matching a word, a name, to every eucalypt. He is nonchalant but not unkind. Holland moves around with him. They don't rush, but little by little Ellen knows her world is narrowing. In the middle of things, a stranger appears. It turns out to be a reappearance: the end of the novel makes it clear that a vital, and quite brilliant, detail has been secreted in the early pages. The stranger is a storyteller; his tales are slightly bizarre and inconclusive. As Mr Cave brings the world to focus on a single point, the stranger allows it to expand. At one level this is an insightful, and often witty, book about obsession. At another, it is about generativity as distinct from productivity. ■

Michael McGirr SJ is the consulting editor of *Eureka Street*.



## Schubert's Dog

The ladies are waving their declamatory scarves  
To welcome back our darling 'Little Mushroom',  
And I'm at my old place behind his chair,  
A furry pedal to his wandering art.

But I have ears to hear what they cannot:  
A middle rage composed of poisoned sweets  
Inside Gemütlichkeit, a breakdown of  
The very air which carries joy to them.

He won't live long and dogs live shorter still,  
But what's proportion got to do with it?  
For while he plays a slippered substitute  
For life makes living sweetly pleonastic.

A big word for a dog and bigger still  
For angels of the keyboard keyed to God  
Whom these respectables have camphored in  
Their consciences, like silence after singing.

The ladies' dresses reach right to the floor;  
A dog might look at ankles and think breasts.  
Franz pounds the pedal, several lyric dwarfs  
Are strangling queens by shores of Alpine lakes.

Bitter and sweet, the cliché underlined—  
We have these old materials, the flesh,  
The hearing, logarithms elevated  
Like the Host and anchored everywhere.

What wished-for ending nestles in high waists?  
He must go on, he says to Kupelwieser,  
The storm of life will not blow out: the only  
Cure for masterpieces is to die.

Peter Porter

BOOKS: 3

JOHN UHR

## Reshaping the republic

*Coming of Age: Charter for a New Australia*, David Solomon, University of Queensland Press, 1998,  
ISBN 0 7022 3031 6, RRP \$29.95

**D**AVID SOLOMON'S *Coming of Age* wins the prize for being the first book to deal with the February Constitutional Convention. And given the Convention's many wordsmiths, it is unlikely to be the last.

The public debate over the republic is about to enter an important new phase, requiring unaccustomed initiative from the Government. The Convention has completed its business and the republican ball is now in the monarchist court of Prime Minister John Howard. We can expect a statement from the Howard Government about how it will proceed to honour the final Convention recommendation for a referendum on proposals for a republican head of state.

Solomon's book was written, sensibly, well before the event. It is not an instant history but a timely preview of the range of issues likely to arise in the wake of the Convention. It might well have been intended as something of a handbook for the Convention, but it will survive that event, and could become a standard

reference work leading up to the referendum, because it provides an accessible and fair-minded exposition of the options facing us. More generally, it is a model of political analysis written for the public at large (no footnotes and quite limited references to sources) yet it contains a very helpful index.

The book is more than an exposition of the options for a republic, but for many it will be primarily useful for its calm and careful listing of the debating points for and against the many proposals for constitutional change. Solomon is not at all impatient with the modest task of assembling a kind of debaters' kit of talking points. Many of the ten chapters contain convenient summaries of the key points in dispute in the many issues aired during the Convention. For example, the contest between republicans and monarchists is reduced to dot points in three pages in the chapter called 'The Republic—For and Against'. So too the arguments over citizen-initiated referendum.

But the real value of *Coming of Age* is its attempt to reframe the republic debate in terms of constitutional renewal that extend beyond the narrow confines of the debate over the president. The first and last chapters illustrate this.

The first examines 'the system under strain' in an informative summary of the record of recent commissions of inquiry into system-wide scandals, from Fitzgerald to WA Inc. The Federal Government also gets attention through such iceberg tips as the Colston affair. Solomon's point is that the voting public have good reason to doubt the institutional integrity of our system of so-called responsible government. Popular demands for a say in the election of the president can then be seen to reflect a much deeper demand for popular control over the system at large.

The final chapter is called 'The Coming of Age', which here refers to Solomon's general thesis that it is time that the Australian people exercised their rights of

popular sovereignty. The lesson is that republicanism is about popular government and the sad truth about the Keating minimalist version is that it refines our system of parliamentary guardianship rather than rekindles our faith in democratic self-government.

Solomon began writing on the republic debate at the time when John Kerr inadvertently launched its modern phase with the mobilisation of community resentment against his sacking of Prime Minister Whitlam (for whom Solomon was press secretary). His adventurous little book of 1976, *Elect the Governor-General!*, was a pioneering argument for popular election of the effective head of state. *Coming of Age* can be seen as Solomon's remake of that early story about democracy in Australia. While the republican camp squabbles over the merits of popular election of the new office of head of state, Solomon goes many steps further and calls for popular election of the head of government, which he hopes the president will become.

He initially holds back on identifying all the institutional consequences of his version of popular election. His immediate task is to draw attention to the merits of the case for popular election of a president. In this sense, his book is the background argument for the position put unsuccessfully by such Convention delegates as the three Labor opposition leaders in Western Australia (Gallop), South Australia (Rann), and Queensland (Beattie). Solomon warns monarchists as well as republicans that it is 'a serious mistake' to underestimate the depth of popular feeling for election of the head of state. At one level, this means that the republican movement will not succeed at the ballot box if it turns its face away from the calls for popular election of the president. He insists that the electorate 'clearly want to have a say'—a 'real say' and a 'direct say', not simply in the selection of a head of state but in the way we govern ourselves.

**T**HERE IS ALSO a deeper meaning which relates to the intensity of community cynicism about the established political system. It is as though Solomon is also warning conservatives that popular election is the price one has to pay for retention of the rest of the inherited system of government, and that without it, the system will slowly lose its public legitimacy. We fail to appreciate the task before us if we dismiss the public crisis of confidence in our current systems of government. Real

republicanism may be the best hope we have of regaining public trust in Australian government.

Many establishment republicans appreciate the threat that popular election poses to the political class. Malcolm Turnbull's Australian Republican Movement (ARM) won the war of numbers in the Convention with its warning to fellow republicans about the dangerous consequences of popular election of a president. The warning was that popular election would undermine the power and credibility of the prime minister and of the system of party government enjoyed by the majority leader in the House of Representatives.

Solomon has no brief for the office of prime minister or the parliamentary system it represents. He is closer to the 'real republicans' like Tim Costello and Pat O'Shane in favouring popular election, but a sign of his distance from other republicans is his elevation of the elected president into the head of government as well as the head of state.

