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David Cameron's shirtfronting impotence

CREATIVE

Brian Matthews



Apart from igniting the interest of Scottish expatriates, of whom there are many in Australia, and others with more general Caledonian interests, the recent referendum to decide for or against Scotland's independence from the United Kingdom did not much engage the antipodean imagination. New Zealand was dealing with its own poll and, as so often, we in Australia were busy contemplating among other things our leaders' enthusiastic courtship of another foreign war.

In Scotland, however, and - in the last weeks before the vote as Unionist alarm was kindled by the prospect of defeat - throughout England, the national mood was volatile, the debate sharp, incendiary, uncompromising. With the defeat of the 'Yes' vote, the sense of disappointment in Scotland, of a golden opportunity lost forever, was profound and palpable.

'Did we cry?' wrote essayist Kathleen Jamie, from her home in Fyfe, 'Of course … our hopes had run high. When that opinion poll appeared putting &'Yes&' ahead, the one that sent Westminster into a flat spin, I actually thought, *my god, maybe we can swing this* … By then, of course, Scotland was suffering full scale Unionist psychic battering, Project Fear in hyperdrive. But for a few weeks the bullying, elitist, rapacious United Kingdom establishment had stood exposed. Here. In my country. Scotland. It was absolutely bloody brilliant. It was beautiful and now it's over and we've shed a tear and that's that.'

Well, of course, not quite. By late Saturday night the drama was certainly over, the Unionists had won. By Sunday evening the 'vow' formally, publicly and solemnly made to Scotland by British Prime Minister David Cameron, Deputy Prime Minister Nick Clegg and Leader of the Labour Opposition Ed Miliband that a successful 'No' vote would see Scotland granted 'more powers' was being quietly shelved. 'They didn't even have the grace to wait till Monday,' Jamie noted.

Geographically this passionate confrontation could hardly be more distant from sunny

Australia; psychologically and politically, however, the reactions of both Scots and English commentators - writer and film maker Tariq Ali, political scientist David Runciman, journalist Neal Ascherson, historian Colin Kidd, author Jenny Turner among many others of varied political affiliations and backgrounds - reveal tantalising congruencies for interested Australians. There are, for a start, the smoothly broken promises.

Originally, what came to be known as the devo-max vow - shorthand for the promised devolution to Scotland of most powers excluding defence and foreign affairs but regarded by some 'Yes' voters as likely to morph into 'Independence Lite' - appeared on the front page of Scotland's *Daily Record* 'mocked up' in the words of Jamie, 'to look like ancient parchment' and thus to carry a kind of *faux* historical clout. It was partly the desperate publicity of the vow that made it look in retrospect cynical and ephemeral when it began so promptly to unravel.

Then there was the powerful wave of Anglophilia whipped up by a 'relentlessly Unionist' press with appeals, familiar to Australians, to the Union Jack, the enduring relevance and centrality to the nation of the Mother Country, the importance of the Royals, selective historic versions of English-Scottish comradeship, and so on. And, as the pace of events quickened towards the day of voting, there was the phenomenon referred to by both Tariq Ali and Kathleen Jamie as 'Project Fear' - 'psychic battering' day after day to convince 'Yes' voters of their delinquency, their moral turpitude in seeking to undo the 1707 Act of Union, what Australians would recognise as 'ban the Burqa' moments when ideological crudity tips over into at best ludicrous and at worst dangerous farce. Farce, however, became a weapon briefly for the 'Yes' cause, as Jamie reports, when 'sixty Labour MPs [were] trucked up [to Glasgow] to make us see sense. They were chased through the streets by a guy in a rickshaw … playing the *Star Wars* theme and hollering through a megaphone: 'Welcome, imperial masters! Welcome to Scotland … people of Glasgow, here are your imperial masters!' What would this man would have made of a country fresh from re-instating imperial Knights and Dames?

But if some aspects of the English/Scottish confrontation rang interesting bells for Australians, there was one area of stark difference. When the Scottish independence campaign was well launched, David Cameron had to tread cautiously on the question of British support for the war against Islamic State. Precipitate involvement would have been grist to the 'Yes' vote mill in the tense referendum atmosphere. Not so Tony Abbott for whom international hot spots far from Australian shores offered an opportunity to strut the world stage, take people's minds off domestic affairs and lift the pall of governmental confusion and unpopularity with a bit of shirtfronting. While Cameron eventually put the question of committing to fight Islamic State to his parliament, Abbott, like a footballer with white line fever, barged in with executive impatience and we were at war before we, or parliament, quite realised.

'Scotland', says Kathleen Jamie, 'is a country not a brand.' Likewise, some of us down here might want to insist, Australia is a nation not a team.



Brian Matthews is honorary professor of English at Flinders University and an award winning columnist and biographer.

G20's opportunity to nail multinational tax dodgers

AUSTRALIA

Angela Owen

Thursday's *Financial Review* reported that Swedish furniture company IKEA's Australian arm has earned an estimated \$1 billion in profits since 2003, almost all of which has been exported tax-free.

Ikea is not alone among multinational corporations that seem to have found a way to defy Benjamin Franklin's famous assertion that we can only be certain of death and taxes. Others include Google, Facebook, Apple, Amazon, and Starbucks.

Using a variety of legal but questionable or difficult-to-trace methods, multinational companies are often able to avoid tax on large parts of their business activities.

However the problem is not confined to just a few mostly tech giants. Many multinational mining, forestry, agriculture and even consumer-goods companies are coming under increasing scrutiny for the artificial structures and transactions they have created for the purpose of avoiding tax.

Sadly, as with any form of corruption or unethical behaviour, it is the world's poorest who end up suffering the most. Christian Aid estimates that in 2008, developing countries lost more than USD 160 billion through just two forms of multinational corporate tax dodging. This conservative estimate dwarfs what that these countries receive in aid, which amounted to USD 120 billion in 2009.

When translated from dollars into lives saved, developing countries could spare the lives of around 350,000 children each year if they had access to these lost revenues.

We also know from estimates provided by the United Nations that every USD 100 million recovered from tax dodging and corruption could fund full immunisations for four million children, provide water connections for some 250,000 households, or fund treatment for over 600,000 people with HIV/AIDS for a full year.

The reality is that tax is the primary source of income for developing nations to provide essential services to their citizens - services we all need, like health care, education, aged care, clean water and roads. When multinational companies and wealthy individuals avoid paying taxes, everyone else (including the poor) have to either pay more tax or go without essential services.

The impact on developing countries is devastating, denying them the money they need to be self-sufficient and making them dependent on aid and debt. This truly becomes the case of the rich getting richer while the poor miss out.

Beyond the actions of multinational corporations, though, it is clear that the global tax rules need to be changed. It is the global rules which make it possible, and even seem desirable, for multinational corporations to find and exploit mismatches in national laws, facilitate unhelpful tax 'competition' between nations, and seek out the secrecy of tax havens in order to reduce their tax bill.

Fortunately, the world's most powerful economies, including our own, have awoken to the immense problem multinational tax dodging presents for their own national incomes, and are now taking positive steps in this area to prevent it.

When the G20 leaders meet in Brisbane next week, action to crack down on tax avoidance and improve transparency in the global financial system is on the agenda.

Whilst this is good news, any concrete steps made will only help developing nations if their interests are represented around the table. Too often they are neglected in favour of those of the most wealthy countries.

The recent release of a global standard for automatic exchange of information is an example of a positive step in the right direction. Yet it's one that could exclude developing nations from its benefits.

The new standard will allow countries to more easily identify when their citizens are making investments or moving money into other countries. Yet developing countries will find it especially difficult to implement the multilateral standard, as it demands reciprocity and data-handling standards designed for the world's best-resourced tax authorities.

In other words, they will only be able to access information if they themselves collect information and commit to send it to other countries. If this seems like difficult task for the Australian Tax Office, imagine how an under-resourced and over-stretched tax authority in a developing country will fare. The G20 has emphasised that it intends to support developing countries with capacity building and technical assistance, but as yet few concrete actions have been taken.

And yet an automatic exchange of information isn't sufficient, in itself, to curb global tax dodging. In order to ensure tax is paid in the country where the economic activity takes place, G20 leaders will need to ensure much greater levels of transparency on the tax activities of multinational corporations. Currently required only to report on a globally or regionally aggregated basis, there has been welcome progress towards country-by-country reporting, which would require multinational corporations to publicly report their operations and activities for every country in which they operate.

By making this information publicly available, multinational companies will find it harder to evade their fair share of tax, and citizens of all countries will be able to hold governments to account for how they raise and spend corporate tax revenue.

In Brisbane next week, our leaders will have the opportunity to choose whether or not they take concrete steps towards a fairer and more sustainable world by tackling tax dodging and improving transparency. The many people in rich and poor communities all over the world who have been calling for justice in the global financial system will be watching with interest.



Angela Owen is the Media and Communications Coordinator for the global Christian campaign Micah Challenge, which is coordinating awareness and advocacy on tax dodging in Brisbane this weekend as part of its Shine the Light initiative.

Good guy alienated from God

REVIEWS

Tim Kroenert

The Drop (MA). Director: Michaël R. Roskam. Starring: Tom Hardy, James Gandolfini, Noomi Rapace, Matthias Schoenaerts, Ann Dowd. 106 minutes

Bob (Hardy) is a fundamentally decent working man. He tends bar for his cousin Marv (Gandolfini) at a pub named, aptly, *Cousin Marv's*, and is as generous as he is taciturn. During *The Drop's* opening scene, he shouts a round for a group of patrons to toast their late friend, and allows one elderly regular to drink for free, much to Marv's disgust.

Bob is certainly not the kind of man to, say, turn a blind eye to the plight of an injured dog. Sure enough, one night while walking home he is drawn to the cries of a young pitbull, whom he finds bleeding in a lidded rubbish bin. Although painfully unaccustomed to caring for a pet, Bob decides to take the poor creature into his care.

This chance meeting with a dog (which he subsequently names Rocco after a favourite saint) is fateful for two reasons. First, it brings Bob into contact with Nadia (Rapace), a financially-struggling animal lover - and owner of the aforementioned rubbish bin - who before long takes a cautious shine to the nervy but mild-mannered Bob.

But Bob's spontaneous pet ownership and friendship with Nadia also pits him against Nadia's ex - and Rocco's former owner - Eric (Schoenaerts), an affable, dead-eyed menace who is not only down with beating up girlfriends and puppies but who is also known to boast of killing the same man whom Bob's barflies had earlier been toasting.

