

EUREKA STREET

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Elusive Q resolutions

QUEENSLAND ELECTION NIGHT in Cunnamulla in the State's south west. One in four Queenslanders transfer their votes to the One Nation Party. National Party elder statesman Ron Boswell insists that Wik needs to be fixed for the good of the mining industry. He does not mention the long-term problems for pastoralists because there are none. If you want proof, look at what the big spenders do, not at what they say. National Party President, Don McDonald, has just spent \$4 million on a new pastoral lease which is subject to native title claim.

During the election campaign, Pauline Hanson published her one point plan on Wik. She would extinguish native title without compensation. When questioned by the *Australian Financial Review*, she conceded the need for a constitutional amendment withdrawing the constitutional protection against Commonwealth acquisition of property without just terms. Presumably her gun-owning supporters did not appreciate that her Wik solution would require the removal of the constitutional protection of their property rights, as well as the native title rights. Racial antipathy blinds some even to socialist solutions. Rational discourse becomes impossible.

Twice a year, Catholics from the western parishes in this far-flung area of Queensland gather for a 'muster' where they pray, reflect and discuss matters of mutual interest. I had been booked months ago to discuss Wik and its impact on people in the bush. By the time of the muster, Rob Borbidge had called the election and the United Graziers Association had circulated its local membership lamenting the irresponsibility of the Catholic Church for discussing such an issue at such a time.

After meetings in Cunnamulla and St George, I arrived in Toowoomba for a mayoral reception and a public meeting attended by 500 people. I was provided with a letter circulated just a couple of weeks before by priest and lawyer, Brenden Walters MSC, claiming: 'There appears to be no sympathy in the Catholic Church for the fact that pastoralists stand to lose their livelihoods and their homes.' This was an explosive message to be circulated, as it was, during the Queensland election. Believing dialogue always to be possible in church circles, I phoned Fr Walters to learn of his concerns: not only is Wik wrong; the Native Title Act is wrong; and even Mabo is wrong. He tells me there is little point in further dialogue because there are many points of view on this issue. Before the public meeting, I was shown Fr Walters' published attack on Bishop Barry Collins from Wilcannia/Forbes. He was concerned that the bishop, when interviewed about the concerns of country people, failed to mention native title, which he described as 'the most pressing of all issues threaten[ing] the very existence of the rural industry and the lives of country people'.

At the Toowoomba meeting, several pastoralists expressed their fears and concerns, prefacing their remarks by professions of faith, giving family histories of their church loyalties, and lamenting the stand taken by the church on native title. Mr John Lennon from Yelarbon was typical. He felt betrayed by the bishops and thought their statements intemperate and unbalanced. When asked for details, he thought the major

bishops' statement was a non-event. Even Fr Walters, who has provided much of the material being used by these disaffected Catholic pastoralists, has provided no considered analysis of the sticking points between the Howard Government and the Senate. His own MSC (Missionaries of the Sacred Heart) priests saw the need to go public, taking issue with his attack on the bishop, which they thought rude and unfair, as well as dismissive of Aboriginal people.

It had been a year since I had last done the south-west Queensland circuit. The local church had made valiant efforts to explain the bishops' moderate statements, which had simply set out incontrovertible principles that the rights and interests of all parties had to be respected and that all parties had to be heard. The Harradine compromise in the Senate assured pastoralists that they would enjoy the same rights on their leases post-Wik as they had pre-Wik. Don McDonald's purchase was proof enough.

But still there seemed little room for rational discussion and open dialogue. Cogent explanation was heard as misleading eloquence. Here in the heartland of the One Nation vote, even Christians of good will have lost faith and trust in their church as well as the Government, in church leaders as well as politicians. They see no difference between disinterested, rational discussion and self-interested political propaganda. I was reminded of the pastoralist in western New South Wales who told me last year to go back to my church and say my prayers. I affirmed my belief in prayer but protested that issues like Wik will not be solved by prayer alone. The resolution could not be left to the stakeholders—Aborigines, miners and pastoralists. In a democracy, such issues can



COMMENT: 2
MORAG FRASER

Necessary risk

IN LATE AUTUMN, while many of us were preoccupied with the Budget and the social tension that would explode a month later in the Queensland State election, one woman was putting together an exhibition of 20th-century religious art.

It might seem an odd project in times like these, and even odder that the woman should be a Mercy nun. I'm sure that, like Frank Brennan, Rosemary Crumlin has been told any number of times that she should stick to her prayers and leave the politics of art alone. But she is a risk-taker; certainly the exhibition of 20th-century religious art, *Beyond Belief*, for the National Gallery of Victoria, does not cater for complacencies. But this is not a time for complacencies. Rosemary wouldn't call herself a prophet, I am sure, but the art she has gathered has that edge.

The painting above, Max Beckmann's *The descent from the cross*, is one of the most devastating in the exhibition. See it if you can—it rewards long pondering. *The descent* was painted in 1917; Beckmann had been at war. His splayed Christ is terrible and vulnerable. Look at the feet. But it is not horror or any forensic fascination that draws you to the painting. Even in the leached-out body and in the visual reminders of European carnage there is

be resolved decently only by public discussion in which all parties need to give an account of themselves. This art of respectful conversation has been lost not just on the Queensland election hustings but also in the church. Pastoralists in the pews see nothing amiss in expressing a sense of public betrayal that the bishops have not backed them against the Aborigines. It is as if the native title debate is a football game. One has only to take sides.

A day later, I flew to Taipei for a conference on human rights and Asian values. Over breakfast, a Chinese Jesuit wearing a Georgetown School of Business T-shirt asked me, 'How is your race party going?' The morning's *China Post* carried reports of Malcolm Fraser, Tony Abbott and John Hewson urging an unequivocal public stand by the Prime Minister on One Nation. The *China Post* concluded, 'The barrage came as Canberra tried to avert an Asian backlash over what is seen as resurgent racism in a country that officially barred non-white immigration under its notorious White Australia policy until 1974. Howard refused to demand the Queensland State Liberal Party place One Nation last on the ballot paper for last Saturday's state election.' Taiwanese tell me it is rare for Australia to make the news here. But they have all heard of Hanson, even those who read only Chinese newspapers.

Back home, we have allowed fear and prejudice to prevail over decency and rational discourse. Our polity and our church are infected. We need to give a better account of ourselves. Informed conversation and reasoned political argument would be a good start. ■

Frank Brennan sj is Director of Uniya, Jesuit Social Justice Research Centre, Sydney.

dignity of a kind and a formal composure that prompts questions about what truth this grand, stark image might embody.

But in 1937 some of Beckmann's countrymen weren't going to be led anywhere by art, and certainly not into spiritual territory, for all their profession of Christian adherence. In Munich in 1937 the Nazis included *The descent* and nine of Beckmann's other works in their show-trial exhibition of 'degenerate art'. They knew how they wanted the world to be, and there was no room in that world for prophecy or for the salutary disquiet that art generates. They had the answers and they had guns at the ready to counter any culture.

Max Beckmann was one of the great modernists, but also a painter who had the iconography of the European tradition in his bones. He dealt all his turbulent life with death and transcendence. There are no simple lessons to be learned from his art, any more than from great music, but it is difficult to maintain arrogant certitude in the face of it. Maybe that is lesson enough for the moment.

The next *Eureka Street* will be our Spring issue, in September. Until then—enjoy a warm and nourishing winter. ■

—Morag Fraser

Telling it straight

LAST OCTOBER, THREE GAY MEN received communion in St Patrick's Cathedral in Melbourne. So what? you object. Surely that many and more do so every day. Indeed they do, and not only there but all over the world. What was different about that day was that the men were expecting a refusal. But something went wrong: Cathedral authorities later said that the priests distributing communion had not realised the significance of the men's rainbow sashes. As a result, the confrontation could only be held at second hand in the pages of the press. Last month there would be no mistake—on either side. This time the stand-off was well-prepared, clear and dramatic. The paradox is that those demonstrating actually got what they were, on one level at least, hoping for: widely publicised rejections by Archbishop George Pell in Melbourne and Bishop Patrick Power in Canberra, rejections that seem to have succeeded in marshalling public opinion in lines as fixed and unlikely to converge as church pews.

The moment of communion is not, almost by definition, the place for arguing the complexities of any issue, let alone one as involved and volatile as sexuality. It is a moment in which we celebrate the unity that underlies our diversity, our unity as brothers and sisters around the table set for us by a loving God. The eucharist is the family table of the Christian community, and like all family tables can sometimes become a battleground if issues between members are not dealt with at other times—that is the stuff of many a film script. But you win no points by showing up at Christmas dinner spoiling for the fight left unfinished last year and unaddressed in the meantime. Family celebrations are not the time to turn up, fight with your parents and dare them not to feed you. Rainbow Sash's demonstrations at the eucharist are perhaps more likely to set back the cause of gay people in the Church than to advance it.

Perhaps, though, they feel that the cause is going nowhere, so any movement is better than the present stagnation. A great deal is at stake and so quiet resignation is not an option: young people agonising over their homosexuality commit suicide; we are at a loss to know how to help them understand and accept themselves; gay people are threatened and attacked, and the attackers quote scripture; many are alienated from family and church or even driven out; the Vatican has argued that discrimination against gay people is acceptable. In many places gay people do not find the respect that the Church teaches is their right.

The sticking point is, as Archbishop Pell put it in his statement on the occasion, 'the Church's teaching on this matter cannot, will not, change'. Catholic moral positions are not argued from scriptural authority but from so-called natural law. The Catholic tradition has long believed that ethical imperatives derive not from the arbitrary and changeable pronouncements of authority but from the very nature of things, from the way the world actually works. That is what is meant by 'objective' moral norms. They are there 'written' as it were in nature and so any rational person can discern them. The Church, then, has considered it its task not to lay down the law or even to deduce it from *a priori* assumptions, but rather to reflect ever more carefully on the evidence of human experience and observation, and so to teach—necessarily tentatively—what seems to be the nature of things and kind of human action appropriate

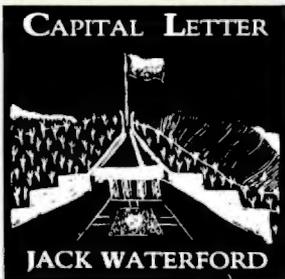
to that. For this reason, Church moral teachings do in fact change. More evidence and further reflection lead to different conclusions. Slavery, once seen as part of the natural order of things, is now clearly condemned. Democracy, once anathematised as a pernicious error, is now extolled. Torture, once an accepted practice of the Inquisition, is now rightly denounced. There has actually been some development in the Church's understanding of homosexuality in recent years. Official statements have at least recognised that some people are innately homosexual. That may not seem much, but it is certainly better than understanding homosexuals to be people who are innately heterosexual but who for some reason are twisting their own sexuality—like the prison-cell rapist.

THE ONGOING CONTROVERSY over this matter raises another issue: the difference between genuinely teaching and merely telling. We fail as teachers if we can do no more than repeat the same statement in response to our pupils' scepticism or lack of understanding. We need to find ever clearer and more convincing evidence; we must be able to take various approaches to a question. Above all, teachers must listen to those they would teach, so that they know what approach is needed and so that their own positions and methods can be challenged and refined. If we truly accept and want to convince others that morality is objective and in the very nature of things, then we need to take into account all the evidence of experience and observation. We cannot evade the growing evidence that even among clergy and religious, who have all the 'spiritual helps' recommended by the catechism, the policy of quiet denial has too often been a spectacular failure. We cannot ignore, on the other hand, the examples of heroic fidelity and tender care shown by gay couples in the AIDS epidemic—they surely call into question the view that homosexual relationships are fundamentally self-indulgent.

There is a great deal more to such relationships than merely physical acts or 'the sexual act' as Archbishop Pell calls it. In these days when the threat of AIDS seems to have receded somewhat for gay people, the community is asking itself what there is to be learned from all this, what kind of life to live and what values to promote. Even Larry Kramer, the famously confrontative gay writer and activist, is arguing in favour of monogamy and fidelity in the pages of the *New York Times*. This moment is a golden opportunity for a church that feels it has something of value to teach about human life and relationships. But if we cannot see beyond the physical and recognise the deeper matters of companionship and intimacy, of love and fidelity, we have little to offer a group of people struggling with these issues.

There are those who are sceptical that the Church can develop its moral thinking in the present climate. Yet there is hope. The most obvious recent example is the amending of the catechism to take account of the present Pope's conclusion that there are in practice virtually no circumstances in which capital punishment can be morally justified. Imagine the chaos that might ensue if acceptance of that teaching were to become a litmus test for reception of the eucharist. ■

Daniel Madigan SJ is *Eureka Street's* publisher.



T A set of paltry choices

THESE CHICKENS are a restless lot. They came home to roost on Paul Keating after John Howard's 'for all of us' rhetoric accentuated a strong sense of grievance among a section of the population about a Government ruled by noisy pressure groups and not awake to the concerns of 'ordinary Australians'. Now, thanks in part to Pauline Hanson's carrying the banner because the new Government has ruled as loftily as Keating, they have taken out one state government and may well take out the Federal Government.

But it is not merely a matter of latent racisms or a desire to find people to blame for globalisation which is at the heart of disaffection with the Government. They do not much like the other lot either. Any residual hopes held in John Howard were taken away by his demonstration that he and his Coalition were, at the end of the day, just like all the other politicians when it came to travel rorts, abuse of power, or seeming indifference to the needs of the public. Politicians have always been politicians. But there is now a wide chasm between what people still expect of governments and how the politicians, on either side, see their role.

The mainstream parties see their major role as being to adjust the economy to deal with what they see as the realities of our trading position and globalisation. The economic crisis in Asia, like the boom which preceded it, is seen as proof positive of the urgent need to have an economy able to float in the open sea. Our politicians are, by and large, civilised, and would like to maintain welfare safety nets and the institutions which give Australia its character and its security, but the development and maintenance of these are increasingly seen as matters of housekeeping, able to be indulged only to the extent that finances can afford, and, often, an irritating distraction from the main game.

But most citizens do not see steering the ship in international waters as the Government's primary reason for being. Government is still about services—health, education, and community facilities such as nursing homes, child care, courts and even defence installations. If government has a primary function other than providing those services, it is to act as an accountable mediating and rationing agent when there is competition for scarce resources or differences about the right way of organising them.

It may well be perfectly correct that Australia has few options about adapting to the outside world, and that those who yearn for the comforts of a protected economy are being unrealistic. Even in the backblocks, there is a grudging acceptance of that. It by no means follows, however, that the electorate has accepted a new role of government. They simply do not accept that government must be less able—primarily by self-denying ordinance—to produce and deliver services from increasing pools of revenue, and pathologically unwilling to use the power of government itself, as a major buyer and seller of goods and services, to achieve economic effects which most would think desirable.

One might not be able, for example, to stop a steel mill closing, but government is perfectly capable of organising itself to see that its major manufacturing contracts end up in the communities so affected. Perhaps one cannot stop banks cutting services to communities, but there are umpteen models the Government could have used to maintain or expand its own workforce in regional economies.

From the Government's point of view, some of its 'black hole' cuts, and not a few of its punitive expeditions into Aboriginal

affairs, and industrial relations, had the initial attraction of seeming anti-bureaucratic, focused on rorts that had caused considerable resentment in the wider community. It is one thing, however, for ordinary people to be cranky about alleged abuse of government services; it is another to imagine from it a constituency for withdrawing them altogether.

The problem is that while there has been a significant economic revolution in recent decades, there is hardly yet a revolution in the culture or language of politics. The language which politicians use, on which, increasingly, they cannot deliver, is the language of an older political culture in which the notion of governments delivering things for people is reinforced. John Howard's visible hankering for the golden age of the 1950s, even as he dismantles the institutions which made it possible, is only the most obvious example. But just as importantly, the old culture is still the language that the voters speak themselves. When Pauline Hanson's supporters are not whingeing about the imagined unearned benefits that some groups are getting, they are complaining about what they are not getting themselves. The what is not necessarily direct handouts—it is security, jobs for kids, a sense of where we are going, and a sense that the Government is rowing in that direction.

The media image would sometimes suggest that the impact of a Hanson is deep in the backblocks. She has some impact there too, but her real heartland, as shown in the Queensland election, was in larger towns and provincial centres, and as much in the small business sector as among Howard's fabled battlers. For these people, globalisation and economic rationalism has achieved very little. Small businesses have been squeezed in favour of the big stores and the big operators; services have been reduced; the privatisation and corporatised government services have resulted in an even more alien and forbidding set of monopolies. These are not usually highly unionised communities, but they are ones which have benefited in the past either from the idea of a social compact or the old ritual quarrels between capital and organised labour: the 'freed-up labour market' in these quarters is a synonym for job insecurity.

When politicians are finding it harder to deliver, their own weaknesses are much more likely to be in the spotlight. Rorting always gets a good press, but it is particularly galling to voters when politicians, in their explanations, underline their complete removal from the ordinary consciousness and problems of voters.

Political conflict also, of course, gets a good press, but it does not sell well when the bruising encounters involve issues few care about, and when politicians at large seem indifferent to issues many do care about.

Is Labor any better? Kim Beazley may have gone some distance in establishing a post-Keating image of Labor leadership, but has gone little distance in persuading anyone of a new vision of government. John Howard and company have done almost all they need to do to deserve to lose the election, but Labor has done little to deserve to win it. If voters see mainstream politicians as unworthy, why should anyone be surprised if they express their rage and impotence by voting for someone who can at least articulate some of their feelings? ■

Jack Waterford is editor of the *Canberra Times*.



Santamaria I

From W.J. Byrt

Commentaries on Bob Santamaria following his death were mainly favourable. Surprisingly so, perhaps, in view of the fact that he was such a controversial figure. Perhaps a case of *de mortuis ...*? The commentary ranged from the completely eulogistic—'the greatest son produced by the Catholic community of Melbourne'—to others marked by some hedging—'I do not agree with all his views/policies but one must admire his intelligence, articulateness, energy and courtesy.'

But what motivated him? What kept Archbishop Mannix's 'little dynamo' running for over 60 years?

To me, the key to his motivation seems to lie in his obsessive pursuit of an endless succession of causes:

- An alleged admiration for Mussolini. He wrote that the Rome-Berlin Axis was '... the unnecessary and disastrous consequence of Antony Eden's highly touted diplomacy over Abyssinia and Spain ...'
- Aggressive support, during his last year at secondary school in 1931, for the beleaguered Scullin Labor Government.
- Support for the Franco/Nationalist/Rebel side in the Spanish Civil War.
- Advocacy of some sort of social democratic economic/social policies based on papal encyclicals and Chesterbelloc distributism.
- Rural policies pursued as secretary of the National Catholic Rural Movement.
- The anti-communist crusade—the Movement.
- Attacks on capitalism, economic rationalism and materialism.
- Advocacy of conservative Catholicism.

Machiavelli wrote '... all armed prophets have conquered and unarmed ones failed.' Santamaria conquered (though did not necessarily succeed) in the case of the anti-communist crusade, but not in pursuing the other causes.

In his crusade he was armed by: the patronage of Archbishop Mannix; the organisational structure of the Catholic Church (a priesthood

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mostly obedient to the wishes of their archbishop); the tribal loyalty of most parishes to the Movement newspaper *News Weekly*; the co-operation of politicians and union officials who felt threatened by communists and their allies; the Cold War atmosphere; and the strength of the Liberal Party.

While Santamaria did not save Australia from the communist threat—Australian communism collapsed from its own internal contradictions—the results of the anti-communist crusade read like a damage report after a cyclone has swept through: the split in the Australian Labor Party; over 20 years of one-party rule in the

Commonwealth, Victoria and Queensland; the 'short unhappy life' of the Democratic Labor Party; the destruction of political careers of many, including some Movement supporters; and the creation of bitter divisions within political parties, trade unions, the Catholic Church, families and in social relationships generally.

Bob Santamaria should not be demonised, nor should he be raised to the status of secular saint. He was a person of outstanding abilities with some admirable personal qualities. His main claim to fame comes from his activities in the anti-communist crusade, the results of which still give rise to widely different judgments. Some years ago he stated that he had failed in practically everything he had tried to achieve. In the first edition of his autobiography he wrote: 'As for being right when others were wrong, the narrative reveals too many errors of judgement and mistakes in action.' Even the present trend back to conservative Catholicism owes little, if anything, to his influence.

William Byrt
Brighton, VIC

Santamaria II

From Brian A. Peachey

That you published such a hateful, shallow article, 'The Santamaria Legacy' by James Griffin (*Eureka Street*, April 1998) is more an indictment of you than of poor James Griffin.

As the editor, you had the right and indeed the duty to reject such a bitter, subjective criticism of an outstanding Australian.

James Griffin writes under the title of an historian, but much of his petty diatribe (glaring parts are historically inaccurate) is unsubstantiated speculation, unbecoming to a genuine historian.

As the State Secretary of the DLP in Western Australia from 1957 to 1964 and a member of the Federal Executive, I know and can document that it is simply not true to say that 'during its existence [the DLP] virtually shelved social welfare policies'.

Brian A. Peachey
Woodlands, WA

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Santamaria III

From Philip Kennedy AO AM

James Griffin's obituary, 'The Santamaria Legacy' (*Eureka Street*, April 1998) is the most acidic, bilious piece I have ever read about a deceased person—certainly in a journal with some pretensions to intellectual content. It also invites the question 'I wonder is *Eureka Street* a publication from a Christian stable?'

One can feel glad for poor Griffin that he is now relieved of the great load of bile he has been carrying around these many years.

On a positive note I can assure your readers that B. A. Santamaria was the honoured, longest serving lecturer in strategy in Australia's senior military/academic institution, the Joint Services Staff College in Canberra.

Shame on *Eureka Street*.

Philip Kennedy
Dalkeith, WA

James Griffin replies

It makes one nostalgic to read abusive letters so characteristic of the defunct DLP. I am surprised that 'poor' Peachey cannot remember how subordinate DLP social welfare policies were to 'narking' the ALP and to hysterical defence demands to acquire nuclear weapons, use them and conscripts in Vietnam, ban sales of wheat to China, refuse to recognise it, etc. In Paul Reynold's monograph, *The Democratic Labor Party* (1974), quoted approvingly by Santamaria in his autobiography, social welfare policy occupies one sentence (p47). That's how salient it became.

As for Santamaria's having the distinction of durably lecturing to the Canberra Joint Services Staff College (on the above wise strategies?), 'poor' Kennedy may like to know that 'poor Griffin' has also done that a number of times. Hardly a recommendation is it?

Among matters I would like to hear from Messrs Peachey and Kennedy is whether they admire Santamaria for inciting bishops to misappropriate state aid funds in order to support his literally poor National Civic Council. Kennedy is certainly correct in implying that I was 'bilious' when I threw that up.

Real matters

From Warren Featherstone

Theological illiterate that I am (indeed, one of Andrew Hamilton's worse students), I hesitate to say that I think he omits one important consideration about eucharist in 'The Clash of Symbols' (*Eureka Street*, June 1998). That is, what is believed about it by the individuals concerned. Do they believe Christ is really and truly present the way the Catholic and Orthodox churches teach? From my point of view, that is *the* principal issue. Many churches use the term 'eucharist' but that usage obfuscates profound differences in understanding. It certainly doesn't mean they all believe in the Real Presence of Christ under the signs of bread and wine.

Even amongst Anglicans such a belief is not universally shared (even with a uniform Prayer Book). The Anglicans of Sydney or Armidale, and indeed 'low church' evangelicals throughout the country often have a less sacramental approach than some Baptists and Uniting Church people. I doubt whether Kennett or Clinton understand such distinctions. Why should they? In my experience, some Catholics seem befuddled by this basic Catholic belief. If, however, a Christian is led to recognise by the Holy Spirit the *real presence* of Christ under the sacred signs, then it matters not to me whether they are Assembly of God, Catholics or Orthodox.

Warren Featherstone
West Preston, VIC

On the agenda

'Protecting the Rights of All Australians'

Frank Brennan sj is guest speaker at the Jesuit Social Services' Annual General Meeting. All are welcome at 7.30pm, Tuesday 6 October, St Ignatius Hall, 326 Church St, Richmond, Melbourne.

For further information, tel. 03 9427 7388.

★

Winter Sleepout

The national **Winter Sleepout** is on again. Billed as 'Australia's biggest pyjama party', the Sleepout helps City Missions raise money for the homeless and disadvantaged.

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Friday August 7 1998

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★

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The History Institute of Victoria presents a series of public lectures about the background, history and likely outcome of native title and the Wik debate.

30 July: **Dr Bill Gammage** on 'The Scramble for Possession: Pastoral Leasehold and Agricultural Freehold'

6 August: **Frank Brennan sj** on 'The Land and the People Today: Reconciliation'

McInerney Lecture Theatre, Deakin University, Stonnington, 336 Glenferrie Road, Malvern, Melbourne. 8.00 pm.
\$10/\$5 unwaged.

For information, please contact the Institute on tel. 03 9344 6209.

Checked out

From Dr Marie Louise Uhr, *National Convenor, Ordination of Catholic Women* I'm puzzled why Dr Dowd (Letters, *Eureka Street*, June 1998) is unclear about which response of Cardinal Ratzinger I was referring to in my letter in *Eureka Street*, April 1998. In my letter, I gave the reference as National Catholic Reporter (abbreviated to NCR) 6 June 1997.

Had Dr Dowd consulted the National Catholic Reporter he would have found the editorial in that issue discussing a news conference given by Cardinal Ratzinger in January 1997, at which the Cardinal stated, in reference to the ordination of women, that 'these matters are not contained in the deposit of faith' (the words I quoted) and concluded that rejecting them 'would not be heresy in the strict sense of the word.' Nowhere did I refer to *Responsum et Dubium*—the date of the reference might have made that obvious. Of course, it's usually better to check a reference than to suggest intellectual dishonesty.

Marie Louise Uhr
Cook, ACT

A question of obedience

From the Revd Sarah Macneil, *Joint Rector, Anglican Parish of the Southern Monaro* I have read with interest the correspondence prompted by Professor Hilary Charlesworth's article 'No Principled Reason' (*Eureka Street*, November 1997). The Revd Dr Christopher Dowd's spirited defence of the doctrines of the Catholic Church is impressive and will, I trust, redound to his credit in the Archdiocese of Melbourne. However, he has failed adequately to address the points raised, either by Professor Charlesworth or by Dr Marie Louise Uhr (Letters, *Eureka Street*, April 1998).

I do not wish here to enter into a detailed critique of the Revd Dr Dowd's approach nor, indeed, to pick up on the many niggling little points such as his criticism of Dr Uhr for not citing a reference which she did in fact cite. Rather, I wish to discuss the nub of the argument which, I believe, Dr Dowd reached, perhaps unwittingly, in his first letter (*Eureka Street*, March 1998), with his quotation of Acts 5:29 'We must obey God, not man'.

The discernment of the will of God is not a straightforward matter. Those who

support the ordination of women are not being wilful or wantonly disobedient. They genuinely believe that the exclusion of women from the ordained ministry does not reflect the will of God. It is not scriptural (Pontifical Biblical Commission 1976, American Catholic Biblical Association 1979, Catholic Biblical Association of Australia 1995). It is, they believe, the teaching of men—sincere, learned men, steeped in the teachings of the Church, but human nonetheless.

The documents of Vatican II acknowledge the role of the *whole* Church in the discernment of the will of God for humanity. 'The holy people of God shares also in Christ's prophetic office' (*Lumen Gentium*, 12). In an issue as central to the life of the Church as this, it is disappointing that the hierarchy of the Catholic Church has chosen to attempt to muzzle debate, rather than to encourage wide-ranging and open discussion amongst the community of the faithful.

Sarah Macneil
Bombala, NSW



Universal franchise

From Tom Round

C.J. Dean's letter 'Electoral Surgery' (*Eureka Street*, May 1998) targets the problem of the current electoral arrangements in most of Australia. Like him, I've lived in several different electorates but have usually been 'represented' by a politician whom I voted against. The figures show that thousands of Australians—usually around 45 per cent—who vote at each election are notionally 'represented' by a candidate of an opposing political party in the House of Representatives or their State lower house.

Using proportional representation for the Senate and some State upper houses alleviates things to some extent so far as party affiliation is concerned. But it also means that small circles of party pre-selectors get to hand-pick the individual representatives, while ordinary voters have little say. Most Senators and MLCs would keep their seats even if they refused to answer a single constituent's letter.

C.J. Dean's proposal of two-member electorates with a Senior and a Junior Member having votes of different weight, as the majority choice and the runner-up, is an innovative suggestion. However, an assembly's procedure can get complicated when members have differently-weighted votes—as the National Union of Students (NUS) Conference shows.

Also, it's not clear what extra weight the Senior Member's vote should have if this must be uniform across all electorates. Sixty to 40 would be too high for the marginal-seat MP who scrapes in with 50.1 per cent of the votes, but too low for the candidate elected with 65 per cent or 70 per cent in a safe electorate.

Moreover, under this system there would still probably only be one candidate per party, making it almost impossible to sack a non-performing MP. The real parliamentary drones wouldn't *mind* having their voting power reduced as long as they get to keep their car, chauffeur, office space and travel allowance.

An alternative which solves the problems C.J. Dean has identified is the Hare-Clark proportional representation system used in Tasmania for 90 years, and now adopted in the ACT. With 5 or 7 members per electorate, all political parties and independents with sizeable support win seats. There's no need to fix an arbitrary figure for the majority's voting weight; instead, whether an electorate's representation is shared 4-3, or 5-2, or 3-3-1 is determined in proportion to the votes cast. Almost every voter has access to a representative they actually voted for.

Optional preferences, rotated ballot-papers, and absence of 'above-the-line' voting for party tickets all mean that parties cannot dictate which of their five or seven candidates get elected. There are no safe seats. As a result, the Hare-Clark system combines the best of both worlds with the defects of neither: it combines the Senate's proportionality of party numbers with the House of Representatives' accountability of individual MPs to the voters.

Tom Round
Page, ACT



THE MONTH'S TRAFFIC



No winners

SOME OF US who have followed the Bougainville conflict—even from the 1960s—were surprised to read in the Melbourne *Age/Sydney Morning Herald* supplement, *Good Weekend* (30 May), that 'against all odds, the island of Bougainville has won its bloody war of independence'. Not just 'the rebels have won but the island' [*italics mine*] meaning, presumably, 'the people of Bougainville'.

Oddly, there are representatives of the Papua New Guinea Government involved in the current peace process who believe Port Moresby has won. They believe the majority of Bougainvilleans are war-weary and will oppose any resumption of the Bougainville Revolutionary Army (BRA)-led violence. Port Moresby has declared itself against secession, the United Nations has made it clear that it does not support it and no foreign government has indicated that it will recognise an independent state of Bougainville. In Port Moresby's view what remains to be worked out is the degree of autonomy that can be accepted by both sides.

No suggestion of this appeared in the partisan 4200-word *Good Weekend* article which was all the more anomalous because neither of these leading newspapers has been noted for either the quality or quantity of coverage of what is for Australia a most irksome (and expensive) foreign relations and humanitarian issue. The author, Lloyd Jones, who has not previously been conspicuous in the literature on Bougainville, actually believes that the Bougainville 'Resistance' to BRA domination was a result of 'cynical PNG strategies ... to pit Bougainvillean against Bougainvillean' and that the 'Resistance' are 'essentially PNG collaborators', an extraordinary insult to those who had to defend their villages and themselves against well-attested BRA atrocities, especially during the period in 1990 when the rebels had control of the province. The Jones account of the (better documented) atrocities committed by the PNG Defence Force is unblushingly derived from the 'Compilation' of the propagandist Sydney-based Bougainville Freedom Movement.

