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Law overboard in pythonesque Section 501 application

AUSTRALIA

Kerry Murphy

The Rule of Law is one of the most important elements of a liberal democracy. It should not be thrown overboard to promote a populist, jingoistic line. One of the great ironies of Australia is that it is a country whose first European settlers were convicts — and it now makes good character a prerequisite for new settlers. What if in 1788, the Eora nation had used a character test?

Section 501 of the Migration Act is one of the most powerful provisions in our migration law. It gives the Immigration Minister the power to refuse or cancel a visa on the basis of a person's character. This decision can be made personally by the Minister or by the Minister's delegate. A decision by the Minister means no right of merits review, only the limited grounds of judicial review.

Dr Mohammed Haneef has experienced the worst case scenario — a visa personally cancelled by the Minister, without the provision for natural justice, on the basis of non-disclosable information. Such power should be restricted to the worst cases, not used to overcome the decision of a magistrate to release on bail someone accused of serious offences.

If a person is sentenced to 12 months or more in prison, then they fail the test and must rely on the discretionary powers of the minister or his delegate not to have their visa refused or cancelled. 'Character' is not limited to criminal convictions, but can include any conduct, even when only alleged.

The three primary discretionary factors are the protection of the Australian community, the expectations of the Australian community, and the best interests of any children. There are a number of secondary factors but unless an individual can convince the decision maker on at least one of these factors, their visa is likely gone.

One of the strongest powers available in this area is to make a decision without providing 'natural justice'. This is usually understood to mean that a person has the opportunity to know the accusations against them and to comment on the accusations. Section 503A of the Migration Act provides the power to refuse to disclose accusations, or even the source of the hidden information.

This means an individual can face the threat of cancellation or refusal of a visa, be given the opportunity to comment on this, but not be told what is the information against them. This has resulted in a number of 'pythonesque' cases where people are told, essentially, "You fail the character test, please respond, but we cannot tell you what are the accusations against you".

There may be good policy reasons why people who have engaged in unacceptable conduct should not be able to live in Australia, but at least they should have the chance to reply to accusations against them.



MIGRATION ACT 1958
GENERAL DIRECTION UNDER SECTION 499 –
VISA REFUSAL UNDER SECTION 501
General Direction - Visa Refusal 5501 - No.5

PREAMBLE:

It is Government policy that all non-citizens who apply to enter or stay in Australia must meet certain standards of behaviour, conduct and character (‘The good character requirement’). All applicants for visas, both temporary and permanent, must be considered against the legal requirements of the Migration Act 1958 (the Act) and the Migration Regulations (the Regulations). This General Direction covers applications for permanent or

In his decision in the case of Dr Haneef, Kevin Andrews stated that the Australian community would expect the visa to be cancelled when someone had an association with or provided assistance to persons suspected of involvement in an act of terrorism.

One wonders how accurate the secret information is, and whether the Minister was properly informed. His defence is that he has more information than the Australian Federal Police (AFP) gave to the Court. So the question becomes why didn't the AFP see fit to present this secret information to the Court, but only to the Minister?

On ABC's *Lateline*, the Attorney General seemed to imply that a presumption against bail should be interpreted as no bail at all, a curious understanding of the legal meaning of 'presumption'. The Opposition has been quiet on what is really a serious challenge to the rule of law and the importance of the court's decisions not being trumped by Ministerial fiat. A number of years ago, the separation of powers had to be explained to a former premier. Perhaps current politicians need lessons as well?

Some would say that because we live in a new age of terrorist threats, extreme measures are needed to protect our democracy from those who want to destroy our way of life. But what sort of democracy are we protecting when an accused person can lose their liberty on the basis of accusations which are untested, and be given no chance to put their case before they are locked up?

It is not disputed that the government should be able to exclude people who have, by their extreme conduct, made their presence in Australia intolerable. However such cases are rare and the power of Section 501 should not be abused by using it in cases where it is clearly not warranted. It should not be used as an alternative to the rule of law.

Politicians should not put people in jail

AUSTRALIA

Brian Toohey

Politicians should not put people in jail. Nor should they override a court decision to grant bail. If police or prosecutors inadvertently make a terrible blunder, due incompetence or zealotry, they should correct it at the first available opportunity. These would seem fairly uncontroversial propositions. But not, it seems, once someone is tainted by a whiff of any alleged connection to terrorism.

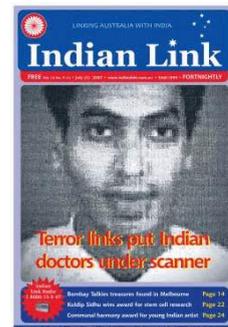
Despite the fact that crucial information provided to a court has since proved false, the Immigration Minister, Kevin Andrews, says he has no intention of reviewing his decision to incarcerate Dr Mohamed Haneef in an immigration detention centre. His decision was taken one hour after a magistrate granted Haneef bail on a charge of recklessly (but not knowingly) assisting a terrorist group by giving a used SIM card from a mobile phone in mid-2006 to one of his second cousins in the UK. Haneef, who was employed on a work visa at a Gold Coast hospital, told police he was leaving the UK and his cousin wanted the unused credit on the card.

The Australian Federal Police (AFP) now admits that, contrary to the claim the prosecution put to the court, the SIM card was not in a jeep used in a failed attack on Glasgow airport on 30 June this year. An official transcript clearly contradicts other purported facts in an AFP statement tendered to the court about what Haneef told police when interviewed after his arrest. But the AFP refuses to say if it will inform the court about these errors, or reveal when it first knew that the information about the SIM card was false.

A spokesperson for Andrews says there is no need for him to review his decision to lock Haneef up, because he acted on advice from the AFP which contained other information. It is understood that a classified annex contains information from the British police about their reasons for suspecting that two of Haneef's cousins in the UK may be involved in terrorist activities, or at least have knowledge of such activities. Apparently, the annex does not contain any new material clearly incriminating Haneef in the provision of assistance to a terrorist group. However, all the law requires [Andrews to decide](#) is that Haneef is of bad character because he has associated with people reasonably suspected of criminal behavior.

The only reason the young Indian doctor is currently incarcerated in an immigration centre, perhaps for several years until his trial is completed, is that he opted to stay in a Queensland jail rather than post the relatively low \$10,000 for bail set by a Brisbane magistrate.

The use of this extraordinary ministerial prerogative is not unique to the Haneef case. But it is normally exercised after



someone has been convicted, not when a trial has just begun. Astonishingly, John Howard was still insisting as recently as Monday that his government had no role in the whole affair, despite the fact that a member of his cabinet had clearly overturned a court ruling on bail.

The ministerial prerogative exercised by Andrews should not exist. If we are to pay more than lip service to principles that can be traced back 800 years to the *Magna Carta*, executive governments must not exercise judicial powers. Only courts should be allowed to imprison people for more than few days.

The law should be changed so ministers can't jail people. A possible exception is if someone spends a night in a detention centre before being deported. Even so, the decision to deport should be taken by an independent tribunal, not a politician who can be construed as having a political motive to appear tough on terrorism.