Marv, meanwhile, is nonplussed by Bob's canine dramas - he's beset by other beasts. His bar is a popular drop point for the ill-gotten gains of local Chechen crime lords, and these 'Chechnyans' (as Marv is wont to call them) are out for blood ever since Bob and Marv allowed the bar to be robbed at gunpoint.

Marv's own financial difficulties run deep, and are deeply personal. His elderly father is on life-support, which Marv refuses to have switched off, despite its drain on his dire bank balance and the entreaties of his careworn, matronly sister Dottie (Dowd). Marv is a man with a plan, however, in which Bob and Rocco have an unlikely part to play.

The Dennis Lehane short story on which *The Drop* is based is entitled 'Animal Rescue', but even without this clue it is easy to see that Rocco, his physical wounds and the neglect he has suffered, are emblematic of the film's human characters - a network of loners and emotional invalids in need of rescuing from circumstance or self.

If Bob at first appears to be the most 'together' of them all - despite his tics and nervous introspection - then there are signs aplenty that this may not be the case. For one, consider the fact that he dutifully attends Mass but, when the time comes to take

communion, remains conspicuously in his seat. Bob is a man with sinful secrets.

Lehane's script simmers with humour and humanity, and in Roskam's hands plays out as a brooding, contemplative crime drama. Pay close attention to the many gentle and sometimes brutal convolutions of the plot; nothing here is incidental, and the film positively thrums with pertinent detail, despite its sombre tone.

The Belgian filmmaker brings a gritty European sensibility to this most American of genres that helps *The Drop* stand out from the pack of similarly themed post-*Sopranos* films.

His film is made all the more captivating by the performances of Hardy and the late Gandolfini, whose characters' every cruelty or kindness hums with unhealed hurt or untapped compassion. Bob is a man alienated even from God, and for him at least *The Drop* is an unconventional redemption story.

Tim Kroenert is assistant editor of Eureka Street.

There's more to identity than flag-waving

AUSTRALIA

Andrew Hamilton

In times of anxiety people often worry at questions of identity. Individuals worry about sexual identity, Christians about church identity, football supporters about club identity, and citizens about national identity. Now in a time of anxiety about terror and cultural cohesion, we naturally fret about Australian identity.

Identity is often imagined through the image of territory. It has boundaries that separate people from others. It includes distinctive practices, histories and beliefs that distinguish people from others. If we see identity in this way we might think it reasonable that people wanting to become Australian should know what cricket is and who Don Bradman is.

From this perspective, when people take on one identity they leave behind their former identities. Chinese immigrants stop being Chinese on becoming Australian citizens; Protestants stop being Protestant when they are received into the Catholic Church. Dual identities become problematic - can you really be Australian and Irish, or an Australian and a Muslim?

In his recent *Quarterly Essay*, Noel Pearson draws on a different image of identity. He describes identity as layered. We are human beings. We have a national identity, a regional and local identity, a religious or philosophical identity, a cultural and linguistic identity, a professional identity, identities associated with sporting clubs, recreational activity and social commitments. If we are asked what we are, we can answer that we are simultaneously human, Australian, Indigenous Australian of the Kulin nation, teacher, Collingwood supporter, Methodist, member of Rotary, and so on. All these things together shape our identity.

The image of layers suggests rightly that we should not understand ourselves as self-contained individuals given a homogenous identity by membership of a group. We are persons in rich and complex relationships, all of which shape our identity. Each layer of relationships formed through affinity, culture, language and other factors will be expressed in distinctive beliefs, practices and interpretations of history. So, for example, Australians of Indigenous, English and Vietnamese descent will have different ways of telling the Australian story.

This approach to identity may seem centrifugal and fragmented. But in fact it is cohesive precisely because it is multilayered. At each layer of our identity we connect with people with whom we may share little in common in other respects. We may be devout Baptists, but in our bowling club we mix convivially with Catholics, atheists, Christian Scientists and so on. We may be Indigenous with a history of being discriminated, but in the local fire brigade we work cooperatively with descendants of the settlers who despoiled us.

Australian identity is constituted by a complex network of interrelationships between people.

The strength and variety of the layers of our personal and group identity contribute to a strong national identity. We shall be more cohesive as a nation if our citizens are passionately Indigenous, committed Muslims or Christians, active in our communities and social groups, strong in our convictions.

But the strength of a national identity also depends on the strength and depth of the connections we make through these layers with people and groups different from our own. If we are isolated in homogeneous and non-interactive groups, any larger national identity

we have will be brittle. So it is important for national economic and social policy to enable inclusion.

Australian identity is constituted formally by living together in same territory, accepting the claim that the institutions of governance and law make on us, and accepting other Australians as a 'we' and not as a 'they'. The strength of national identity will depend on the richness and variety of the layers of personal identity within Australia and the richness of the interactions between people who are different. Because this is so, Australian identity is always changing: it reflects the changing relationships between people and groups within society.

Our identity as Australians does not trump all other forms of identity. The best political drama has always focused on adjudicating conflicting claims of religious faith and of national identity, on deciding what belongs to God and what belongs to Caesar. In such disputes people usually appeal to the wider identity and consequent responsibilities that all human beings share by virtue of being human.

When national laws and practices are inhumane, it is right to be ashamed of belonging to the nation and, if push comes to shove, to disobey the national laws in the name of humanity. That is why Antigone, Christian martyrs and conscientious objectors have been derided in their time and subsequently honoured, not only as individuals but as ornaments to their nations. They helped shape national identity.

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Australian flag painted fist image by Shutterstock.

The neigh sayer

CARTOON

Fiona Katauskas



Fiona Katauskas' work has also appeared in ABC's *The Drum*, *New Matilda*, *The Sydney Morning Herald*, *The Age*, *The Australian*, *The Financial Review* and Scribe's Best Australian political cartoon anthologies.

Does she really need to know the truth?

CREATIVE

Prue Gibson



She told the police, the children, their friends. He was doing some chores in town. Taking the main highway. She couldn't tell them any more. It was all Rob had said. No details, no anomalies. He'd kissed her. She could still feel the tingle from his lips on her jawline, just beneath the ear. How lovely to be touched there.

They'd all been very kind but it was her little grandson Eddie who'd understood it better than the adults. 'Bang crash. Grandpa. Bang crash.' Rob's boots were found fifty metres from the accident site; the impact of the semi-trailer had sent the vehicle's contents soaring high, before hitting the ground like a spilt mesh-bag of oranges. His sunglasses, a torn and muddy folded map, his beige jumper, pocket torch and Souths Rugby cap were gathered from the vicinity by police, to give to 'grieving relatives'.

She was 19 and Rob 20, back when they first met. She'd worn green silk with layered petticoats and Rob a dark suit. They'd snuck out the back of the dance hall, after a brief chat (and an awkward twirl to an uncomfortable jive). Instead of dancing, they'd walked for miles along the streets, down to the river. She carried high heels in one hand, he a suit jacket thrown over his shoulder, tie crumpled up and thrust into right-hand trouser pocket. Sideways grins, sliding glances. She could still remember the touch of Rob's hand once she'd slipped hers into his, fingers interlaced: a companionable gesture, more childlike than erotic, to start with. Their touch had given her a combination of needy ache and pleasant sedation, a sensation that lingered through the years.

Bang crash. Like the other contents of the truck, he'd hit the ground; thrown several steps from the vehicle. The police woman, with the scraped blond bun and scars from harelip corrective surgery, told her the semi-trailer driver was beside himself. 'Real cut up,' she'd said. 'Saw the look in your husband's eyes before impact, evidently,' she'd said. Not helpful to hear that. Not helpful at all. Didn't want to think about his last moments, truth be told.

The kids arrived later that day. Young Jim peppered questions at her, pacing back and

forth, closing cupboards that weren't open. Then he barked orders and made phone calls. Adrenalin, they say. Soon he opened the closet, snatched the broom and swept up imaginary dust. She had never seen her son sweep the kitchen before. Irritated, she unfurled his fingers as he cleaned past her and threw the broom out the back door, where it clattered down the concrete steps to the spongy grass below. Sally just sat at the kitchen table, her left eyelid twitching, silent, letting little Eddie crawl all over her, like the lovely mother duck she was.

How was the funeral? Even worse. The wooden pews had been waxed and she found it hard to breathe without gagging. The incense incensed her. What rot to swing that horrible stuff around the place. Still, she sat calmly with her good pump shoes in parallel position, the matching mauve leather bag in her lap. What did the semi-trailer driver see, she wondered? How was Rob thrown out of the vehicle, if his seat belt was fastened? Why did he join the main road, when he could have gone down the old highway, free from any traffic? Bang crash. Stupid fool. Stupid old fool. Bang crash. 'Mum,' hissed Jim. 'Stop shouting.' Opening a hymn book, she snapped it shut. What was the use, she thought? You pour all your love into the heart of another, only for them to bugger off and leave you. Stupid man. Idiotic person. 'Mum!' Jim whispered too close to her ear. 'I'll have to take you out. Are you having a mental break down?'

At last the church bells rang and she was able to escape outside, with little Eddie's chubby hand to keep her on a steady course. Old Fred Angus came over as she stood under the Jacaranda and mumbled about how dangerous that merging lane was. Lovely Fran Kelsworth asked her over for a cuppa in a few days when she was up to it, adding that those freight trucks travelled at dangerous speeds these days. Even Sasha Mills pressed her be-ringed hand painfully and whined that they needed to fix up the transport system in Australia because, 'it was not on, it just wasn't on.' A purple trumpeted flower landed on her sleeve and she marvelled at the stamen, which seemed strangely erotic to her, its dusty petals were a wonder of sensuality. Well, she was alone for good now, so she shrugged the flower away.

That night she lay in bed, stiff as Rob's casket. Should have climbed in there with him. May as well, nothing left for her. Except Eddie, that lovely little boy. She'd taken half a tranquilliser but her heart was racing too fast and she kicked the sheets off. Sweating, then, and breathless too. Well, she thought, it happens. Headlines: loved husband gets killed, grieving wife has heart attack two days later. This made sense to her and she welcomed the thought, but as soon as she accepted this new fate, her heart slowed and her face cooled. She went over it again, for the twentieth time. That morning, they woke. He showered. Where was his blue shirt? He'd said. Which one, she'd asked? The deep blue one, you know, the linen one. She ironed it for him and cut up bananas, kiwis and pawpaw. Splash of lemon. Then what? She'd asked what his plans were. Doing some chores in town. Taking the main highway. Then he left. End of story.