Solomon's book is both clever and bold. It is clever in enlisting the rhetoric of the conservatives in the cause of his radical version of republicanism. For example, he quotes at length from Sir David Smith (former official secretary to many governors-general and Australians for a Constitutional Monarchy [ACM] delegate to the Constitutional Convention) about the growing failings of our Australian system of government. The evidence of the last decade is indisputable, especially at the state level, as uncovered by a generation of commissions of inquiry, from Fitzgerald in Queensland to the latest and most able, the Commission on Government in Western Australia. This certainly makes it difficult for conservatives to make their case that the system 'ain't broke', and implausible for conservatives to pretend that retention of the monarchy is essential to the recovery of political health.

And the boldness of *Coming of Age* is evident in Solomon's refusal to defend Prime Minister Keating against charges that his discovery of republicanism was 'a political ploy'. With this non-intervention in the battle over the original intent of Keating's minimalist model of a republic, Solomon goes on to try to save republicanism from the minimalist republicans. This is not a book to warm the heart of the federal Labor party, the ARM, the ACM or the Howard coalition.

Solomon's ambition is to think through the republican options and thereby to

enhance public discussion of a republican Australia. Neither the title nor the subtitle explicitly refers to the republic. Compare this with Turnbull's *The Reluctant Republic* or John Hirst's *A Republican Manifesto* or Tony Abbott's *The Minimal Monarchy*. The absence of the republic in his title accords with Solomon's declaration that he has 'no single agenda to impose, but many possibilities' which he wants to explore. But what is the general model of republicanism which leads him on his exploration of Australian possibilities? The answer is disconcertingly clear: 'something like that in the United States'. Do we really want to remodel Australia along American lines? At first blush it seems misplaced to try to move the debate over electing a head of state into the unexplored territory of an imaginary republic loosely modelled on US principles.

**B**UT SOLOMON'S EFFORT of political imagination pays off. It is a surprisingly fresh picture of how we might reorganise political power into three related institutions. For him, the United States version of republicanism is really one of many possible variations on the theme of the separation of powers. If real republicanism requires a separation of powers, then we can come up with a local version adapted to Australian circumstances.

The first step is a remodelled political executive to replace the prime ministership. Popular election of a president shifts the highest office right out of parliament, bringing new public legitimacy to the top job and enabling its incumbent to select a Cabinet from among 'the best and brightest' available Australians, not confined to the predictable political class represented in parliament. Second, parliament could then be remodelled as a productive legislature rather than the electoral college it now is. Here the details get a little fuzzy, but the decisive reach of the reform does not: out goes the Senate, and in comes something like the newly reformed New Zealand Parliament, a unicameral assembly with substantial proportional representation. Third, the High Court gets a new lease of life as an independent branch of government supported in the best of worlds with a bill of rights, inspired in no small measure by the resurgence of the Supreme Court of Canada in the wake of that country's Charter of Rights.

One could take in turn each branch of Solomon's imaginary republic and investigate its likely impacts. He spends most of his initial time on executive and



legislative powers. He wants to save parliament by ridding it of a bullying executive, and also to enhance the prospects of political leadership by allowing the president to select a Cabinet of real calibre. But the branch of government he wants to alter the least is the one from which I suspect he hopes for the most: the judiciary. The task here is not so much institutional reform as institutional nurture. The High Court has already demonstrated its interest in promoting a republican agenda of popular sovereignty and civic rights. Solomon appears simply to want to give it the space to get on with the job, and so he spends more time specifying the perils of recent political attacks on the legitimacy of the judiciary than on imagining a new sort of judicial institution to replace the High Court.

The High Court gets the lightest makeover. Cynics will ask whether this finally reveals the origin of Solomon's republican vision. It is that ancient form of republicanism associated not so much with separation of powers, which is a typically modern form of liberal republicanism, but with divide and rule—in this case, reorganising and dividing the executive and legislative institutions so that the judiciary can be better placed to rule.

I have my doubts. Solomon is a lawyer and an expert commentator on the place of the law in Australian politics. His deft treatment of the conservative attack on the Court's recent moves to protect political rights is intended to show the vulnerability of popular rights and the advantages of a bill of rights, not the virtues of the judiciary as such.

There is more in this welcome book. The chapter on federalism is the best short overview I have seen on the problems and possible solutions facing Australia as a federation. There are limits to Solomon's range of issues demanding constitutional renewal. Issues of race and reconciliation are not prominent, and there is no agenda of gender. Multiculturalism is less important here than are multi-member proportional parliaments. But the overall achievement is impressive: 180 or so pages which refigure the republic and invite us to imagine a wider range of political possibilities than the meagre minimalism on offer. ■

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## MUSIC

JIM DAVIDSON

# Palpable hits and misses

**W** *Opera Australia, 1998. Iphigénie en Tauride; Tannhäuser; Madama Butterfly; Dialogues of the Carmelites; Macbeth.*

WITH THREE of my favourite operas scheduled for production, I was feeling rather spoilt this season. That is, until it began to spoil itself.

First up was Gluck's masterpiece, *Iphigénie en Tauride*. An opera I never expected to see in Melbourne, it was an ambitious choice. Much more energised than the better-known *Orpheus and Eurydice*, the score manages to combine a neoclassical linearity with emotional intensity: even great Romantics such as Berlioz and Delacroix held it in high regard. But a contemporary audience has difficulty with it, despite the amplitude and distinction of the music. The elevated tone and the grand gesture, even when perfectly proportioned, are a long way removed from us now; and when the only love interest is that between two men, there is an additional problem. A postmodern audience has difficulty enough coping with the high-minded, but when the people involved are a pair of gays who refuse to behave transgressively, but on the contrary behave *nobly*, then the scrambling of the categories becomes too much. To unfamiliar music is added unfamiliar territory.

The opera has therefore to be pelted along from time to time to gain plausibility—partly to help its projection as another sorry episode in the tragic history of the house of Atreus. Maria Callas, as Iphigénie, used to hurl herself to the front

of the stage during the opening storm scene; in this production Anke Höppner was relatively inflexible, as if having decided on what seemed to be the single most effective tone and gesture, she should stick with it throughout. But Peter Coleman-Wright's Orestes more than made up for it in a flawless performance, beautifully graduated and superbly sung. I have never heard him in better form. Other roles were patchy: Thoas' big aria was taken too fast to convey any sense of kingly fright, while Anthony Elek's performance as Pylades was uneven.