Jones laments that, in spite of alleged victory, the 'hopes for peaceful self-rule' are being 'threatened by the warring egos of rebel leaders'. In particular he refers to the differences between Francis Ona, the intransigent 'president' of what the rebels called the Bougainville Interim Government, and the two leading rebel peace negotiators, former elected Premier (1986-90), Joseph Kabui, and the commander of the rebel forces, Sam Kauona. However, as I write this commentary (11 June), the PNG *Post Courier* reports Ona as saying: 'I am fighting for independence for Bougainville and Mr Kabui has abandoned me and aligned himself with the PNG government and supported the peace agreement which in the end has drawn Bougainville back under the PNG Constitution'. Apparently for Ona the war is not over (*pace* Mr Jones) which is why he threatens to shoot members of the multinational Peace Monitoring Group (PMG) led by unarmed Australian soldiers.

Ona, however, may no longer be in a strong position even in respect of guns and gunmen. Other rebel commanders with better guns are committed (for the time being, anyhow) to reconciliation and are not falling into line behind him.

Mr Jones—and perhaps the editor of *Good Weekend*—obviously does not realise that the Nasioi-speaking 'president' has not had the allegiance of many local leaders from other areas, for example in Buka in the north and Buin-Siwai in the south, even where there has been strong sentiment for secession. These leaders realise that viable independence is a chimera if it means coming under the domination of such a violent, cultic personality. Ona has hardly been away from his mountain redoubt in ten years and, unlike Kabui and Kauona, is out of touch with his countrymen. Unfortunately he is encouraged to believe that victory is inevitable by outsiders such as Ms Rosemary Gillespie whom Jones calls 'a valuable benefactor' but who is not welcome throughout Bougainville.

Obviously the peace is fragile and the PMG vulnerable. An assault on members of the PMG (for example, a rape of a female member) would strain tolerance and probably lead to withdrawal. Foreign aid could be forfeited as well. Meanwhile, a local police force is being trained—but slowly. 'Raskols' are active in Bougainville

as in the rest of PNG, driven by poverty and the culture of violence during the last decade. There are no clear plans yet for the elections for a provincial government of reconciliation scheduled for the end of 1998. One current idea is that the projected assembly may have to be nominated by some process, perhaps even with balancing representation of rebels and 'Resistance' from each designated district. It will be a triumph for Melanesian methods if peace is maintained.

No-one has won in Bougainville. The sad fact is that, owing to Ona's precipitate violence in late 1988, the most prosperous and orderly province of PNG has been trashed. Ten years of students have been deprived of adequate education when previously standards were comparatively high. Educated Bougainvilleans were particularly targeted by Ona's supporters and were harassed, forced to flee the



province or sometimes killed. Many lives have been lost, although nothing like the numbers 'compiled' by propagandists. Plantations and businesses will not be restored to pre-1989 efficiency. In view of the copper mine's role in Ona's revolt, it would seem regressive if his community allowed an independent Bougainville to reactivate it. In any case, the cost of doing so will be exorbitant and the expertise hard to muster.

The outcome of the peace process in Bougainville is unpredictable, but it is folly to regard independence as a panacea for its problems. Setting up a new state would involve organisational complexities and probably renewed conflict. And it is a process that cannot be considered in isolation from other states in the region. As yet the implications have not been seriously

studied. It is surely time for Australian journals to contribute informed reportage and constructive analysis.

The *Good Weekend* article reported Kauona and friends enthusiastically watching the film *Michael Collins* and tried to draw a clever analogy between Ona versus Kauona/Kabui with De Valera versus Collins, De Valera having sent Collins in 1921 to London negotiations which would lead to murderous divisions among the Irish rebels and, for Collins and others, death. Jones does not seem to realise that, over 75 years later, De Valera's goal of a united Ireland has still not been realised and that peace is only being achieved, if at all, by compromise, not by encouraging triumphalist fantasy.

—James Griffin

All together now

AUSTRALIA is a community, not a market. Our governments are trustees of the common wealth, not vendors of it. We acknowledge markets as one part of how our community thrives. If the rules of the market alone govern a community they will destroy it.

These were the first of nine resolutions endorsed at a recent community summit, on the widening gap between the rich and the poor in Australia, held at the Melbourne Town Hall on 16 and 17 June. About 800 attended. The gathering was sponsored by the People Together Project, an organisation founded by various churches and agencies in Victoria in 1993 to promote an equitable and caring community in the face of the Victorian Government's new social and economic policies.

Bob Gregory, self-described professor of the dismal science of economics at the Research School of Social Sciences at ANU, set the scene with a graphic demonstration of the increasingly helpless state in which the poor find themselves in Australia. He was certain that the full-time labour market was where the greatest forces arose in the widening gap between the rich and the poor, and that the next 18 months to two years would see matters get worse rather than better. In Australia, he observed, we have created a situation in which the unemployed and the low-paid make competing claims on the government dollar. In his opinion, the most important thing that a community group can do today in Australia is to influence discussions about tax and to talk about *increasing* levels of

tax or, at the very least, holding present tax levels.

Alison McLelland, Director of Social Action and Research with the Brotherhood of St Laurence, added to the gloom with evidence which showed that the poor live isolated and uncertain lives, with strained relationships between spouses and between parents and children, with greater unhappiness and less opportunity. She demonstrated the connections between unemployment and poverty, the shameful plight of indigenous people, and the increasing inequality of wealth in Australia. The top 10 per cent of income earners in the country enjoy 52 per cent of its wealth, while the bottom 50 per cent enjoy only 3 per cent of the wealth.

During the first afternoon, the people attending the conference divided into eight workshops, each of which then split into a number of sub-groups, to hear the fruits of recent research and to discuss problems of inequality in education, health, banking and utilities, family services, income and taxation, legal issues, unemployment, and housing. Their reports were gathered and presented at the beginning of the second day. The various contributions of individuals from the floor expressed how much anger and hurt there was in the city and country, and how much we needed a new community outlook to replace the present entrepreneurial approach of the Victorian Government.

Some hope began to emerge in the afternoon papers given by Don Edgar, Mark

Considine, and the former president of the Australian Council of Social Services, Robert Fitzgerald. Considine, from the Department of Political Science at the University of Melbourne, addressed the failure of the present political structures to define a shared future. He argued that the industrial authoritarian model of government was at its end, needing to be replaced by a networked community that could acknowledge complexity and diversity. Further, in Australia the democratic structures had become too thin, he argued, and more complex social models were required if the people were to have a voice.

Fitzgerald then observed how the People Together Project had reignited the community sector in Victoria. He urged that social policy stand equal to economic policy, that the common good was more important than individual good, and that inequitable access to the nation's resources could not be tolerated.

The people together then considered and adopted a series of resolutions. A sense of unity and purpose began to manifest itself: numbers *could* be gathered to create a new political energy. The last resolution thus reads: *Warnings are sounding, but before events shape us and our country into something we hardly recognise and find difficult to love, we must act together to bridge the widening gap.*

—John Honner

It makes you sick

ABOUT A MONTH AGO, the Public Health Division of the Commonwealth Department of Health decided to shift its workforce development section from the National Public Health Branch to the National Centre for Disease Control. This operation was swathed in the usual bureaucratic bandages: 'minor restructure' due to 'balance of workloads'. No real change in ideology intended, of course.

The shift is in line with a developing trend in the language of the Department and Minister Wooldridge to reduce public health issues to disease and lifestyle issues, and a growing emphasis on 'outcomes' and 'evidence-based' medicine.

An account by its practitioners suggests that an outcomes approach takes a static, not a dynamic view of what makes us healthy or not (*Australian Health Review* 19:2, 1996, 23–39). The focus is on disease (especially death) as a surrogate measure of health, rather than the health environment.



The most obvious problem with 'outcomes' is that epidemiological data sets that are big enough to be useful (to epidemiologists whose career is made in professional publications) tend to wash out local variation. Conversely, small area data represent the experience of non-standard populations—surely a health environment matter of some importance. To understand small, local changes from national average levels of heart attack or asthma or unusual kinds of cancer one would need local accounts of social systems and health habits. Local information of that kind is rarely collected; it doesn't fit the accepted categories of epidemiology journals; and it takes longer to collect than is useful for managers who have to make short-term allocation decisions.

Perhaps the Department and its Minister should take some advice from the closely related Australian Institute of Health and Welfare (AIHW). AIHW has had fingers in the health outcomes pie, but the head of its Aged Care Unit has just published a book that amounts to a sharp smack on those fingers.

To care for the elderly, Dr Diane Gibson says, at least half a dozen professions will be providing different mixtures of support to people with various chronic, episodic and acute problems, whose 'disease trajectories are highly individual and unpredictable, and frequently variable on a daily basis' (D. Gibson: *Aged Care: old policies, new problems*, CUP, Melbourne 1998) ... The source of data is obviously complex but, in addition, there is a problem about what to measure. Rates of recovery are no longer relevant, since length of stay among the very frail who squeeze into nursing homes might go down as much if they were poorly fed as if they were treated intensively. Emergency call services might yield important outcomes even if they were never used: *'I never called them, luv; but it was a real comfort to know they were there'*. Falls and fractures might decline because patients are being sedated or tied in a chair as readily as because there are enough carers to walk beside them.

In maternal and child health, the textbook on what to measure and how tells a similar story. It points firmly to the need to understand the setting in which a baby is formed and the health environment surrounding its mother before and during pregnancy, rather than reduce the matter to physiological outcomes after birth. Some public health workers even say that the health of the community in which the mothers live may be as important to the

general maternity outcome as the clinical condition of the individual mother.

Provision for communities with poor birth chances or for classes of persons, such as the frail aged, is a matter of ideology, of course. It presumes that some health goods will not be achieved by individuals freely pursuing personal satisfaction in the market

place. That idea is not fashionable and the Howard Government is unlikely to develop a workforce which presumes that it is. 'Minor restructure' and 'balance of workloads' are merely another day's marching orders in the great battle between welfare and liberty.

—Neville Hicks

WIN A WORD

Jubilee

JUBILEE, like millennium, is a word with clout. Its origins are religious. Scholars largely dismiss the Old Testament legislation as a late priestly prescription that was never put into practice. The jubilee involves an issue no modern society has managed to solve: how does equality of opportunity coexist with inherited wealth?

As prescribed for ancient Israel in the Book of Leviticus (Lev), it began with a trumpet 'sounded throughout all your land' (Lev 25:9). The Leviticus text calls the trumpet a shofar. The word jobel is used in combination with shofar for the trumpets blown around the walls of Jericho in Joshua 6. Etymologically, a jobel is a ram or ram's horn. The classic understanding of the origin of the term jubilee is that it was once 'the year of the ram's horn trumpet (jobel)'.

In every seventh year the land was to lie fallow, 'a sabbath of complete rest for the land, a sabbath for the Lord' (Lev 25:4). Beyond the agricultural benefit is the religious meaning. God as giver of the land is intimately involved (cf. Lev 25:23).

In every fiftieth year the jubilee trumpet is 'sounded loud', after seven times seven years. The prescription in Leviticus 25 is for massive social change. Everyone shall return to their property and their family; there is to be no sowing or reaping for the year. Israelites who have sold themselves into debt-slavery are to be free at the jubilee and shall return with their children to their own family and their ancestral property (Lev 25:41). The social shake-up would have been enormous.

Details are worked out. Land is not sold in perpetuity; it is God's. What is bought and sold are crop years or harvests. When the jubilee is close, the harvests will be few and the price is less; the further off the jubilee, the more the harvests and the higher the price.

Two conditions are essential if this schema is to work; neither of them is verified in modern industrial society. First, the population must be stable. Second, the society is rural and agricultural. It must be doubtful whether the first was verified in ancient Israel—although disease, famine, and war would have taken their toll. A pointer to the passing of the second is the stipulation that houses in walled cities could be sold in perpetuity, given the equivalent of a year's notice (Lev 25:29–30). Such houses in town were not subject to the jubilee. The split between city and country was emerging even then.

To the student of ancient texts and cultures, it is fascinating to see the legislative thought and detail that has gone into working out this schema and to note the values it set out to endorse.

To us modern readers, the jubilee schema offers two challenges. First, to think of ourselves as stewards of the land rather than owners. We hold it till a jubilee; we hold it for future generations. We are ecological stewards, not exploitative owners. Second, as a society we are a community and developments over the years do not change this reality. Israel wanted to start afresh every fiftieth year. Perhaps we cannot return to where we were a generation ago. But we cannot afford to neglect the worth of every new generation either. Challenging! Jubilee is about new beginnings. No wonder it has clout!

—Antony F. Campbell sj

Responsibility in time

ON NATIONAL SORRY DAY the Prime Minister, John Howard, was unrepentant. The newspaper headlines had him 'snub', and 'ignore' the various ceremonies and functions arranged to mark the day. At the same time last year, at the opening of the Australian Reconciliation Convention, the Prime Minister, in an unconciliatory speech, maintained that 'Australians of this generation should not be required to accept guilt and blame for past actions and policies over which they had no control'. The best he could offer was a personal expression of 'deep sorrow' to those Australians who 'suffered injustices under the practices of past generations toward indigenous people'.

Abrogation of responsibility by the sons for the sins of their fathers is neither a unique nor new moral perspective. In individualist societies ethical and legal culpability is personal not collective. In our culture, whether John Howard feels personally sorry is entirely a matter for his own conscience. In his capacity as Prime Minister though, a public apology is essential to preserve public confidence in our institutions of governance. Traditionally, the legitimacy of our core institutions—parliament and the courts—depends upon their explicit connection with the past.

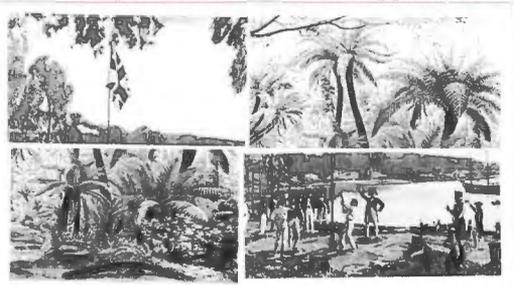
In his expansive monarchist mode, the Prime Minister lauds our proud heritage—the English common law and the Westminster system of government. A core tenet of our social and political system is that the strength of these institutions derives from their link to the past in a continuous chain of succession. The Prime Minister has chosen to ignore the corollary of this proposition—that the historical deeds of these institutions, both good and bad, belong to us collectively, forever.

A visit to any of our superior courts attests to the significance of history for our legal system. The architecture, costumes and language of the courts are a direct invocation of the 'timeless' majesty of the law. More significantly, the method of legal reasoning adopted by our courts consciously promotes an active engagement with the past.

The legal tradition we inherited from England reveres the past and rejects the vagaries of ad hoc decision-making in the interests of a fleeting present. At common law, judges are valid law makers, but

according to the complex doctrine of precedent they are constrained by the decisions of all superior courts who have come before them. The doctrine of precedent is a conservative system of law and does not allow judges to change their minds lightly. But our system of law, despite its deep conservatism, preserves some flexibility to deal with changing exigencies and the mistakes of the past.

The High Court's *Mabo* decision was both a historic and a historical judgment. Six of the seven judges of the High Court reviewed the prior decisions of earlier courts and came to the conclusion that their revered predecessors had misapplied the



category of *terra nullius* to the settlement of Australia in the 18th century. The High Court admitted that as an institution the courts then and subsequently had 'got it wrong'. They recognised that this institutional 'mistake' had had devastating consequences for Australia's Aboriginal people. Acceptance of the right of judges to interrogate the past is inextricably tied to legal reasoning and the common law system.

The Prime Minister does not like this particular decision and its sequelae. But the British tradition of law-making that he defends so vigorously requires that he accept both the blessings and the sins of the fathers as part of the proper province of the courts' institutional life. Without the capacity for reflective self-awareness, the common law as an institution would quickly become moribund.

Political party rhetoric is strong on 'change' and 'reform'. Most governments maintain that they have a mandate for implementing new policies. Yet after every election there is an orderly handing over of power. The executive arm of government might change but there is no disruption to the delivery of services. Our diplomatic relations and economic agreements remain stable even when governments change. Not

for us the violence and dislocation which accompanies the overthrow of regimes in other parts of the world. The continuity of our institutions of government is possible because of a shared, implicit belief in the benefits of an unbroken chain of democratic succession. Institutions live on and are responsible legally and financially for the decisions, even the mistakes, of their predecessors. Legally there is no interruption to the responsibility of government agencies.

The conduct of 'institutions' is remembered long after the individuals are gone. Fear of 'the Police' or 'the Welfare' is a blot on a community's faith and trust in essential institutions. This legacy of mistrust was recognised by the NSW Police Commissioner, Peter Ryan. He made a public apology for the actions of the justice system, including the four state agencies charged with removing Aboriginal children from their families. The personal apology of an individual might provide solace but public confidence in institutions is only retained and regained by a willingness to recognise and, where necessary, repudiate past practices.

ALL OVER THE WORLD societies are coming to grips with their historical inadequacies and horrific mistakes. In the former Soviet Union, South Africa, South America and increasingly in Asia, governments to a greater or lesser extent have had the strength to confront their past. In other countries the rush to say 'sorry' is not a sop. Sensible leaders are pragmatic. They recognise that their credibility and position depends upon the trust of society in its political institutions.

John Howard readily and reasonably invokes the significance of history to support his monarchist agenda. Yet our historical legacy also includes recognising the tragic interactions between our institutional ancestors and Aboriginal people. The Prime Minister cannot be selective about the parts of our history which he is prepared to acknowledge. To do so is not just inconsistent: it undermines the confidence of all Australians in the integrity of our political institutions. ■

Kathy Laster is Senior Lecturer in the School of Law and Legal Studies at La Trobe University.

Seeds of discontent

IN 1954 a small party of American agricultural scientists visited the town of Dera Ismail Khan in northern Pakistan. They were looking for seed of peasant land race crop varieties. In the town market they bought seed of 'Indian barnyard millet' (*Echinochloa frumentacea*) which is commonly used as fodder crop in that region.

The millet seed was sent back to the USA. The US Department of Agriculture (USDA) gave it an accession number, 'PI 219608', and stored it in a USDA seedbank. Later on, seed of Indian barnyard millet came to Australia. Here it received the accession number 'CPI 108621'. Agricultural science staff at the Commonwealth Scientific and Industrial Research Organisation (CSIRO) in Queensland grew the seed. They liked what they saw.

In 1993, CSIRO lodged an application for a 'plant breeders right' for this millet under the name 'Indus'. The application stated the origin and the synonyms.

What is a 'plant breeders right'? Put simply, it is a form of intellectual property covering plant varieties. It is something like a plant patent or plant copyright. This type of property was established in Australia in 1987 after many years of heated debate. In theory, people who have bred 'new' crop varieties can claim title over these varieties. The Plant Breeders Rights Office in Canberra has the task of investigating and either rejecting or accepting the applications. The titles, or 'PBR Grants', last for 20 years.

This makes the claim to own Indian barnyard millet very curious. Surely CSIRO has no legitimate title to 'Indus'? After all, it is a traditional peasant farmer crop from the Indian subcontinent. It is hardly an 'invention' as demanded by Section 9 of the *Plant Breeders Rights Act 1984*. Despite these problems, the Plant Breeders Rights Office granted CSIRO ownership of this Indian barnyard millet in 1995.

And now, under the new World Trade Organisation rules on 'trade related intellectual property', the Pakistani Government must ensure that any peasant farmers growing this variety buys the seed from a seed company licensed by CSIRO here in Australia.

This would rank high as an absurd, Kafkaesque piece of fiction. Unfortunately it is true. Nor is it an isolated instance. There are over 100 instances where the PBR

Office has issued titles to plant varieties where a little investigation would show strong grounds to reject the claims. Australian agricultural scientists are bringing seed of land race varieties mainly from third world countries, growing them out, and then asking the PBR Office for intellectual property titles to them. And, contrary to all our prejudices, it is not only private companies doing this. It is state government departments of agriculture, CSIRO, and publicly funded universities which are engaging in this 'bio-piracy'. Now internationally we are known as a nation of 'bio-pirates' because we claim to own the DNA of crop varieties from overseas.

The UN Food and Agricultural Organisation (FAO) has an international code of conduct for plant germplasm collecting and transfers. This code has been completely ignored. As I write (June), Australia's bio-piracy is being discussed at an FAO conference in Rome. Perhaps international pressure and embarrassment will lead to the revocation of the PBR title claims for those varieties from overseas. International pressure has already led to the Perth-based Centre for Legumes in Mediterranean Agriculture (CLIMA) abandoning five of its PBR applications.

There are also quite a few Australian native plants being claimed. When European settlers came to this land 200 years ago they squatted on the land and seized it by force from the Aboriginal inhabitants. Now the germplasm of the native flora is up for grabs via government-supervised genetic squatting.

Many Australian plant species have been used by Aboriginal tribes over thousands of years. In the process they were selected and bred just like elsewhere in the world. The land claims lodged by Aborigines under the Native Title Act are frequently based on their intimate knowledge of the flora and fauna of their traditional lands. These are genuine Aboriginal farmer land race varieties. They are no different in character to the farmer land race varieties from other countries. Natural justice dictates that surviving Aboriginal peoples probably have a prior claim to 'intellectual property rights' of native plant species.

Certainly many of the native varieties that are being PBR'd are well-documented Aboriginal food, pasture or medicine plants. One example is *Kunzea pomifera* or 'muntries', which grows in the sand dunes of some southern beaches. Muntrie fruits were eaten fresh and also dried and used as an item of trade by Koori tribes in South Australia.

Aboriginal tribes across Australia also built up a large body of knowledge about

the uses and qualities of native flora. Thus they also have a substantial claim to any indigenous intellectual knowledge that has survived about these plant varieties.

It is particularly shocking that some applicants for PBR have stated that they selected varieties growing wild in the bush. These wild plants have had cuttings or seed taken and been propagated. The 'plant finders' have then applied for, and been granted, PBRs. Such discoveries are not 'inventions'. Under the Plant Breeders Rights Act, such purported PBRs are not legitimate.

What can be done about this situation? Heritage Seed Curators Australia (HSCA) has written to the Minister for Primary Industries and received a reply three months later from the Plant Variety Rights Office Registrar. He stated that if HSCA wished to contest the PBR grants, then it should fill in the appropriate form for each and send them to his Office with a cheque for \$500 per variety. If such action was not taken then the PBR Office was under no obligation to examine the matter.

Kafka himself could not have devised a more absurd response. The credibility of the whole Plant Breeders Rights scheme is now seriously under question. So is Australia's reputation for fair dealing in the international community.

—Bill Hankin

Text blocks

FEW THINGS STIR UP anxiety in a Catholic community like religious education. So, when Archbishop Pell announced in Melbourne that he was establishing a committee to enquire into religious texts, people were stirred: many feared a worst which others celebrated in anticipation as a best.

In the event, some 270 submissions later, the committee has produced an impressive report. It recommends the writing of new texts by a process which will take account of the excellent existing guidelines and involve wide consultation with schools, parishes and parents. The resultant texts must be based on educational and theological expertise, respect the development and cultural milieu of the students, and be evaluated rigorously and progressively.

The work of the committee was admirably transparent, and its transparency and recommendations will form the criteria by which future texts can be judged.

Many, however, who have experienced textbooks of their own schooldays as a form

of aversion therapy, will be puzzled why textbooks should stir such passions. To rest upon them a heavy weight of commending or guaranteeing faith would seem hopelessly quixotic.

Texts are symbols. They attract conflict because they act as symbols in different processes about each of which strong views are held. As a result they are made to bear an impossible load of meaning.

First, religious texts have a small but important part in introducing willing people to Catholic faith. Compared with the importance of home and school for students' grounding in religious practice and motivation, they are of small significance. But it is important that they present an attractive, accurate and coherent account of what is involved in Catholic life and faith.

Religious texts, then, are symbols of right belief and of right ways of believing. Since any text involves emphases, choice of topics and an implicit theology, any text will necessarily buy into disagreements within the community about faith. We need to ask only how a Catholic text will treat the question of the ordination of women to appreciate this point.

Religious texts are also part of a school curriculum for school students, nominally Catholic, many of whom are less than willing to be introduced to Catholic faith. Some, indeed, will have already made an effective decision against church allegiance, while others are only warily open to persuasion. The majority of young people, however, ask themselves at least inarticulately how they should conduct themselves in Australia, and by what values they should live. These questions should be addressed in any school.

In this context, religious texts are a symbol of the seriousness with which faith engages with the world of the students. A good text will be culturally sensitive; it will both enter the imaginative world of the students and enrich it. Judged from this perspective, a text which presents accurately the faith of the church may be quite defective. If it is closed to the questions asked by enquiring young people, it will alienate them from faith, because it presents them with answers without having heard their questions or entered their world.

Religious texts are also educational resources. In Western education, at least, good educational processes respect the stage of development of the students, and present material to them in ways which they can understand. In the case of Catholic faith,

where the central doctrines have been elaborated over centuries by the most subtle minds of the age, this is a large challenge.

The challenge must be met, however, for textbooks are symbols of educational seriousness. The incompetence of texts which are not professional in developmental terms is always patent. In places where such texts have been imposed, they have been associated with the contempt for the dedication and skills of teachers that is currently fashionable in Australia. In the climate of resentment and demoralisation that follows, the texts are unlikely to be used in a way that will commend faith.

If there were a patron saint for the production of such symbolically fraught texts, Solomon would be well in the running. But even if it reflected his wisdom, no text could please everyone in a normally fractious community. Certainly, such wisdom will not be found in one person. Texts belong to a community, and good texts will reflect its diverse gifts.

The processes of consultation and review insisted on by the Committee, then, are not only desirable. If decent texts are to be produced, they are indispensable.

—Andrew Hamilton

Star touch

HIDDEN FROM THE WORLD among the tea-tree, the outer Melbourne suburb of Parkdale was about as far as you could get from Hollywood, about as far away as heaven.

To kids like us, at that time in the '50s, the two could easily have been mistaken for one and the same. After all, Charlton Heston had just led Israel out of Egypt, Richard Burton had been redeemed by *The Robe* and Peter Ustinov, playing at the Colosseum, had prepared us for *Quo Vadis*.

At the time, Melbourne's Pantheon was the West Melbourne Stadium, less reverently referred to as the House of Stoush. Here the Gods performed as guest artists in their outer kingdom. And so, with the youth of every province under arms, Louis Armstrong, Johnny Ray, Ella Fitzgerald and Frankie Laine set sail/oaring the airy waves to wail/ their welcome assured, their watchful pride.

Meanwhile, as they say in the Hollywood Scriptures, a young boy in Parkdale was growing up. The significance of events touched the child, who purchased for his first record, a Johnny Ray classic 'Such a Night' on a Philips Microgroove. Inadvertently, the young prophet had carried the

word of his leader to every classroom in his school—the result of being 'punished' for being caught singing in class.

The teacher's unique disciplinary system demanded that such offenders re-enact the crime in front of the whole class. This suited the boy fine—something the teacher finally divined after a series of extempore concerts had been given to grade 6, and the boy was hauled from class to class to perform—a 'punishment' he enjoyed the more. Even 'the bubs' were indoctrinated with Johnny Ray.

Opposite the boy's house in Parkdale was an establishment run by a devoted nurse who specialised in providing intensive care for several elderly patients, and also a teenage girl suffering from the then horribly rampant poliomyelitis. Each day the nurse worked on the girl's stricken limbs, massaging and bathing her before wheeling her on to the front verandah or out to the front lawn where she could observe the street life. This included numerous rag tag test matches and grand finals. Being a lover of sport and pop music, the girl was in regular communication with the kids on the block, among them the boy who would be Johnny Ray.

Having the nature and finding the time to think of others and to evaluate thoughtfully their lives and ideas, the girl saw more than her hero Mr Sinatra in the fanfare that heralded his forthcoming visit. She was concerned that Frankie's daughter Nancy would be friendless and forgotten amid the celebrations in the strange and remote city of the south. The girl began to write to Nancy, befriending her in advance. We knew nothing of this at the time however.

From the time of the arrival of Nancy's dad, everything of course revolved around the forthcoming stadium spectacular. Seldom had a celebrity, at the height of his achievements, recognised the subjects of the southern land. It was as if every person now anticipated being at ringside on opening night.

Well one of us from Parkdale did make it that night. A couple of hours before curtain time, a limo so long and large it appeared to have overshot the LA freeway system, slipped into Stewart Avenue. You could count on one hand the number of cars owned in our street—which is why grand finals and test matches could be played over their proper time span, uninterrupted. The limo parked outside the nurses' establishment, the home of the girl. Emerging in her wheelchair to be met by a decorous and devoted chauffeur, the girl was carried

to the car to be gazed on as royalty itself. This was the picture that graced the entire front page of the nation's biggest circulating morning daily.

The girl watched Mr Sinatra's performance ringside, before being escorted backstage to be introduced to her new friend Nancy by her dad Frank. The cynical could claim that Frank's press agent knew a good photo opportunity when it presented. To our younger and more open eyes it was seen as the special reciprocation of a special kindness. And through this gesture, we also recognised that attention had been paid to us all. Though it wouldn't be recounted on any Fantale wrapper.

Frank Sinatra was a great singer, actor and storyteller. It was no surprise to us that he could make dreams come true.

Footnote. By the way, the boy did get to meet Johnny Ray many years later, true as trees. But that's another story.

—John Preston

Cry foul

IF I GO BACK I will die or literally I will be gone. Things are getting worse (in my country), especially in my case because my father had his throat cut. I do not know whether the police or terrorists killed him.

Every month, people arrive at the international airports in Australia without passports or visas. If these people do not 'engage Australia's protection obligations', then they are sent back to the last country from which they came. Such cases are known as 'turn arounds'.

One of the most important human rights is the right of refugees not to be 'refouled', or returned to their country of origin. In Australia, there is an administrative process for refugee determination which includes rights of appeal to the Federal Court on points of law. However, this right is under strain, not from the applicants, but from the practices of the government and bureaucracy.

At a speech in Sydney in May 1998, the Minister for Immigration, Philip Ruddock, made it very clear that to claim refugee status, an asylum seeker must do more than say 'I am a refugee' when arriving at the airport. 'Simply saying the word "refugee" is not enough to access Australia's protection obligations. There is no magic word, but a person must explain more than that they are afraid to return to their country.'

This process has been criticised recently, in the Human Rights and Equal Opportunity

Commission report into detention of asylum seekers and in the Commonwealth Audit Report on detention. The Audit Report stated:

There is a risk that the screening process will be perceived as a de facto refugee determination system, which lacks the important features of the actual refugee determination system such as the provision of assistance to the applicant and the availability of administrative and judicial review.



CABLE TV IN SCOTLAND

In several cases in Sydney this year, people who were later determined to be refugees were initially prevented from making applications for refugee status. Deportation was only prevented by Federal Court injunctions. These cases show how dangerous the immigration officers' interpretation of 'engaging Australia's protection obligations' can be. Do we expect a non-English speaker, who has just arrived after an eight-hour or longer flight, to be able to articulate a refugee claim to foreign officials, when his or her life experience is 'don't trust government officials'.

Two recent refugees stated in their initial interview, 'I am a refugee', but were unable to put their cases in terms of the definitions of refugee law. They were saved from being sent back to persecution not by the process, but through Court injunctions. If their family had not contacted lawyers who then obtained an injunction in the Federal Court, these refugees would have been sent home.

The applications at the airport are entirely oral, with a telephone interpreter

to assist. The asylum seeker is given no advice on the case from anyone. There is no appeal from the decision of the airport officer, no opportunity to seek legal advice unless the asylum seeker can contact a lawyer before deportation.

The process appears to be that, on arrival, a person claims to be a refugee or claims asylum and is sent to be interviewed by the immigration officer at the airport. The officer arranges a telephone interpreter and asks why the person has come to Australia, whether there is family in Australia, and how he or she came to Australia. After this usually short interview, the immigration officer telephones a senior officer in the Department of Immigration and Multicultural Affairs and outlines the facts as given; that officer decides whether the person can make a formal refugee application. If the asylum seeker gets through this process, he or she is taken from the airport straight to detention and is held in detention until the case is finalised. If rejected at the airport, deportation is arranged as soon as possible.