Bang crash. Did it hurt? 'Dead on impact,' the police woman had said. But how would she know? The police and ambulances would have arrived at least ten minute after said impact. 'Swung out at the wrong time,' blond bun had said. Bang crash. Flew out through the smashed windscreen. Hit the ground. Bang crash. Baby Eddie knew. Bang crash. Two hours and a useless benzodiazepine later, she rose and showered. Dressed and waited. It was only two o'clock in the morning. She waited until six.

There hadn't been the chance to find the semi-trailer driver at the scene; she felt sure the police would be a dead-end, if she tried to enquire. However, she'd seen the truck, with its 'Grangers of Goulburn' lettering in dark green and gold, hauled over on the road's shoulder in an awkward position. So, Goulburn it was. It was ten o'clock by the time she drove past the Goulburn nursery, the Goulburn Country Women's Association and the Goulburn United Church. She swung through chain-metal gates and into the parking yard of Grangers. A fiercely-tattooed semi driver lifted two fingers, as he bailed out through the same gates, skidding slightly before belting the engine along the main road. She swallowed some rising bile and headed for a mozzie screen door that might be

the office.

Important to look well-groomed when meeting new people, she had thought at 2am. Now, however, she noticed she had grabbed odd shoes. She had one tan moccasin and one tan ballet flat. Similar styles, she now realised, but not the same. An automatic gesture, of hand moving up to check hair, reminded her she hadn't thought to consult the mirror. She had, however, brushed her teeth. Smooth and clean. That would have to do.

'Hello. Yoo hoo,' she called, as the door stuttered shut behind her.

'Yep?' said a large gentleman, one leg resting on the other knee.

He was lounging on a dirty brown couch, its loose faux-suede cover shrugging off the back support. Three desks overflowed with paperwork and a water-cooler, empty, hiccupped air.

'Perhaps you could help me. I'm looking for one of your drivers. He was in an accident four days ago.'

'Nup, don't know anything about it, lady. Must be some other trucking company.'

'Is this Grangers of Goulburn?'

'Sure is, but there was no accident with us. Sorry.'

A toilet flushed in an adjacent room and a second man emerged. Thin, with shaggy grey hair and yellow teeth. Hollow blue eyes and a smoker's yellow skin. Bang crash. He stopped mid-step and whatever greyish pallor there was, drained away, leaving a waxy sheen to the poor man's skin.

'You were driving the semi, weren't you?'

He nodded.

'Don't have to talk about it, mate.'

'All right with me. It's all right.'

The large man muttered and stomped outside.

'Would you like a tea? My name's Ted.'

She glanced at the sink, full of unwashed cups, stained plates and several hovering blow flies, lazy in the morning sun. Even though she was suddenly very desperate for tea, she shook her head.

'Take a seat?'

The only seat was the rumpled brown bear skin falling off yellow foam, punctuated by an emerging metal spring. She sat gingerly on the corner.

'Fire away,' said Ted.

'You saw my husband's face? You saw him in the cabin? Was he wearing a seatbelt? Did he make a mistake? Was it an accident.....did he pull out in front of you? Was it on purpose?'

The man named Ted appeared to shrink. His shoulders sank, his head receded into his neck. His knees seemed to buckle a little.

'I need to know the truth,' she said.

'I will tell you the truth,' Ted said. 'I owe you that…because…an accident. And ...I should have said...I'm sorry for your loss.'

'Thank you...was his seat belt on?'

'Yes, I saw it. It was on. Must have been faulty.'

'Did he pull out right in front of you? Was it on purpose?'

'He pulled out in front of me, but with plenty of time to move ahead, but his gears must have stuck, cos his vehicle seemed to falter. Must have been engine trouble....but that truck was a write-off so you'll probably never find out exactly what it was. I'm real sorry for your loss.'

She felt tired, then, as all the extra worry drained away. She must have had rocks in her head to think up such a far-fetched story. Rob would have been cross with her for making such a fuss, thinking he did it on purpose. What a melodrama, he would have cried out...and laughed. She always liked when he chuckled at her silliness. Those recent months (of what Sally called depression) were a hoax, a misdiagnosis. She'd always felt

that. And this? This had just been a bad accident, an awful misadventure. No more. Seat belt failed. Gears deficient.

It was with extreme exhaustion that she climbed back into her car and drove home. Must water the plants, she remembered, after a week of neglect. Must write some thank you notes for the flowers and condolence letters. Should ring Sally and offer to babysit sweet little Eddie. Bang crash. Yes Eddie that's right, bang crash.

Behind her, inside the airless offices of Grangers of Goulburn, the large man wandered back inside.

'You tell her the truth? That he drove straight at you? That you saw him unbuckle his seat belt just before impact?'

Ted shook his head, grabbed the keys from peg number six and headed out to his rig. Bang crash.



*Prue Gibson is an art and fiction writer, author of *The Rapture of Death* and lecturer at UNSW. She is working on a new book charting 'plant cyborgs in an age of extinction'.*

Truck crash image by Shutterstock.

Do we have a right to assisted suicide?

AUSTRALIA

Frank Brennan



Physician assisted suicide and euthanasia are back in the courts of Canada and the United Kingdom, and back in the parliaments of the United Kingdom and Australia. Last month, the Supreme Court of Canada finished hearing a case in which the applicants claim that a 1993 Supreme Court decision upholding the criminal ban on euthanasia should be overruled. On Friday, the House of Lords will resume debate on Lord Falconer's *Assisted Dying Bill*.

Their Lordships will be looking forward to what they think is the appropriate law and policy on assisted suicide, while looking back at a recent decision of the UK Supreme Court which has said there is a need to consider the European Convention on Human Rights' requirement that everyone is entitled to respect for their private life. Next Monday, the Australian Senate will receive a committee report on the Greens' appallingly drafted *Medical Services (Dying with Dignity) Exposure Draft Bill 2014*.

A word about each development. No law is ever perfect. Any law can work an injustice in a particular case. That's why we have prosecutors and courts which can exercise discretion. Wherever you draw the line in criminal law, there will always be just and compassionate exceptions you would want to see made on one side of the line, without always moving the line and starting the exercise again. Until 50 years ago, attempted suicide was a criminal offence. Seeing there were better ways to dissuade people from attempting suicide and acknowledging that no purpose was to be served by punishing someone who failed to kill themselves, parliaments abolished the offence of attempted suicide, while retaining the offence of assisting someone else with their own suicide.

With developments in medical technology, patients could avail themselves of life sustaining procedures like respirators. Exercising their autonomy, patients were entitled to ask that the respirator be turned off. If death resulted, the doctor was not liable. In 1993, the Canadian Supreme Court said there was a world of difference between turning off life support at the request of a rational, competent, non-depressed patient and

administering a lethal injection to such a patient. The first was allowed; the second was not.

The Canadian Supreme Court has now been asked to rule that the distinction between withdrawing life support and administering a lethal injection is ethically contested and contrary to the Canadian Charter of Rights and Freedoms which guarantees everyone the right to life and the right 'not to be deprived thereof except in accordance with the principles of fundamental justice'. The Charter also guarantees equality before the law without discrimination based on mental or physical disability.

The argument runs like this. Since attempted suicide is no longer a criminal offence, everyone has the *right* to commit suicide. A person with a terminal illness and in great pain can decide to commit suicide whenever they wish. But if that person were suffering increasing disability, they would need to commit suicide earlier, while they are still able to perform the death-dealing act. If they were allowed to get assistance with someone else performing the death dealing act, they could decide to live longer, even as long as a person without disability, before then committing suicide with assistance. Unless they have the *right* to assisted suicide, they are being deprived their full right to life contrary to the principles of fundamental justice, and in a discriminatory way. So a law which bans the provision of assistance with suicide is said to be unconstitutional.

The argument against this proposition is that the law banning such assistance can be 'demonstrably justified in a free and democratic society', being necessary to protect the vulnerable in society (whether abled or disabled) who may feel pressured into seeking such assistance or who may be tricked, cajoled or soothed into seeking such assistance in order to satisfy the needs and desires of others, including selfish relatives and overstretched medical personnel.

There is no *right* to commit suicide with a correlative duty that the state support the person wanting to commit suicide. There is only a *liberty* to commit suicide with an immunity from state interference. It is likely that the fairly 'liberal' Canadian Supreme Court will recognise a constitutional right to commit suicide and cut back the outright legal prohibition on providing assistance with suicide.

Over in London, Lord Joffe has four times introduced bills to the House of Lords seeking some form of legalised assistance with dying. Each bill has failed. He has passed the baton to Lord Falconer, who is now making his second attempt with his *Assisted Dying Bill*. Lords Joffe and Falconer were amongst the 42 lords who debated the measure in July. When debate resumes on Friday, the lords will be considering a bill which restricts the assistance by a medical practitioner to preparing medicine for self-administration or preparing a device like one of Philip Nitschke's machines for self-administration of the medicine. The bill specifies that 'the decision to self-administer the medicine and the final act of doing so must be taken by the person for whom the medicine has been prescribed'.

In July, Lord Falconer told the House of Lords, 'I have built on the Oregon model, but with more safeguards. I reject the Belgian and Dutch approach.' He is anxious to avoid arguments about slippery slopes and developments in Belgium and the Netherlands where doctors have performed euthanasia on non-competent patients and on patients who are not suffering terminal illness. To get his bill through, Lord Falconer is even prepared to consider further safeguards. Looking to the UK Supreme Court's recent decision, he has favourably quoted the Chief Justice Lord Neuberger who wrote:

A system whereby a judge or other independent assessor is satisfied in advance that someone has a voluntary, clear, settled, and informed wish to die and for his suicide then to be organised in an open and professional way, would, at least in my current view, provide greater and more satisfactory protection for the weak and vulnerable, than a system which involves a lawyer from the DPP's office inquiring, after the event, whether the person who had killed himself had such a wish, and also to investigate the actions and motives of any assister, who would, by definition, be emotionally involved and scarcely able to take, or even to have taken, an objective view.