The production, though, had a great deal going for it. Tauris (the present Crimea) was the edge of the classical world; we therefore had tilted walls bearing classical cornices—which not only seemed to be quoting the house style of Oberle neoclassicism, but suggested that we were seeing even the Scythians through Greek eyes—as in a sense, following Euripedes, we are. But at the centre of the stage were a series of poles surmounted by human heads; an assertion of barbarism. It is part of the intelligence of Michael Gow's production that the line between



Giambattista Tiepolo, *The Sacrifices of Iphigenia (detail)*, fresco, 1757

barbarism and civilisation is constantly being interrogated. When it is time for one of the Scythian dances, we get it all right, and with people in the costume of 1779—a neat way, you think at first, of putting across its sense of stylisation. But then it becomes plainer that these courtiers are playing with fire as well as with ‘barbarism’; their movements become more disordered, more threatening, until one person comes close to lopping off the head of another. First performed ten years before the French revolution, what was intended as an innocent *tambourin* becomes instead a *totentanz* for the ancien régime.

But what can be radically insightful one minute can also be intrusive and distracting the next. And so it was in the third act, when both Orestes and Pylades plead with Iphigénie—and with each other—for death, rather than allow the friend to be executed in his stead. This was shaping promisingly, with the crescendo of their trio taken daringly fast; but then, when there are great supplicatory phrases hanging in the air as Pylades is begging before Orestes, the Furies suddenly went into overdrive, bouncing around on the adjacent beds (yes, beds!) as if participating in an orgy. It was crass, and a woeful display of a lack of confidence in the splendid music.

**M**UCH WAS EXPECTED of *Tannhäuser*. Word had come from Sydney of all sorts of novelties in the production, leading to serious disagreements between director and conductor; but here in Melbourne it was to be given under the baton of Simone Young. What would happen when her skills and considerable reputation were factored into the equation?

Some splendid music-making, for one thing. The third act prelude is the supreme test: it always sounds as though Wagner had lost the final version, and at the last minute slipped in this draft as a substitute. Young’s reading, with its carefully articulated crescendi, came as near to making a decent piece of music of it as I would ever expect to hear. No less skilful was the strong emphasis on the rhythm in the music of *Tannhäuser* (including his love song) and the competitors in the Hall of Song; it actually sounded like the minstrelsy it is meant to be. No detail was too small to be overlooked: the definition given to the winds during *Tannhäuser*’s Rome narration made them echo the bells he was then alluding to. But then the capacity to shape a whole act was evident too, most strikingly at the beginning.

*Tannhäuser* presents a challenge in the way it begins not only with an orgy, but a stale one at that. The Venusberg scene can often seem totally disjunctive from what follows; but here it was never more than a simple contrast. A wonderful lightness of touch pervaded the shepherd scene and its easy coalescence into the arrival of the hunting party. Here the audience was positioned into experiencing something of *Tannhäuser*’s relief and joy, both by the way the music was handled and by the direction, even if the latter allowed the appearance of a dachshund—and a predictable audience gasp—to upstage one of the most stirring fanfares in all opera.

Indeed Elke Neidhardt’s direction was highly effective throughout. Michael Scott-Mitchell produced for her a Venusberg bathed in cloud and shafts of light in iridescent green, making it as dank and throbbing as the obsession it postulates. Later, the hunting party were in traditional nineteenth-century German costume, while in the Hall of Song the minstrels appeared in suits, the Landgraf decked out as a comic opera baron. But it wasn’t simply a case of updating the opera to Wagner’s own time; the Hall itself threw back to the audience almost a facsimile of a contemporary theatre, while *Tannhäuser*’s ambiguous costume, already sighted in the first act, now served to pass him off as something resembling a pop star. The master stroke, though, occurred after his sexy lyric breaks up the party; here, as is sometimes the case with early Wagner, the composer’s reach exceeded his grasp, and the music simply does not rise sufficiently to meet the challenge. Neidhardt therefore found another way to achieve the same effect, banishing part of the hall up-stage and bringing forth the rest to achieve a constricted sense of space, which was then darkened. No less impressive was the way that the third act, often simply a sequence of splendid numbers, was clamped together more effectively by placing it in an almost ruined Hall, the site now of a corrugated iron fence, while never for one moment allowing a character to remain alone on the stage.

And the famous sample bags in the Pilgrims’ Chorus? These were not nearly as jarring as one had been led to believe. After all, medieval religion was fixated on relics, so this was not a wilful interpretation, particularly as Bibles with crosses on them were produced at a key moment. The ambling in of the pilgrims, rather than their entering in a slow march, was much more

questionable. As was the persistence of wraith-like bat figures, who sloped around in odd corners to remind us, no doubt, of the claims of the Venusberg. But they were as much supernumeraries as the hyperactive Furies in *Iphigénie*. While dance in Australia may now have come of age (as Dame Edna would say) there is absolutely no need for it to infantilise opera.

*Tannhäuser* was well-sung on the night I went. Although I found Bernadette Cullen a little too magisterial as Venus, Lisa Gasteen was a splendid Elisabeth. She had sung the role here much earlier in her career, when her voice was almost too light for the part, but now it has both ballast and flexibility. There had been complaints about the nasality of Horst Hoffmann as *Tannhäuser*, but I was far more struck by the relative sweetness of his voice and the zest of his interpretation. The surprise in many respects was Michael Lewis as Wolfram, since he brought to the part a crisp firmness which at once enriched the singing and gave the role a strength it often lacks.

In short this was an outstanding *Tannhäuser*, capable of constructing a logic at those points where Wagner had provided little. It made greater sense of the work for me than any other I have seen. This, after all, is the one Wagner opera the master could not leave alone, tinkering with it right up to a few years before his death. It is no wonder then that so many (other) productions have not been quite able to bring it into focus either.

**S**OMEONE HAS to be the bad fairy. And amidst all the praise that has been heaped on Moffatt Oxenbould’s *Madama Butterfly*, I have to say that it did not work for me. It was elegant enough: the set with its screens and neatly compartmented segments suggested nothing so much as a modern apartment, and certainly came into its own in the love duet, since in this enclosed setting the entire focus fell on Butterfly and Pinkerton. But everywhere else the opera needs its Japanese setting to work properly: the music itself often relies on an additive of cherry blossom, and without a visual prompt is reduced on occasion to almost pointless scribbles in the orchestra. More significantly, the story is the quintessential orientalist tale, and in its own sentimental way posits exotic innocence against imperialist exploitation. Ken Russell, in his memorable production of some ten years ago, modernised the set too; but he also magnified the element of western exploitation. If that is not done, then it is



best if Butterfly remains in a simple dwelling, to remind us that all this is taking place—still—in the third world. Otherwise the work loses balance, and not even the creditable performances of Cheryl Barker as Butterfly and Jay Hunter Morris as Pinkerton could save it.