The refugee determination system must ensure that refugees are protected. A system that relies on court orders to protect refugees is flawed. Refugees should not have to depend on families finding lawyers to get injunctions to protect them. Protection from persecution is the role of governments.

If a country is judged by how it treats the most vulnerable people, then Australia's standing is in decline. Politicians in the two major parties are keen to refer to 'bogus claims' and 'the need to prevent abuse of the process'. They are less keen to assist the people who are in genuine need of protection. Terms like 'abuse', 'queue jumpers' and 'rotters' are widespread. Meanwhile, it is left to individuals concerned about human rights and the rule of law to ensure that Australia meets its international human rights obligations.

—Kerry Murphy

This month's contributors: **James Griffin** is Professor Emeritus at the University of Papua New Guinea; **John Honner** is Policy Officer at MacKillop Family Services; **Neville Hicks** is Reader in Public Health at the University of Adelaide; **Bill Hankin** is President of Heritage Seed Curators Australia; **Andrew Hamilton** sj teaches in the United Faculty of Theology, Melbourne; **John Preston** lectures in the Performing Arts Department of Swinburne University of Technology; **Kerry Murphy** is a lawyer with experience in refugee policy.

The paper house

The number of Australian shareholders is indeed rising, but is their investment as safe as houses, asks David Glanz.

JOHAN HOWARD reveres the memory of Sir Robert Menzies. Opening the newly rebuilt Central Synagogue in Sydney in May, he commented on how the event was special for him because the original building had been opened by Menzies in 1960. So when the Prime Minister talks of turning Australia into 'the greatest shareholding democracy in the world', the parallel with Menzies' ambition of creating the greatest home-owning democracy in the world is surely deliberate.

It seems then that Howard may have a vision. Privatisation through public floats is about much more than paying off government debt or exposing state-run operations to the 'rigours of the market'. It is also about tacking an extension on to the ideological home that Menzies developed on the quarter-acre block. It is about turning the 'mums and dads' behind their white picket fences into investors in the stock market, loyal followers of the fortunes of corporate Australia, and therefore (he presumably hopes) more conservative folk overall.

The idea that share ownership comes with a particular world view attached, that it will shift attitudes, is welcomed by some. 'I do hope that will be the case. In fact I'm certain that will be the case,' says Richard Humphry, the managing director of the Australian Stock Exchange (the ASX). 'Fifteen years ago, 3 per cent of the population were share owners. It was only for those who were well-heeled and from the big end of town. Coupled with this was the notion that the brokers operated as a club. Today, share ownership is now a mainstream form of investment, with over 40 per cent of Australians having some form of investment in the share market.'

Could it be then that there are a lot of new conservatives in the making? The ASX in March reported that 1.1 million people had come on to the stock market in the previous nine months. The sale of the first third of Telstra alone brought 559,000 Australians into the market. The total of



novice share owners has clearly not yet peaked. Many of the two million AMP customers whose policies have just been magicked into shares will also be new to the game. Ditto with those buying into the \$1 billion New South Wales TAB float.

A closer look at the figures, though, shows that there is more to the story than the headline statistics. The most significant leap in share ownership has not arrived through recent, well-publicised floats, but through the spread of superannuation schemes from the boardroom to the offices and shopfloor. In 1994, 19.9 per cent of adults owned shares. By 1997, the total had hit 34 per cent. In those three years the numbers of people who only directly owned shares actually fell, with the surge in compulsory indirect ownership making all the difference.

The idea that owning company shares via a super scheme gives employees a sense of ownership or loyalty is hard to sustain. For most, super is an anonymous drain on the paycheque, with resources going off to who knows where. Very few of those new indirect 'owners' would have the faintest idea how and why their money was being invested, with effective control of those shares resting with the big finance, insurance and pension operators.

If Howard is hoping to turn battlers into allies, the demographics don't bode well. Going on 1997 figures, 22.3 per cent of unskilled workers hold shares, with super schemes accounting for most of that. By contrast, 44.7 per cent of managers own shares—but they would, wouldn't they? For the newer and poorer direct share owners, their holdings barely justify the term portfolio. Around a quarter own just one stock. Six out of ten own no more than four.

Even if the most recent floats have inflated those figures, the 'mums and dads' (or what Richard Humphry prefers to call retail owners) are, taken individually, still very small players indeed. One in five share owners has a portfolio worth less than \$5000. Compared to owning or buying a home, or putting children through private education, this is small bikkies. For people wrapped up in the daily routine of work and home, owning a microscopic corner of Telstra or the Commonwealth Bank is surely on the margins of their world view.

WHAT ABOUT WORKERS who have bought shares in their own companies? If there is to be a greater identification with the goals of enterprise, surely it is there. That was certainly the hope of the former British Conservative Government, which trailblazed the way for the Australian Coalition. The Foreign Secretary, Malcolm Rifkind, speaking in London last year, boasted: 'Privatisation not only makes sense in financial terms, it allows employees to take a more direct stake in the future of their company through share ownership. Attitudes in the workplace have been transformed. The number of working days lost in strikes in 1995 was over 15 times lower than the average for the 1980s.' His hoped-for transformation didn't quite do the trick, however. Two months after making the speech his government was swept out of office in a landslide defeat.

If Rifkind had looked at the academic record rather than the ideological text, he might have seen the landslide coming. When a team of researchers (Dunn, Richardson and Dewe) carried out a year-long study in one British company that had offered shares to its employees, they found that little changed. 'Our control group was those who chose not to join the scheme; we were therefore looking for a differential change in attitudes between joiners and non-joiners. We conclude that there was no change in attitudes which should be attributed to the scheme.'

Although research in Australia is still scant, what is available so far nods in the same direction. Diane Fieldes, a lecturer in Industrial Relations at the University of New South Wales, says: 'There's no real evidence that employee share ownership increases workers' motivation and work effort. Certainly there's no evidence at all that it undermines workers' allegiance to trade unionism. The idea that people get shares and see themselves as little capitalists doesn't hold up. People aren't stupid. They know their main income comes from going to work.'

The number of firms offering Employee Stock Ownership Plans is increasing, from 16 per cent of all private sector workplaces with more than 20 workers in 1990 to 22 per cent in 1995. The plans are much more common in the unionised, larger companies (200 to 500 workers). But it is unclear what benefit management is getting when it comes to increasing profitability. 'Basically there's no causal connection between the two things,' says Fieldes. 'The rewards you get from share ownership are miles away from workers' control.'

On the broader political canvas, the rewards can also look meagre compared with the direct losses many workers are sustaining because of government policy. A working woman looking at a dividend cheque for, say, \$100 might see it as a bonus. But she could just as easily view it as a mere month's compensation for increased childcare costs, highlighting the sacrifice of finding the extra the rest of the year. A Commonwealth Bank dividend would bring little comfort to a retrenched public servant—or, even more to the point, to a retrenched bank worker.

The ASX meanwhile sees a further potential benefit in more widespread share ownership. It looks to the new generation of owners as a slab of stability, a hedge against the wild, computer-driven buy and

sell orders of the major operators. 'There is a \$US10 trillion flow in equities across borders,' says Humphry. 'The global marketplace is well and truly up and running and it's going to become even more so. Capital markets are becoming more and more fluid and can move from one location to another.'

'Mass share ownership acts as a stabilising force. [In the last market downturn] it was in fact the retail owners who stabilised the market. Mass ownership lowers the risk of any notion of attacks on the Australian market by international capital. If a very big part of the share market is owned by institutional and retail investors, the chances of the market being wrecked by some sort of outside raid is very much reduced.'

If some newer buyers are, indeed, less flighty there could be some simple reasons.

It was not a mortgage that domesticated the 1950s but the growing sense of certainty that a mortgage could be paid. For a John Howard hoping to emulate Menzies' achievements, this is a critical factor that is no longer his to deliver.

Many are unfamiliar with the broking system, having bought their initial holdings through user-friendly mass floats. In 1997, 13.9 per cent of direct shareholders had never had contact with a broker, while a further 30.2 per cent had had no contact for more than a year. Some have holdings so small that it would simply not be cost-effective to sell. The minimum allocation in the NSW TAB float was cut in May from 700 to 400 shares. Some experts thought that many punters would end up with as few as 300, a holding one commentator described as creating 'a nuisance value for everyone'. But the biggest factor stabilising matters for the moment is the widespread expectation that the market is still heading up.

And there's the rub. Mass direct share ownership has come into being during an extended bull run. Those who bought Commonwealth Bank stock have been able to sell at a tidy profit or sit back and see their holding's notional value spiral upwards. Telstra share buyers can tell the same tale. It all seems too good to be true—and, of

course, it is. At some point the novice generation will find that for every party, there's a hangover. For many it will come as a shock. In 1997, around one third of those who directly own shares had not talked to a professional adviser in the past year. In other words, they were likely to be basing their buying decisions on word of mouth or mass media advertising campaigns.

If things go wrong, how will people respond? Will they still be a bulwark of stability? Humphry admits ruefully: 'Whether the same would apply in a sustained downturn is yet to be seen. There's always a risk of a bust: it would be foolish to say otherwise. It's very important that people don't form the view that market trends only go up.'

Conservatives presumably hope that having tasted the benefits of dividends and glossy annual reports, ordinary people might be prepared to grin and bear it. But it seems much more likely that people will instead feel cheated. As Fieldes points out: 'Shares can go down as well as up and that can be demotivating.' For most new share owners, a regular cheque from the company and the chance of selling at a hefty profit is the cream on an otherwise dwindling cake. In a society where job security is a memory, where health and education cuts are visibly eroding the social capital built up over 40 years, to have that share market bonus snatched away from under your nose—and possibly to see pre-existing savings wiped out as well—could well goad people to acts of political revenge.

If the bull market collapses, Howard's vision of a society bonded through share ownership could well yet end up with the brokers in the bear pit.

WHAT IMPACT has share ownership had on Telstra workers? Almost 92 per cent of them took up the float offer, although given the special terms it would have been almost impossible to say no. Telstra employees were guaranteed an interest-free loan for \$5000 worth of shares, \$1000 of which were free. Only 30 per cent of employees could afford to buy shares with their own money. The package certainly came with strings attached, as Nick Satterly, a Telstra worker, explained:

'Telstra management were eager to use the float to squeeze employees harder and openly declared that they hoped it would be "an incentive for future performance". Management also said it "is of enormous

benefit to our customers to know that staff at Telstra have an added incentive to make Telstra an efficient, service-orientated company".

'In an attempt to replace the "public service mentality" with free market ideology, management went so far as modifying all of Telstra's 50,000 computers to display the current share price every time they start up. It seems insane, but they must have really believed that this would make us work harder. It really means it takes longer for your computer to boot up, and people walk off and get a coffee.

'Though no-one I know who has shares is complaining about the surge in price since the float, it does mean that Telstra was essentially given away at a steal. That the share price is almost double what it was when floated simply means that it was sold at half price! \$13.5 billion has been drained from the public purse into private pockets.

'Seeing that 300,000 people have sold their shares for a small profit already, much of the gain has been picked up by institutional investors like AMP who made \$230 million almost instantly, whereas the average Telstra employee made just \$4500.

'Management would like to think share ownership made employees more likely to

argue against industrial action that might hurt the company and the share price. This did happen at a mass meeting in Melbourne where a union member argued that we should delay strike action until after the float to avoid bad publicity and an adverse market reaction.

'This was roundly rejected by the meeting and the strike went ahead. A few hundred dollars in shares does not compensate you for lost workplace conditions or your job. Recently, Telstra management proudly announced they had reached the 20,000 redundancy mark in less time than they thought. Now that nine in ten employees have shares in Telstra do you think the company will be accountable to those shareholders and the sackings will stop?

'Not likely. In March *The Age* reported that the CEO of Telstra told a group of US investors at a meeting in New York that Telstra was to sack a further 7000 employees by June 2000. In the same article they reported Telstra's half-yearly profit after tax of \$1.5 billion. This was followed by a \$900 million dividend for private investors, which previously would have gone to the government.

'The point is that we are not equal partners in society. We are still divided between the few who have the majority of shares and the rest.'

THE COMMONSENSE view of the Menzies period, above all of the 1950s, is that it was a deeply conservative time. On the surface, the argument that the rapid expansion of home ownership contributed to this social peace carries weight. But the 1950s deserve a re-appraisal, according to Dr John Murphy. Murphy, along with RMIT University colleague Judith Smart, last year edited *The Forgotten Fifties* (Melbourne University Press), a collection of essays that attempt to retrieve the decade from knowing sneers.

Australia always had a high level of home ownership—52.6 per cent in 1933, at the height of the Depression. That figure was unchanged by 1947. But as post-war privation began to recede, home buying took off. By 1961, the peak year, 70.2 per cent of Australians owned their homes. In Melbourne, the figure was 76.3 per cent. But a rise in home ownership went alongside other social factors that were less to Menzies' liking. Union membership, too, hit record levels. In 1954, 61 per cent of the workforce was

unionised, 76 per cent in Queensland. Real wages were also heading up, pushed along by a culture of short, sharp strikes that may have lacked political overtones but that nevertheless proved effective.

Owning your own home did not necessarily mean deference to Liberal values. The 1950s might have been Menzies', but Labor's vote stayed high. In 1954 it lost, despite gaining 50 per cent of the vote. It outpolled the Liberals at every election held during the decade (the Country Party taking the conservatives over the line). The Democratic Labor Party's influence peaked in 1958, but Labor still picked up 42.8 per cent of the vote.

In other words, home ownership did not so much create political values as reflect rising living standards. As Murphy notes: 'In the 1950s and into the 1960s, home ownership is a key aspect of citizenship that Menzies largely based himself on. It's underpinned by full employment—the thing that makes it all possible. For the middle class it's part of their self-identification. But for the working class, home ownership goes alongside continuing to vote Labor.

'My argument is that the 1950s fall into two parts. Up to 1954–55 it's very turbulent. Economic uncertainty, inflation up to 25 per cent, fear of another recession. There's a lot of anxiety that the good times can't hold. Although you've got full employment right through this period, there's a sense that the good times can't last, like after World War I. All this coincides with the most intense part of the Cold War. It's only from the mid-1950s onwards that things become more secure.

'This is the time of full employment. The time when both the middle class and the working class feel relatively stable. People overcome their previous reservations about debt and there's a boom in hire purchase. They begin to stock their home with fridges and washing machines on credit.'

In other words, it was not a mortgage that domesticated the 1950s but the growing sense of certainty that a mortgage could be paid. For a John Howard hoping to emulate Menzies' achievements, this is a critical factor that is no longer his to deliver. As Murphy says: 'Nobody knew they were at the start of a quarter century of full employment. That's one of the interesting problems for Howard, arguing for share ownership, security and stability. We're living in a period of structural unemployment.'

David Glanz is a freelance journalist.

Art Monthly

AUSTRALIA

IN THE JULY ISSUE

Joanna Mendelsohn asks is there a problem of style at the MCA?

Peter Hill examines art criticism on the curriculum

Michael McGirr finds improvisation on the spiritual in *Beyond Belief*

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Even Eden goes to market

The Yao people of Bama live in one of the most remote and beautiful 'autonomous regions' in China, yet even they have to worry about the global price of pork. Sound familiar?

WELCOME TO THE HOME of longevity', reads the inscription over the archway at the entrance to the county town of Bama. This remote corner of China's south-west claims the third-highest proportion of centenarians in the world, after the Caucasus and Pakistan's Hunza valley. The title is taken sufficiently seriously for the Chinese Government to have established a special institute here, to try to determine the reason behind it. So far, the best they have been able to come up with is that it is 'something in the air'—at least as the story is retold by our local counterparts. Or maybe something in the water—most of the very old live quite close to the one substantial river that runs through the county. Whatever it is, it can hardly be the food, up in the pocket-handkerchief valleys where the Yao minority live, even the better-off are without enough grain for at least three months of every year.

Longevity rates are not the area's only claim to fame. The soaring limestone karsts cut the landscape into a densely twisting maze, which made it an ideal base for some of the longest-running resistance to the Manchu emperors, and then one of the earliest strongholds of the Revolution. The whole of Guangxi is designated a 'Minority Autonomous Region', and in Bama, as official statistics run, 68 per cent of the population is Zhuang, and another 18 per cent Yao. As this is the largest concentration of the latter anywhere in the country, Bama is named a 'Yao Autonomous County'.

The situation of minorities here doesn't lend itself to instant classification. The Yao are one of several groups which spill across national borders, and can be found in Laos, Vietnam and Thailand as well as China. The term 'indigenous' can't always be easily paired with 'minority', either.

In the mountain regions of South West China, most predate Han settlement, at least in the remote valleys. But the Yao may have only come to Guangxi from Yunnan a century or two ago; to Laos and northern Thailand even later. At least in the case of the more numerous and stronger minorities, civil and cultural rights may be better (at least on paper) in the socialist or ex-socialist countries than in 'democratic' Thailand.

Equations of oppression aren't simple either. There is no question that the minorities tend to inhabit the poorest land; have the worst rates of malnutrition, infant mortality, illiteracy and all the other gross social indicators. Attitudes of most Han Chinese (or majority Vietnamese, or Thais) are not pretty—but then, Anglo-Australians as a group can hardly be too smugly condemnatory here.

Then again, many of China's Miao were serfs to the more powerful Yi before the revolution. The Bulang, down near the Lao border, saw the Revolution as their liberation from Dai overlords. The Bai of

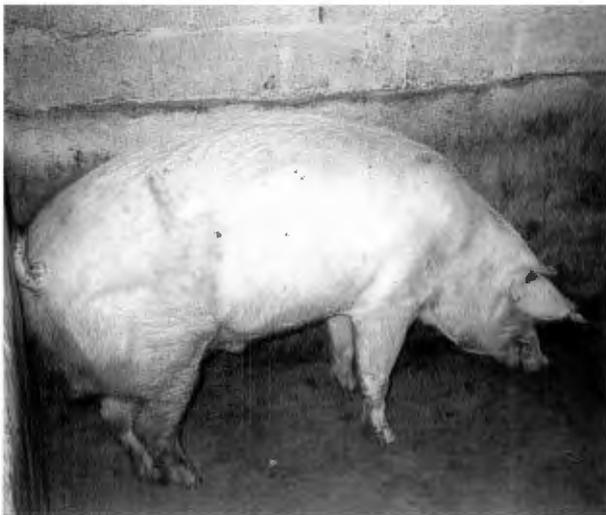


'If you could eat beautiful scenery, the Yao might be the best-fed people in China.'

Dali pride themselves on a sophisticated urban civilisation as old as anything Han, and are not noticeably disadvantaged under the new dispensation; Xishuangbanna is the cradle of Thai culture, and the Dai there at times give the impression of condescending to tolerate the Han newcomers.

Our hosts and counterparts in Guangxi are officials of the State Nationalities (viz. minorities) Commission. 1998 is a busy year, they told us, being the 40th anniversary of the proclamation of Guangxi as a Minority Autonomous Region, with any number of commemorations to organise and official delegations to host. The projects which we have been supporting in this area are a new attempt to break one of the most stubborn poverty deadlocks around: when people have an average of 0.03 hectares of land each, remote from roads and markets; when no well can reach water in the summer drought; when the whole economy of which people find themselves on the periphery is in a state of upheaval and change, how can you engineer a real long-term, sustainable change in people's livelihoods?

If you could eat beautiful scenery, the Yao might be the best-fed people in China. The road to Wenqian winds through valley after gorge after saddle around the karst peaks, which fold away in steady ranks to the dim horizon. Stone-walled terraces cut a mosaic pattern right down to the



A prize Bama specimen, but 'this is the brave new free market world, and a drop in the market price of pork can send the whole structure teetering.'

bowl-shaped valley bottoms; ferns and wildflowers spill over the boulders. It's only when you step out of the car that you notice that every pocket of soil bigger than a child's palm has an ear or two of maize planted in it. A rare piece of flat land, the size of a basketball court, is divided between ten families, and meticulously interplanted with at least five different types of food plant. Stone is the one thing of which there's no shortage, so at least the houses are solidly constructed.

In the past, this area's status as an Old Revolutionary Area guaranteed it a degree of government attention, and basic welfare support was forthcoming, particularly for the 'Five Guarantee' households—the five groups: widows, the disabled, orphans, childless elderly and the mentally ill being guaranteed the five benefits: clothing, food, shelter, medicine and decent burial. The benefits haven't yet dried up, but with massive change to China's whole state sector now on the drawing board, they can't be relied on indefinitely. The daunting challenge is to overcome food shortage *and* make mountain hamlets market-viable *and* to leave in place a system which will, in the main, pay for itself. The result we are supporting is a farmer-operated 'Poverty Alleviation Company'—a hybrid between local government agriculture services and

communities, providing affordable credit, technical services, breed livestock, pioneering agro-forestry, and theoretically working up to a fee-for-service basis which will make it eventually independent of outside support.

In Bangladesh in the 1970s, the Grameen Bank first pioneered the idea of micro-credit—give the rural poor affordable loans and some technical support, and they will devise their own ways out of poverty, and reliably repay the loans, with interest. In a number of countries, the dramatic successes of the approach are now plain to see. Whether it is the universal panacea for poverty its most ardent advocates claim, has yet to be proven; at times, the arguments sit uncomfortably close to economic rationalism. China, as it moves in leaps and jerks into a market economy, while retaining policy commitments to social equity, is an obvious testing bed.

We get some fast lessons in market access at least. Families here are receiving loans of cement to build pigsties and rabbit hutches, then raise livestock for sale. The first hamlet on

the list is an hour's walk up a rocky path, over a saddle and down into the bowl below. As we walk up, we pass villagers coming the other way to collect the cement; six bags per family have to be carted, slung on a pole, up the track which we find hard enough to walk unladen. Getting the full-grown pigs out will be interesting. One theory for longevity in Bama, offered as we walk, is that the stones in the paths massage every conceivable acupuncture point in the feet every day.

When we reach our destination, however, our dapper provincial counterpart has not a hair out of place, nor a bead of sweat on his

brow; there can be more to Chinese bureaucrats than meets the eye.

VENERABLE AGE IS NOT much in evidence in any of the places we visit. At least three householders we interview tell of a family member recently dead of liver or stomach

cancer—possibly related to endemic Hepatitis B. As in much of rural China, the middle generation, of young labour-age people, is thin on the ground—they've gone off seeking work elsewhere in the county, or as far away as the Special Economic Zones of Guangdong province.

Since the early 1980s, booming industry in the coastal provinces has been the great safety valve for rural poverty, and at least 80 million people throughout the country are on the move for work. In one family, the elder daughter has gone to a brickworks near Nanning; another old woman, who speaks no Chinese, says her only son went to Guangdong two years ago. She doesn't know what, if any work, he's found, and he's not been able to send any money back. Although China is not yet facing the economic turmoil of its neighbours to the south and north-east, there are signs that the industrial boom is levelling out; with such floods of people on the move, many labour migrants barely make enough to eat, let alone to remit money back to the village.

This goes some way to explaining the priority now being given by government to rural poverty alleviation. The prospect of masses of laid-off industrial workers, with no rural base to fall back on, is a potentially alarming one. Official poverty

Poverty alleviation in Bama has been funded by a combination of an AusAID grant, and donations by individual Community Aid Abroad supporters. Here are some rough figures to give an idea of how taxes and contributions are put to use:

- ★ A disease-resistant breeding doe rabbit costs \$6.
- ★ Vaccines for all the rabbit-breeding stock in several villages for a year cost \$320.
- ★ A low-interest loan allowing a family to purchase a breeding sow, house, vaccinate and feed its first litter is approximately \$120.
- ★ The breeding boar used to inseminate all the sows provided to poor families in Xishan township cost \$1250.
- ★ The full training costs for three village-level 'barefoot vets' come to around \$250.
- ★ A large water tank, supplying a hamlet of 60 families with year-round safe drinking water, costs \$10,000; all labour is provided by the beneficiary village.

alleviation schemes are sometimes done on a grand scale, with as many misses as hits; one recurring lament is that some regions and groups of people have become accustomed to hand-outs, and don't adapt well to credit- and enterprise-based schemes. Coming in from points south, where national



governments have adopted user-pays, slash-the-safety-net systems, it is an odd relief to realise that there are still places where the destitute have some hope of help.

As in almost any mountain village setting, there's no questioning the independence and energy of those now leading the charge. In Wenqian, the veterinary worker daily does the rounds of nine hamlets on foot, vaccinating sows, treating piglets' diarrhoea, and training the farmers to do the same themselves. Green fodder is gathered from crevices high up the karsts. Where the project has been running for a couple of years, food shortage has diminished, or disappeared.

THIS IS THE BRAVE new free market world, though, and a drop in the market price of pork can send the whole structure teetering. There are some complaints that farmers are using the profits of their pig sales to buy TVs, or put tile roofs on their houses, before they pay back the loans. On the one hand, it seems hard to question people's needs for a few small physical comforts: how far can you argue with people who get to eat a chicken or two a year, when you're about to get back into the waiting vehicle and return to the comfortable county guest house? On the other, letting the system slide on that basis is not many steps removed from sentimentalising poverty; the fund does have to revolve, and other hamlets are waiting.

The final meeting of the trip is in the office of the Xishan township Poverty Alleviation Company. In the gathering dusk of this remote valley, talk is repeatedly drowned out by the sound of explosions. The villagers of Lapan are cutting their own road around the cliff to meet the government road, at a regulation 60 metres per family. County government has assisted by supplying dynamite, so not all the solid rock needs to be broken with crowbars.

We passed the road gang—basically the whole village population—on our walk down; the cardboard boxes of explosive scattered here and there. The Chinese did invent explosives, and people presumably know what they're doing. It might not be the fastest way to a long life, but at least to one we'd recognise as humanly manageable. ■

Mark Deasey is Community Aid Abroad's Program Co-ordinator for the Mekong Region. CAA's work in Bama is funded by AusAID and by donations from CAA supporters.

H Need to know basis

HANDS UP ALL THOSE WHO ARE AWARE that last month Melbourne hosted a technology conference important enough to attract the research director of IBM and the chief executive officers from three of Japan's largest manufacturers? If the media had been doing its job, you should all have known.

Archimedes only knows about the conference because it was mentioned in the international science weekly, *New Scientist*. The author of the column happened on the conference almost by chance. Yet the Fourth World Micromachine Summit held at RMIT concerned manufacturing technology that has a world market already worth about \$20 billion and expected to double within five years. Derived from the fabrication of computer chips, micromachining technology is already used to make the nozzles on your inkjet printer and the sensor in your car's crash bag, and to laser-weld blades onto your razor.

Perhaps more people are aware that President Clinton is proposing to put more money into research. That, at least, was reported on ABC Radio's *Science Show*. But it is only after listening to Australian Nobel Laureate Peter Doherty talk about how doubling the US medical research budget could pillage Australia of young talent and future industry opportunities, that the implications of Clinton's announcement become apparent. In fact, the US is investing in research to buy future exports and employment. Yet the Australian Government has recently tabled a Budget which paid almost no attention to science beyond replacing an antiquated nuclear reactor and restoring cuts it had already made to medical research. The discussion of these weighty matters in the press has been patchy and haphazard, to say the least.

Is it any wonder that Archimedes is becoming worried by the quality of science reporting in this country and the consequent level of scientific awareness? The problem is not one of capacity to understand and communicate science, but of the commitment to do so on a consistent and long-term basis. At present, with the exception of the ABC, the commitment to reporting science in Australia is a hit and miss affair, despite Australians' demonstrable fascination with technology, and the dependency of the nation upon it.

The news is not all bad. In the past few months, both *The Age* and *The Australian* have gone back to running a weekly science page. Yet in neither paper does science receive general prominence and status. Stories can be days, months or even years late. The reports often go little beyond rewriting publicity material. And, while stories based on medicine, biology and astronomy always have been favoured in the popular press, the dearth of material on engineering and technology is close to scandalous.

There may be any number of reasons for these shortcomings—universities and research institutes which do not understand or even care about media coverage for science; reporters with too little training or too much on their plate; sub-editors who lack sympathy for science; news editors who do not think that science sells. But the results are tangible—soft, flabby, unassertive reporting which makes it much easier to sweep science under the carpet or off the front page, to the detriment of all.

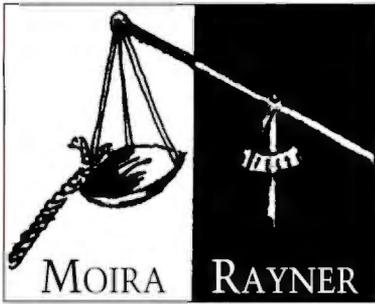
In the technology area, for instance, one of Australia's leading figures in micromachining, Erol Harvey from Swinburne University of Technology, claims that Australian perceptions of micromachines are 'about 4 to 5 years behind' those in Europe. And that means many Australian manufacturers are unaware of technology that could solve their problems and is already being used by European competitors.

Last year, *New Scientist* ran a feature on an Australian bioinformatics researcher, Vladimir Brusic. He is using computer techniques to pick out previously undetected patterns from the mass of information on proteins being accumulated by medical researchers in electronic databases all over the world.

Brusic was recently approached to establish a research group in Singapore, all expenses paid. Clearly, the Singaporeans are well aware of the huge application of his work to the development of pharmaceuticals. According to the latest OECD figures, Singapore puts even less government money (as a percentage of GDP) than Australia into R&D—but it knows how to target what it does spend.

Unless there is a stronger commitment in Australia to reporting science, the 'clever country'—and its consequent industry, jobs and exports—will always be somewhere else. ■

Tim Thwaites is a freelance scientific writer.



Crime payment

SHOULD CONVICTED criminals be allowed to sell their stories? 'Blood money,' Frank Gilford called it, when his sister's convicted killers sold their tales to British tabloids and TV. They, in their turn, accused him of extorting \$1.7 million in exchange for his remitting their death penalty, and the Saudi Arabian authorities of barbarism.

British common law traditions are 'barbaric' too. Paying 'blood money' to buy off revenge killing was a key part of Anglo-Saxon criminal laws. 'Wergild'—literally, the cost of a man—was paid according to a schedule of costs determined by the deceased's status. The modern equivalent is the market price of a criminal defence. The worth of a poor man's liberty is a tiny proportion of his Legal Aid lawyer's salary (or nothing because he can't get legal aid, or a lawyer, at all). John Elliott's 'wergild' is the hundreds of thousands spent on the army of silks and juniors, senior partners and law firm underlings, devoted to his case.

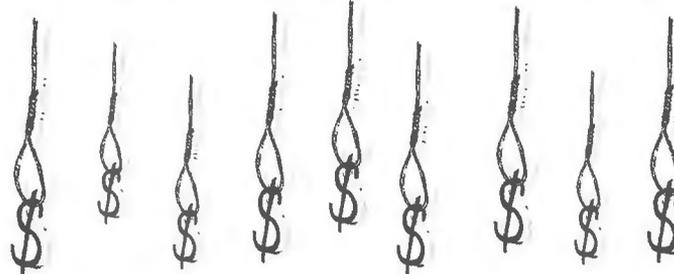
Punishing criminals is one thing. Taking away their property and income after conviction, even after their punishment is formally complete, is another.

Courts have always been able to order the forfeiture of property 'tainted' by being used to commit an offence (or its fruit); to confiscate the proceeds of crime, and in extreme cases to take away a criminal's civil rights and capacities ('attainder'). These old powers were ineffective, and have now been replaced with legislation. In some states—Queensland, South Australia and Victoria—the courts can make orders taking away the 'literary proceeds' that are the benefits of crime, the profits of commercial exploitation of the offence or the notoriety of the offender. In April, the Australian Law Reform Commission published a discussion paper on whether or not the Commonwealth should similarly snatch away the earnings of criminals who cash in on their notoriety by writing books, making films, or just selling their stories to media outlets.

The Commission's discussion paper

raises major issues for all of those interested in freedom of speech, and the limits of punishment.

