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The impact of leaky asylum boats on the Federal Election

COLUMNS

The Meddling Priest

Frank Brennan



Thankfully, no more leaky asylum boats have arrived in Australia with an election in the air. But the announcement of refugee status being granted to 72 Sri Lankan asylum seekers detained on Nauru throws into relief the policy differences between the major political parties and the differing views of refugee advocates. The issues in contention are the Pacific solution operating out of Nauru and the use of the new Christmas Island detention centre (pictured). Labor is committed to abolishing the Pacific solution, while maintaining Christmas Island. Many refugee advocates want Labor to abandon Christmas Island as well.

On 12 September 2007, Kevin Andrews, the Minister for Immigration, announced the refugee status for the Sri Lankans and said, 'Australia is now exploring resettlement options in other countries for the Sri Lankans that have been assessed as being refugees. They will remain in Nauru while arrangements are made to resettle them elsewhere.'

When he first became minister, Andrews was unaware that his own public servants would continue to process the refugee claims on Nauru, just as they would if the asylum seekers remained on Christmas Island. There are three differences between Nauru and Christmas Island.

Failed asylum seekers on Nauru have no right of appeal to any Australian court. Wisely, the government does not make too much of this difference in public because it leads to the inference that decent Australian public servants are more likely to decide that a person is not a refugee if their deliberations are immune from scrutiny by any court or tribunal. When you are trying to change the culture and the public image of a government department that has had a rough trot with cases like Cornelia Rau and Vivian Solon, this is not a good look — particularly for an earnest lawyer like Andrews. Second, Australian lawyers and do gooders can be more readily kept out of Nauru. Third, refugees on Nauru have never entered Australia and thus other countries may be willing to receive them.

The Howard government's Pacific solution was enacted because it was thought that even those boat people successfully claiming refugee status would never make it to Australia. But 95 per cent of them have eventually made it to Australia or New Zealand. They have just had to wait up to an extra five years. The justification for the Pacific solution has been the need to

deter refugees from engaging in secondary movement by employing people smugglers.

This justification came horribly unstuck when the government tried to extend the Pacific solution to Papuan asylum seekers who would be engaged in direct flight without people smugglers. Bruce Baird, the leader of the backbench revolt in August 2006 on the extension of the Pacific Solution, told Parliament that the New Zealand government would no longer take refugees from Nauru if Australia tried to apply the Pacific solution to all boat people. The Pacific solution is incoherent and it will go if Kevin Rudd is elected Prime Minister.



Kevin Andrews MP
Minister for Immigration and Citizenship

Status of Sri Lankan Asylum Seekers
Wednesday, 12 September 2007

Today my department has advised 72 Sri Lankan asylum seekers that they have been assessed as being refugees.

One Sri Lankan asylum seeker has been advised that he has been refused refugee status. He is able to seek review of that decision, and he is being advised of his options.

These asylum seekers are part of the group of 83 who were intercepted by HMAS Success on the early hours of 20 February, en route to Christmas Island.

Christmas Island is a different story. In response to David Marr's claim that the Christmas Island detention centre was established on such a remote island in the Indian Ocean 'to keep the cost of investigating these stories very high', Philip Ruddock, the political architect of both these offshore arrangements, has responded, 'The truth of course is that the Christmas Island detention centre sends a very strong message to people smugglers and their clients. The message is that there is no fast-track to the mainland. There is no way to jump the queue.'

Those found to be refugees on Christmas Island will inevitably end up in Australia. Not even New Zealand will take them, and why should it? Though many refugee advocates are strong opponents of the new Christmas Island facility, I have continually conceded to government the place of such a facility in a border protection strategy aimed at isolating and detaining unvisaed boat arrivals until initial screening can occur, permitting immediate return of those with demonstrably unmeritorious asylum claims, and facilitating health and security checks of those asylum seekers whose claims will take some time to process.

It is important to give credit where it is due. The Howard government has increased the size of our migration program, including the refugee and humanitarian component. The Rudd opposition has consistently opposed the Pacific solution and the unfortunate consequences of the temporary protection visa (TPV). Courageous Coalition backbenchers have heeded the call to end long-term detention of children.

At this election, there will be some people who will vote against the Howard government because of the appalling Pacific solution and the ongoing effects of the TPV. Hopefully there will be fewer people voting for the Howard government because of policies like the Pacific solution. The deliberations of civil society might even make a difference in the policy formulation of the political parties and the people's choice of government, providing a fair go for all refugees, including those who arrive by boat without a visa. Along with many other matters, this election will decide the fate of the 72 proven refugees now required to wait on Nauru.