Verdi's *Macbeth*, it has to be said, is not much of an opera: the one really good tune in it occurs as Lady MacB floats in as a somnambulant, and then drifts off again, without having remembered to give us the aforementioned melody at full throttle. Still, it can be made to work so long as you have snappy direction and a first-rate cast. Unfortunately, Opera Australia saw its listing as an opportunity to drag out an ancient production from the seventies, which did nothing so much as to remind us how far we have advanced since then. The chunky sets suggested stone walls, dungeons and portcullis, the dark costumes studs if not leather. The late Frank Thring would have loved it. Now there was some point in the recent revival of a pleasantly fustian *Lucia*, since there the story was filtered through Sir Walter Scott's romantic sensibility. But there was none in reviving this production; it even seemed to bore the singers. Claire Primrose was a spirited Lady Macbeth, but Barry Anderson as the gent himself sang the role in a totally uninflected way through the first two acts. Rather better from that point of view was Arend Baumann as Banquo; but then with the prospect of his heirs becoming kings of Scotland, he had something to look forward to.

It is a sad fact in opera that a production is rarely as satisfying as it was the first time round. In order to conceal a growing tattiness, or to accommodate different singers, perhaps to elicit a more direct engagement on the part of the cast, the thing is moved on, modulated—and sometimes tarnished. When Opera Australia's present *Così fan tutte* was first produced, the partnership of director Göran Jarvefelt and designer Carl Friedrich Oberle resulted in a revelation: to the light and elegance of an airy set, supplemented by a judicious range of stage properties, was brought an economy of gesture and a sense of restraint, leavened by exuberant behaviour. The second act duet between the two girls, for example, took place in two beds as they compared notes on their suitors. Now the brass beds have gone. Elsewhere stage furniture lies about with neither logic nor elegance, while the exotic presences at

corners of the set, intriguing in their indifference, have been promoted to multiculturalists just itching to get involved in the action. The spirited Despina, Amelia Farrugia, tells the girls about love as if she were a Brunswick Street punk. And there's much by-play, now, between the two boys and the cynical Don Alfonso, who incidentally could be a little more worldly-wise, even rueful, than David Brennan allows. It is not all loss; the first glimpse the girls get of the Albanians frozen in their splendour was a nice trick. Even so, we are edged away from the eighteenth century and even more from the quite specific setting the opera has in Naples. *Così* is an elaborate parlour game, a chamber opera built around

*A postmodern audience has difficulty enough coping with the high-minded, but when the people involved are a pair of gays who refuse to behave transgressively, but on the contrary behave nobly, then the scrambling of the categories becomes too much.*

ensembles; its formalities should not be loosened too much, or else its emotional geometries come to seem as contrived as theorems. Still, to hear 'Un' aura amorosa' sung as beautifully as it was by David Hobson alone made it worthwhile attending the performance.

Poulenc's *Dialogues of the Carmelites* is a distinctly strange work. When sensual people repent, or turn reflective, the result is an opera like *Parsifal* or this one—mostly set in a convent. So suffused is it with religious feeling that the empty seats after the first interval suggested that a number of people who were not Catholic had wondered what they were doing there. This is a very wordy opera—with a libretto more distinguished than the music—which probably accounts for the decision to sing the work in English.

The results were not as bad as feared, although in a few places the right word had clearly not been manoeuvred into the right position at the right time. More seriously, with the exception of the moment when the death sentence is read to the nuns, there are far too few places where one is struck by the rightness of the musical setting. All could not have been lost in translation. A surprise, really, given Poulenc's reputation as a song-writer. But perhaps the opera—despite the stunning climax—does

not really allow him to display his talents for the bittersweet, the brittle or the neurasthenic. The two most memorable performances were Rosamund Illing as the second Mother Superior, powerfully and beautifully projecting great wisdom as well as concern, and Claire Gormley as Blanche, a wonderfully differentiated performance that kept offering insights and displayed the capacities of her voice impressively.

THE SEASON has been attacked as being conservative, but in its own way, given the nature of opera audiences, it was quite daring. The Gluck was a bold choice, and with the Wagner a palpable hit—to which some would add the Puccini. Only *Macbeth* was a disaster, although palming off *The Carmelites* as representative of twentieth-century opera is a bit of a sleight of hand. All indications are that when Simone Young takes charge of the company's artistic policy in three years' time, we will see more twentieth-century works. There might also be a move away from the French bias in the repertoire, a marked characteristic of the company for quite some time.

Nevertheless, traditional operatic fare will remain the staple. This is not only because of the laggardly taste of traditional opera-goers; it is also because there is now a cleavage between massed-force opera (even if it should be contemporary) and the newer, fringe-theatre, increasingly mixed-media contemporary form, which even in subject matter often revels in its contemporaneity. The gap may well prove unbridgeable. Moreover, the new movement in opera may come to seem—once a major figure comes to work in it—as significant in its own way as the reforms of Wagner or Gluck. But even then, there will still be a place for what could be termed museum-culture opera, so long as the performances remain lively. Radical productions will help ensure this, and are in fact essential to the process. For opera is now the main way a large number of people encounter the basic myths of our culture. Once upon a time these were the province of literature; people used to read key scenes from novels out loud, or commit the great Shakespeare speeches to memory. Not any more. Now, for better or for worse—and thanks to recordings—they are more likely to be familiar with operatic arias. ■

Jim Davidson is Eureka Street's opera critic.

# Going for broke

*Geoffrey Milne on the tough theatre of Daniel Keene.*

**M**ELBOURNE-BASED playwright Daniel Keene is a man on a mission. After nearly 20 years of writing steadily for the theatre, his present ambition is to produce 20 new plays over a period of 12 months.

In February of this year, for example, five separate pieces of his were produced by three different theatre companies in two cities: *Lorna* for Playbox Theatre Centre in Melbourne; three shortish plays under the generic title of *The Keene/Taylor Project #2* in a Brotherhood of St Laurence furniture distribution centre and later at La Mama Theatre; then *The Architect's Walk*—a new play commissioned by the Red Shed Theatre Company and the Adelaide Festival of the Arts—opened at the Arts Theatre in Adelaide. For a period of about a week and a half, all three productions were running simultaneously—a remarkable achievement for a playwright who is not a household name like David Williamson, Louis Nowra, Nicholas Enright or Michael Gow.

Other works to have appeared in the current 20-play project include *Rules of Thumb* and two more in the *Keene/Taylor Project #1*. At this stage, he's over half-way there, and there are more production projects brewing. *The Keene/Taylor Project #3* opens on 5 June.

Daniel Keene's current wave of visibility and success is not as sudden as it might appear to regular theatre-goers. He is probably best known nationally as the principal author (with composers Dalmazio Babare and Boris Conley, director Geoff Hooke, puppetry director Michele Spooner and others) of the remarkable *Cho Cho San* for Handspan Theatre in 1984 and Playbox in 1987. This was an opera/puppetry/drama reinterpretation of the *Madama Butterfly*

story which has toured very successfully inside and outside Australia. In Adelaide, he is best known for a string of plays for the Red Shed, most of them commissioned by that company, beginning in 1993 with *All Souls*.