'Proceeds of crime' legislation is, and is meant to be, draconian. In the past, confiscation has been challenged as a fundamental breach of the ancient civil rights protected by Magna Carta, and the 1688 Bill of Rights (which apply in both Victoria and the Commonwealth). To deprive convicted, punished criminals of any opportunity to tell their story, or earn a living that takes their notoriety and crime



into account, is a civil liberties invasion. It is, in spite of pretensions to the contrary, a double punishment. An order removing those proceeds might take away any hope of coming to terms with their crime, taking a useful place in society, teaching us about our dark side—a punishment so severe as to violate the Bill's prohibition on excessive fines, and cruel and unusual punishment.

The purpose of 'proceeds of crime' legislation is:

- *protection*: to take away any opportunity for the criminal to continue in the offending conduct, and to protect the community from further circulation of offensive material or items;
- *community justice sentiments*: to prevent an offender from unjustly enriching him or herself;
- *deterrence*: if the offence was designed to make money, taking it away undermines its profitability; and
- (occasionally) *compensation*. Sometimes, a convicted criminal's estate may simply be confiscated and paid to his victims (as was the case for Port Arthur mass murderer, Martin Bryant) without requiring them to sue.

It is, of course, emotionally satisfying to wish to prevent monstrous criminals from profiting from their crimes. But there are reasons, and good ones, to encourage them to speak and, if necessary, be paid for it:

- it may help them;
- it may help us to understand;
- it may help others;
- it may be, and has been, part of a campaign to prove a convict's innocence; and
- it may do no harm. The New Zealand Justice Minister, last February, was reluctant to prevent even the crass

exploitation planned by a serial rapist Malcolm Rewa, by writing salacious memoirs in prison: 'Choose not to read it,' he said.

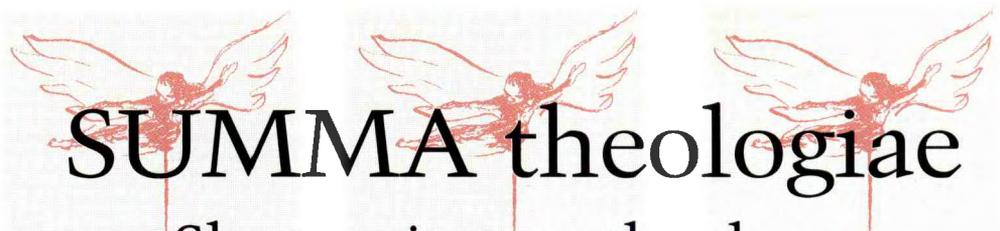
If we do decide that it is proper to deprive the criminal of their literary proceeds, the money should come from other pockets, too. Many people profit from commercialising crime: literary

agents, publishers, bookshops, TV and radio and newspaper owners. The criminal, often ill-educated, is usually the least rewarded. Some, though, are writers of talent. Chopper Read, self-confessed contract killer and standover merchant, claims his books are best-sellers (more than 300,000 copies) because he writes well, not because he is notorious. He got his opportunity to show it by going to jail.

More often, a criminal 'sells' his or her story to the media, and creates nothing but ratings. Victorian prison warder Parker, who helped her lover and another prisoner to an escape that ended in tragedy, sold her story to *Woman's Day* and *60 Minutes* for \$52,000—and was allowed to keep the profits, to pay for her legal fees (should the lawyers cough up too?).

Sometimes they are paid to co-operate with other writers—should the profits be traced to the writer's hands, too? Truman Capote made his name, and launched his career, from *In Cold Blood*—tainted money?

It is all very well to find it 'inherently repugnant'. British PM, Tony Blair, said it was so, in the storm over writer Gitta Sereny's paying Mary Bell (who strangled



SUMMA theologiae

Sharpening up theology

two toddlers when she was 11 years old) for co-operating with her book, *Cries Unheard*. But the fact is, this book is a tour de force. It teaches us something about why children kill. We learn that the mother of the 'monster', Mary Bell, not only exploited her child's crime in her lifetime—including fabricating 'confessional' poetry in her daughter's name—but, through her own gross brutalisation of her daughter, contributed to Mary's monstrous acts. The book is devastating. It would never have been written had Mary Bell not agreed to participate. And she needed to be paid.

Moral outrage is easy. It does not justify what is intrinsically a gag on freedom of speech, a shallow censoring of the voice of experience, a refusal to look in the dark places. It does not, either, acknowledge how much we enjoy being entertained by crime and its literary and dramatic fabrication. It is more than, as the Attorney-General told the ALRC, keeping in mind the need to protect human rights and civil liberties. It is in our interests to hear the criminal's tale. And learn from it. ■

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IT HASN'T BEEN an easy century for God. Probably one of the worst for a long time. There have been problems aplenty: genocidal idiots shaking everyone's faith—even in the goodness of this creation—and there have been the positivists, emotivists, existentialists, empiricists, postmodernists, various scientists and all the reactionaries in the Church. Of all these challenges, the last two may be the most serious. For many, the capacity of science to explain the world and the failure of Christianity to restate its claims in the light of these explanations have left such beauty as remains in the rituals, music and art looking rather groundless.

Recently, two books have arrived on the shelves in Australia which argue God's corner powerfully: Richard Swinburne's *Is There a God?* and Keith Ward's *God, Chance and Necessity*. Both deserve to be widely read because they aim to make accessible a vigorous debate about the existence of God which has been going on in universities in Britain and the United States for the last 20–30 years—a debate in which God has been faring remarkably well. It is a mark of the general failure of the media adequately to report news that this debate has been so poorly covered. Not only has the debate gone unnoticed but powerful popularisers of science, like Stephen Hawking and Richard Dawkins, who have advocated what Ward dubs the 'new materialism', have gone largely unanswered. Swinburne and Ward, in quite different ways, set out to provide not just a riposte to the likes of Hawking and Dawkins but a powerful counter-case.

In 140 short pages, Swinburne sets out the case for the existence of God by employing the very criteria which scientists use to justify their own explanations. This argument begins with a careful definition of that all too often loose and fast term 'God' and then proceeds to argue that God is the best explanation for the universe—and its order—that scientific inquiry reveals. Swinburne argues that, while human feelings, thoughts, beliefs, purposes and experiences might be caused by physical brain-events, they are themselves non-material and, when taken together, they constitute our non-material soul.

However, in proceeding to argue that God is the best explanation for why we have the particular soul we do, Swinburne is far less persuasive. In like manner, his treatment of religious experience and miracles will lead some, rightly, to feel uncomfortable with elements of his work. It should be said that the relentlessly philosophical nature of Swinburne's inquiry can be off-putting and strangely unreal—although the knowledge that he recently converted from Anglicanism to Greek Orthodoxy may help us to understand his direction, while providing the comfort of knowing that mystery and poetry are somewhere in the background. Thus forewarned and with a volume of religious poetry in the other hand, Swinburne can be read with great profit.

Far more poetic is Keith Ward, who separates good science from bad philosophy in his detailed examination of the arguments of Hawking (there is no place for a creator in a completely self-contained universe), Peter Atkins (the universe created itself out of nothing), Dawkins (randomness and sufficient time is the simplest explanation for the way things are) and Michael Ruse (who reduces ethics to genetics). In the course of revealing the logical tricks which these thinkers employ, pointing out the fallacies in their arguments and meeting general concerns about natural and moral evil, Ward also develops a rich and positive vision of God. In this vision, developed philosophically but expressed poetically, 'the cosmic mind' in 'the unlimited ocean of being' 'gives birth to the universe' and then draws forth its fruitful potentiality from the 'emergent web of interacting energies' to bring about beauty, life and, ultimately, consciousness.

Swinburne once began his *Coherence of Theism* by observing that 'it is one of the intellectual tragedies of our age that, when philosophy in English-speaking countries has developed high standards of argument and clear thinking', theology has been influenced by a continental tradition 'which, despite its considerable other merits, has been distinguished by a very loose and sloppy style of argument'. In Ward and Swinburne we find two of a small but growing band of theologians, whose sharpness of argument has the capacity not only to meet the intellectual challenges of materialist scientists, but also to furnish the community with a plausible, even exciting, vision of God. ■

Rufus Black is Chaplain of Ormond College at the University of Melbourne and a lecturer in the United Faculty of Theology.

Jews and Christians

Does the Vatican statement on the Holocaust go far enough?

THE LONG-AWAITED Vatican statement on the Church's response to the Holocaust has dismayed some Jewish religious leaders who were expecting a much more forthright recognition of Church failures to oppose anti-semitism, as some European bishops' conferences have done.

Pope John Paul II has himself vigorously denounced anti-semitism and strongly promoted closer contact with Jews. He wrote on 12 March that the 'Shoah' (Holocaust) remained 'an indelible stain on the history of the century', and that the Church called its adherents to repent of 'past errors and infidelities'. He hoped the Australian Cardinal Edward Cassidy's document, *We Remember: A Reflection on the Shoah*, would help 'heal the wounds of past misunderstandings and injustices' and prevent 'the unspeakable iniquity of the Shoah' being repeated.

As president of the Vatican Commission for Religious Dialogue with the Jews, Cardinal Cassidy lamented that, on balance, the relationship between Catholics and Jews over 2000 years 'has been quite negative'. Erroneous and unjust interpretations of the New Testament blamed Jews for the death of Christ, and resulted at times in discrimination and even persecution.

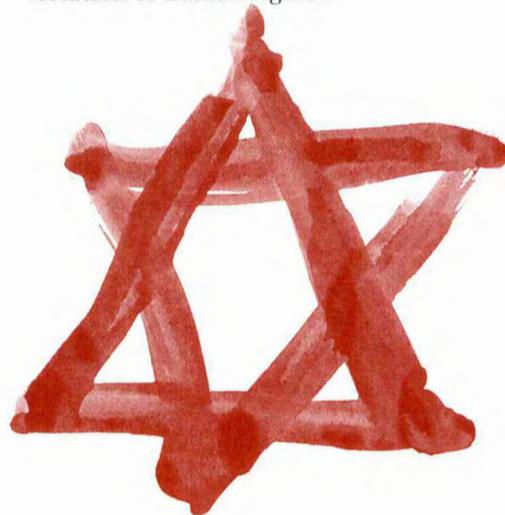
He acknowledged that many Catholics, including Pope Pius XII and his representatives, had saved hundreds of thousands of Jews, but many Christians failed to resist adequately. 'We deeply regret the errors and failures of those sons and daughters of the Church.'

The Cardinal concluded that 'the Catholic Church desires to express her deep sorrow for the failures of her sons and daughters in every age. This is an act of repentance (teshuvah) ... We wish to turn awareness of past sins into a firm resolve to build a new future in which there will be no more anti-Judaism among Christians.'

Cassidy stopped short of asking the Jewish people for forgiveness and, though an apology is implied in the expression of sorrow for Catholic failures to defend Jews, it is not formally stated.

Cassidy's statement was not as forthright as the French bishops' declaration of repentance for anti-semitism in the Church, made in September 1997 at Drancy in Paris, a staging camp for 75,000 Jews who were deported to Nazi death camps. Among those who passed through Drancy and died at Auschwitz was the mother of Cardinal Lustiger of Paris, who was present.

The French bishops said that it was time for the Church to recognise 'the sins committed by members of the Church, and to beg forgiveness of God and humankind', for French Church authorities in 1940 acquiesced 'by their silence in the flagrant violation of human rights'.



Ignoring papal condemnations of anti-semitism and the writings of leading theologians, anti-Jewish prejudices in France had affected 'Christian doctrine and teaching', so that 'the venomous plant of hatred for the Jews was able to flourish'. The bishops continued arguing that Church authorities gravely failed to correct these distortions in Christian culture, reducing people's capacity to resist full-blown Nazi anti-semitism.

The French bishops in 1977 declared that, despite the protests of five bishops against the 1942 genocidal policy of the Vichy regime and the heroism of some clergy and laity, 'silence was the rule'. 'In the face of so great and utter a tragedy, too

many of the Church's pastors committed an offence, by their silence, against the Church itself and its mission.' 'We confess this sin. We beg God's pardon, and we call upon the Jewish people to hear our words of repentance.'

In contrast to this French statement, Cassidy did not impute any blame to Church authorities. He quoted the Pope that: 'In the Christian world—I do not say on the part of the Church as such—erroneous and unjust interpretations of the New Testament regarding the Jewish people and their alleged culpability have circulated for too long, engendering feelings of hostility towards this people.'

IRONICALLY, the 'Shoah' document has been sharply criticised, even though Cardinal Cassidy has greatly advanced Catholic-Jewish understanding since being appointed president of the Vatican's Commission for Religious Relations with the Jews. Then at 'a very low ebb', Vatican-Jewish relations improved after a meeting of the Catholic-Jewish liaison group in Prague in 1990, and culminated in the Vatican recognition of Israel in December 1993. The liaison committee has continued to meet, and on 23–26 March gathered inside the Vatican for the first time, a few days after Cassidy's 'Shoah' statement was released.

Dr Gerhard Riegner, honorary vice-president of the World Jewish Congress, said he was 'deeply impressed' by the 'very strong passages' calling for repentance and the willingness to review past 'anti-Judaism' in the Church. But he was seriously disappointed at the failure to take a clear position 'on the direct relationship between the teaching of contempt and the political and cultural climate that made the "Shoah" possible.' He also had strong reservations about the presentation of some historical facts. He welcomed Cassidy's saying that the document was not a conclusion but a further step to deeper understanding.

In reply, Cassidy sought to clarify the theological assumptions behind the document's use of the word 'Church', as

referring to the theological perspective as the mystical bride of Christ. Moreover, the document's reference to 'the sons and daughters of the Church' was not meant to exclude members of the Church at any level. In other words, Cassidy was implying that it was up to historical research to establish any Catholic failures to combat anti-semitism, even by senior members of the hierarchy; there would be no whitewash.

In response to the Jewish demand for impartial access to the relevant archival material, Cassidy suggested that a team of Jewish and Catholic scholars review the archival material already published and then seek further clarification. The meeting agreed on a joint statement on the environment and discussed plans to celebrate the Jubilee of the year 2000.

The Vatican in 1965 had commissioned a team of scholars to produce a series of publications of Vatican archives relating to the Jewish tragedy. The nine volumes of documentation took more than 15 years to complete. The late US Cardinal Bernardin in 1992 and, more recently, a scholar on Jewish-Catholic relations, Fr John Pawlikowski, also called for greater access to Vatican records.

Despite the disappointment of some Jewish leaders, Cardinal Cassidy's document highlights Vatican determination to oppose vigorously any form of anti-semitism, purge from its memory any unjust or erroneous interpretations of Scripture, and to continue to deepen Catholic-Jewish understanding.

The manner in which some of the media commented on the role of the Church during the Holocaust illustrates the difficulty of escaping polemical views and doing justice to complex and varied situations, especially as much of the historical data has not yet been assessed.

Nevertheless, Catholics have been much more forthright about Church failures to combat anti-semitism vigorously enough, and have sought forgiveness from Jews. Catholics have also listened more keenly to the experience and theological meaning Jews find in the Holocaust, and the significance of the return to the land of Israel. Hence the Vatican recognition of the State of Israel.

On the broader historical level, there has been an expansion of studies in Jewish-Christian relations from New Testament times, highlighting how intimately linked were Jews and Christians for several centuries. These studies have great importance not just for a more accurate

understanding of the development of early Christian movements, but for a deepening relationship for the future. For Judaism has been the mother of Christianity.

However, the Palestinian question provides a painful backdrop for Catholic-Jewish relations. Though the Catholic Church is conscious of the failure of many of its members before the Holocaust, it accepts a duty to defend the rights of the Palestinians. Even Israeli and Jewish world opinion is deeply divided on the Palestinian issue in the face of the hard-line attitudes of the present Israeli Government and the dismaying set-backs to the peace process.

For perhaps what the Holocaust has most urgently to say to the world is that human rights belong to all people, and in God's sight all must stand together to defend the oppressed and persecuted. Does not then the suffering of the people of East Timor have a claim on the consciences of both Christians and Jews? And what about the fate of millions of people in developing countries, particularly in Africa and Asia, enduring intolerable poverty and hardship? Will their descendants not point an accusing finger at the developed countries and ask: did you do enough to help us? Many peoples still suffer their own version of the Holocaust.

The approach of the year 2000 offers Christians and Jews the chance to renew the ancient Jewish tradition of the Jubilee, of freeing captives and remitting debt. In the modern context, this could translate into more determined international efforts to lift living standards in developing countries, resolve the debt problems of the poorest countries, and set a new standard for the protection of human rights everywhere. ■

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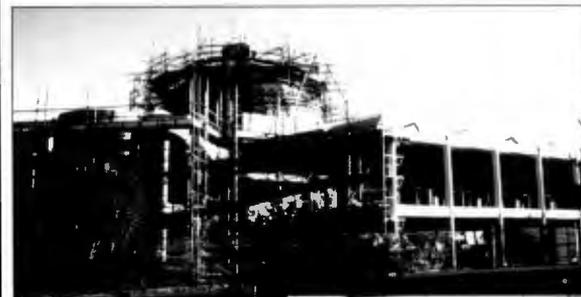
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ES/798

The revenge of politics

FOR DECADES, 'stability' was the catch-cry of Suharto's New Order regime, the over-riding principle which justified any action. As President, Suharto reaped generous praise from Australian leaders for ensuring 'stability' in an ethnically, religiously and culturally diverse archipelago of 13,000 islands. Human rights abuses were lamented and then excused with the next breath. Political leaders from both sides of Parliament entreated us to show understanding for the fact that Indonesia was a nation in transition and that 'stability' was the prerequisite for economic growth and development. By implication, democratic norms such as freedom of the press, freedom of association and freedom of assembly threatened to unleash chaos and anarchy on Australia's doorstep.

The great irony is that for at least ten years it has been obvious that the biggest threat to Indonesia's 'stability' was the continued presence of Suharto himself. We have now witnessed the truth of repeated warnings by eminent Indonesian and foreign observers that the personalisation of political power in the figure of Suharto created an increasingly unstable environment. The international financial community's dramatic loss of faith in the Indonesian economy was heavily influenced by Suharto's failure to groom a serious successor and his determination to stay in office for a seventh five-year term. This was compounded by Suharto's near-complete refusal to allow the development

of meaningful political structures outside his own power or that of the military.

It would be an exaggeration to call Suharto the Tito of South East Asia, and alarmist to predict that the Indonesian Republic will now splinter like the Balkans into secessionist rebellion, ethnic bloodletting and religious conflict. The original inclusive and tolerant ideal of Indonesian nationalism is battered but vibrant and remains a powerful force for integration and cohesion. But the comparison with Tito is meaningful because it highlights the fact that the long-term

According to poet and Tempo editor Goenawan Mohamad, the killings are a nightmare in the Indonesian psyche, the trauma of one generation that lives on in the next. ... 'A slight tear in the cloth quickly can be seen as a gaping hole. We tend to react to conflict with a lack of self-confidence'.

suppression of political views and grievances can act like a pressure cooker, intensifying communal tensions and sowing the seeds of distrust.

It is no coincidence that the rioting accompanying Suharto's fall took on a sinister anti-Chinese character. According to Indonesia's Human Rights Commission (arguably the one Suharto institution that dared to assert a degree of independence from its creator), provocateurs were bussed into Chinese quarters of Jakarta already armed with stones. The Commission has

so far shied away from pointing the finger of responsibility at any particular body for this action, but even without covert organisation, Suharto's deliberate courting of large conglomerates owned by Chinese-Indonesian families had created fertile ground for anti-communal sentiment and violent racism, particularly in a period of economic slowdown.

In remembering Suharto's New Order we must remember that the flip-side of 'stability' was a systemic violence that waxed and waned in intensity. We are all familiar with events in East Timor such as the Dili massacre, but other New Order excesses may be in danger of slipping from memory.

Take the Petrus (or 'mysterious') killings between early 1983 and late 1984, when some 5000 alleged criminals and gang members were summarily executed, their bodies left on open display on the streets of Jakarta. In his ghost-written biography, Suharto took personal responsibility for this brutal clean-up of the Indonesian underworld, describing it as a kind of 'shock therapy'.

Similar tactics were used to quell a violent rebellion in the northern province of Aceh between 1989 and 1991. At the time, Asia Watch reported: 'Although bodies with gunshot or stab wounds continue to be found by roads, along rivers or in plantations in Aceh, no official inquests or investigations are conducted and the military often refuses to allow the bodies to be buried in accordance with Islamic practices.' According to a subsequent report by Amnesty International, 'an estimated two thousand civilians, including children and the very elderly, have been unlawfully killed, some in public executions and others while in military custody'.

Then there are the individual cases, like the murder in 1993 of 23-year-old labour activist Marsinah, the daughter of poor rice farmers in East Java. Marsinah was involved in a strike for higher pay at the watch factory where she worked. When the military coerced 13 co-workers into resigning, Marsinah took a letter of protest to the factory management. After that she disappeared. Four days later her body turned up more than 100 kilometres away. She had been stabbed, raped and mutilated. For months there was no attempt to investigate Marsinah's murder (see *Spencer Zifcak*, p30). Things only began to move after international attention on the case coincided with US pressure on Indonesia over labour rights.

The military then arrested nine suspects, all associated with the factory. After a period of detention they confessed that Marsinah had been killed by company security guards at management's behest. But when the case came to trial the accused retracted their statements and claimed that they had been tortured into making confessions. They described having electric shocks administered to their ears and genitals, being forced to lick the floor with their tongues and having their toes crushed under chair legs. Marsinah's murder remains unsolved.

The list goes on—the 1984 massacre of protesters in the poor Jakarta port district of Tanjung Priok, the 1996 murder of journalist Fuad Muhammad Syafruddin in Yogyakarta and the security forces' arbitrary killing of at least 13 villagers in the Mapnduma region of Irian Jaya within the past 18 months.

THESSE WERE NOT isolated incidents or momentary lapses of military discipline but the calculated use of terror, the New Order's ultimate weapon of discipline. As Indonesia's former military commander General Try Sutrisno commented after the 1991 Dili massacre: 'The armed forces are determined to eliminate whoever disturbs stability.' He told an audience at a Jakarta military academy: 'It is necessary to fire on delinquents, which is what agitators are, and we will fire on them.' (In a forthcoming article for the magazine *Inside Indonesia*, academic Richard Tanter argues powerfully that there are grounds for Suharto to be tried for crimes against humanity.)

In highlighting the systemic violence of the New Order, I do not mean to overlook the real economic achievements of the Suharto period or to downplay the state of chaos and desperate poverty to which founding President Sukarno had reduced

the country by the mid '60s. Between 1966 and 1992, Indonesia's GDP increased five-fold and rice output trebled from 10 million to 32 million tonnes. There were tremendous advances in education, health care and infrastructure. The number of people living in poverty was halved, as was the proportion of babies dying before their first birthday. But it should be noted that these changes were not achieved purely by good

What we are witnessing in Indonesia is the revenge of politics. It is a reminder that economic growth alone can never guarantee social cohesion and harmony. Nor can one man be a guarantor of true stability, no matter how sagacious, charismatic or powerful he may be.

economic management. Suharto's regime was buoyed up by oil revenues, an extended Asian boom and massive inflows of foreign aid and Suharto's failure to build enduring political structures means that many economic gains were squandered in the chaos surrounding his downfall.

Neither can we remember Suharto without reference to the bloodletting which gave birth to his New Order. On 30 September 1965 a group of leftist officers murdered six of Indonesia's top generals, allegedly as part of a plot to take power by the powerful PKI, the Communist Party of Indonesia. The man who took control in that crisis was Major General Suharto.

In the weeks and months that followed, members of the PKI and suspected sympathisers were either hacked to death or rounded up and thrown in prison without trial. There is no way of verifying the exact number of people killed but serious estimates range between 250,000 and one million. As Robert Cribb comments in the introduction to the book *The Indonesian Killings*, in most accounts of Indonesian history 'the killings burst suddenly upon the scene and then are over, having arrived and departed with the rapidity and evanescence of a tropical thunderstorm'.

In the Australian media the massacres are often incorrectly described as anti-Chinese killings. (This was only true in a few specific areas.) The violence was political in character and there is evidence

that the massacres were often encouraged, organised or carried out by army units. As Cribb writes: 'Licensed civil violence was a lever pulled at the centre of national politics, but it was a very crude political mechanism.'

According to poet and *Tempo* editor Goenawan Mohamad, the killings are a nightmare in the Indonesian psyche, the trauma of one generation that lives on in the next. In the decades that followed, social tensions were denied and suppressed, as Indonesians were fed a corporatist vision of the nation as a harmonious family, with Bapak Suharto as its head. The result, as Goenawan wrote as early as 1981, is that Indonesians remain unfamiliar with argument and ill-equipped to deal with conflict.

'A slight tear in the cloth quickly can be seen as a gaping hole. We tend to react to conflict with a lack of self-confidence'.

There are many hopeful signs as we watch the dramatic unravelling of Suharto's many decrees and strictures—the freeing of political prisoners, the lifting of controls on the press, the legalisation of independent trade unions. But the task is huge and the potential for conflict remains enormous. As long-suppressed calls for justice surface and as different social groups contest the structure of new institutions and policies, Indonesia could be in for a period of prolonged instability. This is Suharto's true legacy.

What we are witnessing in Indonesia is the revenge of politics. It is a reminder that economic growth alone can never guarantee social cohesion and harmony. Nor can one man be a guarantor of true stability, no matter how sagacious, charismatic or powerful he may be. To quote Goenawan Mohamad again, 'democracy requires a system that avoids dependence on a single individual' so that 'a leader can enter without the accompanying fanfare and can depart without leaving anxiety in his wake ... A political system can be said to be 'mature' once dependence on an individual for leadership can be avoided or reduced'. ■

Peter Mares presents 'Asia Pacific' on Radio National each weeknight at 8.05pm and at 8.05 am on Saturday mornings.

Caught in Indonesia

Spencer Zifcak revisits the complexity and corruption of Indonesia's legal system.

RATNA SARUMPAET is one of Indonesia's best known actresses. In 1997 she wrote a play called 'Marsinah'. Marsinah was a member of Indonesia's officially recognised union, the SPSI. She worked in a factory in Eastern Java. In 1994, fed up with her poor working conditions and angry about the meagre remuneration she and her colleagues received, Marsinah, just 23, led an unauthorised strike. A few days afterwards she was raped brutally and murdered. The identity of her killer remains uncertain. Marsinah became a martyr to the trade union cause.

Ratna Sarumpaet's one-woman play dealt with key aspects of Marsinah's short life. At times, however, she would step out of role, step forward on stage and address her audience on the parallels that could be drawn between the conditions oppressing her subject and those which still prevail in the country at large. About 600 people attended the first performance in Jakarta and were held in thrall. The success was short-lived, however. The Indonesian authorities prohibited any further performances in the capital and the play itself drifted into oblivion.

The prohibition marked Sarumpaet. It sharpened her appreciation of political repression and provoked her engagement in oppositional political activity. Around her she gathered a small but dedicated group of activists—artists, lawyers, journalists, students—all of whom were devoted to resisting artistic and political suppression.

In March this year, she convened a 'People's Summit', timed to coincide with the re-election of General Suharto as President of Indonesia by the People's Consultative Assembly (MPR). It was hardly an imposing affair. Some 50 people turned out to attend the meeting, which took place in a small hotel in central Jakarta. Moments before the meeting was scheduled to begin, Sarumpaet was approached by the hotel management and told that the hotel could no longer house the event as the police had forbidden it. She took to the podium and announced that the summit could no longer continue. She apologised and expressed regret that freedom of speech and expression no longer appeared to exist in Indonesia. The meeting, she said, would have to be abandoned but before it was she asked that all present join her in singing the national anthem and in saying a prayer for Indonesian democracy. The participants complied and then left the premises.

Outside they were met by the constabulary. The police converged upon Sarumpaet, who clung to the arm of a foreign diplomat. She was encircled by several supporters including her young daughter who begged that her mother should not be taken. Sarumpaet cried out in English and Indonesian for an arrest warrant. 'I am the arrest warrant,' the supervising officer replied. Subsequently, she and nine others, including her daughter, were detained and transported to prison. They have remained there pending trial ever since.

I was present at the legal proceedings in which Sarumpaet challenged the validity of her arrest. A statuesque and striking woman said to have the 'highest cheek bones in all of Java', Sarumpaet made her entrance to the North Jakarta District Court accompanied by a bevy of defence lawyers and security guards. It was the day on which the judge would deliver his decision. There was little optimism among the 250 or so Sarumpaet supporters who crammed the courtroom.

The judge began by summarising the evidence provided by defence witnesses—the prosecution had called none—but that was as far as his commitment to procedural fairness would take him.

Having noted the circumstances of the meeting and the arrest as Sarumpaet had described them he proceeded to cite the provisions of the relevant law. Noting that the law required that any person holding a meeting that might undermine the stability of the state must have an official permit, he said simply that the defendant had been caught 'red-handed' without one. Pre-judging the substantive issue, he concluded that Ratna's arrest had proceeded on reasonable grounds as she had self-evidently broken the law and that, therefore, such defects as there were with the arrest procedure and warrant must be considered as a mere administrative triviality. The case, he said, should proceed to trial.

There followed a remarkable series of events.

Ratna's defence lawyer jumped to his feet and screamed at the judge at the top of his voice. He demanded that the judge examine his conscience and accused him of political complicity. Procedural protections under Indonesia's Criminal Code (KUHP) were valueless, he declared. 'From now, even to sing the National Anthem and to call for prayer is a criminal offence in this country.'

At this point, heavily armed security guards entered the courtroom and ushered the judge out the back door. As he left, Sarumpaet herself leapt onto the bar table and delivered a political speech extempore to cheering supporters. The security guards returned and ushered her through the throng into a waiting police wagon, but not before she had climbed on to its step, turned and issued a further denunciation of the court and its 'political justice'. She now waits in prison until her next appearance on the politico-legal stage.

THE LAW UNDER WHICH RATNA HAS BEEN CHARGED is sweeping in scope and of intensely political origin. Together with the Anti-Subversion law, the Law Against Political Activity was first issued as a Presidential Decree by former President Sukarno when Indonesia appeared on the brink of confrontation with Malaysia in the early 1960s. After the bloody massacres of 1965 and Sukarno's subsequent replacement, the 'New Order' Government of President Suharto promised that all decrees conferring emergency powers would be reviewed. The first provisional Parliament established under the New Order Government was given two years during which to determine whether these and other decrees issued by Sukarno were in the interests of the people and whether they were constitutional. It had been widely assumed that the Law Against Political Activity and the Anti-Subversion Law would be repealed. Instead, in 1969, the decrees were incorporated into Indonesian law by statute with references to threats to Sukarno's 'Guided Democracy' replaced with threats to 'Pancasila', the official philosophy of General Suharto's New Order regime.

In summary, the Law on Political Activity provides that no political meeting, gathering or other similar activity shall take place without an official permit. There are a number of features of this law which merit particular attention. First, it requires that the organisers of any and every political meeting having more than five participants must obtain a permit from the police before it can be held. This gives the police carte blanche to determine whether and when people may gather to discuss matters of contemporary political concern. Secondly, the meetings in relation to which a permit must be obtained are those which might have the effect of 'undermining the State'. Such a definition makes it exceptionally difficult for organisers to determine whether a permit is required and, correspondingly, accords the authorities a virtually unlimited discretion to determine whether any particular meeting falls within that definition. Thirdly, the law does not require that a meeting should be reasonably likely to undermine the State. Rather it makes it sufficient that such an effect may possibly occur. Fourthly, the law does not set down any criteria in relation to which a judgment about whether a meeting might undermine the State should be made. This renders the judgment subjective and arbitrary.

Ratna Sarumpaet was also charged under a second law which, as with the first, has been used with increasing frequency in the past few months. This law, which is contained in Indonesia's Criminal Code, forbids a person from expressing 'hate or insult to the Government of the Republic of Indonesia'. The law is taken directly from a Dutch statute designed originally to suppress the pre-war nationalist movement and carries with it a maximum jail term of seven years. Again there appear to be no clear legal criteria in relation to which a judgment about whether a person has expressed 'hate' or 'insult' might properly be made.