Reasonable security a better bet than total security

COLUMNS

Summa Theologiae

Andrew Hamilton



The recent APEC Conference in Sydney put on show the logic that governs preoccupation with national security. It revealed that logic to be costly, ineffective and corrosive of the human values it claims to defend.

The problem lies in the desire to guarantee total security. This means that every possible threat has to be identified and explored, every possible protection installed. At APEC protection cost \$260 million dollars.

When you want total security you necessarily focus on the threats to it. Before APEC we heard much about the danger of terrorism and even more about the danger of violent demonstrations. We knew that the guardians of security were ready for both, come what may.

The total security project, however, is marked by paradox. The security apparatus necessary to meet all imaginable threats is so complex that it subverts itself. It creates a climate in which sloppiness or even ordinary human common sense can both undermine the conditions of a reasonable security and corrode the values security defends.

At APEC the Chaser saga perfectly demonstrated the paradox. The Chaser team, complete with Bin Laden look-alike, were waved through a series of checkpoints. Those responsible for security then warned them that they could have been shot by a nervous sniper. The effect of security was clearly to create an insecurity that could have led to the loss of innocent lives.

The paradox was also illustrated in the case of Dr Haneef. Preoccupation with security led him to be detained. But the same preoccupation led to sloppiness and partiality in presenting and publicising evidence. The process was inconsistent with the respect for human dignity that security was supposed to defend.

This logic naturally brings the quest for total security into disrepute. It suggests that we cannot and should not attempt to guarantee total security. But in the logic of total security such failures are seen to demand an iron-cast security system.

Such a system would demand protection against its victims — heavier penalties for trespassers and whistle-blowers, more secrecy to prevent confidence being undermined, provisions to prevent security's victims from being known. It would also rely on public fear of threats to security. Respect for humanity will finally be diminished by the security devised to protect humanity.

This logic is evident in germ in Australia. Its fruits can be seen fully in the history of nations like South Africa. There national security became a priority at the start of the apartheid era. Its early implementation was characterised by clownish performances early in the regime that mistakenly led it to be laughed at. But gradually it came to be supported by secrecy, arbitrary power and an ideology of vigilance. This eventually led to a profoundly inhuman regime.

The logic of security has always led Christians into conflict with the state. From the beginning Christians found themselves at odds with Roman power. The Book of Revelation depicts in powerful imagery the incompatibility between the Roman politics of security and Christian faith. Augustine later characterised the Roman genius as one of military conquest, adding that all wars are waged in order to secure peace. By peace he meant security, the desire to control the world in a way that protects the nation from risk of harm. For Rome this meant a policy of imperial expansion.

Augustine contrasted this desire for a peace enclosed in this world with the Christian desire for a peace beyond this world. The broader perspective enabled people who lived by faith to accept the relative lack of security and vulnerability that are inherent in human life.

Augustine, whose North African homeland was invaded by Vandals, did insist that nations have a duty to provide a reasonable degree of security. They were to provide a predictable space in which people could live their lives. They could focus on the important matters of life and death that ran beyond this life.

This approach focused attention on the dignity and preciousness of each human being. The logic of respect for human dignity includes attention to security as one element. But it excludes subordinating human dignity to the demands of total security.

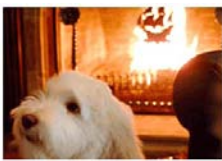
Australian Christians should find difficulty with the present emphasis on security, and with its internal logic. It regards the human dignity of selected persons as dispensable in order to secure security in all contingencies. Once respect for vulnerable human beings is regarded as optional in the search for security, the human dignity of those offered security becomes equally dispensable.



Digital compact camera ensures no more unexamined life COLUMNS

By the way

Brian Matthews



According to a certain school of thought, 'The unexamined life is not worth living'. But what if you put this proposition to your dog as he or she lay stretched out in front of the fire after a good meal of bones and with a walk and game of ball in the offing, to be followed by more bones and another snooze? Your dog, having never in its entire leaping, tongue-lolling, joyous, panting, adoring life submitted itself to even a nano-second's self scrutiny, would look at you with that expression that respectfully suggested, 'Human beings are so dumb'.

But if the virtues (or otherwise) of the unexamined life are still in contention, what about the undeveloped life? Let me explain.

Last Christmas my wife gave me a marvellous, compact digital camera. Photographs of a remarkable clarity can now be brought up on the computer screen or turned into beautiful portraits in the local chemist using equipment that tells you to go and have a coffee while it gets on with the complex stuff. But it was not always thus. This camera is the final throw of our photographic dice.

Another Christmas much longer ago, my wife and I decided to buy ourselves a decent camera. Not one of those that required a Ph.D. to operate, but an idiot-proof little box with one button that you pushed when ready, and preferably a robotic voice that said at appropriate moments, 'Your hair is falling across the lens', or 'Do you really want a photo of your left foot?' We felt we should be recording significant stages of our lives but this project was routinely sabotaged by our old camera — a hefty, complicated machine made, I think, in France. By Daguerre.