Lord Falconer has told the Lords: 'Some say that the courts should be involved as an additional safeguard before an assisted death occurs. We should constructively consider that issue in Committee.'

Meanwhile the Australian Senate is considering a much broader proposal than Lord Falconer's bill. The Greens have formulated the fuzzy notion of a medical practitioner providing 'dying with dignity medical services' including the administration of a lethal substance to a patient at their request. Their bill, unlike the UK bill, would allow Philip Nitschke to administer the fatal injection. Their bill includes the form to be filled in by the patient seeking dying with dignity medical services. The form is so shoddily drafted that it does not even specify a request for any particular services. It is simply a blank cheque given to the doctor stating: 'I am satisfied that there is no medical treatment reasonably available that is acceptable to me in my circumstances.'

The Bill provides: 'No civil, criminal or disciplinary action lies, and proceedings must not be brought, against a person in relation to an act done, or omitted to be done, if the act is done, or omitted to be done' in accordance with the proposed Commonwealth law. This is a constitutional nightmare and a federal mess-up of truly Green proportions. The criminal law in this area is a matter for the States. If you want certainty in the criminal law, which you do, you change the criminal law in question. You amend the State laws on assisted suicide. You do not have the Commonwealth coming in over the top to offer immunity from prosecution for an action which is still a criminal offence in the States. More problematic is the doubt about the constitutional power of the Commonwealth even to make such a law. It would be like the Commonwealth legislating a new criminal law in relation to abortion. It is a State issue, not a Commonwealth issue. The only time the Commonwealth bought into euthanasia was when the Commonwealth Parliament overrode a law of the Northern Territory. There has never been any suggestion that it would or could override a law of the States. The Greens have not helped anyone with this half-baked exercise.

Lord Sumption stated the issues well in the UK Supreme Court:

There is no complete solution to the problem of protecting vulnerable people against an over-ready resort to suicide; The real question about all of these possibilities is how much risk to the vulnerable are we prepared to accept in this area in order to facilitate suicide for the invulnerable; There is an important element of social policy and moral value-judgment involved. The relative importance of the right to commit suicide and the right of the vulnerable to be protected from overt or covert pressure to kill themselves is inevitably sensitive to a state's most fundamental collective moral and social values.

Keeping an eye on developments in Canada and the UK, we Australians need to be clear about the social, philosophical, legal and constitutional issues involved when contemplating our own amendments to the law and practice of assisted suicide.

Frank Brennan SJ, professor of law at Australian Catholic University, is presently Gasson professor at the Boston College Law School. He tweets at @Brenna1n

The Australian Christian Lobby will not go away

AUSTRALIA

John Warhurst

The recent national conference of the Australian Christian Lobby (ACL) raises broader political questions. The event was held in Canberra and featured Opposition Leader Bill Shorten as keynote speaker.

The ACL will not go away. Despite serious academic criticism from Professor Rodney Smith of the University of Sydney questioning its claims to political influence, it is now established in the top echelon of lobbying groups.

Media reports noted that appearances at ACL conferences 'have become something of a political rite of passage in recent years'. That is a major achievement. Since Kevin Rudd and John Howard agreed to an ACL-sponsored forum prior to the 2007 election other leaders have followed almost routinely. Julia Gillard did withdraw under provocation from the 2012 conference but she made time for an interview with Jim Wallace of ACL prior to the 2010 election. On that occasion Rudd and Tony Abbott had already featured in the pre-election debate in June 2010 just days before Gillard ousted Rudd.

Like most other pressure groups the ACL, founded in 1995, boosts itself shamelessly in its search for donations and members. It claims to be a 'Voice for Values' and boasts 30,000 members. It reckons it has become 'one of the premier political lobbies in the country' and that it is 'growing in size and influence'. These are big claims, but measured by its growth and positioning ACL has been successful.

First it has effectively taken over the term 'Christian' in politics, though it does not claim to be the peak Christian voice. The name says it all. The major churches are fading by comparison, their image blighted by child sex abuse and falling attendances.

It is a sleight of hand, of course, to infer that the 64 per cent of Australians who are Census Christians subscribe to the ACL agenda. Half of them are Christian only in name and the other half includes many progressive Christians who do not accept at all any purported representation by the conservative ACL. But church leaders, like the new Catholic Archbishop of Sydney, Anthony Fisher, also on this year's program, have enhanced ACL's image.

Secondly, it has demonstrated professionalism and creativity. It has invested in its future through its Lachlan Macquarie internship program and done innovative things, like broadcasting leaders' debates before federal elections.

Thirdly, it has continued to attract Australia's political leaders to its conferences. Politicians respond to opportunities so their presence is always a good test of potential group influence. ACL conferences are now on the political circuit even for those wary of them.

This is the first general lesson for politicians trying to reach as wide an audience as possible. The middle ground can be reached through unsympathetic audiences. Centrist voters follow the media reports that emanate from such events. This wider audience is always more important than the relatively small group in attendance. Labor MP, Shayne Neumann, who also spoke at the conference (in support of constitutional recognition for Indigenous Australians, a cause ACL supports), was right to praise Shorten for his decision to speak.

But the second lesson is that there are costs for centre-left leaders addressing such groups. They certainly must be careful not to alienate their own core constituency in

doing so. More importantly they must take care to be true to themselves by not exaggerating the place of faith in their own lives when they engage with faith communities. They should always stick to their own ground not that of their audience. Shorten started with a story about getting advice from his local priest at Moonee Ponds about beginning his speech with something from the Scriptures (it turned out to be the Beatitudes). He ended with a long quote from Wesley and in the middle quoted John Fitzgerald Kennedy about leaders being responsible to all faiths but obligated to none. Only those who know Shorten well can say whether he was really being true to himself. My advice to any speechwriter working for a leader who is not deeply religious is never to lay religion on too thick. There is a thin line between respecting the values of your audience and being untrue to yourself. The personal remains dangerous political territory.

John Warhurst is an Emeritus Professor of Political Science at the Australian National University and a Canberra Times columnist.

My friend the ox

CREATIVE

Nola Firth

Medibank Private is not the government's to sell

AUSTRALIA

Michael Mullins



There has been a rush to purchase shares in Medibank Private since the Federal Government's sale offer opened last Tuesday. Just two days later, the broker allocation was already eight times over-subscribed.

The popularity of the share float is not surprising, as past sales of government owned corporations such as Telstra have produced windfall profits for cashed up Australians able to invest. The sales are also hugely profitable for the Government, which in the case of Medibank Private expects to raise more than \$4 billion. Win-win, it would seem, at least for those who can afford to participate.

But there's an important question that needs to be asked, which is whether Medibank Private is the Government's to sell. In other words, what are the rights of the policy holders who consider themselves members with equity in the company?

There is a view that the government merely provided \$10 million seed funding for the establishment of Medibank Private, as a member equity owned entity, and that that fund allocation has since been returned to the government many times over. Ray Williams, the public servant who created Medibank Private, says the plan to sell the business and keep the profits is tantamount to theft.

If member ownership was to be established, possibly by a High Court judgment, the policy holders would receive an allocation of shares, as has been the case with other entities that have been owned co-operatively. Examples including the demutualisation of NRMA Insurance in 2000.

The New Daily online publication has been campaigning to establish the fact of Medibank Private's policy holder ownership. It has published communications to policy holders in the 1990s demonstrating an understanding that ownership entitlements were among the benefits of remaining in the fund. One policy holder considering leaving was told: 'We would be very sorry to see you lose the equity you have built up with the fund.' *New Daily* published the 'smoking gun' letter.

John Menadue, who has been covering the issue in his blog, says the balance sheets of Medibank Private before 1997 clearly show that the members, and not the government, owned the assets of the company. He points out that the Howard Government changed the accounting treatment of Medibank Private 1997 in an attempt to establish government ownership by stealth.

The New Daily reports that at least 60 members have lodged complaints with the Australian Competition and Consumer Commission demanding an investigation into statements made to them by federal governments before 1998 that they were the owners of the health fund's assets. There is also documentation and a petition at change.org.

Aside from *The New Daily* and John Menadue, there has been little media coverage or public discussion of the issue. That's surprising, because generally the media take any opportunity to embarrass the government.

It could be that many of us are conflicted because we want to buy as many shares as we can in Medibank Private to get a share of the windfall. Whatever the explanation, the question of justice to the fund members is less important than that of the inequity of the entire system of private health insurance. Those who cannot afford the premiums receive inferior health care, and the government's increasing reliance on public health insurance, and continued subsidies to those who can pay, undermine Medicare, the system of universal health care that does not exclude the poor.



Michael Mullins is editor of Eureka Street.

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Constitutionally Australia is a religious country

RELIGION

Kevin Donnelly



What is the place of religion, especially Christianity, in a supposedly secular society? *Courier Mail* opinion writer Margaret Wenham argues that Australia should follow the French Government's example in banning religion from the public square.

After recommending the French Government's 15 point charter on secularism that includes a ban on religious apparel from the classroom, she asks: 'Could that be taken further, expanding it to all schools that receive government funding and, then, eventually to wider society, where we would put our citizenship first and personal religious beliefs firmly second?'

I have to disagree. The reality is that liberal, Western democracies like Australia owe as much to Christianity as they do to historical movements like the Enlightenment and British institutions like the Westminster system of government and the common law. That's why parliaments around Australia begin with the Lord's Prayer and the Australian Constitution's preamble includes the words 'Humbly relying on the blessing of Almighty God'.

Australia's legal system and institutions, while being secular in nature, also draw heavily on Christian ethics and morality, best illustrated by the ten commandments and the fact that, for years, it was customary for those involved in trials to swear on the Bible.

Freedom of conscience and freedom of religion, in addition to being an essential part of Australian democracy, are also embodied in international rights and conventions.

When choosing a school, for example, the Covenant on Economic, Social and Cultural Rights guarantees the right of parents to select a school that provides a religious and moral education 'in conformity with their own convictions'.

As such, and notwithstanding the Biblical admonition to 'render unto Caesar the things that are Caesar's, and unto God the things that are God's', citizens have the right to express and live by their religious beliefs.

In Victoria, for example, even though the legislation is criticised for curtailing religious freedom, it does at least allow doctors to refuse to undertake an abortion if such a medical practice is against their religious beliefs.

It's also true that the various state based anti-discrimination laws, as they currently operate, allow exemptions for faith-based schools in relation to who they employ. Such exemptions are based on the argument that faith-based schools have a strong religious commitment that entails discriminating against some types of personal relationships.