The companion Anti-Subversion Law suffers from all these defects and more. The law describes a wide range of activities that might be considered subversive. These include, for example, actions which could distort, undermine or deviate from the official State ideology of 'Pancasila', otherwise destroy or undermine the power of the State, or disseminate feelings of hostility or arouse



disturbances or anxiety among the population or broad sections of society or between the Republic of Indonesia and a friendly state.

It is not necessary that any of the acts described should actually have endangered the Republic. It is sufficient to demonstrate merely that such an effect were possible. Further, a person charged may be convicted even though he or she did not intend the consequence concerned and was not responsible for it. It is sufficient that the person might have been 'expected' to know that the relevant consequence might eventuate. Quite whose expectation this might be is legally unclear although in practice it has become that of the Government.

The Anti-Subversion Law sweeps aside a host of procedural protections normally guaranteed to detainees by Indonesia's Code of Criminal Procedure. Among other things, it accords wide power to the military and to prosecutors to search premises and seize material, to investigate cases and to imprison suspects for up to one year without trial. This latter period of detention is renewable indefinitely. Any person may be called as a witness in the proceedings, including any professional person whose duties of confidentiality would normally prevent their evidence from being tendered. A refusal to give evidence is punishable by jail. The sweeping nature of these procedural exemptions has resulted in the substantial abuse of the rights of political detainees.

Following the arrest and detention of many political activists involved in the peaceful occupation of the premises of the Democratic Party of Indonesia (PDI) in July 1996, the Indonesian Human Rights Commission (KOMNAS HAM) called upon the Government to repeal the subversion law. It argued that the law contradicted existing criminal statutes, encouraged the abuse of human rights because of that contradiction and that its general nature permitted the Government to apply its provisions arbitrarily. In so doing, the Commission added its voice to those of the UN High Commissioner for Human Rights, the UN Special Rapporteur on Torture and the International Commission of Jurists, among many others.

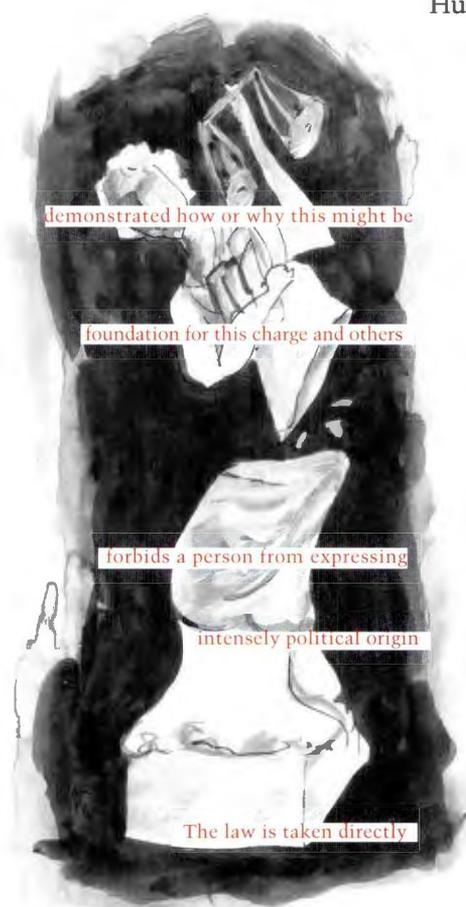
Until July 1996, it seemed that the Indonesian Government had responded to the sustained international criticism of these repressive laws by moderating their use. Since then, however, they have been invoked with renewed vigour. In the last 18 months in Jakarta alone more than 200 people have been imprisoned under the laws just described.

ON MY FIRST WORKING AFTERNOON IN JAKARTA I met Dr Sri-Bintang. We encountered each other in a small holding room at the back of the South Jakarta District Court where Bintang was awaiting the recommencement of his trial on charges of subversion. Small, animated, bespectacled, expressive and rueful, he reminded me a little of Woody Allen as he held court among his family and friends. I asked him how he felt. 'Well, you know, one has to be brave—and always optimistic,' he responded.

Bintang, 53, had been a Professor of Technology at one of Jakarta's major technical universities. Subsequently, he became a member of parliament, representing the Islamic PSI party. In 1994 he travelled to Europe and while there delivered two speeches, one in the Hague and the other in Berlin, critical of the undemocratic nature of the Suharto regime. In the speeches he described Suharto as a dictator, a term apparently regarded by the authorities as particularly offensive.

It was Bintang's misfortune to precede General Suharto in Berlin by only two weeks. Upon his arrival, Suharto was met and publicly embarrassed by a small but vocal band of protesters. In an interview soon after he was visibly angry and upset. Not long after Suharto's return to Jakarta, Sri-Bintang was arrested and charged with sowing hatred against the President. He was found guilty and imprisoned for a term of two years and 11 months. The University stripped him of his teaching position. No connection between Bintang and the demonstration was ever established. The conviction rested solely on the content of Bintang's addresses abroad.

Soon after his release from prison, Bintang resigned from the PSI and established his own political party, the PUDI. Under a package of political laws enacted in 1985, however, only three parties are officially to be recognised—Golkar (the Government party) PSI (the Islamic party) and PDI (the party led, before her engineered removal, by Megawati Sukarnoputri, the daughter of former President Sukarno). Bintang travelled the country seeking support for his plans for a more democratic and radically decentralised Indonesian republic. Then, he had the temerity to declare his candidacy for the Presidency in the elections to be held in March 1998. Everyone knew that only one nomination for President would go forward, that of General Suharto. With Bintang's declaration, however, official patience ran out. He was arrested and charged once more with subversion.



The indictment makes interesting reading. Five events are recounted as evidence of subversive activity. Bintang, it is said, organised a meeting to announce the formation of his new political party, another to develop its constitution, another to declare the party's formation and adopt its constitution and another to declare his candidacy for President. Finally, it says, he sent out greeting cards to his supporters announcing the imminent dissolution of the 'New Order' Government and the introduction of his own.

In Court that afternoon, Bintang delivered his demurrer. He spoke eloquently, energetically and without pause for two-and-a-half hours. He agreed that the events set down in the indictment had occurred but argued that they did not and could not constitute subversion. The prosecution, he said, had simply taken it for granted that the meetings he had organised were subversive. But it had never demonstrated how or why this might be the case. All the meetings described had been publicly announced and conducted. Without conspiratorial, secretive or agitational components it was difficult to understand how any subversive intent could be proven. The simple formation of a political party did not in and of itself demonstrate an intention to overthrow the State ideology and neither did a declaration of one's candidacy for President. His party's manifesto, he said, had explicitly embraced 'Pancasila' ideology and recognised the primacy of the three-party system.

As he moved from the particulars of the indictment to more general observations upon political freedom and suppression, Bintang's presentation became ever more passionate. The Anti-Subversion Law, he argued, was cast so widely that any intellectual writing on government could be outlawed at the Government's behest. He acknowledged that he had criticised the operation of Indonesian democracy but in doing so he had sought only to expose the strength of executive power, corruption wherever it existed and gross inequalities of wealth and power. Everyone, he said, acknowledged the existence of these social characteristics privately. He had sought simply to draw them into the public domain. Such fair comment, he pleaded, could not be regarded by any reasonable person as either subversive or dangerous to the continuation of the Indonesian State.

He looked directly at his judges and concluded:

the activities in which I have been engaged represent entirely legitimate political action. I have sought only to exercise freedom of speech and freedom of assembly. Every one of my activities has been consistent with the United Nations framework for human rights, with the rule of law, with the Indonesian constitution and with the fundamental tenets of democracy. Who are you to convict me for this?

THROUGHOUT HIS PRESENTATION, Bintang's eyes darted between the three judges, assessing, accusing, but theirs rarely rested upon him. One of the most disconcerting elements of this trial and the others was the self-evident unwillingness of members of the judiciary to engage with the accused and their representatives except when absolutely necessary.

In delivering his decision in Ratna Sarumpaet's proceeding, the judge never once looked at her. In Bintang's case, the presiding judge with whom I had spoken prior to the afternoon session at least made eye-contact from time to time and recorded the odd note. His two colleagues, however, stared distractedly at the ceiling, out the high windows, into their hands, at movement in the gallery, at the heavily armed security police in the doors of the court, focusing it seemed everywhere except upon the lively and intense defendant claiming their attention. Their expressions betrayed no trace of concern or attentiveness, but rather boredom, listlessness and the occasional flash of irritation as Bintang turned his argument to corruption not only in government but also in the judiciary. A less inspiring reception to legal argument would be hard to imagine.

Without a genuinely independent judiciary, trials like this become an elaborate charade. In the ordinary courts of Indonesia, in the current political cases, no trace of independence can be discerned. There are a number of reasons for this.

The Indonesian judiciary is directly responsible to the Minister for Justice. It is not administered as a separate and distinct judicial hierarchy, but forms part of the executive arm of government. Judges' appointment, remuneration, promotion and reward therefore are in the gift of the Minister and the Government. In political cases, it can reasonably be expected that a decision favourable to the Government will be rewarded, a decision adverse to it, penalised.

While the significance of judicial independence is acknowledged in the higher levels of the administration, its practical application and import is not. So, for example, in a speech in April the recently appointed Minister for Justice, Professor Muladi, urged his judges to be more courageous and less conformist in their decision-making. To encourage them, he cited the example of one

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judge in Yogyakarta who had made a decision to free an accused after having found that there was insufficient evidence to link him to the murder of a well-known journalist. That judge, he said, had been promoted soon after to head a Jakarta District Court. That it might be inconsistent with judicial independence for a judge to be promoted following an approved decision and that the promotion should have been effected directly by the Executive seemingly went unappreciated.

Appointments to the country's highest court, the Supreme Court, are made routinely from the ranks of the military, the Government and the civil service. No appointment from the private legal profession has ever been made.

Senior officials, including judges, are required to be members of the ruling Golkar party and to join an association under the chairmanship of the Minister for the Interior, KORPRI. The association obliges all members to follow the association's rules and guidelines. Further, in every district a tripartite consultative structure has been established that involves periodic meetings of the chairman of the District Court, the chief prosecutor and the chief of police. Occasionally, these meetings are supplemented by others in which the commander of the local military district and the head of the municipal government are also involved. Meetings of both kinds appear to be held more frequently when political cases stand to be decided.

In political cases, proceedings are routinely prejudiced by statements from senior military and governmental officials implying the guilt of the parties being tried. For instance, in Sri-Bintang's case a senior General was quoted as saying that the accused's mailing of greeting cards deriding General Suharto's prospects for re-election was clear evidence of subversive activity. During the course of earlier trials of PRD activists in 1997, General Suharto himself had said that the PRD 'had conducted activities which had the characteristics of insurgency'.

In subversion trials, the courts' setting can also be intimidating. In all the proceedings I witnessed, heavily armed guards stood at the hearing room doors and patrolled the corridors. Plain clothes intelligence officers were ever present.

Judges are very poorly remunerated, leaving them open to monetary and political inducement.

To supplement their meagre incomes, many engage in commercial activities beyond their profession, so producing undesirable conflicts of interest. In the private legal profession, disillusionment with the calibre and partiality of the judiciary has become so great that, in civil cases, every effort is made to reach a settlement before a matter reaches court. In commercial cases, private arbitration has become the preferred method of dispute resolution. Acknowledging some of these problems, Justice Minister Muladi has recently announced a war on judicial corruption. It has been met with reservation among the judges and considerable scepticism in the legal profession. Nevertheless, everyone hopes that some inroads will be made.

WITH SUCH AN ENVIRONMENT, it is unsurprising that partial, political decisions should be made in party political proceedings. But bias extends considerably further into trial procedure.

To take only the most recent example, on 11 February of this year 122 people were arrested for having taken part in a demonstration. The demonstration, which took place in the main shopping street of Jakarta, had been in favour of lower food prices. The demonstrators, some of whom were loosely associated with Megawati Sukarnoputri's opposition PDI party, were rounded up and incarcerated at the central metropolitan police station. Sixty-five of them were subsequently removed to another police detention centre.

The demonstrators challenged the validity of their arrest and detention, invoking the Criminal Procedure Code's pre-trial procedures. On the day of their hearing, their families, friends and supporters gathered at South Jakarta District Court to catch sight of their colleagues and loved ones. They were destined to be disappointed. Six separate court rooms had been set aside to process the demonstrators' appeals, but the defendants did not arrive. Their lawyers made inquiries and late in the afternoon it emerged that the police had refused to permit them to leave their cells to attend. The defence took their complaints about this refusal to the bench and all the cases were stood down until the following day.

That next day exactly the same thing occurred. The defendants were not released. Their lawyers again protested to the judges who asked that the defence proceed without the clients. There followed a heated interchange, the result of which was another adjournment with the judges indicating that they would decide overnight whether they could and would proceed in the defendants' absence. On the third day, the defendants failed to emerge yet again. The judges did not order their attendance but indicated that they were willing to proceed to a determination. All the defence lawyers walked out of court, leaving the judges and the prosecutors

The rights of the nation metamorphose into the rights of the ruler. The principles of Pancasila become personified in the President. Alternative political perspectives are swept aside in the name of consensus. Critics are crushed to preserve a governmentally defined harmony. Those not with the Government are designated as its enemies and as the enemies of the Pancasila state. The idea of community is transmogrified through ideology into tyranny.

to themselves. There followed a troubling scene in which the name of each defendant was read out followed by a one sentence statement from the judges in each court that the arrests had been made in accordance with the law.

This is but one of many startling instances of legal irregularity in the conduct of criminal proceedings. During my visit I observed many other deficits in trial procedure, principal among which were:

- the ready acceptance by the court of the validity of arrests in spite of the fact that the prosecution failed to call either the arresting officers or any other witnesses to demonstrate that reasonable grounds for an arrest existed;
- the refusal by the court to permit defence lawyers to question prosecution witnesses directly. Instead, the lawyers were required to direct their questions through the bench;
- the refusal by the court to inquire into claims by defence witnesses that their earlier contradictory evidence had been obtained under duress;
- the refusal by the court to require the prosecution to specify clearly how certain events could constitute subversion within the meaning of the term in the Anti-Subversion Law;
- the refusal by the court to step in and prevent defence lawyers being called as witnesses against their own clients;
- the intervention by the court to prevent difficult and pertinent questions being put to prosecution witnesses, such intervention being justified on the grounds that the questions were irrelevant.

One of the most alarming failures of the courts has been their refusal to countenance the release of detainees held on remand when the initial case against them has collapsed. Instead, the judges have connived in continuing their detention after having been given notice by the prosecution that entirely new and different charges would be laid. Defendants thus find themselves confronted by a moving feast of allegations, charges and indictments that cohere only on the first day of their trial. The proceedings against

Dr Muchtar Pakpahan, the leader of Indonesia's only free trade union, is the most celebrated case in point.

I MET DR MUCHTAR PAKPAHAN in his hospital room in central Jakarta. He has been ill for more than a year, having been diagnosed with a large tumour on his lung. His requests to obtain treatment overseas have been denied repeatedly by the Indonesian Government, although a Canadian medical team was recently permitted to assess him. His transfer from prison to hospital appears to have been beneficial as he told me on the first day we met that he was feeling considerably better than he had done. For a 44-year-old man, however, his movements were measured and slow.

Despite his poor health, his close relationship with his wife and four children and constant harassment by the authorities for almost two decades, Pakpahan's commitment to his cause seems undiminished. He has retained his position as head of the Indonesian Prosperous Workers' Union (SBSI), the union he helped to establish in the late 1970s to organise and agitate for minimum wages and conditions for workers whose labour has too often been abused. He speaks passionately about his social responsibility and the plight of Indonesia's people following the recent collapse of the Indonesian economy. One can see that the poverty and hunger being experienced by increasing numbers of workers hurts him.

In April 1994, Pakpahan and ten of his colleagues were arrested in Medan in Northern Sumatra and charged with inciting workers to demonstrate and to strike. He had been elsewhere at the time of the demonstration but was nevertheless held responsible. To these charges a later one of sowing hatred against the President was added and Pakpahan was convicted of the latter in November 1994. He was sentenced to three years and upon appeal the sentence was increased to four. Pakpahan requested judicial review of the conviction and sentence before the Supreme Court of Indonesia. In October 1995, his application for review was successful and he was acquitted.

Then, on July 29 1996, two days after the Government-backed break up of the occupation of the headquarters of Megawati Sukarnoputri's opposition party (the PDI), Pakpahan was re-arrested, interrogated and charged with subversion. Although the foundation for this charge and others was unclear, the implication appeared to be that Pakpahan had masterminded the occupation and had been responsible for the subsequent violence. In fact, at the time of the violence, he had been in another part of Java, three hours away, addressing a regional meeting of his union. He says he had no prior knowledge whatever of the July 27 occurrences.



In the event, these initial charges were dropped, the authorities realising apparently that there was no evidence which could plausibly link Pakpahan with the July 27 events. A raft of new subversion charges, however, were brought in their stead. Among other things these related to the publication of Pakpahan's book *Portrait of the Indonesian Nation* (a critical analysis of the operation of Indonesian democracy), to speeches and interviews that he had given in Europe and to his composition of a song 'Love Letter for Marsinah', a musical tribute to the murdered trade union activist.

To further secure their quarry, the Government, through the Chief Prosecutor's office, initiated a review of Pakpahan's earlier acquittal by the Supreme Court. The Court reconvened with surprising speed and overturned its own previous decision. It proceeded to reimpose the four-year sentence that had initially been handed down.

Muchtar Pakpahan retains his sense of humour in the face of this adversity. I told him that I was somewhat mystified by the fact that he had been arrested on one set of charges relating to the 1996 July 27 riots but that he was now defending himself in court on a completely different set. He paused for a moment and his face broke into the broadest grin as he observed wryly, 'It is a complete mystery to me too.' Later we spoke about elections in Northern Sumatra in which the local authorities are alleged to have manipulated the electoral rolls to ensure the success of their favoured candidate. 'That member of parliament,' he said, 'represents the computer'.

No-one, however, can doubt the sincerity and earnestness of his cause. In response to a question about the content of his book, he gave me a 45-minute lecture on all the deficits of Indonesian democracy which are its subject.

In the book, Pakpahan argues that in every facet of Indonesian political life power has been centralised in the hands of the President. A portfolio of political laws introduced in 1985 restricted the number and nature of officially recognised political parties. Presidential appointments to the parliament ensured that the 'New Order' Government retained legislative control and that General Suharto would be unchallenged in elections for President. Even where opposition political parties are permitted, parliamentary candidates have been screened for their suitability. In the regions too, the local mayors could be elected only if they met with official approval. Newspapers must be licensed by the Government and those, like *Tempo*, which had been too critical of government policy, have had their licences revoked. The police have no genuinely autonomous prosecutorial discretion, acting where required, on Government orders. The judiciary, while notionally independent, is subject to the overarching control of the Ministry of Justice. The constitution, the book concludes, is of only symbolic importance. The real law of the country is promulgated in the statutes of a thoroughly compromised parliament and by Presidential decree.

In Jakarta's legal and diplomatic circles it is widely accepted that such a description of Indonesian rule is accurate. I asked Pakpahan, therefore, why he thought he had been targeted by the authorities while many others have not.

'It is because the Government knows that it is only organised labour that can bring about change. It has learnt the lessons of Eastern Europe and South Africa. It does not want those events to be repeated in Indonesia. That is why I am being kept here ... It is why the Cabinet has decided that I should serve another five years in jail.'

THERE ARE OF COURSE COMPETING PERSPECTIVES on the delicate subject of political justice. Government officials, prosecutors and judges with whom I spoke were at pains to emphasise that Indonesia's legal norms and legal system differed from the Western models with which I was familiar. It is unhelpful, they argued, to apply Western concepts and standards to a country and to a system in which Eastern cultural and legal traditions prevail.

The key to understanding these traditions is the concept of 'adat law'. At one level, adat law can be understood simply as the traditional, uncodified law of the Indonesian people which preceded and now complements the codified law introduced by the Dutch colonial rulers and their successor nationalist governments. At another level, however, adat law can be appreciated as a system of rules and practices devoted to the attainment and maintenance of a community consensus arrived at by mutual consultation. On this view, justice consists not primarily in the application of explicit rules but rather in decisions which uphold and promote the general well-being. This is an understanding of the law that is more collective than individual in character.

Among the Javanese in particular, the underlying cultural value attached to consensus is pervasive. Outward expressions of dissatisfaction and hostility are frowned upon. Disagreements are finessed rather than arbitrated. Mutual assistance and compromise are preferred to argument



and enforcement. Balance, equilibrium, coexistence and harmony are valued over conflict, contract, dissent and diversity.

It is such values that are invoked by Government officials when criticism of Indonesia's human rights record are made. So, for example, the Indonesian Government has cautioned Western observers with respect to their defence of individual rights. These, it is said, should be balanced by 'the rights of the community, in other words, balanced by the obligation equally to respect the rights of others, the rights of the society and the rights of the nation'. Such an orientation is said to be more consistent with the cultural traditions and customs prevalent in developing countries where the interests of the community must of necessity prevail over those of the individual if economic growth and prosperity are to be achieved—if hunger, ignorance, backwardness and disease are to be defeated.

An attachment to collective values is also said to underlie Indonesia's 'Pancasila' democracy. Pancasila's principles—the belief in one God, a just and civilised humanity, a unified Indonesia, deliberative democracy and social justice—are understood to imbue the Indonesian constitution and inform not only its interpretation but also that of the general law.

So much might well be conceded in a State which fostered plural discussion and deliberation regarding national purposes, albeit within a wider civic and cultural framework. The problem in Indonesia, however, is that values, principles and traditions having distinctive and significant merit have been dragooned into the service of the State and have served to mask the deeper reality of authoritarian rule.

Thus, the rights of the nation metamorphose into the rights of the ruler. The principles of Pancasila become personified in the President. Alternative political perspectives are swept aside in the name of consensus. Critics are crushed to preserve a governmentally defined harmony. Those not with the Government are designated as its enemies and as the enemies of the Pancasila state. The idea of community is transmogrified through ideology into tyranny.

On the broader political plain, the Government is often heard to argue that Indonesian society is inherently unstable. The fragile unity which has been achieved and which has brought to its people a degree of prosperity until recently unknown can only be endangered by permitting too much diversity, difference and dissent. To fracture the republic would be to invite chaos and confusion.

So much may again be admitted. Indonesia's political history has from time to time been bloody and the memories of the political carnage of 1965 still exert a powerful influence on the Indonesian political psyche. Yet it is hard not to feel that the dangers of disintegration are exaggerated in order to cement the Government's pre-eminence. There is no guerrilla warfare here as, for example, there has been in the Philippines. Except in East Timor, separatist tendencies appear sporadic and muted. The political opposition is divided. The union movement is still in its fledgling stages. The students, while restive, are disorganised and their demands are diffuse. Non-government organisations promote legal and democratic reform and act for individuals in trouble but their collective strength remains negligible.

To contain these movements, however, the Government, in partnership with the military, has amassed a repressive state organisation of truly formidable dimensions. As one senior diplomat remarked to me, 'the mechanisms of political suppression are as pervasive as they were in the former USSR. The problem is that they are less sophisticated and therefore are worse'.

IN HIS HOLDING ROOM at North Jakarta District Court, I asked Muchtar Pakpahan whether he saw any prospects of success in defeating his prosecution for subversion. 'My success,' he responded, 'will not be here.'

'My success lies in the fact that more people now dare to say the truth. When I began in 1978 I was the only labour leader in Indonesia. Now there are many and many more will follow.'

I then asked whether he had a message for the international community.

'Tell your people in Australia that I am in jail because I stand for worker's rights, for the rule of law, for human rights and for democracy.'

'Tell them that it is better to die in justice than live in fear.'

The Indonesian judiciary is directly responsible to the Minister for Justice. It is not administered as a separate and distinct judicial hierarchy but forms part of the executive arm of government. Judges' appointment, remuneration, promotion and reward therefore are in the gift of the Minister and the Government. In political cases, it can reasonably be expected that a decision favourable to the Government will be rewarded, a decision adverse to it, penalised.

Spencer Zifcak is Associate Professor of Law at La Trobe University in Melbourne.

Footnote references are available on request. Tel. 03 9427 7311 or email eureka@mira.net

Brought to book

Colin Steele looks at the diminishing shelf-life in Australia's libraries.

IN THE CRISIS facing Australian universities the focus has inevitably been on human resource issues: increased costs to students, involuntary or voluntary redundancies and the closing of departments.

An intellectual time bomb, however, is ticking away beneath the surface, and it affects not simply the university research community but also the nation's access to a wide range of information. This is the crisis affecting the nation's university libraries.

Increasingly, we won't have the print resources for an informed citizenry to utilise. As the internet develops and expands inexorably we will need to provide a cultural balance and depth to the global aims and domination of the Microsoft and Murdoch empires. The global 'Roman' amphitheatre of Net TV is not far away.

The excellent three-volume set *Knowing Ourselves and Others: The Humanities in Australia into the 21st Century*, produced by the Australian Academy of Humanities and issued by the Australian Research Council, has received less publicity nationwide than the temporary injuries received by AFL or Rugby League stars. Yet the essays, many of which highlighted the library crisis, argue the case for the humanities and social sciences playing a societal role that extends far beyond the academy.

Sixty per cent of jobs in the UK are now classified as 'cerebral' and 30 per cent manual. Most of the recent industrial crisis on the waterfront, for example, relates to physical exports of commodities. But the transmission of intellectual commodities on the Net needs no dockside to pass through. The imbalance is profound for Australia, as America dominates both the software and the content of the Net.

Lifelong access to information will be needed in the 21st century. At the National Scholarly Communication Forum in Canberra on 4 May, Professor Don Aitkin, Vice-Chancellor of the University of Canberra, expressed his dismay at the lack of understanding by either political party of the long-term impact on society of the huge reductions in university budgets, in particular for libraries.

Despite the official comments of Government spokespersons, the funds available to universities have

declined dramatically in real terms. Commentators such as Professor John Niland, Vice-Chancellor of UNSW, are indicating a dire funding situation with a consequent reduction of quality in Australian higher education in the next five years—the 'dumbing down of education' as it is now being termed internationally.

In many disciplines the libraries of the universities are the major research collections in Australia. The State Libraries naturally have specific briefs, but their major research collecting, in any generalist sense (for example, as practised by the State Library of Victoria in the second half of the 19th century), is literally a thing of the past. The National Library of Australia has controversially reduced its research library acquisitions by 60 per cent in recent years. It no longer collects in many areas of the sciences, social sciences and humanities, and only spends \$2.6 million on overseas acquisitions. Many public libraries do not aim to hold major resource collections.

In the information environment there are some specific factors which have exacerbated the problems of resource funding. Throughout the world, academics have given away their intellectual output and libraries, at increasing cost, have bought it back from 'giga' science publishing giants such as Reed Elsevier. Reed Elsevier's profits average over £500 million annually, with serial publication price rises of about 10–15 per cent per annum. Electronic versions of serials often cost as much if not more than print journals, despite the fact that in the electronic environment, production, storage and distribution costs are lower. Electronic licence conditions are often more restrictive than the 'fair' use of print copies. In other words, electronic publishing globally is a mess.

So what can university libraries buy in such an environment? Less and less is the answer. The Department of Employment, Education, Training and Youth Affairs (DEETYA) until two years ago took notice in its supplementation index of a component for book and serial inflation—the Monash Index'. This has now been withdrawn, so the need for a reconstituted Index is essential. Current supplementation of 0.5 per cent per annum against 15 per cent per annum publisher inflation leads to an inevitable consequence: a major recurrent decline in resources. Add a devaluation factor of 15 per cent over the last year and the impact on libraries is horrendous.



There is simply no university library in Australia that can compare with Toronto University Library, which has an acquisition budget greater than Sydney University Library's total library budget.

University efficiencies of the order of 35 per cent to cover the decline in library budgets are impossible to achieve.

A decline in quality in information provision inexorably follows, unless other solutions are found.

Within the current budgets, redistribution is a short term possibility. Universities on average spend 5.1 per cent on their libraries, while spending 14.8 per cent on administration (source: Monash University). An increase of 0.2 per cent on 5.1 per cent would return \$15 million to the system and a total of 6 per cent would give \$64 million—which could yield ('top slice', in the jargon) national solutions to the present crisis.

In 1996, university libraries across Australia spent nearly \$400 million, of which nearly \$140 million went on serials and subscriptions.

The Minister for Employment, Education and Training, Dr David Kemp, in his speech to the OECD Thematic Review Seminar on 21 April, said:

There are several other areas in which the universities could learn about management efficiency from other sectors. The common-use bulk purchasing arrangements that local government bodies have with suppliers is just one example. While there is evidence of active collaboration among university libraries in the areas of inter-library loans, purchase of expensive research materials and consortium trial approaches to some electronic journal services, there is still plenty of scope for both national and international collaborative activity in several areas. I find it remarkable, for instance, that Australian universities, unlike their counterparts in other countries, have not managed to negotiate as a group with international publishing houses over rates for journal subscriptions and have not collaborated in the process of rationalising their subscriptions and library holdings. The Government is prepared to support a co-operative initiative in this regard on the condition that the participating universities agree to share collections and take steps to secure future access through their own resources.

Serial rationalisation lies with the academic community, which more often than not is competitive rather than co-operative in finding alternate access methods (which cannot be funded on a one-off basis!). Rationalisation requires long-term analysis. Certainly, the co-ordination of serials and other subscriptions by consortia within small geographical areas of the UK have yielded discounts, but only in the region of 5–7 per cent, which is insignificant in the context of the 35 per cent reductions in real terms mentioned earlier.

The West Report on Higher Education was singularly quiet on libraries, despite Roderick West and some of his Committee spending days on consultations with scholarly communication bodies and in debate. A brief statement in the Report that 'libraries face particular challenges in staying abreast

of technological change and the continuing increases in the volume of information' (p41) is hardly profound, and seems to have been added onto the recommendations as an afterthought. To then say, as Kemp does, that *loan* funds could help underwrite major investments in library infrastructure ignores the recurrent nature of some of the issues. The introduction of new technology produced major cost benefit returns in the 1980s, but they are difficult to replicate now. Improvements now lie in other areas of university activities—for example, the rationalisation of courses and co-operation between universities.

THE FUNDING SCENARIO postulated by West cannot help libraries in any significant way. Student fees cannot keep up with rampant inflation, nor can the public in Australia roam the internet as cheaply as their American counterparts. University philanthropy hardly exists in Australia, partly because of a lack of historical wealth accumulation, cultural appreciation and of attractive tax incentive schemes. The University of California, San Diego Library had a donation of US\$26 million last year. The University of Washington Library US\$20 million. The University of Chicago raised US\$7 million in one day for a Law Library extension several years ago. Where are the Bodleys, the Folgers and the Huntingtons of Australia?

In the electronic area, the US National Science Foundation has provided A\$33.8 million for digital library projects and the British government has earmarked A\$40 million for co-operative library projects. Similar Australian government funding has only totalled A\$5 million granted as a result of the 1993 Canberra Scholarly Communication Forum. This money has now run out.

University libraries cancelled major campus duplication of resources in the 1980s. Now the reductions in 1997 and 1998 are leading to cancellations of unique titles. ANU and Adelaide are both cancelling \$800,000 each of serials in 1998, while nearly \$1 million of titles are to be cancelled at both Sydney and Melbourne Universities. These are amongst the historically big research collections in the country and provide backup to other libraries. Once these have gone the alternatives are overseas supply, but at what cost? Cancellations will also follow in succeeding years in triennial budget predictions.

Richard Landon, the Rare Books Curator of the University of Toronto Library, has recently indicated that he is building an Australian and South Pacific Collection at Toronto, not because he has academic clients in great numbers, but because he believes it is

The National Library of Australia has controversially reduced its research library acquisitions by 60 per cent in recent years. It no longer collects in many areas of the sciences, social sciences and humanities, and only spends \$2.6 million on overseas acquisitions.



important for the future of the University. No-one can do such future collection building in Australia because of the monetary constraints. There is simply no university library in Australia that can compare with Toronto University Library, which has an acquisition budget greater than Sydney University Library's total library budget.