Changing this law may be easier than ridding sections of the AFP, the prosecuting authorities and the Attorney Generals department of a dangerous mix of incompetence and zealotry whenever the slightest prospect arises of nailing a terrorist. The ability to reason from established facts, to follow the rules of elementary logic, and to accept innocent explanations for perfectly normal behaviour, seems to vanish when the word 'terrorism' is uttered.

There is no excuse for the errors now revealed in the police statement to the court, or in the prosecutor's false claim that Haneef's SIM card was present at the scene of terrorist act. In each case, it was easy to check where the truth lay.

These initial mistakes were compounded by a report in the latest edition of Brisbane's *Sunday Mail* that police now suspect that Haneef was part of a plot to blow up the largest building on the Gold Coast and symbolically leave Australia on September 11. Initially, the AFP refused to confirm or deny this report. After the Queensland premier, Peter Beattie angrily demand an explanation in view of the assurances he had been given in briefings that there was no threat anyone on the Gold Coast, the AFP Commissioner, Mick Keelty, said the report was wrong. He also that the AFP was not the source. If so, the source would appear to be someone else at an official level who was happy to release false information designed to damage Haneef and alarm Queenslanders. As far as is known, there is no investigation underway to identify the source.

Shortly after Haneef was charged on 14 July, Keelty, held a media conference where he assured the public that the investigation, "has been driven by the evidence and driven by the facts". Although hundreds of police were assigned to the investigation, this claim is demonstrably hollow. But no one in the federal government, or opposition, has expressed any concern that the over-eager behaviour of the police, prosecutors and ministers risks further radicalising Islamic youth.

Terrorism involves the ancient crime of murder. Haneef is not charged with murdering anyone, attempting to murder anyone, failing to tell the police about a planned murder, or knowingly assisting anyone to commit murder. If ministers and officials don't want to encourage the recruitment of more terrorists, they should take far more care to ensure that a charge of unknowingly assisting a terrorist group is only laid on the basis of clearly established facts.

Political opinion polls matter

AUSTRALIA

Politics

John Warhurst

Polls matter. Much of the flesh of an election year grows on a skeleton made up of public opinion polls. The whole political community hangs on the ups and downs of polls as they are published from week to week. In many ways, polls are markers on the campaign journey.

The major newspapers put great store on their own polls because of the guaranteed news content they provide. *The Australian* has its Newspoll and the Melbourne *Age* and the *Sydney Morning Herald* have the ACNielsen poll.

There are other polls that get coverage too, including the Galaxy and Morgan polls. Peter Brent's chapter on the polls in *The Crikey Guide to the 2007 Federal Election*, shortly to hit the bookstores, is well worth a look for a fuller account.

Explaining the movement of the polls always has its traps for commentators. They can jump around. One useful guide is the Reuters Poll Trend, which tries to even out volatility and provide a moving average of Newspoll, ACNielsen and Morgan. Reuters confirms that Labor remains well ahead. In fact the government has trailed by more than 10% in each Poll Trend since Rudd became Labor leader.

The commercial nature of the polls and the investment in them by the major media outlets mean that their political journalists can suffer from tunnel vision. There is little problem with this when the message of the different polls seems similar, as appears to be the case at the moment with the voting attention of respondents for the forthcoming election.

But when there is an apparent difference, as there has been over the last fortnight with the results on preferred prime minister, there is not enough comparative analysis. Newspoll showed Howard drawing almost level with Rudd two weeks ago and *The Australian* made a big fuss about this trend.



A week later ACNielsen reported that Rudd was still well ahead on this same question. Yet on the following day *The Australian's* steam of journalists continued to discuss its poll from the previous week without a mention of the competitor poll that was showing something different. This is misleading and may be explained by commercial imperatives, which get in the way of more informative analysis.

For all their technical traps — margins of error and design questions first of all — the second most important feature of the polls is that they are only as good as the interpretation that accompanies them. There are so many stories that can be pulled from any poll. Readers rely on the judgment of editors and senior journalists.

Sometimes people of good will can disagree. Sometimes commentators see only

what they want to see. *The Australian*, two weeks ago, made a judgment call to run with John Howard's improvement in the preferred prime minister contest rather than the clear advantage that Labor still held in the party polls. Its reading of that poll was widely criticized by bloggers as biased.

Then came an extraordinary outburst by an *Australian* editorial that defended its objectivity and fearless regard for the truth. The general tone of that editorial, mentioning in a derogatory fashion people like Brent, described as the [Mumble](#) blogger but who is also a PhD student in political science at the Australian National University, shows in the damning concluding sentence: "We just don't think many of our critics have any real clue about polling and very little practical experience of politics".



The great thing about interpreting polls and predicting election results is that eventually there will be winners and losers and all commentators will get our come-uppance. If the government is returned *The Australian* will think it deserves to have the last laugh for picking it. If Labor prevails then the newspaper might be brought to account, just as those who said encouraging things about Latham's Labor during 2004 were later laughed at for their opinion.

Aboriginal child abuse: whom do you trust?

FEATURE ESSAY

Brian McCoy SJ

For some weeks now I have been witnessing the members of a remote Aboriginal community address a most delicate issue: child sexual abuse. The location and name of the community are not important. Neither are the details of the case. What is important is how this experience can inform us in relation to the recent intervention of the Federal Government in Northern Territory Aboriginal communities. As a sudden and unexpected move to engage those who are most likely the most vulnerable people in Aboriginal communities, it needs to move with much more than speed.



Care, sensitivity and wisdom are required, and the government must show that it has learned from the earlier experiences of government interventions over recent years. The government also needs to show that we can trust in the years to come that those who were abused will receive appropriate healing, those who have been violent have been fairly punished and offered rehabilitation, and that the families of both have become stronger rather than more hurt and broken.

For some time I have wanted to believe there were agencies, private and Government, State and Federal, which might enter with some purpose and commitment and address a whole range of abuse, violence, neglect and poverty that has plagued remote Aboriginal communities for years. I will continue to hope that such interventions will occur and will make a long-term difference. However, I have serious misgivings about the present interventions. I also have serious misgivings about a conversation that reduces complex issues to a simple absolute: 'the child must come first'.

In the community where I was present, after months of conversations involving the police, a child protection officer and community members, a man was charged with committing the offence of sexual assault against a young girl. He went to court but, before a verdict could be reached, he died. In the course of his court appearances, and after his unexpected (and unrelated to the alleged offence) death, some of the family of the deceased turned against his accusers. It is not only non-Aboriginal families who find it difficult to believe that one of their own members could abuse anyone, much less someone whom they know as 'family' in that wider and extended Aboriginal meaning of the term.

In this case, as in similar cases, police only managed to lay charges because a witness came forward. Evidence in cases of child abuse is often hard to gather and difficult to sustain over time. Clearly, it was not easy for this witness to come forward, and certainly not made any easier by the premature death of the accused. What played out was more than a community watching the police taking another one of its members to court. The case showed how difficult it can become for families and communities to engage in issues that threaten the very fabric of their

already fragile and largely powerless society. This is quite apart from the difficulty of engaging and healing the hurt and pain of those who were assaulted and abused, the most vulnerable ones of all.

I observed that, as the police moved in and charges were laid, family and community members backed off. They did not engage in public discussion, ring up lawyers, talk to the media or even call a community meeting. They retreated back to those whom they could hold onto and trust, their own families.