To argue that religion should be restricted to the home and places of worship, instead of being expressed in the broader society, is also inherently undemocratic.

Freedom of religion, like freedom of assembly and freedom of speech, is a basic tenet of Western style democracies that differentiate us from totalitarian regimes where the state

is omniscient and all-powerful.

Given the sectarian conflict between Catholics and Protestants that was especially strong in Australia for much of the early colonial period it is understandable why many religious critics define secularism as the division between church and state.

The only problem is that such a definition is simplistic and misleading. Those responsible for writing the Australian Constitution, for example, while arguing that governments should not privilege one religion over another or unfairly discriminate, still accepted the place of religion in the broader society.

Hence the reference to Almighty God in the Constitution's Preamble. It should also be noted that the US Declaration of Independence acknowledges the central importance of religion when it states:

'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.'

It's also true, in relation to government schools hosting religious instruction classes, that state and territory legislation allows such classes to operate in education systems that are free, compulsory and secular.

As great figures like Martin Luther King, Bishop Desmond Tutu and the German theologian Dietrich Bonhoeffer demonstrate, it is also the case that mixing religion and politics provides a powerful and convincing narrative for the cause of liberty, justice and freedom.

Dr Kevin Donnelly is director of the Educational Standards Institute and a Senior Research Fellow at the Australian Catholic University.

Who wants to be a capitalist?

AUSTRALIA

Moira Rayner

Affordable housing ought to be a hot election issue. Ordinary Australians have been taught to be entitled to look to capital growth in bricks and mortar as the best path to financial security.

I still have the shack I bought for \$26,000 in 1977. I'm keeping it, partly because it's capital gains tax free - it's my super!

But also I can use it to house vulnerable household members in WA. One boy can finally live independently of his long-suffering and affectionate mother; another age pensioner is stuck in the rental market. She has blown her pitifully small super, and more than half her age pension goes to rent. She's been told she'll never get public housing.

Two of my friends are still supporting their highly qualified but out of work 29 year olds. This generation is often stuck with parents (who themselves are may be struggling financially, sometimes because they are divorced). The children are unable to separate financially, socially and emotionally from parents and take on adult roles.

There is not enough affordable housing. A third friend - in his late 40s - has been 'restructured' and downsized twice, having to pay rent while receiving benefits of about \$250 a fortnight . He is staring at the possibility of actual homelessness.

Sadly affordable housing isn't a government priority. Ideologically it's left to the vicissitudes of the market. 18 months ago, the Victorian Government announced plans to demolish existing high rise public housing in the inner city Fitzroy and North Richmond estates. It was argued that they would be redeveloped with a mix of public and private housing. God knows where the residents would go!

Kate Borland is a brave public housing advocate who lives nearby. She said at the time that the policy marked the beginning of privatisation by stealth. The 'redevelopment' of Carlton public housing had reduced affordable housing, with the collapse of the high-rise towers. It also saw a huge fence built to separate the public tenant *plebs* from the private resident landowners, casting out some of our most needy citizens.

The Victorian Housing Minister defended the plan on ABC Radio in January last year. It was 'meant' to result in 'no net loss' of public housing, but rather 'more sufficient and sustainable communities'. Some is to be 'social housing'. This disenfranchisement of public housing tenants is mirrored in Sydney with the selling off of harbour side housing at Miller's Point to the well heeled, and the transfer of tenants to alternative housing in the Western Suburbs.

But housing providers no longer work with difficult tenants, as once they did. Even Aboriginal Housing Victoria is moving to privatise and commercially manage its stock. Evictions are on the rise again.

Reliance on market mechanisms and commercial management models to provide accessible, affordable housing is absurd. It is the government's job to plan and monitor supply and demand for housing those who aren't market players. It is society's job to provide a decent standard of living for those who can't 'invest'.

In July this year the Housing Industry Association was apparently delighted to recognise that demand had outstripped the supply of new homes: 'The number of homes needed in the coming 30 years will make the present building boom look decidedly average', their chief economist told a conference. The average numbers of new homes built over the last decade - about 158,000 a year - was far less than needed to house a growing and ageing

population. There is already a national deficiency of at least 100,000 dwellings. Current housing starts - about 176,000 in the last year - won't meet those needs. The basic economic maxim is that as demand goes up, supply costs go up too. The HIA's chief economist saw the main 'problem' as 'lack of readily available land, planning laws and delays' constraining supply, along with the high level of taxation on new homes. 44% of the final price of a new home in NSW was taxation - land tax, stamp duty and GST.

More than two thirds of us own our homes. We enjoy investing in houses too. But sharp spikes in sale prices have led to unachievable median prices that put housing out of the reach of all but the most fortunate.

The housing market is bubbling, and we don't really know the cause. Is it Asians looking for a safe investment outside China? Or baby boomers and young couples trying to boost their investments or retirement nest eggs? We feel a sense of entitlement to the benefits of negative gearing.

The effects are not just economic. Relationships suffer. Young people - both men and women - are without secure employment. The majority of new 'jobs' for non-professionals are temporary, part time or short-term contract. My young IT whizz kid mate in Sydney has been 'employed' on three-month rolled-over contracts for three years. Single parents, especially mothers, single women without superannuation or capital, and anyone who is desperately seeking to meet NewStart obligations to apply for jobs they'll never get, are cast out. They have no investments or savings to spend. I have noticed far more young people sleeping rough, and older women 'staying with friends,' for months at a time.

Economists, criminologists and service providers have long known about the proven consequences of insecure housing, especially on children. Resilience is preserved by security. A home is where we can shut the door to the world and settle into the real business of living: making relationships work, venturing thence into a community where we belong.

Housing is not just about a 'bubble' caused by demand exceeding supply. Housing is not just an about economics. Affordable housing is critically absent from political debate. Everybody wants to be a capitalist? No, everybody needs a place to call home.

Moira Rayner is a barrister and writer.

Looking for depth in the selfie

AUSTRALIA

Ellena Savage



I take a lot of selfies. Some of them are silly, coquettish, dramatic, others are just my face looking into my computer, sitting where I work, dressed in work clothes. They're like a diaristic record of my location and my day. It might be simple to say that they mean more or less nothing, that they're just an inane collection of data on my laptop, or self-portraits made easy by the tools I use for work anyway. But nothing means nothing. Everything says something about the culture that produces it. When photography first entered the modern world, it was taken up as a hobby by the wealthy and obsessed. Then with industrialisation the means of photography proliferated, making it available to regular folks in developed economies. It started to transform the everyday - families, holidays - into memorable events. How could you say you'd been on a holiday if there were no photos to show the family? How important could the wedding have been if photographic documentation didn't exist? The function of recording became also a function of working, of being active in those moments that drew people away from work inside and outside of the home. In her famous text on photography, Susan Sontag wrote that it was the early-comers to mass photography (as opposed to art photography) - Japanese, Germans, and Americans - who also were also the most work-obsessed. 'Using a camera', she writes, 'appeases the anxiety which the work-driven feel about not working when they are on vacation and supposed to be having fun. They have something to do that is like a friendly reminder of work: they can take pictures.' Selfies perhaps take this further, in that they commemorate the self in its various stages. This idea of photography as work positions photography inside capitalism, inside a culture that has to be busy and productive, archiving minutes of life for later consumption. The self that exists in a selfie is a labourer, too. But making selfies is not just a 'friendly reminder of work', it's real work, which generates a use-value for the person taking the selfies, and actual money for social media platforms.

Making and posting selfies on social media is a bit like working for Instagram, Facebook, or Tumblr, but without a wage. At least, not one you can live off. Remuneration is rewarded in the currency of 'likes', which are attached to social status, which always have something to do with class. And although 'likes' seem to be distributed frivolously, arbitrarily, they quite predictably repeat dominant modes of gender and class. The altar of celebrity, too, derives value from the ubiquity of selfies. With the possibility of self-generating fame, 'Tumblr-fame', 'Facebook-fame', selfie culture furthers the value of the institutions of celebrity by endorsing the notion of fame via self-creation. And it's this facet of selfies that I find the most telling, and possibly the most radical, because in it I see how the means of cultural capital are produced. Selfies expose the shallow underpinnings of how social status is created and enforced. Status is frivolous, and staged; it's fake-it-till-you-make-it phony. And when that appears to be the foundation of many cultural exchanges, the cracks begin to show.

The mythology of the kind of capitalism that dominates our culture lies somewhere between the 'American' (or Australian) Dream and a belief in the '&self-made&' individual. The self-made person generates celebrity, and social value, from their self-made image.

A far cry from the 'hard-work' logic of the American Dream, this form of capital is functionally cultural. In eschewing the material foundations of capital (but in turn requiring their existence), selfie culture exposes the origins of success inside capitalism: inherited privilege, which depends on the global exploitation of labourers who produce the means of privilege, and the hardware required for selfies to even exist. Success inside capitalism needs factory hands to work for us, the hands of ghosts who never get to be celebrities, or rich, or privileged.

So if the exploitation of global labourers is required for selfies to exist, for celebrities to exist, and for us to believe in our ability to be self-made people just doing the hard work with no help from anyone, how could anything just or equitable ever come from this? It'd be inane to suggest that the copious library of selfies inside my laptop, the pictures of my face sitting and standing, working, eating, and posing, have some seed of dissent in them. They're just data, created by a person with too much time for self-documentation. But in working for free for Facebook, as I do, in working for free for the cultural institutions of celebrity, I am made aware of the conditions required for celebrity and privilege to even exist. It is all predicated on various forms of slavery, made manifest in factory labour and voluntary work for social media companies, which all begins and ends with a dream for social mobility. Social mobility never looked so loaded. Or maybe it is nothing. Maybe a selfie is just a selfie.

Ellena Savage is a Melbourne writer who edits Middlebrow, the arts liftout in [The Lifted Brow](#). Twitter: @RarrSavage

Selfie image by Shutterstock.

Kabul love story

REVIEWS

Tim Kroenert

Love Marriage in Kabul (G). Director: Amin Palangi. 84 minutes

There are lots of good stories to be found in Iranian-Australian filmmaker Amin Palangi's documentary feature *Love Marriage in Kabul*.

There's the story of Mahboba, a Sydney-based Afghani refugee who, following the death her young son 22 years ago, dedicated herself to supporting orphans and widows in Afghanistan through her charity [Mahboba's Hope](#).