THE 'DUMMING DOWN' of education continues as the number of monographs declines in Australia and student needs are being met by what are called 'reading bricks'. Millions of pages are photocopied and distributed to students for almost rote learning, without too much thought given to the educational input. Young Australian scholars in the social sciences and humanities have diminishing resources for their research, at least in a traditional sense. The few remaining Australian university presses either struggle to survive or are propped up by university subsidies (Western Australia and Melbourne, for example).

One answer is to move to the 'Electronic University Press' with the same processes of refereeing and editing but making the text available on line and on demand. Price analyses at ANU and Southern Cross University show an average price of \$20 for monograph-on-demand publishing. Other publishers worldwide, like MIT and Columbia University Press, have mounted some of their books free of charge on

the Net, which has resulted in increased sales for hardback copies! Other publishers sell chapters or individual contributors to symposia.

What is needed is collaborative action and a national vision. Neither has so far emerged from DEETYA or the Australian Vice-Chancellors Committee (AVCC). At DEETYA, the budget reductions have removed nearly all the policy 'think tank' staff.

A revamped Australian Research Council (ARC) under the new leadership of Professor Vicki Sara may offer a better strategic platform to consider some of the following:

- A co-ordinated approach by all the nationally relevant bodies (e.g. Academics, AVCC and others) to publish only in learned society or academic publications, to co-operate with their international colleagues and to retain the intellectual copyright of their work, particularly in an electronic context. A not-for-profit, cost-recovery international academic cartel for publishing.
- Lobbying Government on the long-term issues which cannot simply be addressed by 'glib' one-liners in official pronouncements.
- Establishing designated 'para-national' libraries funded in part to supply the rest of the nation (e.g. in Classics, European languages, Asian studies). Already the ANU and NLA both individually buy more Asian material than do the rest of the universities, but the former is not funded for a national distributive role.



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(The ANU's vision of a National Asian Information Centre bringing together the two collections of the ANU and the NLA, to provide a print and electronic service to the nation and the Asian region, has had a chequered bureaucratic history but is still alive in concept and in funding bids.)

- Planning to provide Centres with a funding formula, as in the UK, to allow partial recompense (for example, in collection consolidation, electronic delivery and in inter-library loan provision). While articles can be obtained relatively easily, if often not cheaply, to ship a book around the world is prohibitively expensive. Such rationalisation could also see the movement of stock to the para-national centres. Most of the older universities have collections built up for which teaching and research is no longer active.

- The establishment of a national centre for little-used research material. Many physical research collections are on offer now as academics retire, but university libraries can no longer afford to take in collections which do not fit their collecting sphere. There are several major European collections being offered at present but no immediate takers. The National Library has firmly rejected the notion that it is a collection of 'last resort' despite the fact that much of its research collection is relatively little used. The establishment of a low-cost major warehouse where collections can be located cheaply could be based on the model of the Chicago-based US Centre for Research Libraries. Here little-used material is housed until its subscriber members require it. The Victorian universities CAVAL store at the La Trobe campus could provide a model if a store by the banks of the Molonglo (attached to the National Library) is not possible.

- Improved uses of internet resources, based on improved subject gateways and academic peer-reviewed publications. The internet allows much greater access to increasingly relevant sites ranging from Jane Austen to virtual classrooms in medicine.

But most crucially, what is needed in the current emergency are new alliances in which the universities co-operate rather than compete. Administrators need to realise that there are no cheap solutions or magical electronic fixes that will allow more and better access. All players need to come together to combat the rapacious multinational publishers in science, technology, medicine and law.

The academic community with its international partners must revert to the practice of the first scientific journals in the mid-17th century—with academic society publishing, accreditation and refereeing. Let us return to publishing models set in *Philosophical Transactions* of the Royal Society and the *Journal des Savants* in the 1660s and ensure we become a 'savvy' community as we enter the knowledge century. ■

Colin Steele is the University Librarian of the Australian National University.

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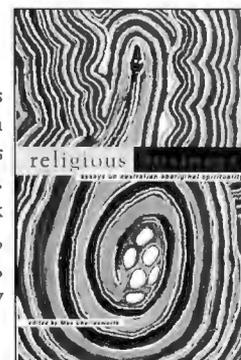
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The turbulent Protestant

Doubts and Certainties: A Life of Alexander Leeper, John Poynter, Melbourne University Press, 1997.

ISBN 0 522 84801 X, RRP \$49.95

ALEXANDER LEEPER weighed barely 60 kilos in a top hat, thick frock coat and boots. He was so thin that the governor's wife worried about the wind cutting him in half. He was a gift for the black and white caricaturists of the *Bulletin* and *Table Talk*. Had Dobell painted him at a later time we might have got a pinch-necked mantis in Dublin gown and mortar. Instead, Sir John Longstaff did him and a kindly, dignified portrait won the Archibald Prize in 1928, portraying an elderly man of authoritative certainties. But these certainties are only half the story.

There is a famous passage in Matthew Arnold's *Culture and Anarchy*, where he points to a fundamental division in European thought—between Hellenism, a culture of human perfectibility inherited from ancient Greece, and Hebraism, with origins in the Old Testament, a doctrine of sin and salvation. The one was a celebration of life, albeit subject to an élite's shared notion of private manners and 'good form', the other a heavy dose of self-searching and guilt. John Poynter has organised his biography around this opposition because it seems to find sharp expression in the mind of Alexander Leeper. Leeper was a paradox of 'Doubts and Certainties', his Hellenism clouded with guilt, his Hebraism undermined by a pagan sense of fun. This certainly works as an organising principle for Leeper, although as I read it the balance implied just isn't there—Hebraism was the clear winner in this life.

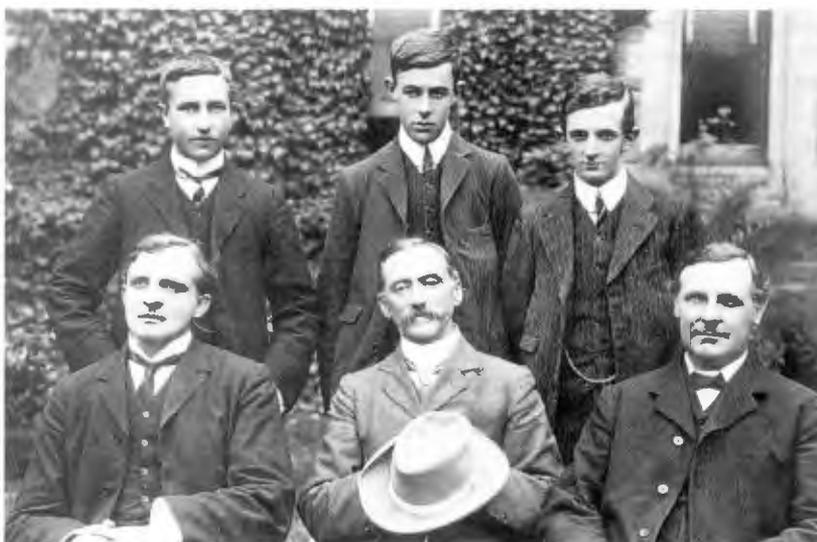
The 'Doubts' bit of this proposition will come as a surprise to those who know just a little of Alexander Leeper. He first arrived in Melbourne in 1869 and died there in 1935. He was one of numerous Protestant Irishmen, graduates of Trinity College Dublin, who made their mark on this country. Today he is widely forgotten, but

the handful of scholars—pre-Poynter—who touched on his life managed to recover just half a Leeper—the man of fierce certainties, the opinionated, quarrelsome fellow, a dictatorial college Warden distinguished for having been burnt in effigy by his own students in 1890, an Irish don who hounded a Professor of Music from his chair at Melbourne University, led the local Ulster

smouldering hatred through the East, and whose indifference to the Commonwealth is not even studied' (Phillips). What Miles Franklin referred to as the 'small grade Britons, who came out here to run the place' and did. Leeper's cultural élitism reinforced this kind of association and the caricatures his later life made possible. He treated popular taste with outright contempt, had little time for colonial culture and national aspirations. He was as hostile to an Australian stamp bearing a kangaroo as he was to Home Rule for Ireland. His father wrote to him unguardedly of 'untutored Australians'.

If Poynter's biography is subversive in revealing the doubts and foibles behind a supercilious visage, it is also revisionist in that the Leeper of 'Old Boy' folklore, the man of authoritative certainties, the wower, the bigot, the 'murderer of justice' (according to Norman Lindsay), is also the devoted lover, husband and father, the man of many fears and confusions, guilt-ridden and quietly, painfully, ever self-questioning. You read this

biography not so much to learn about Trinity College, or University politics, or Melbourne Society, or sectarian bigotry—though all that is there—but to learn about a Victorian mind, an inner life, the relationship between surface appearances and what they might conceal. Perhaps, best of all, you read it to get a bit wiser about humanity and human existence. If Leeper deserves just a footnote in Australia's political history, he is certainly worth the big 'life history' which Poynter has given us. This is justified by the rich documentation the book draws on—private letters and diaries in particular—which were uncovered in Ireland, England and Australia by the author's wife, Marion Poynter. At the outset the author acknowledges that 'the project



Above: actors and producers in Melbourne University's Jubilee production of *The Wasp* by Aristophanes. Front row, left to right: H. Darnley Taylor, Vice-Master of Ormond College and Chorus Master; Alexander Leeper, Warden of Trinity College and Director; George Sugden, Master of Queen's and Conductor. Student actors unidentified. Right, Alexander Leeper in John Longstaff's 1927–28 Archibald Prize-winning portrait; and in Lionel Lindsay's 1900 drawing, 'thin enough for the wind to cut him in half'.

Association against Home Rule, schemed and bulldozed for conscription in 1916–17, ditched his love of German scholarship overnight, campaigned for the dismissal of German staff at the University and the closure of Lutheran schools, and informed on colleagues to government spooks.

This was the combative Leeper, most in evidence in his later life. Though Protestant Irish, this Leeper rather fits A.A. Phillips' profile of the Public School Englishman with his supercilious sneer, his disdain for the lowbrow and the colonial, his 'detection of a bad smell permanently engraved on his features', one of those chaps who flaunted an intimidating mass of Anglo-Saxon achievement like a big stick, who 'left a trail of exasperation through Europe and of

has been as much, or more, hers than mine'. Much of the new material traverses matters relevant to the historical interest in health and death, and to contemporary gender studies in that it deals not only with private life, courtship and marriage, but also with the 'high anxieties' of masculinity in the Victorian period.

Case in point—an intimate letter from Leeper's friend George Wildig is quoted at length. The subject is the virtue of marriage and the debilitating effects of sexual activity on manhood:

... as to the difficulty of restraint it is no difficulty if you have a loving and sensible wife. When you are married you can talk of these matters freely and you will find that your wife, far from expecting a great deal of what 'we' called 'matrimony', will be delighted to show her love for you by keeping you from over-indulgence. The very first night of your married life you will be able to tell her these things—viz: that matrimony is weakening and that she must help you to be reasonable ... (p53)

SUCH VICTORIAN 'wisdom' points to the searchings that led, hopefully, from doubt to certainty, but equally it might signal merely the ever-anxious connection between the two. Poynter recognises this in Leeper: 'The assertion of certainty reflected, as perhaps it always does, the depth of the doubts it denied'. Leeper's doubts extended far beyond his vitalist worries about sexual indulgence and sapped virility. His medical knowledge somehow combined with his imagination to produce a hypochondria which ruled much of his life—he worried constantly about his physical and his moral health. Sex and fibs coiled into one big, life-long worry session. His guilt recurred in his diaries: 'I sneak and cringe and lie as much as ever', he wrote. At the height of the conscription campaign his health worries called forth diary entries such as: 'Gravely anxious re side and armpit'.

Leeper was born in 1848, educated at Trinity College Dublin (TCD), nursery to the Protestant ascendancy. The Hellenic/Hebraic contradiction was entangled in his upbringing, which combined a strict adherence to a narrow Christianity with a passionate immersion in the pagan culture

of Greece and Rome. He came to Australia, more or less accidentally, to search for a lost brother in 1869. While tutoring the daughters of a rich Sydney lawyer, George Allen of 'Toxteth', Glebe, the impecunious and sickly young Irishman fell in love with one of them, a girl called Adeline. He returned to Dublin soon after. So began a ten-year courtship and a remarkable

exchange of letters, which survived as part of a 'common bundle' of family papers.

For five years he was obsessed with her from the



other side of the world while finishing at TCD, winning prizes in Classics and then taking more honours at Oxford. Then he got work in Melbourne, arriving there in 1875. For 20 months they wrote, but he dared not go to Sydney. At Christmas she would check the shipping lists as if to affirm her disappointment. 'True love will last for ever that neither time nor absence can change', Adeline wrote to him. The

courtly romance of these letters—tortured as it turned out to be by interfering parents, by misunderstandings and by fears of the kind mentioned earlier—is one of the true charms of this biography. Beguiling also is the account of their married life, which began in 1879, although we never learn if Leeper took Wildig's advice about the first night.

LEEPER'S PLACE in Melbourne society stemmed from nearly half a century as Warden of Trinity College, founded by the Church of England in 1872, and the first college affiliated to Melbourne University. The University's charter was stridently secular. Its founders expressed the hope that it would 'under Divine Providence go far to redeem their adopted country from the social and moral evils with which she is threatened'. The plan was to avoid the 'sectional antipathies, animosities and prepossessions which afflict an older people'. Denominational colleges were thought preferable to boarding houses around the inner-city, but they were expected to uphold the non-sectarian ideals of the new colonial seat of learning. Whether Leeper kept to these ideals in the college we cannot be sure, but it seems unlikely as he repeatedly expressed himself as an avowed opponent of all 'secularists' and a firm believer in Anglicanism as the faith of the cultivated classes.

The Warden's position tied him into the parental concerns of many leading commercial and pastoral families, though his parsimonious, low-church leanings kept him aloof from the use of Pear's Soap (it was perfumed) and from what he called 'rich people's ways'. He once referred to a college servant as 'the kind of girl that would use a separate match to light each jet of a chandelier, and another match to light the fire when a bit of paper lit from the gas jet would do just as well.' In 1890 his students rebelled against his parsimony—he had restricted the amount of 'entertaining' allowed within the college, insisting that it was not a club but a 'commonwealth of culture'. The students burnt him in effigy and then mounted a protest march against his rule. A future Premier of Victoria (Stanley Argyle) was among the rebels.

In the first decades of Leeper's life in Melbourne, the first generation of Port Phillip gentlemen was ageing and dying, other TCD men among them—Sir Redmond Barry (d.1880), Sir William Stawell (d.1889) and George Higinbotham, who refused a knighthood (d.1892). In some ways Leeper

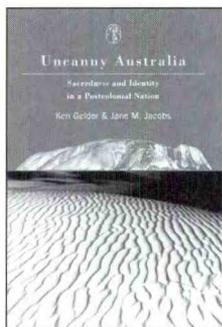
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Uncanny Australia

SACREDNESS AND IDENTITY IN A
POSTCOLONIAL NATION
by KEN GELDER and JANE M.
JACOBS

In this challenging and thought-provoking book, Gelder and Jacobs show how Aboriginal claims for sacredness in modern Australia have radically disturbed the nation's image of itself. What once seemed familiar can now seem disconcertingly unfamiliar, a condition the authors diagnose as 'uncanny'.

Paperback, \$24.95



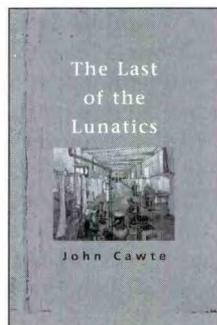
The Last of the Lunatics

by JOHN CAWTE

'I must be one of the few surviving specialists who recall how mental illnesses ran full bore . . .'

John Cawte gives a searing personal account of the treatment of the mentally ill before the advent of anti-psychotic and anti-depressant drugs, when bursting asylums were wastelands of stigma and dread.

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carried on the Barry legacy at the University. Endorsing the unyielding traditionalism of the older generation of University founders, he saw the institution as a finishing school based on classical studies. He co-wrote 'A Guide to Classical Reading intended for use of Australian Students' (1880), and translated 'Thirteen Satires of Juvenal' (1882), revelling in the sceptical, earthy satire of Roman manners. He also produced the first Latin play to be staged in Victoria.

He was above all else a committed and brilliant classical scholar, who regarded only a handful of English authors as fit to extend his range beyond the classical pantheon. He made room for George Eliot's novels and once produced a Browning play. He was hostile to sensational fiction, 'third rate' poetry and any book questioning the authority of Shakespeare, his favourite modern. As a Trustee of the State Library in his retirement, he wanted all such bad works banished from the shelves. But in his younger days as Warden he was more permissive. Poverty and prejudice seemed then to concern him more than the pope-hating patriotism that would mark his old age. He was in favour of the shift from patronage to competition for higher education—that fitted his social Darwinism. He felt the colonial version of Trinity had to be more egalitarian than Cambridge or Oxford, though the students who burnt him in effigy did not see that perspective, and he was a convert to the bicycle for men and women, which made him a sexual radical in some quarters. His agenda, in other words, crossed into liberal territory, and nowhere more so than on the question of women's education.

Along with liberals like Charles Pearson, he shared a belief in women's admission to University and saw to it that, in 1883, Trinity became the first college in Australia to admit non-resident women to college lectures. He then went further and organised residency for them in a separate hostel. The women were inevitably dubbed 'Hostiles' by the college men. Bishop Moorehouse feared that squatters would remove their sons if 'penniless girls' were let in, but Leeper was undaunted. In his old age he would also support 'full rights of citizenship' for women in the church, including women's candidature for the ministry, though he had trouble imagining a female bishop.

Just as the admission of women to University was carried at least in part by middle-class men on behalf of their own daughters, sisters and female pupils, so it

was that the Marshall-Hall affair was affected by well-placed fathers who worried about daughters studying music at the university under a professor of questionable reputation, author of several published poems thought to be quite wicked in their time. Leeper's impulsive and authoritarian traits had already got him into trouble in 1890. He turned these same traits on Marshall-Hall a decade later and helped to ensure that the distinguished professor was not re-appointed.

He never signed up with the Freemasons or joined an Orange Lodge but, with the outbreak of the First World War, his passions were raised 'to a pitch of xenophobia'. His hatreds focused on Dr Daniel Mannix and the anti-conscriptionists. By 1919 he was a leader of the Citizen's Loyalist Committee which, among other things, wanted Australians compulsorily to wear loyalty badges; he was author of pamphlets such as 'Will Ulster Fight?', and Vice-President of the Victorian Protestant Federation. Leeper's sectarianism is not really central here but it does raise contextually useful questions that are not addressed in this volume: how the political culture of his youth, for example, might have underpinned the politics of his later life; how colonial circumstances governed the ebb and flow of his sectarian fears.

There are hints along the way. His honours essay (1847) was a study of the siege of Londonderry, a key moment in Protestant mythology, in which the city, imperilled by James II, is at last relieved by William of Orange. We might presume that for Leeper a schooling in Protestant mythology, a patriotism that was pre-modern (in the sense that it was virtuous, imperial and pope-hating) re-emerged with a vengeance in response to shifts in the wider pattern of social and political arrangements—to stutters and retreats in the march of empire, to the rise of labour and Labor, to the 'Irish problem', the demise of the New Liberalism and, finally, to war and the failure of the conscription referendums. Leeper's later life had the imprint of developments, both internal and external, which polarised politics in the new Commonwealth and put the possibility of sectarian warfare, the *necessity* as Leeper saw it, on the agenda.

But the political activism of these years is really an appendix to a fine biography with broader, more catholic concerns. ■

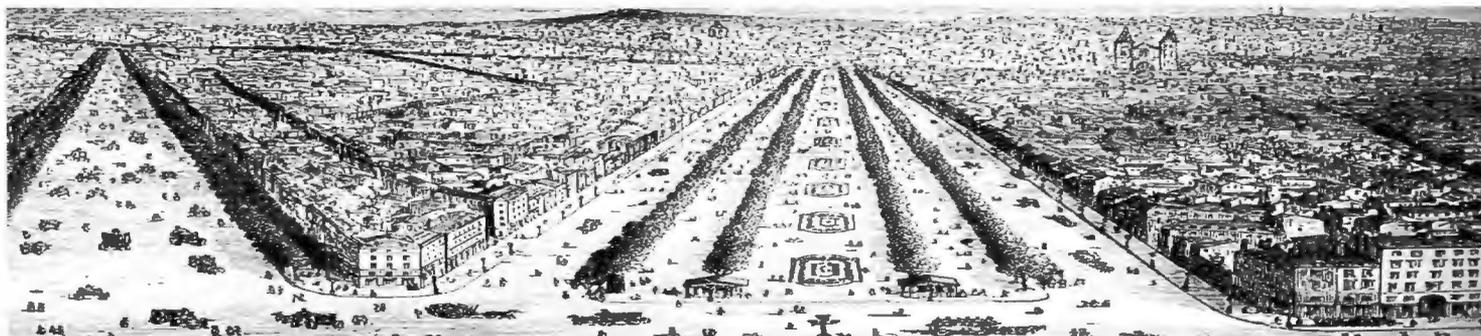
Peter Cochrane is a freelance historian based in Sydney.

The streets are too wide

THE STREETS ARE TOO WIDE, there's nothing we can do, huge crowds run down them swinging cats but there's not a drop of blood to be seen. One neighbour cannot speak to the other without shouting long distance down the phone. A man sets out from his place to the place of his girlfriend across the way; he leaves on the seventh of March and doesn't arrive until the twenty-ninth of October; his beard is long and straggly, his face is thin and hollow, the gleam of love is barely visible in his grey sad-sunken eyes. But his

will cover the land. But the woman from Europe can't make herself heard. It's like shouting into a desert, she says, there's nothing I can do. If you want this much sky above you, then you will always have these streets.

The streets are too wide, we must fill them up, we spread ourselves thin but it's not thin enough. Big cars cruise past, enormous cars, but the cars can't do it, not even the trucks—not even the planes and God knows they try. The houses can't do it, no matter how



girlfriend moved out on the fifth of July and an old woman lives there now. When I set out towards you, he says, I had a picture of you clear in my mind. Forgive me for asking but am I now this old and faded too?

The streets are too wide, we must fill them up. Here comes the parade, we have one every day, people waving flags in the bright afternoon sun. They've rehearsed all morning and it's very well done: they're waving the big ones slowly, in graceful arcs, the small ones quickly, like swatting flies. They've got it all down pat. But the streets are too wide, they can't fill them up. They break ranks and wander off in all directions, the megaphone can't control them, they're trying to fill the gaps but the gaps keep eluding their bodies. The policemen on horses come to round them up and whip them into shape. Fill the streets! the policemen shout, but the streets are too wide by half.

The streets are too wide. We build bigger buildings, get bigger heads, put chairs and tables out on the footpaths and call the footpaths pavements but the streets are no narrower still. We thicken the air, blot out the horizon, put up billboards at every corner. It's all very enervating and metropolitan but the streets are still the same size. We ask a woman to give us advice, we don't know what to do. If this goes on, the woman says, your streets will soon be freeways and your freeways will be runways and your runways

big, nor the people no matter how fat. We eat like pigs, devour animals whole; we add sunrooms, family rooms, workrooms and garages but we are still so unaccountably small. We inflate ourselves, puff out our chests, make a big deal of everything; we run around in circles shouting too loud but all the while those intractable streets keep mocking us with their width. The streets are too wide, they are much too wide, like open offered-up hands. If you do not fill us up soon, they say, we will bring down the dome of the sky.

THE STREETS are too wide, it can't be helped, that's just the way things are. But do not be disheartened, friends, do not think this is forever. One day soon we'll all be bigger, bigger even than our boots, and then we'll say with a great big smile: Remember those wide streets? We'll all bump into each other then, we'll knock ourselves over, fall down on top of our neighbours and lie together with them in the streets. We will not know ourselves! Our streets will be like tiny fissures in the memory, our lives full of anxiety and incident. That will be a good time and it's not far away. Be patient. Be vigilant. Look out your window every morning and laugh at those wide streets! ■

Wayne Macauley won the 1995 Age Short Story Competition. This is his second story in *Eureka Street*.

Spare a thought for Australia

Speaking Their Minds: Intellectuals and Public Culture in Australia, edited by Robert Dessaix, ABC Books, 1998. ISBN 0 7333 0653 5. RRP \$19.95

Speaking Out of Turn: Lectures and Speeches of Manning Clark. Melbourne University Press, 1998. ISBN 0 522 84770 6. RRP \$29.95

Knowing Ourselves and Others: The Humanities in Australia into the 21st Century, National Board of Employment, Education and Training, Australian Research Council Discipline Research Strategies, three volume report prepared for The Australian Academy of the Humanities, Commonwealth of Australia 1998. ISBN 0 642 23746 8.

ONE OF MY MOST abiding memories is a conversation that took place in my early 20s. It was 1980. Toongabbie. Western suburbs of Sydney. Another 21st birthday party. A time in between university and employment. A time in my life when everyone seemed to ask only one question—'So what do you want to do?'

I remember standing in the backyard underneath a hired tarpaulin strung like a sail from the Hills Hoist to the garage. In the distance, near the tilted grey palings of the back fence, a group of 'blokes' circled the BBQ. It was a site I've always approached with trepidation. Men with slightly hunched backs standing together yet apart, one hand half in the jeans-pocket, the other embracing the obligatory beer. The conversation always struggled to flow, the grunted words seemed mocking, harsh and unimaginative. Everything was 'under the bonnet'—ideas requiring more than a nano-second's contemplation were burnt along with the meat. After ten minutes of blokey banter the question I was waiting for came, more in the form of a command than an inquiry. 'Whatever you do Mark, don't become an intellectual!'

For Australian working-class men in the '70s, becoming an intellectual was akin to an act of treason. Intellectual life was for the non-bloke, the person who'd 'never done an honest day's work', the parasite who wanted to spend the rest of his days musing in a hall of mirrors at the taxpayer's expense. Reading the transcripts of Robert Dessaix's interviews with prominent Australian intellectuals in *Speaking Their Minds*, I could picture some of the interviewees standing around the BBQ, still in a state of denial.

Australian intellectuals have always been uncomfortable with the word 'intellectual'. In popular culture, pejorative overtones are never far from the surface. It's a word that can reek of pretension,

irrelevance and detachment. The long tradition of Australian anti-intellectualism which has its roots in British working-class and petit bourgeois mentalities, still runs deep in our public culture. We see it in Pauline Hanson's attack on 'elite interest groups.' We see it in John Howard's disdain for 'self-appointed cultural dietitians', and in the rural politician's contempt for 'the cappuccino set' in Sydney and Melbourne. In *Speaking their Minds*, many of Dessaix's intellectuals prefer to use other words to describe what they do—writer, author, playwright, poet, historian, scientist, thinker, artist—'intellectual' is simply the generic and slightly slippery term which allows Dessaix to rope them all under one roof. Mention the phrase 'public intellectual' and different sparks begin to fly.

If Tim Bonyhady and Tom Griffiths are right, the currency of the term over the last two decades is due largely to the debate created by the publication of American historian Russell Jacoby's *The Last Intellectuals* in 1987. Jacoby argued that the post-war model of the independent public intellectual in the United States had been destroyed by the co-opting of intellectuals by an expanding university system. Well before the 1980s, intellectuals had retreated from the public domain into narrow and highly specialised pursuits. This theme was picked up by Judith Brett in her 1991 *Meanjin* essay on public intellectuals in Australia. Brett pointed to the inaccessibility and leaden nature of academic prose, lamenting the 'bureaucratisation of writing' in the modern university. It is these issues, and the tensions they create, which lie at the heart of *Speaking their Minds*. The tension between intellectual freedom and the demands of the corporate university, between the visible intellectual and the public intellectual, and finally, the crucial issue of where the public space for intellectual conversation might lie.

In his introduction, Dessaix outlines the book's purpose—'to investigate the nature of Australia's public intellectual culture at the end of the century ... how the public culture of ideas functions, its strengths and weaknesses, its obsessions and its silences'. This sounds slightly grandiose, but if this is Dessaix's stated aim then so be it. He has succeeded at times and failed at others. Despite Dessaix's attempt to foreclose criticism concerning his selection of intellectuals, there are serious problems with the intellectuals he has chosen—even if his choice was based on 'diversity availability and sensitivity to the demands of good radio'.

WHERE, FOR EXAMPLE, is Humphrey McQueen? If any individual can lay claim to having forged an independent existence as a public intellectual in Australia it is McQueen. Surely it would have been interesting to hear the reasons behind McQueen's refusal to write for *The Australian's Review of Books*. Donald Horne excluded, McQueen has published more on the issue of intellectuals and public culture in Australia than any of those chosen by Dessaix. Other glaring omissions come easily to mind—Bernard Smith, Eva Cox, Gerard Henderson, Veronica Brady, Geoffrey Blainey, Peter Singer, Frank Brennan, Justice Michael Kirby, Roy and H.G.? At a time when the book-buying public are looking to science-based intellectuals to provide the 'grand theory', Dessaix could have made a greater effort to highlight the contribution of scientists such as Paul Davies, Peter Doherty and Sir Gustav Nossal.

Dessaix's inclusion of Robert Hughes underlines the reception Hughes receives during his visits to Australia. Interviewed on ABC TV in 1997, Hughes quipped with amusement, 'Australia is my fame brothel'. To justify Hughes' inclusion Dessaix relies

on one of postmodernism's conventional myths—'The question of where you live simply doesn't much concern anyone any more. With the new technologies we can all be present everywhere ... as if physics and metaphysics have started to overlap.' For which class is Dessaix speaking? If we live in Sudan or Afghanistan—does that matter? Shortly before the end of Hughes' interview, Hughes gives the lie to Dessaix's rationale. Says Hughes, 'Living in New York as I do, I can't follow as a matter of course the issues particularly exercising the Australian public's mind from day to day.' The internet cannot substitute for a sense of place—for air, light, coast, land and human environment—for the heartbeat of a culture that can only be sensed in the rhythms of day-to-day life. A public culture is more than an intellectual concept—it is also felt and imagined—a conversation of senses, heart and mind.

Reservations and quibbles aside, I enjoyed wrestling with *Speaking their Minds*. Dessaix's style is engaging and he gets the best out of the minds he encounters. I particularly liked the interviews with Peter Conrad, Donald Horne, Marcia Langton, and Phillip Adams. Dessaix's introduction—'What is a Public Intellectual?'—shows that he hasn't lost his academic skills. Well-researched, thoughtful, and accessible, it makes a valuable contribution to the literature on Australian intellectual culture. The book provokes more questions than it answers which is probably one indication of its success. Thanks to Dessaix and the contributions of those he interviews, it is possible to discern some of the defining characteristics of the 'public intellectual'.

Five broad characteristics stand out—the public intellectual must have a social conscience, they must be visible, communicate effectively, demonstrate independence, and display the ability to transcend boundaries.

From these 'core' elements a great number of qualifications and complicating factors flow. For Robert Manne and Judith Brett, and for Dessaix, the most important ingredient is social conscience—a commitment to highlighting the moral and ethical issues which arise within society. This means engaging in public conversation which searches for community values and some notion of the common good. Addressing the public as issue-based expert, everyday journalist, or having one's photograph in the opinion page of a broadsheet newspaper,

does not a public intellectual make.