Keene, in fact, has maintained a quiet but strong presence in the national repertoire throughout the present decade. From 1990 to the end of 1997, he was the equal-ninth most frequently produced playwright in the country (with Chekhov), after Shakespeare, Williamson, Nowra, Enright, Beckett, Pinter, Sewell and Gow. In 1994, he tied for third on the national playwrights' leader-board, with three separate productions of his two-hander *Low* and single productions of two other plays, *Because You Are Mine* for the Red Shed and *All Souls* for Griffin in Sydney. Over the same period, he has had still other plays produced in Sydney, Hobart, Melbourne, Brisbane, Canberra and New York, as well as on Swiss radio and in cities in Poland and France.

Like many of his peers, Daniel Keene got his first breaks as a writer in the creative hotbed of the Melbourne fringe theatre, particularly at La Mama. While at Rusden College in the late 1970s he was influenced to some extent by Lindzee Smith, engaged at the College as a sessional lecturer but whose main claim to fame at the time was as a director of the Australian Performing Group at the Pram Factory. Smith arranged a transfer to the Back Theatre at the Pram of one of his Rusden projects—a production of David Hare's play about revolutionary China, *Fanshen*—and Keene (a member of



the cast) found his milieu. In some ways, he has devoted his attention to society's battlers and underclasses ever since.

After Rusden, he and some former classmates formed a theatre group known as Skelta. Early work included what he calls 'editing jobs', but highly original works also soon began to flow from his compulsive pen as early as 1979 at La Mama, where *Car Crash at O.K. Corral* was first performed by Skelta.

Keene has returned 'home' to La Mama on several occasions before the current series. *Echoes of Ruby Dark* was premièred there in 1982 and another of his earlier plays, a steamy study of a brother-sister relationship entitled *The Hour Before My Brother Dies*, was given a revival there in 1986 (with Lindzee Smith and Keene's long-term associate Rhonda Wilson) in a season which also included plays by Phil Motherwell and American playwright James Purdy, introduced to Melbourne audiences by Lindzee Smith.

In some ways, a link between Greenwich Village (home of the original La Mama) and Carlton—long envisaged by Melbourne La Mama founder Betty Burstall—was finally made palpable by Keene and Smith. *The Hour ...* is by no means the only play of Keene's to have had successful showings in New York City and Melbourne, and it is by no means the only play of his that explores the stretched relationships between people desperately living out their lives on the extreme edge of society.

*Above: Malcolm Robertson in Keene/Taylor Theatre Project. Photo by Zoe Burton.*



The February/March Keene/Taylor Project season is a classic case. The evening began with a short preliminary encounter between a poverty-stricken single mother and her fostered-out and now returned daughter, entitled *Neither Lost Nor Found*, which explores the tentatively growing relationship between the two. The middle piece, *Untitled Monologue*, is a startlingly well-written and persuasively performed monodrama about a young boy who moves from the bush to the city in search of work, which he fails to find. He ekes out his existence in a boarding house populated mostly by elderly men who have all been there and (not) done that long before. The dramatic narrative is developed through a series of letters which the boy composes for his father (who never writes back), intercut with scenes with a woman who seduces him in a bar and scenes at the police station where he inevitably ends up as a result of this dangerous liaison. A brilliantly contrived three-way conversation (the boy with father, police inquisitor and woman) brings this edgy little piece to a stark finale.

**T**HE THIRD PLAY of the set, called *Night, A Wall, Two Men*, is a poetic exploration of the relationship between two unnamed street-dwelling deros living a largely nocturnal life on the fringes of our affluent city. They argue, drink, curse and joke about the injustice of it all—much like Samuel Beckett's tramps in *Waiting for Godot*, to which one or two probably unnecessary textual homages are made—before dossing down together for yet another night with their backs against the wall ... and another day of the same.

The raw material of this work sounds grim and depressing. But then Daniel Keene's work is about the battlers and the underclass of Australian society. *The Hour Before My Brother Dies*, for example, is set in the prison cell of a condemned man who is forced (through a contact visit with his sister) to review his life in the hour before his death.

*Low*, as another, is about an ill-matched but till-death-us-do-part couple of ageing crims who resort to increasingly desperate (but comically flawed) hold-ups in order to make ends meet. Their ends never do meet ... (Keene's plays have a tendency not to have 'endings' in the orthodox dramaturgical sense; what happens when the lights go down leaves us with yet more questions about what might happen if they were to come up again.)

But the plays are shot through with prodigious energy and ironic humour. At one point in *Night, A Wall, Two Men*, the younger man curses his heart condition in a mighty dialogue with his elder partner, claiming that his 'ticker won't last its appointed distance'. To which his mate replies: 'Well, what is your "appointed distance", you dumb cunt? When it gives out, that's it! That is your appointed span!' And so the argument rages, to a point of hilarious but poignant comic infinity. But, at the same time, neither of the two is prepared to give up the ghost: however futile the life, it is to be cherished until the last free apple they can con out of the various welfare agencies has been devoured—or tucked away in the kick for tomorrow.

I asked Daniel Keene why he is so obsessed by the idea of portraying life *in extremis*. His reply was that:

it's critical for the theatre to do so; it is death not to. When I go to theatres like that [pointing over his shoulder from Young & Jackson's pub, where we met for a reflective beer, to the Victorian Arts Centre] all I see is characters who earn \$80,000 a year in plays appealing to people who earn \$80,000 a year. Our theatres give the impression that we are a totally white-collar society, which is a pretence. My theatre is about portraying characters [of the growing underclass] with dignity, even if their behaviour is indefensible.

Keene is not alone in his mission to develop a poetics of dignity in despair. Artistic director of the current 20-play mission, Ariette Taylor, and a host of outstanding actors, are all involved in the project and many (like Greg Stone, Malcolm Robertson, Daniel Spielman, Jane Bayly) have parts specially written for their particular talents and sensibilities.