This movement away from public conversation and scrutiny may have happened because desert people have experienced a long, and often painful, history of public scrutiny and negative judgement by other Australians. A critical ingredient of that history is their relationship with the police. When the desert people of this region, the parents and grandparents of the today's adults, first met missionaries they also met police. At this first encounter sheep belonging to the missionaries were speared. Police were called and men were taken away in chains. And that was at the first encounter! The Kukatja word for police became *wayirnuwatji*, 'the one who comes with chains', the description of a relationship that was to be remembered for future generations.

Not surprisingly, family members today remember not just those early days but many times since, when police have intervened to take members of their families away. Police have used violence against young and older desert men in the past decade. Rarely was there accountability, explanation or communication with local leaders or families. Sometimes, desert people have accepted these actions, sometimes they have resented them. Often they have felt angry, frustrated and powerless.

What can be confidently stated is that over several decades a strong and sustaining relationship of trust between the police and this group of desert people has not developed. Hence, when police, Government officials or others come into Aboriginal communities and people experience their words and actions as ones of admonition, correction and criticism many simply walk away. They turn to those whom they can believe are the only ones they can trust, namely the members of their close and immediate families. This applies equally to all those who have experienced violence and abuse, and those who have been charged.

As this Government exercise develops, the experience of trust between all involved is central. When people experience being shamed and blamed, their trust in themselves and those criticising them can easily be further eroded. When those who have been deeply hurt and assaulted are not offered the patience and strength of trust, their wound of mistrust can deepen and follow them into adult life. And, within this desert context, trust holds particularly important meanings for people who have learned through painful experience not to trust the police, not to trust Government initiatives and interventions, and not to trust those who continue to highlight their failings.



The constant flow of Government bureaucrats through communities over decades, not to mention the constant change of policies over the same period of time, has left most Aboriginal people living a poverty that is hard for urban Australians to appreciate. Trust, however, remains a key ingredient, a cultural

'glue', that holds these families and often very artificially constructed 'communities' together.

Trust is what holds desert people and sustains them when there is no money, no roof over their heads, when the Centrelink or CDEP money doesn't come and the store is closed. This is a trust that causes people to rely on each other, to know that within a changing and dominating non-Aboriginal world their family remains. Trust lies behind the ceremonies that men and women perform, particularly initiation and mortuary rites, and people's ability, despite language and other differences, to come together and celebrate important moments of their individual and communal lives. This is a trust that enables each 'family' to experience regular support and care, as wide networks are fostered and sustained

In cases of child abuse, the trust that a child places in adults, families, and community has been seriously broken. The abuse of a child is, in many ways, an abuse of the whole society. It reflects a trust that has been broken and that cannot be simply fixed or quickly restored, no matter how well intentioned are those who intervene.

Hence, when the Government seeks to develop policy on the run, as it clearly did in this case, it shows that it has not carefully considered, or appreciated, the needs of those who are most affected by violence and abuse. It shows it does not understand how previous policies have eroded the trust of desert people who live a long way away from those Government officials who continue to make decisions about their lives. It shows, most tragically, how people in communities might choose to tolerate further violence and abuse when faced with options that do not strengthen trust but erode it.

It would be easy to respond to the Government's actions by showing that it has cared very little for the rights and needs of children in the past: Aboriginal, refugees or asylum seekers. It would also be easy to remember the barrage of constant and negative comments that Government ministers, including the Prime Minister, have made about Aboriginal communities, their culture and human rights in recent years.

It will be less easy to witness these initiatives, and their long-term implications, and also to believe that people and communities might experience further abuse and violence. Serious questions remain. What of those who will be charged? What do we know of them and how they learned this behaviour? Who will work with them to ensure they do not offend again? And what of those who are the most vulnerable in all of this, namely those who have been abused and their close family members? How will they learn to trust those who now seek to intervene quite intimately in their lives? When trust has been damaged over many decades how can it be restored? Can it ever be restored by focussing on the children without attention to the parents and grandparents of all those involved? Have we forgotten that it is families who grow up children and communities who grow up families?

At a seminar in Melbourne more than thirty years ago, Professor W.E.H Stanner commented on the poor state of Aboriginal health. He noted that not much had improved over the preceding four decades. On children he commented, "The reason why we established some settlements was that we thought it gave us the best chance of working on the children. We supposed that we could do little or nothing for the adults. We would be vindicated by what we could do for the children. When we had succeeded with the children, the settlements would wither away within a



generation or two. That idea, which is older than Macquarie, has wrought havoc in Aboriginal life. It has never worked and never will work as long as parents care for children and children look to parents. This desperate fallacy has been held right through Australian history”.

Stanner, respected for his profound insights and reflections around Aboriginal life, pointed to a fundamental issue that has plagued our nation’s history. Government has rarely worked well with Aboriginal adults nor shown that it wanted to communicate and work with them. Instead, it has sought to focus on the children: to remove, educate and immunise them. As a nation we have failed, too often, to work with their parents and grandparents and their wider family networks. We have rarely committed ourselves to support their strengths and capabilities. This recent intervention highlights this tendency.

Where in this present situation are the procedures in place that will support family structures, when trust has been broken, when more men are in prison and communities continue to live in poverty? Where is the support for those Aboriginal men and women who maintain, with great dignity and hope, their families and communities? Where are the networks and programs to help those young men who have learned damaging and violent forms of behaviour? Where is the trust that can repair the damage caused by pain and violence?

There are key Aboriginal leaders, men and women, who have earned trust far beyond that reciprocated by their immediate families and relations. There are also some police who have earned trust, as there are teachers, lawyers, ministers, sporting coaches and youth workers. The number may not be great, as many non-Aboriginal people rarely stay long enough, or enter deeply enough, into the life of remote communities to gain that trust. However, the building of trust begins here, within communities and in partnership with key Aboriginal leaders, women and men. Outsiders, police and others, can make use of this trust. They may seek to listen to, be guided by and work with the trust, however fragile, that exists. If they seek to believe they can work without trust, their actions will simply fail.

One of the lessons we have learned in western society is that the damage caused by sexual abuse can continue for decades and be transmitted to future generations. If we are serious in addressing this issue, we need to address how those who have been most hurt are helped. At the moment there seems to be little understanding of how this might occur. As I sit and listen with those whose lives have been radically affected by recent Government actions and police initiatives, I sense that people will continue to do what they have done for decades. They will turn to those they believe they can trust.

Trust comes at a price, but it's money well spent

EDITORIAL

Michael Mullins

After many months in dispute with Victoria's Bracks Government over the details of its \$10.5 billion strategy to rescue the Murray-Darling river system, the Federal Government announced plans this week to use its external affairs powers to override Victoria's constitutional power to manage its own water resources.

It has been widely criticised as policy on the run. On the one hand the Federal Government is taking a ham-fisted approach to a very complex problem. But its defenders say that at least they're taking decisive action. Such a glib responses serve no useful purpose when there is a much more fundamental sticking point.

This can be illustrated by a comparison with the Government's strategy to tackle the problem of child sexual abuse in the Northern Territory.