The role of the public intellectual is to listen, distil, order, doubt, inquire, test, and ultimately dissent. They have a deep knowledge of history and can relate domestic matters to broader issues associated with human existence. Their concerns go beyond the concerns of the tribe. Like Thomas Paine they are citizens of the world—exiles who strike a chord with some and infuriate others. So goes the romantic ideal of the public intellectual. But is there anybody out there? In Australia, there are many obstacles to the emergence of the public intellectual. In *Speaking Their*



Minds, Nicholas Jose identifies one of the most obvious. Because of the relatively small size of Australia's population, 'intellectuals are often co-opted to work for the system—as spokespersons for institutions, in advisory roles to government or the Australia Council, thereby losing the independence that is so vital'. Australian intellectuals have frequently served as conscripts in the cause of imagining the national community. Our present need for public intellectuals expresses a deeper social need for a set of values which will provide a sense of community. Unlike the United States, post-colonial Australia has yet to find a conception metaphor for the nation. There is no Declaration of Independence to reinvent.

On the other hand, the search for the public intellectual as secular priest is a function of the age of mass communication. At a time of social dislocation, when traditional belief systems hold less sway, and cynicism towards political institutions and processes abounds, it is tempting to look for the Brahman who will show us the way out of the wilderness. As Hilary McPhee implores in *Speaking Their Minds*, 'we need gurus like this'. The media and publishing industry prey on this image of the public intellectual as sage and prophet. On the cover of *Speaking Their Minds*, the ghostly

features of Manning Clark hover in the background in a latter day version of the Shroud of Turin. On the cover of Robert Manne's latest book, *The Way We Live Now*, all is black except for a shaft of light that falls on the figure of hope, and there, looming out of the darkness like Rodin's Thinker, his hands clasped in deep contemplation, is the face of the public intellectual. Perhaps those intellectuals who engage constantly with the public in other ways are justified in seeing this representation as overblown and dramatic.

In a culture where our sense of the 'public' is constituted through the media, there is a temptation to imagine that the public does not exist outside of the media. We tend to value the seen above the unseen, the visible media-based public, above other public spaces. As Meaghan Morris and Iain McCalman remark in their essay on Public Culture in *Knowing Ourselves and Others*, this tendency sometimes extends to representing universities as something other than public institutions. As if the Academy is not 'public' because it is not showcased regularly on *60*

Minutes. Conversely, one of the reasons behind the formation of the Independent Scholars Association of Australia in 1995, was to raise the profile of the many intellectuals who contribute to the national public sphere without institutional support.

PUBLIC SPACES do exist outside of AM, PM, the broadsheet opinion pages and ABC TV news and current affairs. It's just that it's almost impossible to be widely recognised as a public intellectual in Australia if you are not seen in these spaces. Openings for freelance writers in the agenda-setting media are scarce, and few can manage to make an adequate living even if they do manage to break the door down. Unless the old guard just pack up and go home, as Mark Davis seemed to be asking them to do in *Ganglands*, it is hard to see a new generation of faces breaking through—especially at a time of contraction in the print media. For David Marr, compared with western Europe or the United States, this impoverishment is 'the principal problem for our public intellectual and its independence'. Fear of losing economic security and the increasing demands placed on intellectuals within the university system weigh heavily against the emergence of the public intellectual. As Marr says—'we are used to the courage of retired academics'.

Manning Clark, for example, was under no illusions as to why he 'began a new life as a public speaker' in 1975. In his preface to *Speaking Out of Turn*, Clark points out that 'the political crisis in Australia in 1974 and 1975 happened to coincide with the year in which I ended my career as a teacher of Australian History at the Australian National University'. Andrew Riemer is another example of the retired academic who suddenly 'appears' after a lifetime in the academy. For those academics relying on contract employment, part-time work, or carrying large administrative and teaching loads, it is difficult to find the time to turn the switch to vaudeville.

Intellectuals working in universities who do find the time to contribute to public debate often get trapped in the media's need for the single-issue expert. It goes something like this. Denis Altman writes on the Mardi Gras, Catherine Lumby sings the praises of new technologies and the mass media, Marcia Langton writes on reconciliation and McKenzie Wark defends cultural studies. Once in the clutches of the media, the 'face' of the intellectual becomes a label—displaying issue, slant, and tone. In this instance, the intellectual is not so much 'public' as a single-issue celebrity. On occasions, public intellectuals waste the opportunity for a regular column, descending to glib observations on life-style—often peppered with the usual mantra about the wonders of the new technologies.

Anne Summers recently gave an example of this approach in the *Sydney Morning Herald*, when she delivered a piece devoted to the joys of shopping on the Net. Readers were informed that Summers 'loved a bargain' and often found herself 'drooling' for a higher limit on her credit card. Here, Summers does her job by addressing the class targeted by the *Herald's* marketing department, those individuals with the disposable incomes to afford the Net—let alone the shopping. A piece on the ability of the new technologies to redistribute income might have been more interesting.

Traps such as these bring to mind the compromises forced on intellectual independence. Humphrey McQueen has referred to the 'pervasive connections between knowledge, control and capital'. Pressures which are even more evident since the corporatisation of universities. We need only encounter some of the prose in *Knowing Ourselves and Others* to be reminded of this. Phrases such as 'the cultural knowledge markets of the twenty-first century' and the call for Australia to maintain its

Chekhov's Mongoose

Dr. Chekhov was infatuated. This is the story. Returning from the Russian prison isle of Sakhalin where he circulated ten thousand questionnaires and noted with his usual dispassion the appalling conditions, he made his first foray beyond Russian soil via the China Sea. In Ceylon he acquired a mongoose.

It was lithe, tame and affectionate. It was quick, this mongoose, and the doctor spent the homeward voyage like a story out of a children's adventure, laughing, mopping its soil and the broken crockery, replacing the memories of Sakhalin with this new-found love. Without leash or chain, without conditions to restrict its freedom, his pet became famous, more noted

(in that shipboard idyll) than Chekhov was, more noted than any rival souvenirs: Siamese cat, monkey. His mongoose loved him. When it broke all the rules and conditions of social behaviour it turned dark soulful eyes, like a Story Book Princess, and melted him with a look. Not even Sakhalin with all its woes and tragedy could dredge from the dark soil

of its soul such pathos. Caught in his own soil where ardour mixed with rancour, the good doctor noted how vulnerable he was, and relented. Sakhalin eased gently from his mind, replaced by a mongoose which cried when it was left alone. The story does not end there. Life has a way of imposing conditions.

When Chekhov returned, nothing was changed. The conditions he fled from in Moscow—a demanding family, lovers, the grim soil he had turned into rich prose in each celebrated story—now returned to chill him. 'When I come to visit', he noted, 'please be warned. I come with my pet mongoose who is tamer than children, wilder than Sakhalin.'

His published report, *The Island of Sakhalin*, caused a sensation, and calls to reform penal conditions. Life became a whirlwind again and though his mongoose was the season's novelty, on his new Estate on the dark soil of Malikhovo, it ran off. Yes, it was found, but he noted the broken plates, the damage, and the way every least story

mixes charm with wreckage. Some say it's Chekhov's own story, Moscow's own Zoo was, well, provincial. It was not noted for health or for hygiene. Until 1893 it possessed no mongoose.

Thomas Shapcott

'competitiveness as an exporter of educational and cultural products' more than make McQueen's point. Working on behalf of the corporate university in the ideas industry may be evidence of reaching the public but it is not the task of the public intellectual. If education and ideas are mere 'products', then intellectual independence can only exist so long as it fails to threaten their sale. At present, the university system is doing its level best to bring on John Howard's brave new world—'the greatest share-owning democracy in the world'.

FOR MOST OF THOSE interviewed in *Speaking Their Minds*, there was agreement that the corporatisation of the university system, had, in Robert Manne's words, rendered universities 'quite ordinary institutions'. The reasons why are familiar. Funding cuts, increased workload, academics preoccupied with the question of whether their discipline has a valid epistemological basis, the reduction of the teacher-student relationship to the commercial nexus of provider and client, glossy brochures, teaching 'portfolios' and CV presentation taking precedence over teaching conditions, and the narrow criteria employed to assess the merit of academic performance.

Articles written in arcane tongues and published in esteemed journals that few people read are accorded more value than pieces written for a wide audience. It seems odd that the academy's embrace of market principles does not extend to the acceptance of one of the publishing world's basic credos—the reading public are the best referees you can have. Judith Brett reflected on this problem in her 1991 *Meanjin* essay when she alleged that 'communicating one's ideas to a general public is now ... an object of suspicion' in universities.

The contempt for academics who play the role of 'showbiz buffoon' in the media mirrors the age-old tension in the academy between the intellectual's desire to speak on behalf of the masses and their equal inclination to be repulsed by the vulgarity of the popular. The recommendations made by the reference group reporting to the Australian Academy of the Humanities in *Knowing Ourselves and Others* attempt to address the problems caused by 'downsizing', 'phasing out', and poor working conditions in the humanities. The principal objective of the report's 29 recommendations is to 'bring the Humanities much more prominently into the public arena'.

The report proposes the establishment of Humanities centres in regions of Australia so as to 'develop ... links between them and the States' major cultural institutions'. Its concern with the public is focused on networking and advertising the contribution of the humanities to public culture. Although the report recommends 'that universities further facilitate and provide incentives for the contributions that academics make to the public discussion of ideas of importance', in one of the report's reflective essays, the concept of the public intellectual is considered *passé*. For Meaghan Morris and Iain McCalman, the image of the public intellectual as the 'folk hero' who is driven by 'noblesse oblige' to leave the ivory tower and speak to the people is outdated and sentimental. The



public intellectual as 'anti-professional icon' is a 'rod with which academics beat themselves to no good purpose'. Apparently, the corporatisation of universities since the mid-1980s has encouraged the development of a 'dual [public/private] education system', leading to greater 'structural responsiveness to extramural and industry defined need'. If my translation is correct, corporatisation, with its beautiful 'networks of specialised producers and consumers of humanities research', has killed the public intellectual as the 'single omnipotent scholar'.

In the postmodern world, where the concerns of corporations are considered synonymous with the public interest, we are all public intellectuals. The public good becomes any one of a number of stalls in the public marketplace. Edward Said's fearless public intellectual who 'speaks the truth to power' dissolves into cyberspace. We have no need of such quaint and old-fashioned notions in the 'cultural knowledge markets of the twenty-first century'. As much as the proponents of certain intellectual fashions may wish to tear down the concept of the singular and exceptional intellectual whose ideas are capable of reaching and inspiring a large public, the new technologies they revere will continue to search for the public intellectual.

The elevation of Professor Manning Clark to the status of national prophet in the 1980s and the issues raised in Robert Dessaix's survey of public intellectuals in

Australia, demonstrate the public's fascination for the 'single omnipotent scholar'.

After only six months, Melbourne University Press have almost sold out of *Speaking Out of Turn*—Clark's collection of public speeches delivered between 1940 and 1991. Reading these speeches, I was struck by their extraordinary passion. After 1975, Clark's passion was that of the partisan—the 'true believer'. His speeches were often repetitious and unnecessarily apocalyptic in tone, yet as Stuart Macintyre observes in his foreword to *Speaking Out of Turn*, Clark's courage and breadth of vision enabled him to become an inspiration to a generation of Labor supporters and a 'lightning rod for the anxieties of those who would make us feel relaxed and comfortable'. Manning Clark was undoubtedly one of Australia's most prominent public intellectuals, but *Speaking Out of Turn* gives evidence of more than Clark's greatness. It also points to the pitfalls when the relationship between the intellectual and their admiring public becomes too cosy. As Macintyre remarks, sometimes it seemed that 'Clark was not so much speaking out of turn as speaking at every turn'.

In the life of any public intellectual there are constant tensions. To be a public intellectual implies some degree of public embrace. This embrace can easily spill over into celebrity worship. For the intellectual committed to intellectual freedom, celebrity status destroys their capacity to dissent. The public's embrace can make a mockery of intellectual independence. Instead of praying for the emergence of another dominant public intellectual in the vein of Manning Clark, our public intellectual culture would be greatly enhanced if we encouraged a proliferation of public spaces where a larger number of public intellectuals could emerge—a bigger national conversation rather than a big national figure. For this to happen, our university culture must place greater value on the contributions made by many academics to public debate. It is also incumbent upon media organisations to seek out different voices, to encourage writing which transcends the focus on single issues, and to open their wallets. We live in hope. ■

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Topical travels

M

Y EXPERT CONSULTANT on Tok Pisin says *tromoi(m) we lek* (in this context) means more 'to get up and go' than just 'go on a journey' as preferred by Flannery, and that translation does do more justice to the author's enthusiasm and enterprise in searching for new species in the waybacks of New Guinea—the geographical entity, that is, comprising Papua New Guinea and Irian Jaya.

With 15 expeditions chalked up, Flannery has 'discovered' (scientifically, that is) 'what is arguably the world's largest rat', named four kinds of tree-kangaroos and identified the bones of 'long extinct and entirely unknown marsupial giants'. It is surprising then that so far this mammalogist has been taxonomically immortalised only by a tapeworm, *Burtiella flanneryi*, albeit an edible one.

That particular revelation came about through a certain 'clean-shaven, open-faced lad', Willok, who attached himself to Flannery near a tributary of the Sepik River and had an uncommon familiarity with the 'highly specialised' guts of the 'very common' Coppery Ringtail Possum.

Willok 'would carefully pierce ... [its] bowel wall with his fingernail and victoriously pull out a large, yellow tapeworm. After removing 'some of the adherent fecal matter' (presumably the possum is a vegetarian) by running it through his fingers, he 'would drop the writhing parasite straight into his mouth!' As tapeworms usually feast on humans, Flannery decided to 'beat Willok to several of the worms' which he then sent to a parasitologist. They turned out to be an unknown species which 'would find the human intestine a hostile environment'. Such was the *savvy* of Willok. And, after all, who can tell what some future *nouvelle cuisine melanesienne* may have on offer?

However unappetising a vignette, it reminds us how urgent is scientific research into species in regions like New Guinea before a different type of 'Future Eaters' (a previous title of Flannery's) obliterates them.

We are also reminded how remote in space and experience are many localities in New Guinea. On one occasion in an arcadian

setting, Flannery came across a man holding newborn twins. Their mother had died. There were no wetnurses. Flannery gave the man his supply of powdered milk which was sure to be mixed 'in unmeasured proportions with unboiled water in dirty cups'. No need to speculate further.

Flannery is graphic on the discomforts and health hazards of life in the tropical 'bush', whether it means being swarmed by amicable 'sweat bees' or watching queasily a villager lancing pus-filled buboes with a soon-to-be-used table fork.

There is, however, relief in uproarious ribaldry as when Flannery has to explain his circumcision: *rausim laplap bilong kok bilong pikinini man*.

Flannery's journeys take him to the wild Goilalas of the Owen Stanleys, a Sepik flood plain, the towering Star Mountains and the Ok Tedi mine, the Torricellis and Irian Jaya where he travels from Vogelkopf (Bird's Head) to the Freeport mine, the Baliem Valley and the edge of the Meron Glacier.

It has been said of Flannery that he is too fond of the vertical pronoun and that he does not always allow veracity to choke a good story. The latter charge, if true, only approximates him to a well-credentialed category of adventurers, especially in New Guinea, beginning with the flamboyant Luigi D'Albertis in the 1870s through to Charles Monckton and Fr André Dupeyrat *msc*: pre-war.

However, if one allows for a justifiable degree of self-congratulation and relish for rare phenomena, there seems little need to affect incredulity or bridle at passages that are somewhat egotistical. Or for that matter to carp that Flannery can lack literary finesse. His prose is on the whole energetic and his vocabulary broad.

He is, however, not always aware of those who have gone before him. Karius and Champion, for example, went through the Telefomin area in 1928 but were not the first to do so, while the redoubtable Mick

Leahy crash-landed in a glider there in 1944 to rebuild an airstrip near Telefolip.

The Myamin may think of themselves as 'virtually the last people ... to live a lifestyle largely unaffected by the European influence' but they were certainly not the last to be contacted, a distinction usually belonging to the Wopkaimin of Ok Tedi in 1963. Some Myamin fought the Taylor-Black patrol in 1938.

Flannery rather obtusely deplores that, when he began his studies, there was 'no compendium ... where he could go to learn what other researchers had already found'. He might have tried the resourceful *Encyclopaedia of Papua New Guinea* edited by Peter Ryan (1972) which has entries and bibliographies on mammals (six double-column pages) and separate items on bats, deer, dolphins and whales, dugong, echidnas, marsupials, rodents, livestock and fossil mammals, not to mention the Archbold expeditions from 1933 to 1964.

THE LAST THIRD of the book deals with 'adventures' in the tragic and little publicised Indonesian territory of Irian Jaya. Flannery must have exercised tact to have had so much access, but he has not shirked reporting brutalities of the military regime or the callousness with which mining is conducted and indigenous rights are ignored.

Flannery found it 'striking' in Irian Jaya 'to see how black and white are segregated' whereas, at Ok Tedi mine 'at every level ... an environment exists which induces mutual respect and understanding'. While it was reassuring that, in contrast to Port Moresby, there was no sign in Jayapura of 'high fences topped with razor wire' or vicious dogs, 'the cost at which this security was purchased' was too high.

Whatever tinges of self-advertisement there may be in it, Flannery has written a humane and unsentimental book. He does not gloss the cruelties, superstitions or unpredictable destructiveness of so-called 'primitive' people while his empathy with both humankind and the natural environment is inspiring. ■

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Freedom's hard country

The House Gun, Nadine Gordimer, Bloomsbury, 1998. ISBN 0 7475 3666X, RRP \$35

TO ENTER THE WORLD of Nadine Gordimer's fiction is to enter a world where moral possibilities shimmer and dissipate and the prose keeps its poise—frigidly, subtly, with never a hair out of place—and no concessions are made to the readability principle that invites us to think that language might dovetail with the world we know.

Though she *is* readable, it is some kind of known and recognisable world that glows through the phrasing. Nadine Gordimer is one of those writers who are quite happy to look mannered in their local detail and who reserve their knockout blows for the structural, rather than verbal, effects.

She has spent a long time now telling stories of guilt and its different tinctures and shadings in her native South Africa. She is a writer who resists easy identification with her characters and who has a Jamesian array of moral distinctions to bring to any art, a nearly nerve-wracking palette of rhetorical shadings to indicate the status of any action or gesture.

Gordimer comes from the educated 'British' upper middle class of South Africa, she has been an honourable opponent of apartheid and she also—in a way perhaps comparable to Patrick White—has a personal sense of aristocracy, an aloofness from the social forms that some moral shabbiness can take which might be mistaken for snobbery. I remember her writing some years ago in *The New York Review of Books*, after a visit to this country, that Patrick White was the only Australian she had met who did not speak in a cockney whine. It seemed not so much a graceless as an impercipient comment for a countrywoman of Tony Greig.

Still, you don't need to have a taste for Nadine Gordimer to see the power behind the pretensions to glory. Apartheid gave her a subject matter and may have thrust literary greatness upon her (who knows?) though it would be wrong to say that her worrisome moral art is bereft without it.

Her new novel *The House Gun* is a story of the new South Africa. It is a murder story and a courtroom drama, though one which is largely played out in the minds of the parents of the accused. It is a stark dramatisation of points of view, a story of how the ordeal of witnessing the trial of a loved child may transform and excruciate.

A young architect is living at the back of a shared household. He is bisexual in the sense that he has once had an affair with one of the men in the house but his abiding commitment is to the young woman he dragged back from the edge of suicide. After he is put on trial for murder his father finds a quotation from Dostoevsky—Rogozhin on Natasha: 'she chose me instead of drowning because I was worse than the water.'

He finds her in the act of having sex with the man who had been his one male lover and who had rejected him. A day later he shoots his old boyfriend with the house gun that is lying around for protection against the violence of the times even in this relaxed semi-gay household. He does not deny having done the deed but his barrister, a charismatic black who befriends the parents, enters a plea of not guilty—not on the ground of temporary insanity but on something like irresistible impulse.

It is they, the parents, who are the sympathetic focus of this rather cerebralised but still affecting drama of crime and punishment and the crossroads that lie between. He is an eminent businessman and a practising Catholic. She is a doctor and an agnostic. They belong to the non-engaged liberal bourgeoisie. They did not agitate or put themselves at risk during the period of apartheid, nor did they have black friends, but they disapproved of an intolerable regime and they dealt fairly. The murder charge hits them hard, they are thrown back on their compatible but different, humanist and Catholic, conceptions of right and wrong and on the mystery of what their son is really like, how he could be capable of taking life.

GORDIMER IS HIGHLY SKILLED in the way she exacts a kind of Racinian drama of the mystery of human iniquity—if that's what it is—from the nearly formalised representation of the parents' agony. *The House Gun* will grate on the nerves and, at least in part, is meant to. It is, among other things, the voice of educated liberal South Africa trying to eviscerate its own conscience. The portrait of husband and wife is intensely sympathetic while having nothing superficially attractive about it. And somehow that is a more formidable proposition because the novelist gives the

impression of sharing a world of both manners and morals with them. But this is an intelligent, nearly political, novel by a novelist who is almost retreating into realism, almost flirting with the thriller, perhaps because South Africa presents to her these days the tormenting face of hope rather than despair.

The quotation from Dostoevsky is in no way accidental in *The House Gun*, but the Victorian Gothic untidiness of 'life' is only occasionally present in this very neo-classical psychodrama.

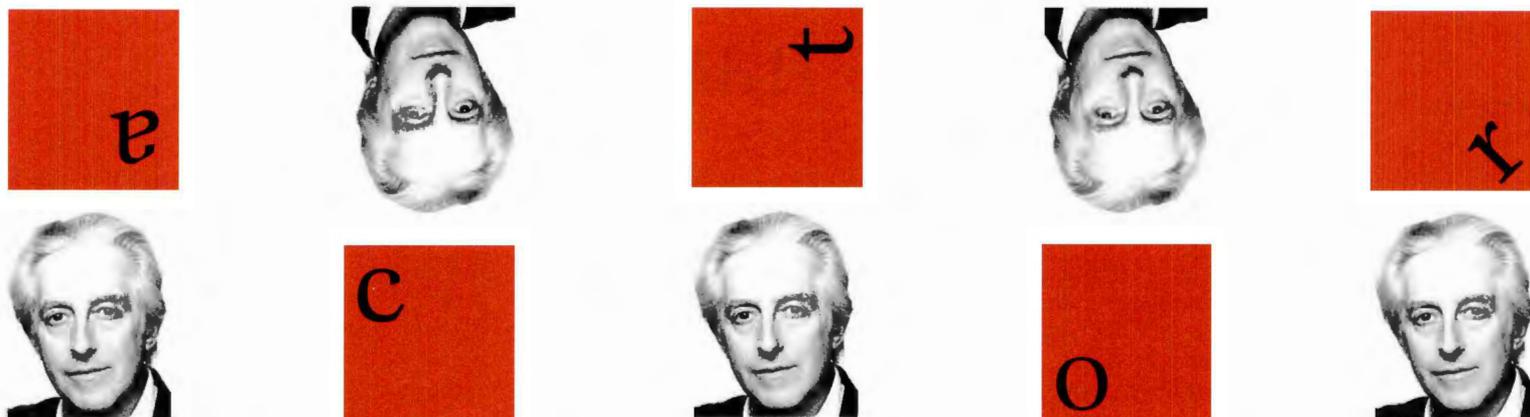
It is always subtle, always beautifully coloured even if the overall effect is of a great photographer shooting in colour and then draining it away to give the effect of black and white. The portrait of the black lawyer—at once warm and egocentric—is strongly done and so too is the sketch of the loyal black gay friend.

The dramaturgic architecture shows when the judge begins his address. Gordimer's trick in this book is to use no tricks at all. To allow the normative course of a dramatic criminal action to take its course; to present its essential 'improbable' nature with a strong pull towards the moral refinements and sophistications of something like class. And then—confrontingly—to show the values of the law—and the grandeur implicit in its limitations—with a considerable rhetorical power even though, like everything else in this ugly duckling of an art novel, it is the power of dryness. Then, right at the finish, something else is indicated, some part of the jigsaw, and the picture is more complete though the symphony of moral doubts is not silenced or resolved.

The House Gun is an overtly 'cold' novel about murder and responsibility in a time of low-level tumult and confusion. Its almost neurotic emphasis on the universal fact that murderers are some people's children seems to me, in its never quite predictable execution, to be more wise than contrived.

This is a liberal novel, full of vinegar and gall, written in something like contempt of the sentimental expectations it sets up. There's nothing very likeable about it but it's oddly compelling. ■

Peter Craven is currently editing *Best Australian Essays 1998*.



The drop-out dentist

Some choose acting. Dennis Olsen, who could just as well have been a musician, came to it almost by default. That all professions should have such defaulters ...

DENNIS OLSEN'S name is practically synonymous, for many Australian theatre-goers, with those of Gilbert and Sullivan. Since his G & S début at Her Majesty's Theatre in Melbourne in 1969 (in *Iolanthe* for the Australian Opera) he has appeared in so many performances of the celebrated duo's operettas in theatres all over Australia and abroad (including a stint at the G & S source, the D'Oyly Carte itself) that Gilbert & Sullivan fans have tended to take it for granted that Olsen would do the patter songs in Australian productions of *HMS Pinafore*, *Iolanthe* or *The Pirates of Penzance* as of right. Numerous ABC simulcasts and Australian-cast gramophone and CD recordings have continued to reinforce his reputation as Australia's leading interpreter of these roles.

But Dennis Olsen is also a highly accomplished 'legit' stage actor and it's something of a fluke that he ever came to be a G & S star in the first place, as he explained backstage in February as he made up and dressed for a matinée performance of his highly successful cabaret show, *An Evening with Dennis Olsen* at Caper's Dinner Theatre in Melbourne.

Born in Adelaide in 1938, Olsen grew up in suburban Semaphore Park, where his parents sent him to the Dominican Sisters' primary school. Like many a suburban Catholic schoolchild, he there learned the

rudiments of the piano—his scales and his Czerny's exercises and so on.

At the Marist Brothers secondary school, he continued to study the piano with such seriousness that he later went on to be a joint winner (at 21) of the ABC's National Concerto Competition in 1959 and could have gone on to a successful career as a concert pianist. But in the meantime he had already been bitten by the amateur theatre bug and had done well enough academically at school to win a Commonwealth Scholarship to the University of Adelaide. Acting on the prevailing advice of the day, he took up his scholarship ... in dentistry! As a budding dentist, Olsen was not a great success and he is scathing of the quality of careers advice available to students. 'If I'd known I could have used my Commonwealth Scholarship to take MusBach, I'd have taken it,' he said. He messed about with dentistry for a couple of years, while continuing his musical studies and amateur acting, then 'it was a bit of a toss-up, actually, whether to continue with music or with acting.'

The coin evidently landed in favour of acting and Olsen went to NIDA in 1960, in the days when Professor Robert Quentin ruled the Sydney theatre roost. Anna Volska was a famous fellow-student, Tom Brown had just returned from Canada to teach at the Institute, John Clark taught History of

the Theatre and Joan Whalley taught speech. This time, he stayed to complete his diploma.

So here is the first fluke in a remarkable career: if Olsen had been better advised, we might have lost him to the concert platform.

At the end of his first year at NIDA, Olsen returned briefly to Adelaide to play *1st Relative* in John Tasker's world première production—for the Adelaide University Theatre Guild—of Patrick White's *The Ham Funeral*. This was a controversial play: it had been banned from the first Adelaide Festival, but the Australian Elizabethan Theatre Trust (AETT) picked it up and wanted Olsen to continue on with it into a subsequent Sydney season, but Quentin's house rules for NIDA students precluded this.

Then, when Olsen graduated from NIDA at the end of the following year, Quentin and Tom Brown started up the Old Tote Theatre Company in Sydney and invited him to play Trofimov in the new company's opening production of Chekhov's *The Cherry Orchard*. This was an extraordinarily good offer. Seven weeks of professional work in a much-vaunted new theatre—a dream début opportunity for the average drama school graduate. But, Olsen had financial troubles at the time, over a car he was buying on HP, and he owed more money than seven weeks' work could pay off and a court case loomed ...

But just then, chance intervened again. The Young Elizabethan Players (another arm of the AETT) offered him a part in *A Man for all Seasons*, opening in Perth, followed by touring roles in *Richard III* and *The Merchant of Venice*. Eight months of work helped to establish his name in the Australian dramatic theatre—and paid off the car.

There was a further fluke in this saga: another young actor named John Bell got to play Trofimov in the inaugural Tote production and he later played Richard III and Shylock in subsequent productions for the Tote, thus sowing the seeds for his reputation as Australia's leading Shakespeare actor. Olsen's good/bad luck proved to be Bell's luck as well. (Luck is such a crucially important part of an actor's career; maybe that's why they prefer to say 'break a leg' to each other instead of 'good luck'.)

OLSEN'S LUCK continued after his Young Elizabethan Players début. A continuous stint with the fledgling South Australian Theatre company followed, beginning with Noël Coward's *Private Lives* and then four plays in a row in four different theatres. The last of these was Peter Schaffer's *The Royal Hunt of the Sun*, which took him back to Perth for a Festival of Perth season. Another highlight of those days was the inaugural Interstate Theatre Season national tour in Australian playwright Ralph Peterson's *Night of the Ding Dong* in 1966. 'Those were beaut days,' he says. 'It was pretty rudimentary, especially working without a home, but what those people [directors John Tasker and Peter Batey and an imaginative design staff] did under those conditions was pretty amazing.'

Olsen's next career move was to Melbourne, in 1967, to join John Sumner's Union Theatre Repertory Company (UTRC), where I had the pleasure of lighting all of the productions in which he appeared for a couple of years after the UTRC changed into the Melbourne Theatre Company. My fondest memories of Olsen's work in that period are of his Tuzenbach in George Ogilvie's luminous production of *Three Sisters*, his Brahe in Bill Reed's *Burke's Company* and his extraordinary performance as the 89-year-old Solomon in Arthur Miller's *The Price*.

While it would be invidious to single out any one actor in what was an outstandingly strong ensemble (those were the days when semi-permanent groups of artists were still the rule rather than the

exception), it is certain that I never lit a finer actor than Olsen. He had then—and still has—a remarkable capacity to transform into a character with minimal external means.

It was no doubt a combination of his qualities as a character actor and his innate musicality that enabled him to make the leap into Gilbert and Sullivan late in 1969. Returning home to Adelaide in 1973, after his spell with the D'Oyly Carte Opera Company and a further stint with the Australian Opera, Olsen again teamed up with George Ogilvie, who had taken over as Artistic Director of the South Australian Theatre Company, by now ensconced in its new home in the Adelaide Festival Centre. Goldsmith's *She Stoops to Conquer* was one of his favourite productions from that period.

But it was an all-South Australian production in 1982 that opened up yet another career direction for him. This was Adelaide playwright Rob George's play *Percy and Rose*, about Percy Grainger and his mother Rose, for the Stage Company of South Australia, and it provided him with the perfect vehicle to exploit his skills as an actor and as a pianist. It also gave him another opportunity to play opposite one of his favourite actresses, Daphne Grey. The immense popularity and massive tour of *Percy and Rose* ensured that this would not be the last time he would act and play in the same production. Olsen was the obvious choice, for example, to play Sergey Prokofieff in the touring production in the mid-1980s of David Pownall's harrowing play about Stalinism, *Master Class*.

HE DOESN'T GET TO PLAY the piano much in his *Evening with Dennis Olsen* cabaret show, apart from an hilarious duet version of Grainger's 'In an English Country Garden' in the second half. This show is a collection of reminiscences about his life on the stage (and his brief attempt at dentistry) interspersed with a selection of the songs he's sung over the years. Of course, he does some of the famous patter songs and we get to join in as the chorus in 'Now I'm a Judge—and a Good Judge Too'. He does the fiendishly difficult Nightmare song from *Iolanthe*, throwing on the cloak he wore in his Australian Opera days and adopting a pronounced stoop; he does Noël Coward's 'Don't Put Your Daughter on the Stage, Mrs Worthington' in as acid a style as the Master could have wished and he does songs and some poems from the likes of Christopher Isherwood. The diction throughout is

impeccable and the musicality and phrasing are exemplary.