There is a profoundly funny—or tragic—irony about Keene's present circumstances. He is living on an Australia Council fellowship, with a specific aim and objective to allow him to continue to write plays for the Red Shed Theatre in Adelaide. Red Shed has had its Australia Council Funding cut off, which means that they are no longer able to produce Keene's plays. Or anybody else's. ■

**Geoffrey Milne** is head of theatre and drama at La Trobe University.

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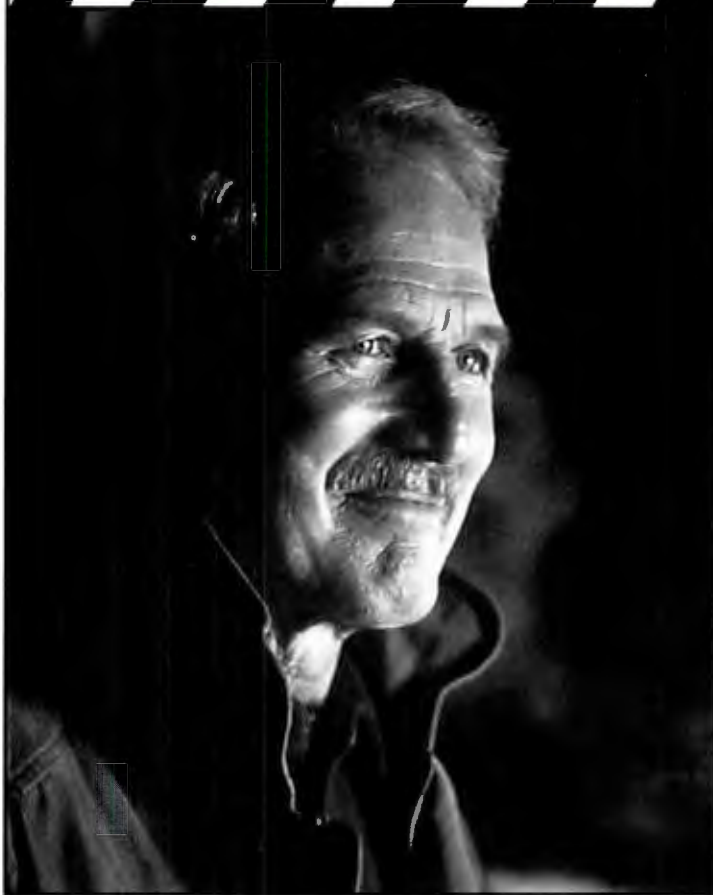
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# FLASH IN THE PAN



## Well-heeled blues

*The Object of My Affection*, dir. Nicholas Hytner (general release). If we're not careful, cinema is going to become pay TV. It seems these days you're either buying a ticket for a two-hour episode of *Lost in Space* or you're paying to see a sitcom star being cute a hundred times bigger than usual. Where is the art in that? As visiting the movie house becomes more and more like sitting in your lounge room, I vote we all stand up and shout 'I'm mad as hell and I'm not going to take it any more'.

*The Object of My Affection* is a classic case in point. Nina (Jennifer Aniston, star of *Friends*), a bouncy but tough Brooklyn social worker, is dating Vince (John Pankow, Ira in *Mad About You*), an irritating but decent civil liberties lawyer. *NYPD Blue* meets *Seinfeld*? But enough already of the New York TV talk.

When Nina falls pregnant to Vince she decides she wants to bring up the baby with her gay flatmate, George (Paul Rudd), with whom she has fallen in love. But George is in love with Paul (Amo Gulinello) who is kept by Rodney (Nigel Hawthorne) who becomes a father figure to Nina. Throw into this romantic soup pot a handsome black policeman, a powerful sleazy literary agent, a pushy rich half sister and a hall full of sweet singing children, and there's your New York comedy/sitcom.

With its liberal politics clearly and cutely emblazoned on its sleeve, this film has all the right opinions on family and unconventional parental combinations and the proper place of money and status in a just and healthy life. But of course every character has a good job, multiple

opportunities and a lovely bright, airy house. The well-meaning liberal politics have little bite in these comfortable surroundings. While one should not expect the world from a light romantic comedy, just a modicum of grit would have given this film a welcome lift, and I suspect made it a good deal funnier.

There is nothing in this film you couldn't see on the box, and remember, bigger is not always better.

—Siobhan Jackson

## Black and blue

*Nil By Mouth*, dir. Gary Oldman (independent cinemas). It is unlikely that *Nil By Mouth* will ever be made into a musical. It ranks with *The Boys* as the most depressing film I have seen in the past 12 months. Written and directed by Gary Oldman, this chronicle of booze, domestic brutality and drugs is set in and around a public

housing tenement in South London.

For 128 scaring minutes the film depicts the internal conflict within four generations of one London family. Central to the action is the psychotic Raymond (a superb performance by Ray Winstone)—a violent, cruel, unpredictable petty criminal, who seeks to impose his ranting will on everyone with whom he has contact. As Valerie, his wife, Kathy Burke gives a moving performance which won her the award for Best Actress at the 1997 Cannes Film Festival. She is the brunt of his bullying, a woman without hope, who somehow always gravitates back to him.

Oldman claims to have drawn on his own personal experiences in writing and directing his first feature film. If that is so, then it is a pity that the inspiration of his own personal achievements did not influence him to leave a vestige of realistic hope in the script.

Oldman's script must surely represent the ultimate in repetitive obscenities. Even a decade ago the brutal language would have led to this film being banned or having 20 minutes excised.

The action takes place in a stark, gaunt environment full of physical and emotional tension, where love is seen as a sign of weakness to be exploited. No more could have been asked of a splendid cast with the performances uniformly excellent, but Oldman's direction, like his script, is undisciplined and self-indulgent. The drug fixes are unnecessarily repetitive, the obscene invective soon becomes wearisome and the constant brutality numbs the senses.

Oldman's creation of a bullying, drunken psychopath who wallows in self pity after his most vicious assault, is convincing. What isn't, however, is the low point of the film when Raymond delivers a monologue in which he bewails at length the lack of affection shown to him by his late father. This diversion is a glib attempt to manipulate, but ultimately is unconvincing. The problem is that the monstrous Raymond is such a vicious creation that he is beyond sympathy.

The high point of the film is as brilliant as it is unexpected. There is a fleeting show of a little boy, perhaps five or six, holding his father's hand. The boy turns and we glimpse his face which wears an expression that is ugly, brutal and threatening. That one glimpse vanquishes any hope for the future.

—Gordon Lewis



## The blue eyes have it

*Twilight*, dir. Robert Benton (limited general release). Start with the music: Elmer Bernstein's silky jazz score, which makes you believe in Los Angeles again. This is the minor key territory of *The Big Sleep*—allure, wit and threat, echoed by Piotr Sobocinski's cinematography, which tracks down dark halls of seedy rooming houses or along the sharp lines of Dolores Del Rio's high moderne home in Santa Monica, or a Frank Lloyd Wright ranch at Malibu (where the body is buried). There is an ensemble cast to glory in: Paul Newman, Gene Hackman, Susan Sarandon, James Garner and Stockard Channing.

And yet the film doesn't quite work. The pitch is wrong.