In this issue of *Eureka Street*, Brian McCoy presents a considered response to the NT intervention. McCoy is a Jesuit priest who is NHMRC Fellow for Aboriginal and Torres Strait Islander Health Research at La Trobe University's Australian Research Centre in Sex, Health and Society. He has spent most of the past three decades living and working with indigenous Australians.

For all the complexity of his argument, McCoy's analysis comes down to one word — trust.

He says: "As this Government exercise develops, the experience of trust between all involved is central. When people experience being shamed and blamed, their trust in themselves and those criticising them can easily be further eroded."

The Victorian irrigators believe their water management practices have been more responsible than those of their counterparts interstate, and that the federal plan fails to give them credit for this. According to their perception, they are sharing equal blame and shame for the sorry state of the river system, when it is more the result of the bad practices of others.

Federal Water Resources Minister Malcolm Turnbull thinks they are deluding themselves, and there is a good chance that this is in fact the case. But the point is that a relationship of trust must be established between the Federal Government and the Victorian irrigators before any plan can be put into action.

Resources must be invested in demonstrating to the the Victorians that they are deluding themselves. This involves properly listening to the Victorians, and maintaining a genuinely open mind to the possibility that their recalcitrance is justified. Turnbull would say that this is exactly what he has been doing all year in trying to convince the Victorians to come on board. But without the hearts and



minds of the Victorians, the strategy is unlikely to succeed.

If 50 per cent or more of the \$10.5 billion is spent on securing the trust of the Victorians, it will be money well spent.

Ecumenical roads no longer lead to Rome

COLUMNS

Summa Theologiae

Andrew Hamilton SJ



The Congregation for the Doctrine of Faith recently clarified the relationship between the Catholic Church and other churches. Its document provoked mixed responses. Vatican officials insisted it said nothing new; many others, including Catholics, found it offensive. Both responses were understandable. But taken together they pointed to a lack of attention in preparing such documents.

The Congregation addressed the view that the Roman Catholic Church is simply one of a number of brands offering the same product and that adherence to any church is simply a matter of individual choice. This attitude is part of the cultural air we breathe.

Against this view the Congregation insisted that Christian bodies must be judged by the extent to which their faith and structures represent the shape of the early church. All churches agree with this claim. But they define, in different ways, what continuity with the early church means. Catholic and Orthodox churches emphasise continuity in faith and structure, while Bible-based churches generally emphasise continuity in a particular form of faith. By these standards they judge whether particular Christian bodies truly represent Christ's church.

In the Catholic theology that prevailed before the Second Vatican Council, the Catholic Church alone could claim to be Christ's church. It drew sharp boundaries between the one true church and other false churches.

The Second Vatican Council stressed the value of positive elements in other churches, insisting that God could work through these churches for the good of their members. Members of other churches shared Christian faith and their baptism was of decisive significance. The Council reconciled this insight with its conviction that the Catholic Church had a unique place in salvation by using the concept of participation. The Catholic Church shares fully in the reality of Christ's church. Other churches participate to greater and lesser degrees. The Council caught the distinction in its statement that the Church of Christ subsists in the Roman Catholic Church, and by referring to other Christian bodies as ecclesial communities rather than as churches.

The image of participation has two corollaries. It makes less absolute the boundaries between the Catholic Church and other churches. We cannot divide churches into true and false, but into greater and less. We must say that other churches and their ministries are not equivalent to the Catholic Church, but we may not say that they are without value.

The image of participation also brings out the difference between the abstract shape of faith and church structure and the way in which faith is lived out. To say that the Catholic Church uniquely embodies the faith and structured life of the early church does not imply that its structures function as Christ would have wanted, or

work better than those of other churches.

From this perspective the goal of ecumenical endeavour is not, as Catholics would once have said, that other churches should return to Rome. The priority is that in all churches, their members' lives, their relationships and their structures correspond to Christ's values. If they are faithful their paths may lead to a form of unity that is today unimaginable.



That is the background to the document. But although it affirms the text of Vatican II, its context is different. Vatican II wanted to make space for conversation between churches and Christians by emphasising what they share. It shaped its decrees to ensure that they were open to those who were not Catholic. The Congregation's document emphasises the boundaries between the Catholic Church and other churches by denying their equivalence. It is not concerned to win or to encourage those outside the Catholic Church in their living of faith. For that reason when it quotes the statements of Vatican II that speak of ecclesial communities and of ministries, the passages have a different resonance than they had in the context of the Council. They seem to be judgemental and naturally give offence.

The document points to the need for the Catholic Church to find a language that expresses the logic of participation. This will emphasise what they share in common, and will speak of differences in this light. It requires attending to the living faith of other churches and not simply to their abstract deficiencies. It is a language that attends first to faces and only then to organisation. This document is lacking in this kind of attention.

In attentive conversation it is possible to say honestly that in Catholic understanding, only the Catholic Church embodies structurally the fullness of church and ministry. But to imply that other churches are not really churches, and that their ministry is not really Christian ministry, would fail to attend to the way in which Christians, including Catholics, commonly use words. The implication of the claim is gratuitously offensive. We should presume that the offence was not intended. But if it is to be avoided, a different kind of attention is needed.

Why Clive the bay gelding was out of sorts

COLUMNS

Simple Pleasures

John Honner



On Saturday morning a week ago, I was sleepily wandering up to the bakery with Maddie the dog and dreaming about fresh bread. I got a hoy from Trevor, who lives on the other side of the creek, but whose horses sometimes feed below our back fence. He was having trouble getting a big bay gelding called Clive, aka 'The Flyer', into his float. Clive was meant to be at the races in a couple of hours, but he was snorting and stamping and being distinctly uncooperative.

"He's missing his mate," said Trevor.

With a lot of pushing and pulling, a wet unhappy horse and a relieved trainer got on the road. Maddie came out from behind the tree where she was hiding, and we went off on our business.

A few days later Maddie was barking away down at the back fence, but not at horses. A small mob of black and white cows had somehow gotten into the long grass around the railway line near the creek. This didn't look good.

I rang the dairy farmer's family. He was around in an instant to whistle the cows back to where they belong. He's an old fashioned farmer who rides a horse, cracks a stockwhip, and has a three-legged dog to supervise progress. It turned out that the recent rains had swollen the creek and washed away the fences near the railway.

Early next morning matters got out of hand. The cattle were down in the long grass again. Maddie was barking at them and scaring them up onto the railway tracks. The train was five minutes away. My neighbour Super Barry was on the case, but John the farmer couldn't come as he was busy in the dairy. Barry and I, looking like unmade beds, peered across the fence as the level-crossing bells began to ring.

But then a lone cow came up through the scrub and stood in the middle of the bridge above the creek, forlorn and silhouetted against the grey sky, just as the sound of the train grew in on us. It blew its horn and huffed and puffed and managed to stop a couple of metres from the solitary cow. The train and the cow glowered at each other. The train hooted. The cow did not move.



And then something unexpected: all the other cattle in the long grass came up the embankment to join their isolated companion. This made the train hoot and huff even more. Meanwhile, Super Barry had gone into action, leaping the barbed wire fence, loping along the ballast on the tracks, and shooing the cattle off. The train moved on.

With Barry shooing at one end, and Maddie cutting off an escape route at the other, we got the cows under the bridge. Barry walked them through the muddy, snaking creek bank, across a field, and back into another paddock where he could secure them behind a gate.