And he also does songs from the great musicals. Throwing a faded old yellow scarf around his neck and an eccentric cap with a bit of straw hanging off it onto his head, he sings 'If I Only had a Brain' with just a suggestion of elongation of face and vacancy of expression. With nothing else in the way of theatrical accoutrements, he is the straw man. With nothing extraneous at all, he does 'I've Grown Accustomed to her Face' as persuasively as I've ever heard it. The effect in Dennis Olsen's renditions, in fact, is to make us hear these songs as if we'd never heard them before.

The point is that if we have never heard these songs *sung* better, it's because we have never heard them *acted* better. ■

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

Dennis Olsen is appearing in Old Wicked Songs at the Marian Street Theatre in Sydney from 19 July and An Evening with Dennis Olsen returns to Caper's Dinner Theatre in Melbourne, for a two-week season commencing on 15 September.

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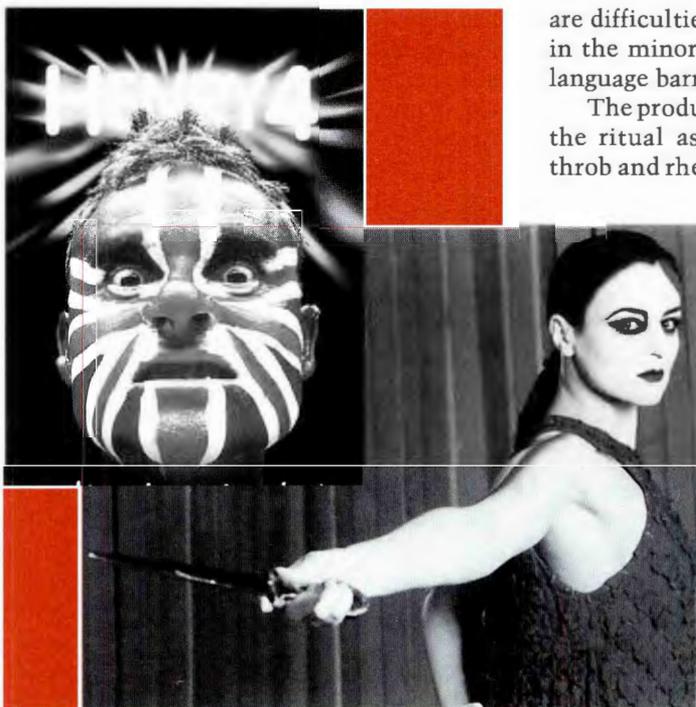
IT'S ONE OF THOSE abiding wonders that the Greeks are not performed more often. For all the prestige that attaches to the famous performances in theatre history—to the Olivier Oedipus or the Judith Anderson Medea (and, after hers, Zoe Caldwell's)—theatre companies here would run a mile rather than perform plays by that Attic mob who are, conventionally and uncontroversially, thought to rival Shakespeare.

The received wisdom about the Greeks (even in Britain, which believes in sustaining some kind of international classical theatre as a yardstick for its own) is that the scenes between the characters are engrossing enough: it's what happens when the chorus comes on which makes the blood run cold.

It need not, of course. Eliot's *Murder in the Cathedral* held the stage for a good generation or more while using a genteel group of 'women of Canterbury' speaking in unison about blood and death and foreboding. It shows that more or less free, more or less 'Greek' sets of variable rhythms can do some sort of trick. Besides, it's always possible to physicalise the Chorus—as I saw it done in a 1970s Rush Rehm version of *The Oresteia*—and get all manner of counterpoint and tension from the play of voice against voice and body against body.

The other factor which mitigates a sorry record is the Greeks themselves. Our Greeks, that mighty (multicultural) ethnic enclave. Anyone who wants, at this grim-looking moment in this country's history, to attack multicultural funding should be told of what potential enrichment there is in the high and mighty dramatic art of the Greeks, as they perform it in their own country and as it can be seen here, on tour in their other country.

Medea came with the benefit of the National Theatre Company of Greece. Unlike a *Bacchae*, which toured here in the '80s, it had the advantage of surtitles. The production, by Niketi Kontouri, was austere, modern and visually authoritative. There was no attempt at naturalism: this was post-Peter Brook in a way that the Sydney and Melbourne Theatre Companies' productions generally are not. The white-faced Chorus of women looked a bit



like surgeons and a bit like a rearranged fencing team. Medea's chariot was a flaming red rocket at the top of the stage, tilted heavenward.

Euripides' *Medea* has somehow made its way into the broad church of the popular classic even though (or maybe because) it involves infanticide, the slaughter of a rival and an extraordinary outpouring of grief and rage. Medea is Lady Macbeth with the limelight. Except we know how many children there are, and what happens to them is horrible.

In the National Theatre of Greece production Karofyllia Karabeti (above) plays the role with scathing and insinuating restraint. This is not the angry clamour and heartbreak of Judith Anderson but a much more scaled-down performance, more subtilised perhaps. Maybe—like the Hedda Gabler Helen Morse did for the Melbourne Theatre Company a decade ago—a kind of Plathian performance, all angles and vulnerabilities, so that the self-annihilation and murder seem the natural consequence of the sensitivity and fineness. (I say maybe because this was a quieter performance and for all the efficiency of the translation there

are difficulties in following a performance in the minor key. Subtlety has more of a language barrier.)

The production was unembarrassed by the ritual aspects of the drama, by the throb and rhetoric of language, and by the nakedness of extreme emotion. It held the stage with dignity, but the dignity came from the fact that this version of Euripides was wild and unashamed.

Lazaros Georgakopoulos as Jason was lightweight and I could have done without the moment when the verse sounded like something you might hear in a Lonsdale Street café, but these are minor points. This was theatre—uncompromising, classical and modern—with its own exhilaration through

every level of mastery and uncertainty.

It was almost incidental that this play—which was once a mainstay of the public school syllabus and which is still fundamental to whatever is left of our notions of western literary heritage—seemed much more intimately 'ours' because of the Greek community's involvement, and the way that underlines the capacity for the best and most catholic kind of multiculturalism to deepen an intimacy we have always had.

OUR INTIMACY with Shakespeare is probably the primary advantage of being born into the English language theatre tradition.

Henry IV is as good as Shakespeare got in the historical and comic modes. *Antony and Cleopatra* may be more spacious or more sparkling and *Twelfth Night* funnier, but nothing else has quite the same feeling of political and roistering life as adjoining rooms in a crowded mansion with many glamorous and seedy quarters.

The two parts of *Henry IV* have Shakespeare's greatest comic character (Falstaff), his biggest matinee idol (Hal) in a cool and complex stage of earlier

development, and arguably his greatest and most opposed cameos—Hotspur, the boyish Geordie warlord who wants to pluck honour from the pale-faced moon, and Justice Shallow, the nearly senile companion of Falstaff's youth. Shallow is Shakespeare's reminder (if one were needed) that the world of grog and floozies is not that far from a world of country tranquillities and the memory of the chimes of midnight, and that both have realities unknown to the vanities of princes.

And then there is Henry IV, old Bolingbroke himself, that grimly smiling politician who strives right up to his death for the integrity whose semblance he has always worn like a glove. It is the most naked of all Shakespeare's portraits of a politician because this man with his mastery of every crooked path to power is presented at his most vulnerable—as a father.

Henry IV shows Shakespeare at maximum breadth. It has every jot and tittle of his naturalism. In this time of war, land is as cheap as stinking mackerel. It also has great flashes of military glamour, the glinting ethos of 'Die all, die merrily.'

John Bell's recent Bell Shakespeare production, abridging both parts to a solid but fast-moving three-and-a-half hours, is benignly influenced on its surface by the English Shakespeare Company's version, with Barry Stanton as its grand Falstaff. That production had a lot of black leather and contemporary sleaze—it was the cycle with the *Gotcha* placard for *Henry V*—but the rock music and roughness did not disguise a classical verse technique and textual purity.

In Bell's current production the warlords of Pt 1 (their diminished successors in Pt 2 have been cut) go to it with all manner of soccerised hymns (like 'You'll never walk alone'); the battle of Shrewsbury, together with Hal's duel with Hotspur, is spry and exciting as a mimed flick-knife fight. And the various Cymric and British chants orchestrated by burly thugs in black T-shirts with truncheons has the right growl of menace to suggest that hooliganism is a dark side of the national inheritance, older than the House of Lancaster but as contemporary as the wind from France.

John Bell makes a fair fist of Pt 1 (despite a negligible Hal) and the production as a whole sustains interest, even though Pt 2—shorn, alas, of all but its bucolic comedy, its tavern on the skids, and the King and Hal—is subjected to the kind of campy and distracting obviousness that has marred earlier Bell Shakespeare work.

I was apprehensive at the idea of John Gaden as Falstaff, but he brings to the part all the considerable dexterity of his long career and manages to be relaxed in a role that will defeat any impression of effort. The old codger's Australian voice fits the London idiom, and if Gaden does not plumb the depths of this part he does register its authority and the hints of melancholy behind the zest.

PART OF WHAT HALF-MASKS the performance is the director's fault. In the second part of the play those golden autumnal scenes between Shallow and Falstaff are deranged by the corniness of the staging and by the way Tony Taylor's Silence (funny in itself) is allowed to milk to the point of upstaging—as if he were the star turn in a school play. It's a pity, because Edwin Hodgeman's Shallow is potentially very good (despite rather too much action in his trouser pockets—another vulgarity) and some of the greatest comedy Shakespeare wrote is literally drowned out.

None of which can diminish the vigour of the first part, with Darren Gilshenan a very presentable Hotspur and Tony Llewellyn-Jones an attractively hammy Glendower. In the second part Gilshenan makes Pistol ridiculous in an unhelpful way but Tony Llewellyn-Jones is a wonderfully spry and pedantic Chief Justice. And in a double whammy of a play studded with challenges, Carole Skinner is superb as Mistress Quickly: the smoky strine voice adds charm to a comic performance that hits with a hammer blow.

Some of this *Henry IV* is ragged, as perhaps it's bound to be. Gaden does not rise to a sense of fatalism at the end of the play, but that kind of effect would depend on the kind of direction that could achieve the rapid and subtle transitions which elude John Bell, more particularly after the interval. *Henry IV*, as it develops elegiacally to its end, is full of one-liners that sound to the depths, as when Falstaff says to Doll: 'Peace, peace good Doll. Be not a death's head to me. Bid me not remember mine end.' Gaden hits some notes and misses others, but there is real finish and masculinity to his performance.

He is not helped—nothing is—by Joel Edgerton's performance as Hal, which is mediocre in the tavern scenes and inept in the court ones, with a teasing moment of competence during the fight. It is a mystery to me how

John Bell can make mistakes like this in casting. Elsewhere he hits the mark. The play's most impressive performance is Richard Piper's as the King—a disciplined, rock-hard classical portrayal, in control of the play's language and allowing it to lead him into the characterisation. Alone among this company, Piper looks as though he's acting with the RSC, and I don't mean that as an insult. There are moments when you wish he were playing Falstaff and Hal as well.

He also comperes the music-hall style Shakespearean race-call to get the audience back after the interval and does it with gusto. We need to see more of Richard Piper. His strength, I suspect, would be the tough soldier parts like Coriolanus but he could do anything. Perhaps an *Antony and Cleopatra* with Gillian Jones?

This *Henry IV* is a hopeful sign in the history of Bell Shakespeare, quite apart from its strong parts. The presence of actors of the calibre and experience of Prior and Gaden suggest that our actor manager is finally pushing to get his peers to share his stage. Well, good on him. ■

Peter Craven is former Melbourne drama critic of *The Australian*.

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FLASH IN THE PAN



Religion rules okay I

The Apostle, dir. Robert Duvall (independent cinemas). If you can remember Robert Duvall's memorable film debut (as the almost invisible Boo Radley in *To Kill a Mockingbird* in 1962—invisibility is a fair test of an actor) then his high-relief performance as the Apostle E.F. 36 years later, will prove his range. A less defensive Hollywood industry would have acknowledged his achievement this year with the Best Actor Oscar.

Duvall (above left with Billy Joe Shaver) directed, wrote and starred in *The Apostle*. He was also executive producer—forced to be because the film's subject, a full-on Pentecostal preacher who commits murder but who is neither bad nor mad, was too hot for Hollywood. Ice-pick sex and entrail-specific cannibalism fine. Religion, no go. Especially not front-foot religion.

Duvall's Apostle E.F. is a white-suit-wearing, all-singing and all-shouting Southern preacher. He argues so loudly with God that neighbours ring his mother to complain about public nuisance. They have a point. If you don't come out of the tradition (even if you do) then the Apostle, formerly Euliss 'Sonny' Dewey (he has 'Sonny' on his licence plates) could make you very uneasy, and Duvall's direction offers no easy outs. This is not a film about corrupt, snake oil religion: it is a film about passionate conviction and fallible goodness. It doesn't ask for assent but it does make it very hard for an audience to stay cynical because

there is so much life here and not all of it wrong-headed.

The film succeeds partly because Duvall (an admirer of Ken Loach) uses a recalcitrant realism: many of his actors are non-professional but expert in their roles. Country music singer June Carter Cash (as Sonny's mildly faking Momma) hymns her way authentically through the opening scene. Sonny's congregation in Bayou Boutte, Louisiana, are regular Gospel Chapel goers, as convincing in their domestic tensions as they are in their meta-physical confidence. And

where gifted amateurs join with professional actors the film shows no seams. Duvall's experienced cast includes English actress Miranda Richardson (remember her as Queenie in *Blackadder?*), Billy Bob Thornton and Farrah Fawcett, who is scratchily moving as Sonny's exasperated wife. But the film's unstoppable engine is Duvall. In one telling scene Sonny explains to a serene fellow-preacher that his problem with school was that he couldn't abide recess. And hallelujah, you understand how that could be so.

—Morag Fraser

Stalin's sons

The Thief, dir. Pavel Chukhrai (independent cinemas). This film arrives trailing clouds of glory—an Academy Award nomination for Best Foreign Film and numerous other commendations. It is undoubtedly a good film, but I found it a little disappointing. An excellent cast, a grim and impressive setting, and a powerful theme are slightly spoiled by some uncertainty of attitude in the development of the story, especially towards the end.

The acting is superb, particularly the thief Tolyan (played by Vladimir Mashkov) who is a soldier living by treachery in the immediate aftermath of World War II in the Soviet Union. He becomes involved with a single mother and her young child and together they move around the country as Tolyan charms, robs and decamps with equal panache. The character of Tolyan is an amalgam of masculine magnetism, grace and brutal opportunism. The selfishness at

his core is as much the cause of the tragedy that unfolds as are the grim conditions of post-war Soviet life.

The story is told from the viewpoint of the six-year-old boy Sanya (impressively played by Misha Philipchuk) and his complex relationship with Tolyan is much more intriguing than Tolyan's relationship with Sanya's mother Katya (Ekaterina Rednikova) who is something of a stereotype. In spite of himself, Sanya is driven to identify with Tolyan and the consequences of this provide an ending that is partly tragic and partly contrived melodrama. For most of its narrative, the film projects a coolly objective stance towards its central characters, deliberately leaving the moral judgments to the audience, but in its final part the attitude shifts abruptly, as if the director has decided that it is time to ram home the moral. This goes with some unconvincing plot devices (the role of Tolyan's gun being the most obvious) to create a more conventional finale than the film had earlier promised.

—Tony Coady

Religion rules okay II

Kundun, dir. Martin Scorsese (independent cinemas). The first thing you notice in the film is a strong sense of being in another world. Not a bad effort, since all of the dream weavers labour to create parallel universes for sale or hire. The difference with *Kundun* is that you sense that what you are seeing really has an independent existence, that something close to truth is being made manifest in the way that epiphanies come. All the more interesting then, that the towering layers of temple and palace are filmed in Morocco, because of course it would be impossible to film the life of His Holiness the 14th Dalai Lama in the Tibet dominated by the Chinese since 1959.

The film is the result of 15 long interviews that the Dalai Lama gave to Melissa Mathison, better known for being the wife of Harrison Ford and also the screen writer for *ET*. It doesn't do to dwell too long on that thought, but any fears one might have entertained about the cheapening of the story are dispelled from the first frames, which take us into the experience of the two-year-old boy who is about to be discovered in 1937 as the 14th reincarnation of the Buddha of Compassion. Scorsese used Tibetan exiles in all the parts, and the result is riveting. It has the feel of great documentary, because everyone there is doing more than just

acting—they're recreating memories. Scorsese had a goldmine in the vibrant culture kept alive by the Tibetan exiles. The Tibetan oracle, for instance, made me feel quite toey—there is a fine line between the descent of the Muse and just very good acting, and I think here there was more going on than was dreamt of in our philosophy. Disbelief spends a lot of time suspended, partly because there is such a vivid engagement with real raw belief, not wishy-washy religiosity. Kundun's mother is played by the Dalai Lama's niece, and other relatives abound.

The film takes one through the beginnings of Kundun's life, using four young Tibetans, aged 2, 5, 12 and 18. The attempt to recreate Tibet is more than convincing, because of the sheer authority of the exiles who are holding Tibetan Buddhist culture in a heartland that they call into being for Scorsese to organise into a long but perfectly paced movie. So what you end up with is much more than a biopic, something that challenges all the emptinesses in that inescapable comparison, *The Last Emperor*.

Kundun is a rich, glowing masterpiece from one of the greatest directors in the world. It deserves to be seen, especially since the production company, Disney, was intimidated by the Chinese Government into attempting to bury it by releasing it into only a few cinemas and fixing an abnormally high distribution price on it. But don't see it just because it would be a worthy thing to do—do yourself a favour and see it many times for its wonder and pathos and humanity.

—Juliette Hughes

Downmarket monster

Godzilla, dir. Roland Emmerich (Hoyts). Among the more than usually bizarre range of merchandise to accompany the Australian release of *Godzilla* is a battery-operated candy turner, available at supermarket check-outs. This is a plastic device, not unlike an electric toothbrush, shaped like Godzilla, the world's most frightening monster. You put a chuppa-chup or lollipop in the head of the lizard, hold down the button and let the candy turn in your mouth. The purpose of the device is to spare young children even the minimal exercise they may get from chewing on candy and hence to preserve precious calories.

Sad to say, I was more entertained by playing with the Godzilla candy turner for

the 20 minutes I was stuck in the check-out at K-Mart than I was for the two hours I endured this unbelievably boring movie. I spent part of the film wondering if I could endure the 38-storey big-dipper at Dreamworld on the Gold Coast which was advertised in the trailer beforehand. The rest of the time I dreamt of better ways to spend \$100 million.

The original *Godzilla*, created in Japan in the 1950s, had a role in helping a nation cope with the atomic devastation it had suffered not long before. Godzilla, the monster, was caused by radiation. The Japanese enthusiasm for him was based on a subliminal understanding that they were not going to live forever in fear of the harmful effects of radiation, no matter how terrifying they may be. The new Godzilla is likewise caused by radiation. In this case, the French are to blame. Their environmental callousness has created a monster big enough to supply all the Godzilla meal deals currently on offer at KFC. For a strictly limited time.

—Michael McGirr SJ

Saddle cures

The Horse Whisperer, dir. Robert Redford (Village). Consider the ingredients: animals and damaged children, a nail-hard New York editor, her mild lawyer-husband, a craggy Montanan who can talk to horses, his folks, their folksy meals and even folksier cattle musters all set against mountains and high plains where lovers can gallop free. The film could have been a disaster.

But Redford manages to keep glamour and gratification on short rations with wit, restraint, moral plainness and an intelligent script. And the horses—difficult to suborn a horse—are extraordinary. If you have to be upstaged by any force of nature go for the horse every time.

Redford, who knows what he is about, starts with horses in a credit sequence that has one elemental creature galloping through sand dunes. The muscular finesse is more amazing than anything in Spielberg. He then picks up our historical fascination with horses (Lascaux, Indian painting, Asiatic invasions, etc.) in a brief encyclopaedic sequence in which Annie, the New York editor (Kristen Scott Thomas) does a frantic electronic search for lore that might cure a ravaged horse and at the same time reconcile her injured daughter (Scarlett Johansson) to some wholeness of life. She locates a horse whisperer, Tom Booker, a

late 20th-century medicine man (Redford) whose skill with horses places him in the long line of humans who haven't needed Darwin to instruct them in the origin of species. I'd say he was Tommy Woodcock with allure, except that the film's virtue lies exactly in its ability to sidestep cliché. It makes you look twice at the conventions of late modern life—its fabled stress and retreats into backwoods alternatives. Redford as director knows too much about both sides to be content with urban/pastoral dichotomies. And his cast are exemplary. Even the children.

Dianne Wiest and Chris Cooper are disconcertingly convincing as rancher husband and wife. Scott Thomas' brittle Englishness allows her to get away with Annie's unabashed romanticism, and she is deftly counterbalanced by Sam Neill as her husband. Neill, a subtler player than Redford, manages what most actors cannot—the portrayal of a weak, admirable man. So full marks to Redford for the courage of his casting. The film is also unflinching—and consequently very moving—in its evocation of the complexity of the relationship between mother and daughter.

—Morag Fraser

Double identity

Sliding Doors, dir. Peter Howitt (general release). If you're up for a spot of romance, a bit of a cry, and a hearty laugh at the expense of two daft jocks in a London pub, hop off to *Sliding Doors*, a darkly charming romantic comedy without the slightest hint of saccharine.

Helen (Gwyneth Paltrow) gets the sack, meets a stranger on the train, and discovers that her boyfriend, Gerry (John Lynch), is a feckless two-timing scoundrel. Or, perhaps, Helen gets the sack, misses her train, and concludes that Gerry is a bit feckless but faithful. Which is it to be? Well, the conjuring of cinema can afford Helen both possibilities, and does. Seamlessly moving from one possible world to the other, *Sliding Doors* manages to keep you equally interested in both its stories.

Casting a major Hollywood star (playing a Brit) in the leading role hasn't stopped Howitt making a handsomely European style of film—a touch of Continental romance checked by a good deal of British irony (dark and rich). The absence of cute characters and a healthy dose of Monty Python quoting has left this tale of love without a trace of the dreaded feel-good.

—Siobhan Jackson

WATCHING
BRIEF



T Happy families

THE ABC's June 28 screening of the Ian Holm *King Lear* was rich viewing, even though the production showed its stagey origins. The production was directed and adapted by Richard Eyre for the National Theatre in London and received many plaudits. I have been waiting to see

what Holm's *Lear* would offer us, after seeing Olivier's careful, rather touching effort to transcend himself in the part ten or eleven years ago. I was concerned that Holm might be directed out of existence as happened in Peter Brooks' strained effort in 1971 that, among other infelicities, had poor Paul Scofield *whispering*, for God's sake, 'Blow, winds, and crack your cheeks!' That production had heaps of scenes with bearskin-clad horsemen galloping over snowy wastes, when a little more use of the text would have served mightily.

Lear is the big one, the one that male actors see as the crown of a worthy career. It just can't be done by a young man and the middle-aged should curb their impatience and wait until they are within less than a generation of *Lear's* fourscore; the role demands nothing less than a capacity to be a focal point for the eternal mysteries—in a way that cannot be got by book-learning. It takes depth and real years as well as craft to convey the tragic conundrum of age beating wisdom in a soul, the terror of forces unleashed when responsibility itself becomes irresponsible. And the craft itself can be a trap for the acting of *Lear*—far too easy to let torrents of words rush by in perfectly articulated incomprehension. In Olivier's *Lear*, there was the sense (that I often get with Branagh too—now *there* might be a *Lear* to reckon with, if he really grows up) that he was trying hard to leave behind all the luvvie mannerisms and take some risks. It became quite moving, seeing him do this. I felt a sense of making allowances for him, in a strange sort of way. But at least he was old—Scofield was very ill-advised to take it on at 49.

Holm has done most things right for this *Lear*. He is 66, and isn't handicapped by decades of being a matinée idol. His lack of height has made him a favourite choice for playing Napoleon, or nasty side-kicks, and his peculiar intensity, his face that could so easily harden into cold malice, made him a marvellous Richard III back in the '60s. So his career has been that of a magnificent also-ran for many years. He won at Cannes for his part in *Chariots of Fire* but was passed over for the Oscar in that year. Recently he won a Genie, for Best Actor in a Leading Role in *The Sweet Hereafter*—he is following the pattern of the very best character actors, who achieve renown as they age, unlike their more decorative colleagues.

Holm's *Lear* is a very vulnerable one: he is a small, capricious, self-important king whose bellowing and speechifying display inner uncertainties from the start. Holm is a heck of a shouter, and the best thing about his portrayal is the way the shouting seems to spring from a bottomless well of inner rage, for from the start of the play, he is always on the edge of explosion. His *Lear's* misfortunes crank out the rage that was always there: the man is disturbed, long before he loses it all so floridly on the heath. This is not a shallow production,

where the distribution of the kingdom between the daughters is a mere given, the dice throw that gets the play going. The laugh that Holm/*Lear* gives as he says 'while we unburthen'd crawl towards death' is so *different* from the usual melancholy grandiosity given to the lines. And disturbing, because then Kent's panicky remonstrations seem to burst from pent-up worries, taking a last desperate chance on reversing the chain reaction. This is a *Lear* on the giddy upswing of bipolar disorder, with the downside terrifying to contemplate.

I have a few small quibbles. Much has been made of Holm's loud rendering of the awakening in Act IV sc. vii:

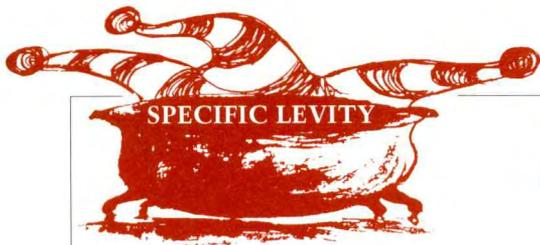
You do me wrong to take me out o' the grave:
Thou art a soul in bliss; but I am bound
Upon a wheel of fire, that mine own tears
Do scald like molten lead.

Holm bellows this with some energy, and the idea is consistent with this loud, vulnerable non-stoic *Lear*; but somehow it doesn't work thoroughly. There should, for my money, be a gasping, agonised quietness about *Lear* at this point—he should be exhausted, surely—while Cordelia's poignant 'No cause, no cause' should have been given more air. But it's an interesting reading and if it seems a bit operatic at times it doesn't really matter: this is a passionate, coherent production.

ON STAGE THE DESIGN MIGHT have worked better, I think. The colours are good—all reds and blacks and muddy creams and greys. But the set looks like one of those plush minimalist offices from the eighties, and there is some business with a cart at the end that got in the way of things a bit. And the last words are given to Edgar, which is a mistake: it's one of Albany's few moments, and it sits well to have Goneril's widowed husband pronouncing 'Speak what we feel, not what we ought to say'. Edgar gets quite a run in the Eyre production, and is given a Malcolm-like position at the end, summing things up. But it's better to leave the impression of chaos and uncertainty, with Albany conferring power on the Kent and Edgar, Kent refusing and the future left up in the air.

There was a small reminder of family conflicts of the more mundane kind in the engaging ABC series *SeaChange*, when Laura's tarty sister arrived in town ostensibly to apologise for sleeping with the venal ex, but in fact to start pilfering Laura's blokes again. It was good light fun with a hint of seriousness, and the only worry is that when the URST (UnResolved Sexual Tension) gets resolved between Laura and her nice fishing chappie, the series might fold unless they can put more weight on other aspects of the plot. Otherwise it's going to be just a brighter version of the long running Nescafé ad that recently married off the woman who'd escaped from the big city to the interesting country fella. Letting nature take its course finished *Moonlighting* and *Ballykissangel*, and *The Nanny* is going the same way. Whether the scriptwriters of *SeaChange* can produce a believable upbeat romance remains to be seen. That *would* be something rich and strange. ■

Juliette Hughes is a freelance writer.



Eureka Street Cryptic Crossword no. 65, July/August 1998

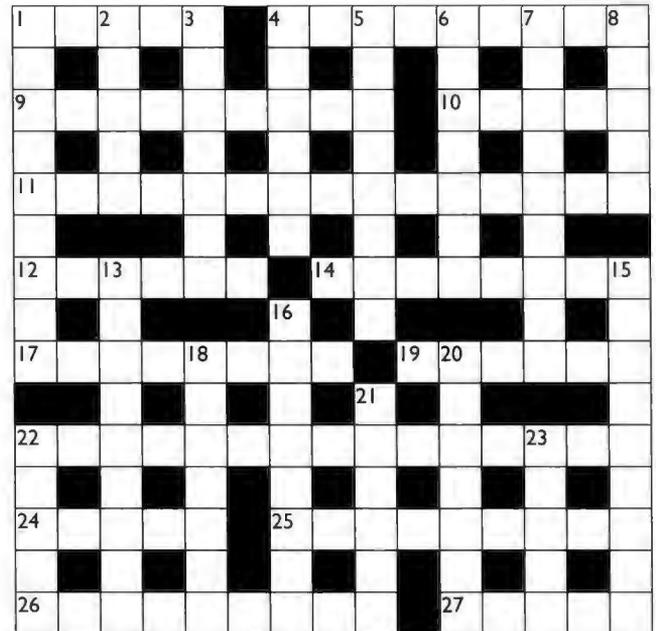
Devised by Joan Nowotny IBVM

ACROSS

1. The speaker refers to many places. (5)
4. Night club, possibly, extremely pleased with the finding. (9)
9. Morning prayers were cut short at the return of 'Number One', who then preached the eulogy! (9)
10. Sundry reasons for a run? (5)
11. A service that brings enchantment to society? (6,9)
12. Unfortunately, sunlit scene was the occasion of the affront. (6)
14. By purest chance, most see through garment! (8)
17. Formerly a collier, he became an assayer. (8)
19. Somehow got the chance to move out of such confines. (6)
22. The curse of the medical profession? (11,4)
24. Aimed to influence the fourth estate, for one. (5)
25. Repeat note thrice, round a meal, in private conversation. (4-1-4)
26. One holds up proceedings, perhaps, and goes in for embraces, but not me! (9)
27. Could be seven but they're not odd. (5)

DOWN

1. Incentive for buying lots, i.e. parcels as ordered. (4,5)
2. All of them make you butter-fingered, but put up one more than this for the green light! (5)
3. About room, plenty of it available! (7)
4. Imports on coasts? (6)
5. Rather nervously, Beth goes into the sauna without a chance of getting a tan. She would be better to do this. (8)
6. Survey love poetry at the beginning of eventide. (7)
7. Unusual text about wanderer indicated he was outgoing. (9)
8. Direction is given after question asked about leaven. (5)
13. Charges for brand of mixed seed. (9)
15. Gummy like a tame tiger or a man in Shakespeare's seventh age. (9)
16. Although altered, decrees top typescripts are to be gradually released, but privately. (8)
18. Set apart, I ask 'Is love dead?' (7)
20. Having been cultivated, the acre yielded a hundred-fold. (7)
21. Man from America, perhaps, spoke about the old Greek coin. (6)
22. Nothing in woven mesh to suit dwellings. (5)
23. Sharp ridge found in bare terrain. (5)



Solution to Crossword no. 64, June 1998



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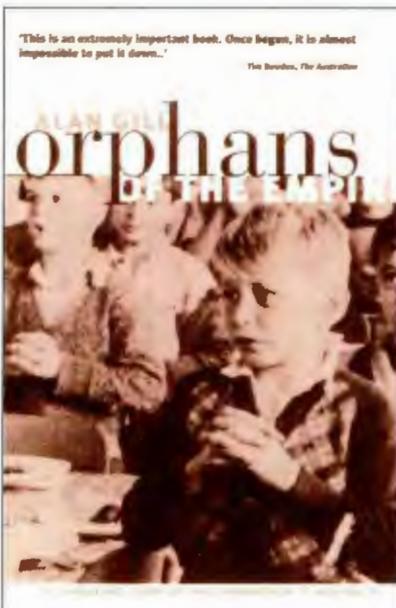
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