Does that sound right? It was too heavy to lug around, it had a shutter that moved with the speed of a roller door and was twice as noisy, and the pictures would have been fine if given Turner-esque titles like, 'Rain and Fog at Midnight,' or 'Standing Figure Obscured by Hailstorm.'

So, into the Singapore Duty Free we swept during a rushed 40-minutes parole from QF9 *en routeto* our new life in London. We browsed, negotiated, decided. And suddenly there we were, owners of a compact, lightweight, fully automatic recorder of life's significant stages. With a camera case thrown in and a complimentary film, the whole package cost only about

two or three times as much as we would have paid in Melbourne, so we were thrilled with a piece of shopping which, for sheer canniness, could only have been improved if we'd bought the genuine Rolex offered at a reduced price with every camera.

In the ensuing years during which we lived in the Northern Hemisphere, you wouldn't quite have called us paparazzi but we were very strong on the shutter. Statues, cathedrals, France, portals, each other, London, fields, Italy, flowers, spires, Germany, vistas, me (staring enigmatically through some medieval embrasure), her (draped along some stone wall that was forever Devon), kids milling, poking faces at the camera, all passed before our roving and insatiable lens. As each film clicked on its last frame, with every now and then an exciting bonus shot or two squeezed in at the end, we would replace the spool in its black plastic canister, put it in a special bag and tell each other we'd take them all to the shop tomorrow/next week/soon/whenever we had a few quid spare for a swag of developing.



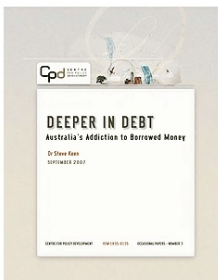
And so the little canisters of film piled up in their bulging, special bag. Years and endless whirrings of lens and shutters passed. Young children grew from smiling pudginess to recalcitrant six-foot-two inch teenagers; older children married and made us grandparents; we returned to Australia with the undeveloped films constituting a significant part of our luggage and attracting the prurient fascination of customs. Most weeks we'd resolve to begin developing them — 'just two or three every now and then.' Only when our dog, the one with the unexamined life, discovered them and decorated several spools with tooth marks — a phenomenon that reduced the man in the photo shop to wild-eyed incredulity — did we become serious about getting them processed.

We never did though. As time passed, the experimental developing of a random few roles revealed that it was now impossible to agree what they were photos of. 'That's Prague', 'No, no, it's Paris'; 'That's the Thames', 'It's the Danube'. Better to start again in the 'just-point-it-and-look-at-the-screen' digital age. Better still, perhaps, to 'remember' fantasies of black hair unstreaked by gray, pre-menopausal verve, romantic hideaways and brilliant sunsets in a European wonderland unglimped by even the smartest automatic lens. Ah! The undeveloped life!

Addiction to borrowed money will hurt us

EDITORIAL

Michael Mullins



Some, perhaps many, Australians accept the Federal Government's claim that we're living in an age of great economic prosperity. They believe they've never had it so good. If they want a new car or a house, they can have it. It's as easy as that.

The reality is that they've never had such unfettered access to borrowed money.

When we borrow something, it's easy to delude ourselves into thinking that it's ours. In our minds, the material wealth of the owner transfers to us. But it's our debt — and not our wealth — that has actually increased. Managed debt creates economic security and wealth. But debt out of control destroys our quality of life. It can lead to chronic depression and material poverty for ourselves and our families.

University of Western Sydney associate economics professor Steve Keen says the very least that we have to do is to stop borrowing faster than our income is growing.

'This isn't quite "hitting the brakes", but trying to ensure that the rear wheels of the Australian economy aren't forever spinning faster than the front ones.'

Keane spells out the dynamic of debt accumulation in a paper published this week by the Centre for Policy Development, which is an offshoot of *New Matilda* magazine. The paper, which is titled [Deeper in Debt: Australia's Addiction to Borrowed Money](#), details the likely economic consequences of the debt binge.

He says Australia's level of irresponsible lending isn't as high as that which brought on the US subprime crisis. However because our rate of increase in debt is so much higher, the impact of any slowdown will be more severe here — and the pain will be much more widely spread.



Vulnerable people are being exploited on many different levels. Higher-risk households have needed to rely upon non-traditional mortgage lenders. Such lenders have funded loans on the now unstable global capital markets.

Keane says the extent of household debt needs to be brought to light through a full public inquiry. He argues that lenders should be compelled to calculate loans based upon people's capacity to repay, not asset-price speculation. He points out that that house prices in Japan fell

on average five per cent per annum for over a decade after its 'Bubble Economy' collapsed.