Suddenly it was Saturday morning again, and Trevor was putting a horse into his float. "How'd he go?" I asked. "He didn't get the chocolates," said Trevor with a smile, "but he ran second."

Then he added, "He wasn't missing his mate, you know, he was trying to tell me he was crook."

A mystery of olive groves and aloof neighbours

COLUMNS

By the way

Brian Matthews



Sometimes one of the many mysteries that thread through the puzzling fabric of existence comes right up under your nose and can no longer be consigned to a comfortable distance...

When, some years ago, my wife and I first arrived in these rural parts, knowing almost nobody, we decided one Sunday morning to call on our only neighbour. From our place, the one structure visible is a galvanised iron shed among the vines on a distant slope. However, when you walk down to the front gate, a substantial house looms above a vast, spreading plantation of olives across the road and down the hill a bit. That's where we went on that Sunday morning years ago, intent on friendly gestures and amicable chat.

I don't think we're the kind of people who are terribly good at this sort of meeting, as a matter of fact: too diffident on the male side, too forthright on the female. But anyway we did it, and in response to our knock on the door a tall, rugged looking bloke in shorts and singlet appeared to greet us. He was neither welcoming nor rejecting. We introduced ourselves. We'd just moved in "across the road" we said. He said he'd noticed someone had arrived "over there" and then, with a *non sequitur* that might have betrayed an awkwardness equal to our own, revealed that his wife was "in the shower". He probably meant that she would have handled this impossible encounter much better than he could.

We chatted a bit and admired the olive trees surrounding his house, stretching away rank after neat rank across the property like battalions on parade, and he said with disconcerting seriousness that our views would change if we had to strip the crop. After that, as Bertie Wooster might have said, "the long day wore on" and eventually we wandered vaguely off. He didn't proffer his name or, for that matter, the name of his showering wife. The family's pair of Alsations — to whom we were happy to remain strangers — escorted us up the long drive growling and muttering and giving every indication that only recent bitter experiences of painful retribution were preventing them from reverting to their deeply ingrained, long buried vulpine rituals and having their toothy way with our calves and ankles.

Back out on the road we agreed the visit had been a failure, and we walked up our own long and safely Alsatian-less drive, pensive and somehow deflated. We mused that the encounter had gone against the rural or bush stereotype: our experience as newcomers had been that people in the township and the district were extraordinarily friendly. They would smile at you, however vaguely, passing in the street, and shopkeepers and tradespeople, with only the very odd exception, were invariably polite and helpful.

We didn't see our neighbours again except occasionally in the distance from the road. The wife remained forever



shower-curtained from us, and the bloke might have been a dim presence behind the wheel of a ute now and then, though there were many utes and they all looked much the same. On frosty mornings the smoke from our chimney, flattening out in the freezing air, would mingle eventually with the smoke from theirs above the vines and olives creaking with cold. And in the summer their plantation shimmered in that strange luminescence with which olive leaves absorb and resist searing heat.

And then a month or so ago, something changed. At first, glancing across to their house as I always did while taking the first reluctant paces of a morning run, everything seemed in order. But a second look showed something odd about the olive trees. The ranks were ragged, straggly. I stopped, stared — and saw that every tree near and far had been ripped from the ground and was actually lying on its side. All the way down to the house, around it and back up the slopes stretching beyond it, trees lay alongside the gaping earth from which they had been torn, with their tangled and knotty roots exposed. Looking to the house as if somehow it would offer an explanation, I saw that there was no smoke from any chimney. The windows were blank, like closed eyes; the verandahs and sheds had that indefinable but irresistible air of abandonment.

No doubt the story will unfold — from Gavan, who will soon be along to do some ploughing, or Paul, who is spraying our weeds, or Pete, on whose laconic instructions we rely to complete our paving. One of them will know or swear he knows. But I don't expect hearsay will get to the essential mystery of it — lives suddenly and brutally uprooted; a family knocked down and on the move like a defeated army.

Let's share the burden of overcoming Muslim extremism

OPINION

Saeed Saeed



Foreign Affairs Minister Alexander Downer recently gave the keynote address in the opening ceremony of the Peace and Harmony Interfaith Conference in Sydney. His speech ended with a plea to Australia's Muslim leaders and community members to take the lead in eradicating the community's extremist fringe. "Of course this all of our problem," Downer assured. "But you are uniquely placed to counter their narrative."

Mr Downer's comment, no matter how well intentioned, is part of the greater narrative advocated by the current government: "Muslim extremists are a Muslim issue - not ours." The fault with this view is that it transfers ownership of this challenge from the elected leaders to a minority group who simply don't have the resources to deal with such a global crisis.

Contrary to popular perceptions, it is the vast majority of Australian Muslims who suffer most from the views of Muslim extremists. The latter have taken a leaf out of the current government's book, for they also specialise in driving wedges between Muslim communities to suit their own agendas. Further similarities can be found in their use of the media, which also promotes the adversarial 'us versus them' approach relished by most politicians and newsrooms. Hence it is always the same 'Muslim spokesmen', the same political reactions and the same newspaper stories.

With this narrative so entrenched within the political and media climate, it is extremely difficult for any fresh perspectives to emerge — unless you are the odd Muslim AFL player or hijab-wearing police officer.

Recently, Mustapha Karra Ali, member of the now-defunct Muslim Reference Group, continued this pervasive narrative. Ali claimed that up to 3,000 young Muslims are at risk of becoming radicalised by hardliners, a figure that even Australian Federal Police chief Mick Kelty was cautious in supporting. The ill effect of Ali's claims is that it casts suspicion on all young Australian Muslims and undermines their continuous efforts to build bridges with the mainstream.

While the media and politicians predictably feed on this news, they neglected to cover the many powerful stories of how Australia's young Muslims are breaking stereotypes and contributing to Australian society. Recently, the 65th annual International Council of Christians and Jews took the brave step of inviting a delegation of Australian Muslim youth to attend the conference in Sydney. These young Muslims played an important role in laying down the framework for a dialogue which has long been branded as taboo by a majority of Muslim elders.

Currently, twenty Australian Muslim youth are engaged in Latrobe University's Centre for Dialogue Muslim Leadership Program which had them visit Parliament House, the High Court



and the Australian Catholic University for some robust discussions with Federal Minister of Immigration Kevin Andrews, Chief Justice Kirby and numerous other political and civic leaders.

The youth involved in this program come from diverse backgrounds. Faza Fauzi works for a Catholic not-for-profit organisation caring for the elderly and children with special needs. Sumeya Koc was the Victorian delegate for the United Nations Youth Association, and Mohammed El-leissy touches hearts and minds as a Muslim cleric and stand-up comedian.

While some might choose to view these as token stories, the majority of Australia's young Muslims are working hard to ensure that their contributions are never viewed as other than part and parcel of being an Aussie. We all must stand behind and empower these young people in order to counter the pessimistic overtures of the extremist fringe. The fact that their stories are seldom told illustrates how all sectors of Australian society have a role to play in fighting against all types of extremism, no matter how politically and religiously inconvenient this narrative is to some.