There's the story of Abdul, one of the first orphans to come under Mahboba's wing, who now needs her help if he is to marry the love of his life; Fatemeh lives with her father and brothers in a house across the road from the orphanage in Kabul, where she attended school and where she first met Abdul.

There's also the story of Fatemah's father Nik, a widower and onetime prisoner of the Taliban, who is desperate to ensure his family is properly cared for if he allows her to marry. Fatemeh has maintained the household since her mother's death, and as such Nik is demanding a prohibitive dowry of \$10,000.

And to a lesser extent, there is the story of Virginia Haussegger, celebrated Canberra news presenter and feminist writer who has accompanied Mahboba on her most recent trip to Kabul, to witness Mahboba's work firsthand.

Palangi adopts an unobtrusive approach to his subjects, offering little commentary and rarely having them speak directly to camera. This engaging, observational approach highlights the personalities and in-the-moment emotional responses of his subjects, but also limits the viewer's understanding of the context of the events portrayed on screen, and of the backstories that might lead a particular character to behave in a certain way.

It works well where the film's heroes are concerned. One of the tasks Mahboba has to complete during this trip is to inform the manager of one of the orphanages under her care that she can no longer afford to fund it.

Shortly after she arrives at the orphanage though, where she receives a hero's welcome from children and manager alike, a lingering close-up of her face is enough to confirm she has changed her mind about closing it down. She'll work something out, she tells her companions after they depart.

Clearly she is a woman possessed of great courage, a big heart and even bigger faith.

Similarly, the central love story between Abdul and the rarely glimpsed Fatemeh is deeply touching. The wrangling between Mahboba and Nik, and all this implies about the ways in which young women's futures can be sold and traded as part of an archaic

cultural norm, seems crass and is more than a little disturbing to witness.

But to see Abdul and Fatemeh communicating via flashlight across the road that separates them at night; to see Abdul's bashful grin as he pours over the love letters he has received from Fatemeh; to watch him quietly weep as Mahboba and Nik bicker over dollar amounts, is to realise that in this instance, at least, the 'transaction' is about enabling a mutually longed-for union to take place.

But other stories suffer from Palangi's detached approach. It is difficult to discern, for example, exactly why Haussegger is present. Her conversations with Mahboba stand in at times for the more formal interviews we might see in another style of documentary. But this is not her film; rather, she is just another character.

Yet Palangi provides no detail of Haussegger's longstanding interest in gender equality issues in Afghanistan, nor does he attempt to provide an understanding of how and if her experiences with Mahboba have influenced her perspective on the issues she'd previously engaged with only from afar.

Nik, meanwhile, is presented too simplistically as a villain. The film does little to interrogate the ways in which he has been shaped by his society's patriarchal views of family (something that demands interrogation), or how his grief for his wife and trauma incurred at the hands of the Taliban might have shaped his prickly demeanour.

These aspects of his backstory are all but completely neglected by Palangi, leaving us with no sympathy for or understanding of Nik but only justified frustration at his attempts to sabotage Abdul and Fatemeh's true love.

Love Marriage in Kabul won an audience award at this year's Sydney Film Festival, and it's easy to see why. It is a worthy, feelgood tribute to Mahboba's work, and provides a fascinating, at times unsettling insight into courtship and marriage in Afghanistan. There are good stories here, too, but they are not all well told.

Tim Kroenert is assistant editor of Eureka Street.

Love Marriage in Kabul will feature at a number of special event screenings around Australia during November to raise money for Mahboba's Promise. There will be a Q&A with Amin Palangi at each screening. Dates as follows:

*5-6 November, Chauvel Cinema, Sydney
13-14 November, Cinema Nova, Melbourne
20 November, Palace Nova, Adelaide
27 November, State, Hobart
3 December, Palace Electric, Canberra
5 December, Luna Paradiso, Perth*

Weighing ANU's coal play

AUSTRALIA

Andrew Hamilton



When the Australian National University sold its shares in a number of coal companies it received a mixed response. It won considerable support for the University from the public and a stern dressing down from Government and business. Such strong and disparate reactions to a relatively minor commercial transaction show that it scraped tender political and ethical nerves.

The divestment was criticised on the general grounds that such decisions, particularly by public bodies, must be guided only by financial considerations, and on the specific grounds that the ANU divestment and naming of the companies involved were unjustifiable.

The principle that investment and divestment should be guided only by financial considerations is an arbitrary dogma. Investing, like other financial decisions, is done by human beings, who should be guided by their effects of their investment on other human beings, not simply by the profit it brings them. This is true whether the investment made is by individuals or corporate bodies like universities and churches.

Some critics of the ANU decision argued that in financial decisions universities should be guided by the policies of their major funding source, the Government. This is a dangerous dogma. Since universities inherit a collegial rather than corporate tradition, it is appropriate for them to attend to the views of their students and teachers, to seek advice from its scholars on the effect of coal on the environment, and to act on the advice they receive.

Critics also argued that by naming the companies from which it withdrew investment the ANU unjustly caused damage to their reputation. Although the University examined each case, I remain uneasy about the naming of companies. The ethical point at stake has to do with the effects of fossil fuels as such, not with the guilt of companies involved in its mining. Scapegoating blurs this point.

The most substantial argument made against divestment is that coal mining provides

revenue which benefits all Australians, and in particular provides employment for workers and for those who provide services. Coal mining also provides benefits to the poor in importing nations by enabling the industrial development necessary to feed and employ their people. It is reckless for an Australian university to prejudice these benefits. Universities, however, have larger responsibilities. Their work it is to build on the wisdom they receive and to pass it on to the next generation. So they ought consider the effects of current industrial practices on the flourishing of human beings for the future. They are also defined by world-wide relationships between scholars, and so are right to examine the effects of the coal that Australia mines on the world. Not to do these things would be a neglect of their responsibility.

It is also important, of course, for the university to consider the effect on people in Australia and abroad of ceasing to mine and burn coal. It must visualise and promote a staged process by which the welfare of national communities, and especially of people who are most vulnerable, would be assured. That kind of attention is an essential accompaniment of divestment.

The deepest reason why the ANU divestment has attracted such bitter opposition lies in the judgment on which the decision is based: that global warming is real, that its consequences will be devastating, and that the burning of fossil fuels contributes significantly to it. The critics generally believe these judgments wrong. But even if the critics were to turn out to be correct, the University will have acted responsibly if it considers the evidence, accepts the judgment of an overwhelming majority of informed scientists on the matter, including those at the University, and acts upon it.

The final argument against the action of the university is that it is ineffective grandstanding and so a waste of resources. The university should have put its energies into engaging with the coal industry, used its shareholdings to educate the companies at general meetings, or focused its attention on developing alternative sources of energy. It would certainly be appropriate for the university to follow all these courses of action. But the reason why critics have attacked the ANU so fiercely is that they fear the divestment will be effective. It draws public attention both to the seriousness of climate change and to the risks of investing in the fossil fuel industry. Governments and businesses focused on short term profits are vulnerable to such changes of sentiment about the environment as those seen recently in the United States and in China. So divestment may well be very effective in influencing business decisions.

The ANU decision to divest from coal should certainly encourage other public bodies and churches to examine their investment portfolios, consider their responsibilities, and weigh how best to discharge them.

Andrew Hamilton is consulting editor of Eureka Street..

Coal power plant image by Shutterstock.

The best of times, the worst of times

CARTOON

Fiona Katauskas



Fiona Katauskas' work has also appeared in ABC's *The Drum*, *New Matilda*, *The Sydney Morning Herald*, *The Age*, *The Australian*, *The Financial Review* and Scribe's Best Australian political cartoon anthologies.

Sex and gay children in Catholic families

EUREKA STREET TV

Peter Kirkwood

Over the last few weeks the Australian couple featured in this interview have become unlikely international media celebrities. The very forthright speech they gave at the recent Vatican Synod on the Family was reported widely around the globe in both secular and Catholic media.

Ron and Mavis Pirola were among 14 married couples chosen from around the world to attend the Synod to provide input on contemporary family life. There were also a number of lay experts invited to the meeting. But these lay Catholics were far outnumbered by ordained clergy - cardinals, bishops and priests - and only the clergy had voting rights. The Pirolas spoke to the gathering frankly about their sex life and the importance of sex in marriage, and they made a plea for a welcoming attitude towards homosexuals in the Church.

While this sentiment of openness and welcome towards homosexuals made it into the interim report halfway through the two week meeting, it was opposed by many of the Church fathers attending, including Cardinal George Pell. It was voted down and omitted from the final communiqué of the Synod.

But for the first time, at least since the Second Vatican Council in the 1960s, the meeting was transparent and debate and the voting about such contentious issues was made public.

Throughout their lives Ron and Mavis Pirola have been committed and very active Catholics. They've been married for 55 years and have four children and eight grandchildren.

Mavis is a former secondary school teacher, and Ron is a prominent gastroenterologist and Professor of Medicine at the University of NSW and Notre Dame University in Sydney. He gained a doctorate in medicine at the University of NSW, and did post-doctoral training in London and New York.

His research into pancreatic disease and hepatology spans three decades, and he was co-founder at the University of NSW of the highly successful Pancreatic Research Group. He has authored a medical text book, several book chapters and over 100 articles in peer-reviewed journals.

The Pirolas have been awarded Papal and Australian Honours (Knight and Dame of the Order of St Gregory and the Medal of the Order of Australia) for their advocacy for the family, and introducing family movements and programs into Australia.

They are founding members of the Pontifical Council for the Family and served on this important international body from 1983 till 2009. They currently chair the [Australian Catholic Marriage and Family Council](#).

This interview is in two parts - Part 1 (10 mins) above, and Part 2 (9 mins) below:

Peter Kirkwood is a freelance writer and video consultant with a master's degree from the Sydney College of Divinity.

Overplaying the Immigration Minister's trump card

AUSTRALIA

Kerry Murphy



Former Immigration Minister Senator Chris Evans once commented that he was concerned about how much personal power was vested in his position when making decisions about particular cases. He wanted to reduce that power and make the process more accountable and transparent.

In the Migration Act, there are a number of personal *non-reviewable* powers of the Minister to intervene in a case. Some relate to the ability to make any application at all, while others have to do with the overturning an adverse decision of a Tribunal.