Robert Benton (who wrote the script and directed) is at his best in the intimacy of dialogue and emotional intersection. (*Kramer vs Kramer* and *Places in the Heart* won him Oscars). But this is a detective yarn, with blood in the bathroom and scenes shot in a working LA police station. It needs more than intelligent, or even wry, sympathy—it needs the ruthless stylishness of a Hitchcock or the savvy of Curtis Hanson's *LA Confidential*.

Paul Newman plays Harry Ross, an ex-cop, ex-drunk, turned private detective, declined into live-in security person for Jack and Catherine Ames (Hackman and Sarandon). The Ameses are rich, glamorous and plausible. You half want to forgive them everything, or at least release them from the normal rules of culpability. Harry Ross certainly wants to.

But Robert Benton is no Scott Fitzgerald. And Paul Newman, at 73, is still the most invincibly beautiful person on the set—it stretches credibility to see him play a sap. The film works when the exchanges (particularly between Jack and Harry) are witty depth psychologising between two ageing men who love one another more intelligently than do most buddies. Or when Catherine is teasing them both. But when the killing starts there are just too many genres running.

Still—go anyway. Hackman always repays the price of admission and James Garner (whose chin has gone but whose charm has not) walks through his role as villain with all the skilled nonchalance of an Olivier doing holiday pantomime.

—Morag Fraser



## Brothers' blues

*The Boys*, dir. Rowan Woods (general release). When the credits rolled for this film, I was holding my breath. And so was the rest of the cinema. There was a collective sigh when we were released back into the mundane realities of finding purses and putting on coats. Be warned. This film is very demanding, very confronting and very upsetting. But having said that, it is not actually very bloody or violent. It is, instead, menacing. Violence is always ready to happen, implicit in every act, every movement of the film.

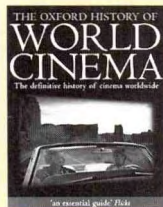
*The Boys* moves in and out of one day in the lives of three brothers, Glenn (John Polson), Brett (David Wenham) and Steven (Anthony Hayes). Brett has just been released from jail and has some score-settling to do. His stash of drugs has disappeared, he suspects his girlfriend of infidelity and he wants to get even with a bottle shop attendant. His brothers are at once implicated in the first two events and portrayed as warriors on Brett's behalf. The situation is ready to blow.

Woods heightens the sense of foreboding—time is disjointed, consequences are known before events. The disturbing effect is that viewers don't know what they are watching. Very early on in the film you watch Brett burning his clothes. Not until very late do you understand why, and the knowledge is difficult to digest.

What perhaps is most disturbing about the film, and is one of its real strengths, is the way it constructs the act of watching as highly complicit. We know, although we don't know why, that the three brothers are dangerous and that someone will pay dearly. The audience is offered possible victims of this violence, and certainly I did much work imagining the demise of the (predominantly) female possibilities. We are then part of a waiting game and at every twist you could feel a current of mental *oh no, not hers* running through the cinema. Woods plays with this, offering us reprieves, or possible reprieves, for the victims. The simple acts of getting into a car, leaving a house, picking up a telephone, or watching a taxi drive past serve to tempt our fear or relief.

*The Boys* is one of the most powerful films I have ever seen. The performances are all strong, and the direction sure-footed. See it.

—Annelise Balsamo



### EUREKA STREET FILM COMPETITION

In a farewell tribute to Frank Sinatra, one of entertainment's all-time greats, *Eureka Street* will send a copy of *The Oxford History of World Cinema* to the first person who correctly names the first husband of the woman who became the ever-hopeful ol' blue eyes' fourth wife. Send entries to:

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WATCHING  
BRIEF



## Hats off to Dickens

**A**FTER SEEING the ABC's recent screening of Sandy Welch's adaptation of Charles Dickens' *Our Mutual Friend*, I have come up with two wish lists for prospective novel-to-film/TV adaptations. One is a Please Don't Do It At ALL List and the other is a Please Consider

This Method List, because by now I'm fed up with seeing the experience of a book hacked down into comic book form.

The best you can say about some adaptations is that people who would otherwise never have read the book might do so. Those who pick up *Our Mutual Friend* have a treat in store: it is maturely comic, with tantalising prefigurings of other authors' styles: Wodehouse, Kipling, Hemingway had obviously read it.

It was obviously very difficult to adapt, and the Sandy Welch version got over the problem of conveying the richness and complexity of its form by applying rational economic theory to the book's comic element. Faced with having to account for themselves in a competitive market, the Podsnaps couldn't offer enough productivity gains and were retrenched. The Veneerings accepted heavy cuts and were retained in a casual capacity. The result is more like the tone of *Bleak House* than anything else, but there's an almost Russian gloom left when you remove the vivid humour and geniality.

Dickens was never afraid of a bit of grue, but he mostly balanced things with fun. The early scene in the jail/morgue, when the supposed corpse of John Harmon is to be identified, is made grimly funny in the book, as a drunken woman in a nearby cell bellow for the liver of another woman. The TV adaptation has her making plaintive moans instead. Similar examples abound. The BBC's *Martin Chuzzlewit* adaptation had something of this fault, although it had a better sense of the unique Dickensian flavour of the characters. What was lost in *OMF* on TV was the tone, the feel of the novel.

The best adaptation of a novel, and I'm brooking not a word of opposition concerning this, is Robert Mulligan's 1962 film version of *To Kill A Mockingbird*. This little masterpiece showed it can be done—one can so treat words that their essence is conveyed through the tricky shorthand of audio-visual. Elmer Bernstein's music had something to do with it, as did Horton Foote's marvellously judged script with its use of judicious voice-overs, and the casting was perfect. Sometimes when I'm feeling particularly curmudgeonly, I'm tempted to think it the only novel-to-visual-medium attempt that ever got it right. One might then mutter about directors' lunatic arrogance or the elaborate constructs of sheer ignorance or doctrinaire postmodern vandalism, and make wish lists.

THE PLEASE CONSIDER THIS METHOD LIST

1. *Make a real serial instead of a miniseries.* *Our Mutual Friend* was first published in 19 parts during 1864 and 1865 for a magazine readership that was willing to let the plot work its way through. The 1998 BBC version consists of four meaty chunks of one-and-a-half hours each, and is much, much too short. One might argue that there are strictures of time, money and viewer acceptance, but look at a soap opera once in a while.

(It will probably shave years off your Purgatory debt.) Their vegetable loves grow, if not vaster than empires, then certainly more slow: pauses, closeups, flashbacks, a willingness to build up labyrinthine plots that assume a viewer's previous knowledge for up to 20 years. By comparison, Dickens' plots have no more weight than a politician's conscience.

2. *For God's sake let the characters wear hats.* Everyone who wasn't actually a street mendicant wore hats outside *all the time*, up to about World War II. What's more, before the late nineteenth century, most women over 20 wore indoor caps.