Great leaders love their teams

FEATURES

Chris Lowney



Most Australians wouldn't recognise the name Eric Shinseki. But if his prophetic voice had been listened to, we might have one less global crisis, and we might be much better leaders. It's too late to do much about the former, but we have plenty of time for the latter.

General Eric Shinseki was the highest ranking military officer in the United States until he ran afoul of his boss, former Defence Secretary Donald Rumsfeld, shortly before the invasion of Iraq.

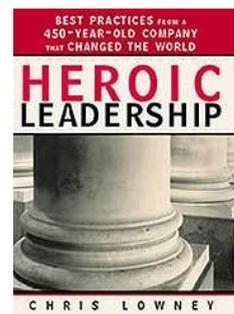
What was General Shinseki's transgression? He suggested at a Congressional hearing that the US Army would need to dispatch many more soldiers to Iraq than was planned, in order to keep the peace after the removal of Saddam Hussein. He was, in retrospect, completely right. But at the time he was pushed aside for voicing an unpopular point of view.

Now let us reflect on General Shinseki's leadership wisdom. In his retirement speech, he offered this summary of his leadership philosophy: "You must love those you lead before you can be an effective leader."

That statement may seem remarkable, coming as it did from America's commanding military warrior. Surely "love talk" has little place among the macho, towel-snapping military class? But perhaps the opposite is true? I suspect that a general makes wiser choices when he loves those he must place in harm's way, and I would suggest that soldiers perform more effectively when confident that they are loved and valued by those tasked with the awful burden of sending them to face their possible death.

General Shinseki's statement brings to mind another ex-soldier, and avid proponent of "love-driven leadership" — St Ignatius of Loyola, whose feast is celebrated next Tuesday (31 July). An injury sustained in battle crushed this one-time soldier's leg and military ambitions, prompting consideration of alternate career paths. He ended up founding, in 1540, the Catholic religious order commonly known as the Jesuits; today its nearly 20,000 members serve in more than one hundred countries.

Like Shinseki, Loyola was not afraid to assert that great leaders ought to love their teams. He told Jesuit bosses to manage with "all the love and modesty and charity possible" so that teams could thrive in environments filled with "greater love than fear". Apparently, love works: the Jesuits are marching inexorably toward their five hundredth anniversary; consider, in contrast, that fewer than 20 per cent of the largest US companies of the year 1900 managed to last even a century.



We rightly bemoan the leadership deficit afflicting our corporate, political, and religious institutions. We grasp at institutional remedies like stiffer accounting rules, oversight commissions and the like. Against such tangible mechanisms, love-driven leadership may seem a mushy, vague notion lacking measurable bottom-line impact. The ex-soldiers, Shinseki and Loyola, might beg to differ.

Loving generals don't lightly send valued subordinates to die. And no corporate leader who loved employees would recklessly gamble their pensions and livelihoods to prop up the value of his or her stock options, or treat as a personal piggy bank the profits generated by dedicated employees, or blithely wear the chief executive mantle while claiming complete ignorance of massive frauds engineered by key lieutenants. What's more, executives who love their teams are keen to develop each person's potential and hold each subordinate accountable to the kind of high standards that make each person and the whole team perform better.

I applaud General Shinseki, a man who served his nation with integrity and who is macho enough to promote the virtue of loving leadership. And bravo to the Jesuits, who gamely pursue lives of loving service. Most of all, bravo to all parents, teachers, managers, and generals who love those under their care. "Love those you lead", as both soldiers and saints have urged us.

The disappearing distinction between Labor and Coalition welfare policy

FEATURES

Community

Philip Mendes



The Labor Party has historically been a party committed to government intervention in the free market to promote a fairer distribution of income, and social protection for the poor and disadvantaged. However, the Hawke/Keating years arguably saw an abandonment of traditional laborist concerns around equity and fairness in favour of free market agendas. Social welfare policies were relegated to the mere alleviation of poverty, rather than being concerned with attacking structural inequities.

Since the federal election defeat of 1996, the federal ALP has struggled to define its core political values and beliefs. However, the ALP has adopted key Third Way concepts such as finding a balance between rights and responsibilities, promoting equality of opportunity, and greater social investment to promote the social inclusion of disadvantaged groups.

There is no doubt that economically the ALP continues to adhere to free market philosophy. The ALP endorses wealth creation, an "economic climate of enterprise and innovation", and active participation in a competitive global economy. Labor recognises the positive role that lower personal and company tax rates play in promoting economic growth, and has promised not to raise the overall level of taxation revenue as a proportion of GDP. Labor has committed to "keeping taxes as low as possible consistent with maintaining a sound revenue base to fund quality public services".

At the same time, the ALP remains devoted to core social justice concepts such as "fairness, equality, and a fair go for all". The ALP argues that government has a "...unique and positive role..." to play in supporting and complementing the contributions of individuals, families, communities and open markets. Government intervention ensures the universal provision of quality health care, education and a social safety net.

Specifically, the ALP believes in a "society that protects and supports those who face difficulties and disadvantage whether because of disability, illness, old age, misfortune or other factors that make it hard for a person to cope. Labor holds to its tradition of reaching out, embracing, protecting and supporting those in need — as well as supporting those who help people in need". However, this support for income security payments is qualified. Whilst the ALP claims to be the party of compassion, it clarifies that it "is not or should not be the party of welfarism".

The ALP recognises that Australians are "born with unequal chances in life", and has consistently supported a national plan to tackle poverty and disadvantage. They have created a Shadow Minister for Social Inclusion, and argue for greater social investment in social infrastructure and human capital to promote the social

inclusion of those who are excluded from mainstream society.

ALP policy acknowledges the research of Tony Vinson which identifies the relationship between specific suburbs or postcodes and chronic disadvantage. Structural barriers to employment are recognised such as lack of relevant skills, child care, inadequate social and physical infrastructure, and negative employer attitudes. Proposed solutions include greater investment in early childhood development, health care including a national dental program, access to computers and the internet, and lifelong education and training to develop relevant skills.

The ALP is highly critical of current Coalition policies. The current leader Kevin Rudd claims that John Howard is a market fundamentalist and disciple of the famous hardline neo-liberal theorist, Friedrich Hayek. In contrast to Hayek and Howard, Rudd argues that social democrats reject a purely market-driven allocation of resources, and instead seek to balance the competing claims of liberty and equity.

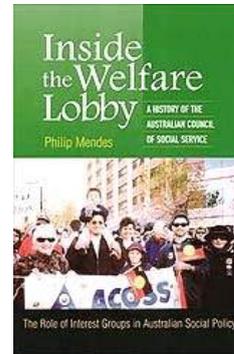
Nevertheless, the ALP and the Coalition still share some significant commonalities. For example, the ALP supports the principle of mutual obligation including the expectations that individuals return "support from the community by finding employment as soon as is practicable". But they add that mutual obligation should be a two way street, and include positive incentives such as the government taking responsibility for providing training and employment opportunities.

The ALP supports the work for the dole scheme, but argues that it should include a formal training component that targets attaining real employment rather than merely meeting activity obligations. Similarly, the ALP does not oppose benefit sanctions per se, but argues that they should be fair and balanced. It also broadly supports proposals to move sole parents and the disabled from welfare to work, but argues that current Coalition policies simply reduce payments and increase hardships whilst failing to provide necessary supports such as transport, child care and skills training.