A common criticism of these powers is that they are arbitrary and opaque in operation. The Minister can do whatever he or she likes, without legal reasoning, or even logic, safe in the knowledge that their decision cannot be reviewed in the Courts. Whilst it is good to have a form of safety valve for the difficult and complex cases, there is reason to be concerned about the lack of transparency in such processes.

The current Minister, on the other hand, is trying to increase the number of such powers, and is more likely to use the ministerial trump card to avoid judicial scrutiny. In a parliamentary system that relies on the checks and balances between the Parliament, Executive and Judiciary, it is not good for a liberal democracy when one arm of government is able to successively trump the others.

The case of a Pakistani Shia Hazara known as S297, currently before the High Court, is ONE example. Mr S297 arrived by boat in May 2012, claiming persecution as a Hazara because of his race and religion (Shia) from the Pakistani Taliban. He was found to meet the refugee definition by the Refugee Review Tribunal because he was a Hazara Shia, but the change in Government meant he was not granted a permanent visa and, in March 2014, the Minister 'capped' or limited the number of permanent visas to be granted under s85 until the TPV was reintroduced. This meant that Mr S2976 had to wait in detention until his case was reached. A very long wait was likely.

He successfully challenged the 'capping' power of the Minister in the High Court, which

decided in June 2014 that the Minister could not limit the number of permanent protection visas under s85 because the Howard introduced s65A required protection visas to be decided within 90 days. The High Court ordered that the man who was found to meet the refugee definition was entitled to a decision on his visa application.

The Minister's response was to make a decision under the rarely used power that a refugee will only get a permanent protection visa if the case meets the undefined national interest test. The Minister refused the case because the refugee did not meet the national interest. Then the Minister made a decision under another rarely used power to issue a 'conclusive certificate' that this refusal was not reviewable in the Refugee Review Tribunal.' The reasons for that decision are being challenged in the High Court and will be heard on the eve of Human Rights Day in December.

Non-compellable and non-reviewable powers are very strong, and should not be exercised against someone, especially a person who has already been found to be a refugee, unless there are exceptionally strong reasons for doing so. The reason given so far is that it is Government policy not to give permanent residence to refugees who arrive by boat. They will only get the flawed and mentally damaging TPV.

The separation of powers and rule of law that is achieved by the balance between the three arms of government, should not lightly be allowed to be tipped strongly in favour of one arm simply to achieve a flawed political end - namely to punish refugees who arrive by boat.

There are three Migration Amendment Bills before Parliament, and some of the proposed amendments include retrograde changes that will increase the unreviewable powers of the Minister. The Howard Government-introduced 90 day period of processing will be abolished and the Minister will be able to limit the number of permanent visas granted in a year. This will create a serious backlog that will take years to finalise.

There is another change in the introduction of a trump card provision for the Minister personally to overturn review decisions of cancellation cases. This power has long existed for character cases, and was introduced by Minister Philip Ruddock back in 1999.

However other cancellations on non-character grounds are reassessed by a merit review tribunal and the discretion to cancel is reconsidered. Some cancellations are for minor technical matters, while others are more serious and can be because of false documents. Given the seriousness of visa cancellation, it is critical there is a separate review that is subject to judicial oversight only on the law. However the Minister wants to bypass the supervision of the Courts and be able personally to overturn the tribunal decisions he does not like, rather than challenging the legal basis of the decisions in the court. These can include a tribunal decision to overturn a cancellation of a bridging visa because of a breach of the puritanical behaviour protocols.

The widening of non-reviewable powers of a Minister should always be a concern, regardless of political colour. Centralising these decisions personally with the Minister and making proper review not available is a dangerous path in a liberal democracy where the independence of the rule of law is prized.

What will happen to Mr S297 depends not just on the High Court but also the hundreds of pages of changes to Migration Law currently before the parliament, and probably further adverse decisions by the Minister. Meanwhile, just last week a bus load of Hazara Shias was stopped in Quetta and the Hazara men were executed by an extremist group because of their race and religion - just as Mr S297 fears. This again proves that the fears of refugees like Mr S297 are genuine, and his refugee solution is not a circle of temporary visas, but a permanent solution.

Kerry Murphy is a partner with the specialist immigration law firm D'Ambra Murphy Lawyers and member of the boards of the IARC and JRS.

Trump card image by Shutterstock.

Nation building by force in Ukraine and the Middle East

INTERNATIONAL

Justin Glyn



It is amazing how the glasses through which we view the world can colour what we see. Here is a story of two civil wars seen through radically different lenses.

The world has been gripped of late with the plight of the Kurds of Kobani, and rightly so. They have been fighting against the militants of Islamic State (IS) - a party to civil wars in both Iraq and Syria in which both governments and opposition forces appear to have committed war crimes - and, until recently, have been unsupported in their struggle. Turkey has long been afraid of giving succour to its own Kurdish minority, with whom it is in threatened peace negotiations. Ankara is also at loggerheads with the government of Bashar al Assad, IS' enemy, against whom it would far rather see NATO firepower directed.

As a result, Turkey had, until a little over a week ago, refused to allow volunteers from its own regions to come to the aid of their kin over the border. Turkish tanks on the border faced *inward* - aimed at its own Kurdish population rather than their fellows' IS nemesis. The Western world, moved by the Kurds' plight, placed the Turkish government under seemingly intolerable pressure until it eventually cracked. The fact that Syria, as a sovereign state, might also have a view on the issue, does not seem to have entered either Turkey or its allies' equations.

Ankara has now promised a safe corridor to Kurdish volunteers to support the beleaguered defenders while the US and its allies have dropped weapons to assist them. Indeed, all parties to the civil war in Syria have been receiving fighters and materiel from abroad. While the fall of Mosul allowed IS access to Iraqi government funds and military equipment, it would appear that IS, and other Syrian rebel groups, have long received a steady supply of weapons, money and ammunition from wealthy donors in states traditionally allied to the West, such as Qatar and Saudi Arabia. The flow of fighters to IS is seen as a major threat by all states in the region, prompting legislative attempts to stop them from countries as far afield as Australia.

Meanwhile, some 2500 km to the North, another civil war has been stuttering through a partial ceasefire in Donetsk, in Eastern Ukraine. Here, Russian speaking Ukrainian separatists have been involved in a six month conflict with the central government.

Again, since the beginning of the government's 'Anti Terror Operation', which saw troops sent into the Donbass, both sides appear to have committed war crimes, including shelling of built up areas and possible unlawful killings in the field. Ukraine's Russian speakers, like Syria's Kurds, have limited to no political representation in their respective governments and, in both countries, language rights are a very real issue. Like the Kurds, the Russians find support across the border in Russia proper. Unlike Turkey, however, Russia seems to have been a willing ally.

As is the case in Syria, volunteers from Russia, and other parts of the world, have streamed to both sides of the conflict. Far from sealing the border, Russia seems to have

been openly allowing volunteers to pass and supplying them with at least some military support, at least until last month's ceasefire. (Repeated Western allegations of an invasion have, however, not been supported by much in the way of tangible evidence.) Here the West's reaction has been rather different to that in Syria. These are not 'our' rebels fighting for cultural and language rights but 'their' terrorists, cat's-paws of a foreign power. Russia, far from being pressured to allow the passage of volunteers, has been sanctioned for doing what the Turks are being urged to do.

While IS is not recognised as a state and is undeniably far more brutal than the government in Kiev, there seems little doubt that, in both cases, a civil war is underway which will ultimately not be solved by military means alone. There is a reason why parties to a civil war fight, and pouring petrol on the blaze from afar is rarely useful. It should be remembered that IS, itself, did not arise in a vacuum but grew in the aftermath of the spectacularly unsuccessful US attempt at forcible nation building in Iraq in 2003.

It is admittedly true that Russia's annexation of Crimea - the legality of which is questionable, at least - has compromised the rebels' cause in Western eyes. (Interestingly, Turkey's own forcible acquisition of Northern Cyprus in 1974 does not seem to have affected its status as a NATO member).

No one denies, however, that the insurgency in Ukraine grew out of disenfranchisement. In this respect, it is like that of the Kurds in Syria, or - for that matter - that of the Sunnis in Iraq, which led to IS. In no case have the great powers allowed the United Nations to act as independent broker - knowing that each party has the support of a permanent member of the Security Council, whose veto will hamstring any proposed action by the others.

Syria and Ukraine are just the latest in the roll of civil wars where ossified Cold War rivalries exacerbate conflicts and prevent the forging of a just peace which is in all parties' interests.

Justin Glyn is a Sydney based Jesuit in training who holds a PhD in international and administrative law.

Syrians fleeing Kobani image by Shutterstock.

An ode to thunder

CREATIVE

Rory Harris



thunder

your words are stuck
somewhere dodging a tide

where every emotion
was sung with gusto

& you rattled the night
around kitchen tables

water glasses filled
with new wine healing history

roses on your cheeks
& thunder in your heart

Easter

again the road on out
a rubber rhythm closed in a bitumen kiss
to the open pasture through us

stringy barks & dusk dead roos
& the weatherboard puff of smoke
in the timber country dusk
green on the verge to nibble on

the beer sign main street a cannon to the highway
& the damp morning army blanket gray
the world dripping around yard buildings
wood stacked & paths brick broken puzzles
every table has an ashtray
& a single beer bottle from last night
& a thousand cigarettes float

country dreaming the hum of a waking main street
a renovated tasteful history

looking for a pub in a city of lanes

smoking on the street lighting up the air
day break eggshell heavy stone history
the street sweeps itself brush against stone
high vis & hard hatted a rumbling dawn

a rural shuffle sockless
shorts against the cold

outside the seven eleven a bent ballet to sort through a scattering of butts another taps
The Age against his thigh taxi dreaming we have drawn poles strung them in Holy Week
travel, sleep & don't die shadows cast over fitted sheets beds where weariness stretches
the morning light a black uniform treeless landscape magazine racks line an imagination
buyers hip as tomorrow & a sun rise in her eyes a spray from the gutters through
predawn shuffle a day hung on a moment to a cross suitcases & rumble a fold of
timetables espresso morning fountains of light a Christmas lights tangle of roads out
industry lands in the countryside a palm opens a town in the shade of the mountains
drinking the night sung in the past ghosts rise out of the land strings of vines around us
the wine down our throats pastures quilted hugging the coast a seaside port of Auldis &
Merces line the high street while a Liberal MP plays UNO with his family dreaming of
winning from the floor he doesn't leave a tip snake road Coorong ferry crossing the damp
earth my grandfather is buried in his double barrel in the living room & I still sleep on
grandmother's duck down pillows their quills needle the living all that which has gone
before this sun behind the trees bringing the temperature down to a prick of cold
growth with his head against the boy's shoulder a father has shrunk he marks the pole
on the high street as if all that growth & filling out had just happened while shopping one
Saturday morning

rust & white Christmas meant painting the wrought iron fence eighty percent is
preparation my father said a scraping & rendering back to a base metal of a history until
the half dead lawn speckled rust & white & if it hadn't been so hot you could have imaged
snow those shirtless freckled browning limbs & later bent on canvas chairs my mother & I
would dab hunched & dab hatless with thickening paint & touch over each other's
mistakes the job lasted forever & was inspected in the late first beer cooling long neck
afternoon