3. *Dress them appropriately.* I don't just mean getting the period right—the time of the 1940s' finger-wave seen above a shoulder-padded New Look crinoline is gone, (remember Greer Garson in *Pride and Prejudice*?) but despite the barrage of fashion research, wardrobe designers still seem to dress characters in ballgowns for morning shopping, complete with low necks and No Bloody Hats. *OMFOTV* sent Bella Wilfer to visit her family on a cool grey English morning wearing an old-



gold brocade ballgown with a 1990s' boat neckline, and an elaborate evening ribbon-and-lace headdress. And no coat, mantle cloak or whatever. She would have been wearing a shawl with that dress even inside the house. They were worried about the cold in those days because there was no penicillin and the graveyards were full of young people who had 'taken cold'. And Dickens often talks about bonnets in *OMF* the novel. You don't see any real bonnets, the staple of the female headgear of the time, in *OMFOTV*.

4. *Let the actors bear at least some superficial resemblance to the author's description.* Jenny Wren, in the book, is like a 12-year-old girl, with an astounding mane of golden hair. The waspish dark 30-something of the adaptation seems a capricious casting choice. Similarly, Lizzie Hexam, who should be a tanned, dark-haired Juno, is cast as a delicate pre-Raphaelite who'd have trouble doing the heavy rowing and hauling she is supposed to do.

THE PLEASE DON'T DO IT AT ALL LIST:

1. *Lolita* (But they have.) 2. *Ulysses* (Ditto.) 3. *War And Peace* (Ditto, sundry awful times.) 4. *The Lord of The Rings* (Ditto. Unfinished, sent them broke and serves them right.) 5. Anything of D.H. Lawrence's, and will someone please do something about Ken Russell because the recent Foxtel screening of his *Lady Chatterley's Lover* was a dangerous anti-aphrodisiac and has probably caused the recent worldwide run on Viagra. The final shot—and I'm not making this up—had Connie (Joely Richardson) demurring about their imminent departure for Canada because of the cold, and Mellors (Sean Bean) replying that ay oop loov, 'e reckoned as 'ow they'd find summat ter dew ter keep theirselves warm. I'm not sure he didn't say 'ecky thoomp as well but I'm not responsible for any more recollections of that because I think I was saying Aaaargh at the time. 6. Anything more of Austen. There may still be some obscure fragments of hers they haven't put period costumes on. Leave them. ■

Juliette Hughes is a freelance writer and critic.





# Eureka Street Cryptic Crossword no. 64, June 1998

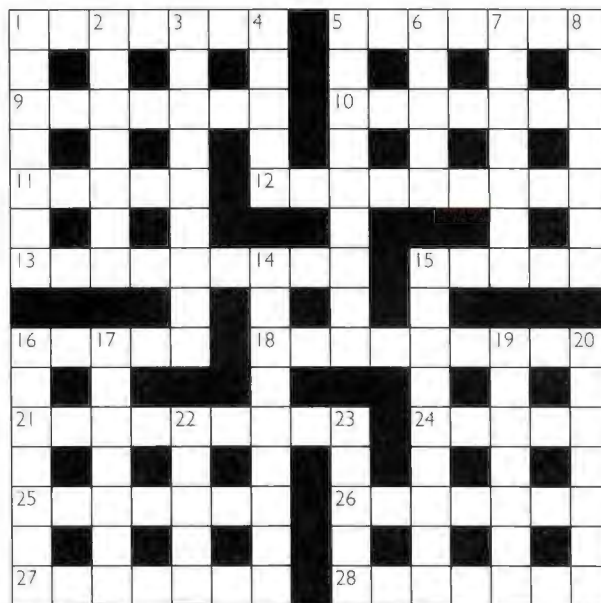
Devised by Joan Nowotny IBVM

## ACROSS

1. Pledge offered for home, given previous consideration. (7)
5. Divert oneself with girl's wine! (7)
9. Discovered again the will to return the money, though there's nothing in it. (7)
10. A light for the Northern Territory you can learn about. (7)
11. In Helvetia, rank is recognised by the headdress. (5)
12. About to tease young Gregory? You will only isolate him. (9)
13. Hundred to one on about rumour heard in France. What a state! (9)
15. Bet about £25 on English flower. (5)
16. Grave inscription, possibly, with directions to bring about fruition. (5)
18. Creep about on crater, thus setting an example for future reference. (9)
21. Strangely, praised journalist who had lost heart. (9)
24. On the lookout to change round. (5)
25. Can English hen somehow boost production? (7)
26. Yobbos say that youse, mixing with the Poles and Capone, were queer! (7)
27. Liquid in the black. (7)
28. Because of that, her byte implicated the other computer data. (7)

## DOWN

1. Mistake a spasm that comes and goes. (7)
2. Hold back the chorus. (7)
3. The insertion of a Greek letter turned euphoria into competitiveness. (9)
4. Time and time again for Caesar to beware in the current changes. (5)
5. Give careful attention to the old coach. (9)
6. German town rearranged could become sight for sore eyes, for instance? Or the flavour of the month? (5)
7. Wild ass returns to circle the herb. (7)
8. Numbers by the English cathedral were working under emotional strain. (7)
14. It's not ideal to be so tense? (9)
15. Become more docile, back in chaste surroundings—such pursuit of virtue is untimely. (9)
16. State of a Communist, or a ripe apple? (7)
17. Father's ceremonial cup taken without ice at this liturgical season. (7)
19. Carry out the former European truck. (7)
20. Child and friend cohere completely. (7)
22. Little girl who got her gun? (5)
23. I may be confused, but do I mistrust? (5)



## Solution to Crossword no. 63, May 1998



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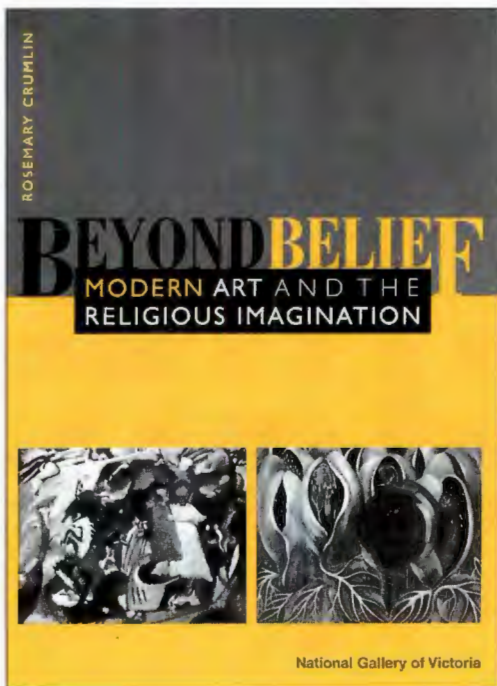
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