In addition, the ALP supports the existing Job Network, but argues that greater resources should be devoted to early intervention and support, to developing the capacities and skills of the unemployed, and to promoting long-term jobs rather than insecure, short-term positions.

In summary, there is some convergence between Labor and Coalition social policies. Both believe the poor will benefit most from successfully integrating into the free market system, although the ALP acknowledges that market failure exists, and that economic growth alone will not ensure social fairness. Both parties also disapprove of long-term passive reliance on welfare payments, and neither seek to enhance the availability of social rights outside the labour market.

But there is also some significant divergence both in terms of their definition of the causes of social problems, and potential solutions. In particular, the ALP gives a greater emphasis to structural rather than individual causes of disadvantage, and generally does not use the tough anti-dole bludger language favoured by the Coalition. It also views poverty and inequality as unacceptable outcomes that need to be addressed by government intervention, whilst the Coalition seems more content to leave these problems to be resolved by the free market. In addition, the



ALP places a more positive focus on incentives and opportunities, rather than a negative emphasis on blaming the victim. The ALP also seems committed to more generous spending on social investment.

The ALP could arguably more effectively distinguish itself philosophically from the Coalition by taking the following steps:

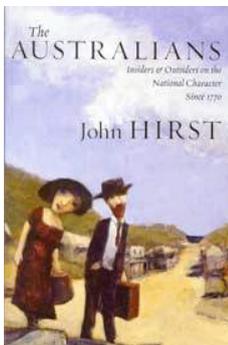
1. Changing the name of Work for the Dole to something more neutral or apolitical such as the Work First or Preparation for Work program. This name change would signal to the community that the program was about preparing the unemployed for the workforce, rather than stigmatising or punishing them for being unemployed.
2. The ALP could review and reduce the penalties for failing to meet mutual obligation requirements. In particular, the ALP could work closely with welfare NGOs to ensure that policies focused on identifying and addressing barriers to seeking employment, rather than punishment.
3. The ALP could insist that all Job Network providers invite at least one local unemployed person to join their Board, and also consult with representative groups of unemployed people in developing their policies and procedures. This policy would demonstrate that the ALP was willing to use a community development approach including listening to and utilising the experiences and expertise of unemployed people in developing locally-based solutions to unemployment.

Innocent happiness and heavily curtained windows

BOOK REVIEW

Published 25-Jul-2007

The Australians: Insiders and Outsiders on the National Character since 1770, John Hirst, Melbourne: Black Inc 2007, 211pp, RRP \$29.95, ISBN: 9781863954082, [website](#)



In recent years, the term 'unAustralian' has been used to exploit ideas of the national character for political purposes, on both sides of politics. The unAustralian list includes striking workers, ALP policy favouring withdrawal from Iraq, and the treatment of asylum seekers and political prisoners such as David Hicks. In fact, the term unAustralian was originally used in the 1850s to describe landscape and other facets of colonial life that were reminiscent of 'mother England', and therefore rather good. Now the word is used only to deride.

John Hirst is one of Australia's most eminent historians. As such, you might expect his book on the national character to mount an historical argument about the increasing politicisation of the so-called Australian character. It doesn't. The book has no core argument to speak of.

But that is not a failing, because it is an anthology. The sum of the parts affirms that the Australian character exists, that is is robust, but arguably without the depth of that of the European nations from which many Australians arrived. The hand of the historian is evident in the thorough research and judicious assembling of texts. It's up to the reader to decide what he or she wants to do with what Hirst has collected. John Howard might read it from cover to cover and memorise the contents in case some pesky journalist asks him the origin of the term 'digger', or where the 'fair go' came from. You or I might put a wet winter afternoon to good use by pouring through the contents, which are both entertaining and enlightening.

There is an element of controversy in just about every item in the collection, but as a whole it is not a controversial work. In some ways, this is surprising, as Hirst has often stirred debate in the past. For example, his 2005 *Australian Quarterly Essay* titled "Kangaroo Court" accused the Family Court of being complicit in child abuse.

The Australians is actually not designed for impact or provocation, like Blainey's *Triumph of the Nomads* or Windschuttle's *The Fabrication of Aboriginal History*. The collection is more a gentle chronicling of the various stages of our self-reflection. It was published under the auspices of the National Australia Day Council, which is supported by the Australian Government through the Department of Prime Minister and



Cabinet. Compiled by somebody else, it might be unremarkable, and indeed nationalist propaganda.

At first glance, it can be a bit frustrating to read about our egalitarian ethos without any explicit analysis of the current economic boom that is eluding low income earners, or the diminishment of wages and conditions under Workchoices. Section headings referring to the 19th century include "No 'bunyip' aristocracy", "Opportunity for the Small Man", and "Good Wages". However there is material for reflection about whether the 'fair go' exists today, and what it consists of.

Firstly there is a quote from Peter Saunders of the [Centre for Independent Studies](#). Saunders argues that the fair go does not mean equalising the distribution of resources by taxing the wealthy. For him, it's more about fair reward for effort and talent. Hirst also reproduces a speech of John Howard about the 'mutual obligation' doctrine, and the linking of equality and opportunity. This is juxtaposed with [Carmen Lawrence's](#) reminder that egalitarianism has its roots in sharing the wealth of the country and the benefits of productivity. For her, it's about protections and guarantees, so that those who miss their opportunity are not left out in the cold.

The Australians is not all serious, and not only about what we think of ourselves. There are the risible one-line put-downs from pompous Englishmen. One quotation is from the English cricketer, who called out when spectators invaded the Sydney Cricket Ground in 1879: "You sons of convicts". English historian J.A. Froude said during his 1885 visit: "It is hard to quarrel with men who only wish to be innocently happy". Homegrown putdowns include Paul Keating's "Sport has addled the Australian consciousness", and Bob Hawke's declaration after retirement: "We'll be off to Europe. We won't be staying here - this is the arse-end of the earth."

It gets interesting towards the end, where the Australian character is set against that of the European nations from which the 'new Australians' arrived after World War II. For them, Australia offered "considerably safety and little menace". Unlike Europeans, Australians were not given to dancing in the streets. The great ideal was to own a house with heavily curtained windows. From this perspective, Australian character is an oxymoron.

Wilberforce film points to task of modern abolitionists

FILM REVIEW

Documentary

Published 25-Jul-2007

Amazing Grace: 118 minutes. Rated: PG. Director: Michael Apted. Starring: Ioan Gruffudd, Albert Finney, Michael Gambon, Benedict Cumberbatch, [website](#)



This year marks the 200th anniversary of the abolition of slavery in Britain. It was a hard-won victory for the abolitionists, who, under the leadership of young politician William Wilberforce, endured 20 years of frustration in an unsympathetic parliament before a bill banning slavery was finally passed.

Wilberforce, an evangelical Christian and protégé of former slave trader turned pastor John Newton, was motivated in this quest by his deep religious faith. But Michael Apted, the director of the Wilberforce biopic *Amazing Grace*, insists that in telling this story he was more interested in politics than in preaching and prayer. "To me, what's exciting about Wilberforce is that he was a man who had spiritual beliefs, and was very uncompromising about them, but nonetheless lived in the political world and had a lot of political acumen", says Apted. "I didn't want to diminish the faith of Wilberforce; that's crucial to his character. But I wanted to make the centre of the film about politics, and then use whatever else we need of his life to illuminate who he is."