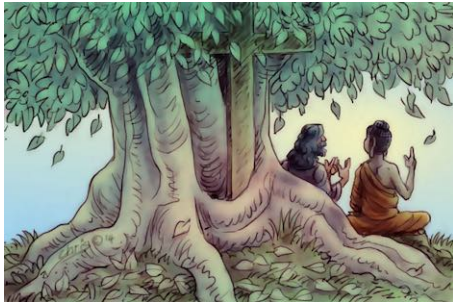


*Rory Harris teaches at Christian Brothers College Wakefield Street in Adelaide.
Thunder and lightning image by Shutterstock.*

Buddhism's challenge to Christian churches

RELIGION

Jenny Stewart



On the face of it, it would be impossible to find two religions more different than Buddhism and Christianity.

Christians believe that there is a God, whereas Buddhism has no god. The Buddha pointed the way, whereas Jesus said that he was the way. Christianity promises believers eternal life. Buddhism's highest state, the state of enlightenment, is freedom from being reborn.

On the other hand, there are compelling similarities. The spirit of compassion, *bodhicitta* in Sanskrit, is as central to Buddhism as that of love is to Christianity.

While their objectives may be different, there are prayers in both traditions. Christianity has its saints, who exemplify faith. Tibetan Buddhism has saintlike figures, Bodhisattvas, whose example selflessly illuminates the way, the dharma.

But it is at the personal level that these questions take on practical significance. For those seeking to deepen their spiritual practice, it seems reasonable to ask, in what ways can the two traditions be brought together? Is it possible to be a Buddhist Christian, or a Christian Buddhist?

It seems easier to think about this problem from the Buddhist perspective rather than the Christian one. Buddhism is not an exclusive religion. It is possible, according to the Dalai Lama, to practise Buddhist principles while still being a Christian.

Some Christians would agree with this. But even they would not suggest that Buddhists consider practising Christian principles while remaining Buddhist. It seems that Christianity wants all of you.

And this, I think, is precisely the difficulty for many Australians who are interested in pursuing the life of the spirit, but find it difficult to believe in God, or at least, the way God is presented to us through standard forms of Christianity.

Buddhism does not tell you that you have to believe in anything. It is a technology of the mind, as much as it is a religion. And as I and many thousands of Australians have found, learning even basic practices can be a liberating experience.

But beyond the initial liberation, there are difficulties. While there is immense variation among the various schools of Buddhist thought, there is a core of correctness within each one. And there is work to be done. The point of the practice is to control one's mind, an arduous, indeed endless, discipline.

It is here, I think that western adherents often come to grief. If you really know what you are doing, like the Catholic priest Ruben Habito who studied and practiced Zen to the point of deep realisation, it is possible to work fruitfully across the two traditions.

For the layperson, though, there is a point beyond which it seems impossible to go.

Buddhism in its various forms seems to be a religion for the specialist, and the mental

discipline and time required to make progress are daunting for most of us. There are also cultural issues. While at least some Western women have become revered teachers, the ordinary female practitioner faces entrenched sexism from imported Asian gurus. Of course, Christianity is sexist, too, but in its more liberal forms at least, it offers women more opportunities to become involved. Christianity has the great virtue that Christians will take anyone - even me - or you. There is nothing special about us, and if we can will ourselves into faith, its blessings are equally available to all of us. Buddhism asks more, but also less, of its followers: more, because there is so much to be learned; less because there is so little self-critique involved. I have met Dharma gymnasts, who can recite the words of the latest guru, some of them can even recite thousands of mantras into the night - but they fall into the difficulty that entraps so many of us - the confusing of form with substance. Christianity is a warm religion, where Buddhism is cool, cerebral. Christianity is a religion of narrative, of prophecy, of human failing and human glory. The Bible is a book of stories about humanity's relationship with God (or the other way around if you are more orthodox in your views). While there is much accessible, and very helpful, dharma writing, the Buddhist sutras are impenetrable discourses on the absolute. There is also the undeniable beauty of Christian liturgy, music and art to consider. Yet Christianity, particularly in its more orthodox forms, seems to be fading in Australia. For many, the historic failure of the churches to acknowledge responsibility for the damage caused by their pedophilia amongst their personnel, has confirmed an aversion to organised religion. For others, the rituals of church, of 'signing on the dotted line', seem to preclude sensible questioning, let alone doubt. The mainstream churches have interpreted this reluctance to mean they must work even harder to attract newcomers into the fold. Perhaps, rather than redoubling its outreach, Christianity might acknowledge that it is still a work in progress. Each person, as the best teachers acknowledge, follows his or her own spiritual path. My Dad's death took me towards Buddhism, my Mum's back to Christianity. I hope that the spiritual gifts of both traditions will help me prepare me for my own, whenever that may be.



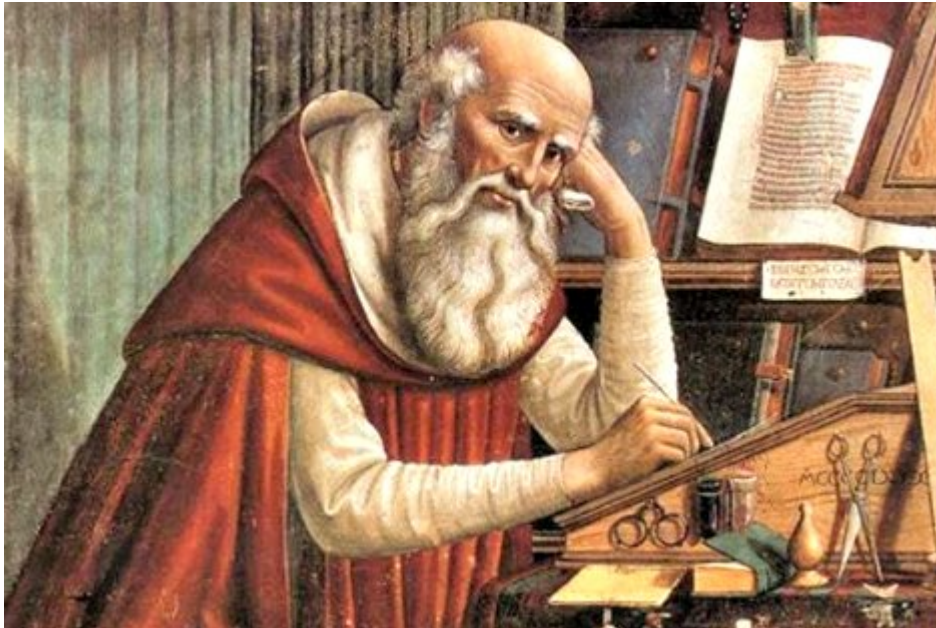
Jenny Stewart is a writer and former academic living in Canberra.

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Pope warns punishment is not a way to peace

RELIGION

Andrew Hamilton



Two Roman observers of public life - the tabloid Tacitus and the broad-sheet Augustine (pictured) - remarked on the contrast between the high intentions that lead people to act punitively and the destructive consequences of their actions.

Augustine remarked that all wars are waged out of a desire for peace. Tacitus said sardonically that where they make a desert they call it peace.

The truth of these perceptions can be tested against today's war making. But it is also evident in other areas of life, particularly in the penal system. In an [address](#) to the International Association of Criminal Law last Thursday Pope Francis focused on the dynamic of punishment in contemporary society:

Over the last decades the conviction has spread that the most disparate social problems can be resolved by public punishment, as if the same medicine can be prescribed for the most diverse illnesses. This is not about trusting that public punishment will play the part traditionally attributed to it, but rather the belief that benefits, which really demand the implementation of another type of social or economic policy and of social inclusion, can be obtained through such punishment.

In Australia this conviction is enshrined in the idea of a war on crime fought with the weapons of criminalisation and imprisonment. We can see it in the imposition of heavier sentences, the removal of judicial discretion and flexibility in deciding appropriate sentences', the bias against awarding bail and parole. They are also seen in the criminalisation of a broad range of behaviour in terrorist legislation. The assumption is that the possibility of arrest and the imposition of heavy sentences will deter people from offending and will make the community safer. They will encourage people to take responsibility for their actions, and civil peace will prevail.

Common sense suggests that these means of producing peace and security will be more likely to make a desert than peace. When people, sentenced to ten years in jail for a crime with many extenuating circumstances, see that they have received the same

sentence as others who acted with full consideration, they are likely to leave prison embittered against society. And they will have lost the relationships and connections that would prevent them from re-offending. With the huge expansion of jails necessary to hold those sentenced there, too, less funds will be available for programs that address the reasons why people come into the justice system.

The same dynamic can be seen in the war against terrorism and the war against asylum seekers. The means taken to prosecute the war threaten to poison the peace that they are meant to achieve.

Pope Francis warns perceptively that the urge to create peace by punishment leads to the search for more targets.

Not only are scapegoats sought to pay with their freedom and their life for all the social evils, as was typical in primitive societies, but beyond this sometimes there is the tendency to construct enemies deliberately: stereotype figures, who concentrate in themselves all the characteristics that the society perceives or interprets as menacing. The mechanisms of formation of these images are the same ones that once made possible the spread of racist ideas.

Those who play at war play for high stakes. But the best way to peace and security is not to wage war on people but to be curious about them - on what makes them safe, on what leads them to criminal acts, on how we can intervene to help them make good connections with society, and on how we can best prevent them from returning them to jail. Reflection and care are always better than war..



Andrew Hamilton is consulting editor of Eureka Street.