Apted already has a brief but notable track record in the realm of biopics, having previously helmed 'true stories' such as *The Coalminer's Daughter* and *Gorillas in the Mist*. He admits that when it comes to condensing a person's life into a film, a degree of artistic licence is necessary. "All you can do is honour the spirit of the character and the spirit of the times,..." he says. "...What helped us with Wilberforce is that we didn't treat it as a straight biopic. We messed around with time and put the political event in the middle of it." "I've been looking for years to do a film about politics", he continues. "I can't stand that politics generally gets a bad rap, although I completely understand that position. I was looking for a story that threw a different light on political action; showed it in a valuable, heroic, light. It was a very hard to find anything." "And then this film about Wilberforce came to me, and at the centre of it was this anti-slave trade story. I thought, well, this is a great opportunity — maybe this is what I've been looking for."

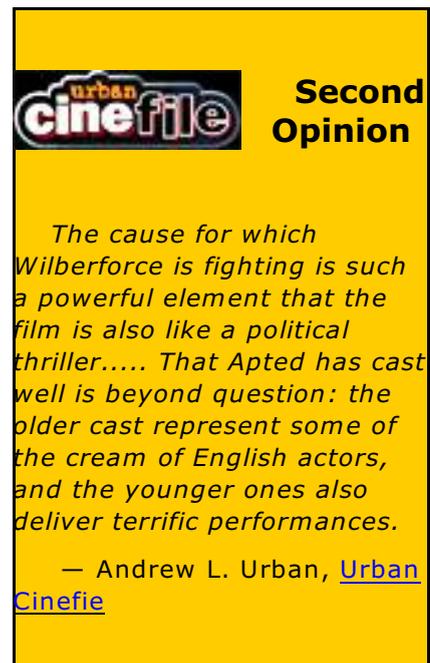


The film captures this key period of Wilberforce's political career with a sometimes burdensome sense of romanticism. Luckily, the presence of Gruffudd as Wilberforce, plus seasoned veterans such as Finney (as Newton) and Gambon (as Whig politician Lord Fox), lends a much-needed sense of gravitas to a sometimes overwrought script.

And while the action takes place in a time long past, Apted is in no doubt his film

has a great deal to say to today's world. In fact, he suggests that some scenes bear a striking resemblance to the political climate of recent years.

He cites a scene in which Wilberforce's long-time friend, Prime Minister William Pitt the younger (Cumberbatch), warns Wilberforce that he will consider disagreement to be sedition. "That's exactly what people like Bush were saying to justify going to Iraq", says Apted. "After September 11, Bush would say if you oppose American foreign policy to go into the Middle East, it's seditious. That's rubbish — it's ridiculous to say if you oppose someone then you're disloyal or traitorous."



Despite an emphasis on politics, the religious elements of *Amazing Grace* are potent. Interestingly, Apted is currently in pre-production as director of *Voyage of the Dawn Treader*, the third film in the Chronicles of Narnia franchise — another story with a strong religious theme. Still, Apted insists he's not necessarily drawn to religious films. "My challenge with both films is to get a balance, so that they will appeal to a large audience", he says. "That was crucial for the understanding of the Wilberforce character; and with Lewis, there's a universality about it. It's not just about Christianity."

Apted is not the only one relying on the wide appeal of the message in *Amazing Grace*. Social justice organisations around the world, under the umbrella of the Stop the Traffik campaign, will use the film to put a spotlight on the modern trade in human trafficking — which, along with drugs and arms, is one of the three biggest illegal trades in the world. "There's no point sitting there and saying 'Great, Wilberforce defeated slavery — yippee!'" agrees Apted. "Slavery is with us today — more powerfully than it was in Wilberforce's time. Slavery's always with us, and we should be alive to it; it isn't something that arises and is solved, and we can all get on with our lives." "To me, the most interesting thing about Wilberforce is his courage; he really hung on and never gave up. He gave many years of his life to

this cause and [through perseverance] he pulled it off. He was a man of principle, and I think that's a good message to be sending out in the world."

Joycepoem

POETRY

Published *25-Jul-2007*

No bad eminence this, Lord Belvedere's
hill, and the house, a Jesuit perch,
from whose broad upper window I watch the city.
A minute's trail downslope, and your Centre
offers decorum, celebrity and pamphlets —
as though to mime, so late in the piece,
the Church you couldn't stand. A swing on the heel
would take your ghost through a modern thicket —
the buffed-up-bar for cubs of the Celtic Tiger,
some corner shops, their dust in amber,
boom of construction, a placard for lapdancing —
to museums of seeing, writing, saying,
and the little park from which by night or day
the Children of Lir rise for the dead.
Ironic hunter, you'd bag it, every morsel.
Stalker of streets, scuffer of pavements,
dawdler on bridges, prowler by close and parade,
you bought the place for habitat
and made it all domain. And now you share it,
wary as ever but hungry still,
with Lilliput's master, the tangle-hearted Swift,
your better at scorn, your brother in laughter,
a singleton like yourself in the press of crowds.
By O'Connell Street, by Stephen's Green,
by Dolphin's Barn, Kilmainham, and Phoenix Park,
you're out with your wits about you for game,
while the rain of matter falls from one soft day
to the next, and you drink as though mortal.

A moody harlequin, you dander the banks
of Anna Livia Plurabelle, tracing
now the lozenge of furious red, and now
sable's badge of your being unseen —
feral and brilliant, come of a darker selvage
than took the Florentine aback
and sent him God knows where. Your golden thread
is the tainted stream itself, the walk's ravines,
the mouth of your mind as fluent as the traffic
by Trinity's walls. A one-man-fugue,
you move by cadence, interval, revision:
by climax deferred, and silence courted.
Everything melts, as though to the Grand Canal,
commanded and lost, measure by measure.
Gulls have come over Parnell Square, to raise
'the screaming practice of their peace',
and newly-landed Americans are shuttling
in and out of your shrine, a cane
someone's caduceus come down in the world,
a guidebook feathered in winter sunshine.
Singer of flesh and its withering, mind and its fall,
there are worse places to be than this one,
your portrait in honour a floor below me, the air
shivered with fragments of light reflected
from window and doorface painted in carnival, and
your foxing spirit here for a term
becoming again and again the flambeau it carries,
dear dirty Dublin a thing of fire.

[Click here](#) to download or listen to an mp3 reading of this poem.

'Joycepoem' first published in *Robert Jacks: His Bloomsday Book*, ed. Jenny Zimmer (Melbourne: Macmillan Art Publishing, 2004) p.1.

Fr Peter Steele SJ recited the poem during a lecture he delivered at the Bloomsday event at Newman College, Melbourne, last month. [Click here](#) for an edited extract of the talk. His comments on the poem include the following:

"I wrote this poem, which is called simply 'Joycepoem', at Newman College, but it is designed to take us to the Jesuit-run Belvedere College, in the north of Dublin, where Joyce had most of his secondary schooling—free, I might add—and in which I have stayed a number of times."