The lack of public housing and the shortage of rental accommodation are also factors encouraging people to take on loans they can't afford.

Despite the booms and busts in the business and the housing market, since 1964 the ratio of Australia's private debt to GDP has grown by 4.2 per cent every year, and is currently 156 per cent of GDP. Increased private debt is much more likely to diminish rather than enhance our quality of life. During the coming election campaign, it's worth keeping an eye open for economic policies likely to put a brake on this unsustainable exponential growth in borrowings.

Oz politics through the eyes of Tolkien

AUSTRALIA

Vivienne Kelly



Tim Costello (who is nobody's fool) was recently asked whether he thought his brother would ever be Prime Minister. He gave a wry and elegant answer that played with the notion of the difficulty of relinquishing power in the saga of the Lord of the Rings.

As we know, one of Tolkien's central themes is the addictive quality of power. Even the good and gentle Frodo is vulnerable to its poison; and Gollum is transformed absolutely, becoming a slave to the power behind the Ring and losing both his integrity and his physical self in the process.

It was a playful answer, but (in the way of good playful answers) a suggestive one as well. Middle Earth is not a democracy, but the metaphor is oddly evocative: the notion of power as addictive resonates strongly in our present political climate. John Howard clearly finds it so. Never did cornered rat fight so desperately as Howard is fighting, now that he sees that the Ring must be passed on, and perhaps soon.

Even those of us who believe Howard's stewardship of our country has diminished its character and quality admit that he is a good fighter. Yet there has been a manic element in his fighting of late — especially over those mid-September days when he so nearly lost the leadership — that's not quite the same as before. He seems urgent and so frantic. There's a new red light in his eyes. It's so — well, so Gollum-like. He can't give up his Precious. It's his Precious, yess it iss, and he's not giving it up to anybody, not yet. Not to Rudd, not to Costello. Not to anybody.

And that's the thing about Tolkien: he reveals power not simply as addictive but as corrupting and deadly. Of course this is no news to anyone. But Tolkien shows its gradual acid erosion, its unexpected toxins and scarcely-perceptible inroads, the way it creeps into your bones, thins your blood and blurs your vision. We might ask ourselves whether the 'Ring' oughtn't to have been yanked off our Prime Minister's finger some time ago, so that someone else might be allowed to put a new perspective on things.

Let us imagine that a Ring was placed on Howard's finger when he became Prime Minister. What harm might it have done over the past eleven years? What promises might it have caused to be broken? What characters might it have twisted? What judgments might it have corroded and what vision smeared?

Could it have explained the non-core promises, the quarter-truths, the evasions, the multiplicity of duplicities? On seeing these things and others we might have understood more profoundly the long and damaging process of decay in the Prime Minister's heart. And by removing the Ring from his grasp, perhaps we could have neutralised some of the damage.



Here is Tolkien on the Ring of the Dark Lord: 'The gold looked very fair and pure, and Frodo thought how rich and beautiful was its colour, how perfect was its roundness. It was an admirable thing and altogether precious. When he took it out he had intended to fling it from him into the very hottest part of the fire. But he found now that he could not do so ...!'

This is at the very start of Frodo's adventure, before the Ring has worked its way into his soul, but even at this point it has started to exercise its mastery over him. When, three volumes later, he must release the Ring altogether by casting it into the Crack of Doom, he cannot do so unaided. For the longer the Ring has remained in Frodo's possession, the greater has become its authority over him.

Of course there is no Ring, no miraculous phials, no Mithril armour. But if there were, one can imagine the Treasurer, during Cabinet meetings, in Parliament, in private discussions, eyeing it, coveting its beauty and richness, even, from time to time, reaching a hand out for it. Almost involuntarily. Imagine the icy grip the Ring might have taken on Peter Costello's heart and ambition.

Imagine the battle for the House on the Hill — as bloody a battle as the battle at Isengard, (although Ents will probably not attend). And at its end, if the 'true believer Hobbits' do finally get to put their hairy feet up in the castle's banqueting hall while they down a few butter beers and admire the sullen glint of the One Ring on their leader's hand, perhaps there'll still be a small, lost, bespectacled figure roaming the corridors, muttering to himself, 'Gollum, Gollum.'

Australia's fickle leadership transition process

AUSTRALIA

Politics

John Warhurst



The leadership controversy within the Liberal Party seems now to have been resolved (though that is never certain). John Howard will stay on as Liberal leader and hence keep his job as prime minister. He will fight the election and, if he is successful, he will retire well into his next term. That probably means that if Howard has his way he will step down in mid to late 2009 after more than thirteen years.

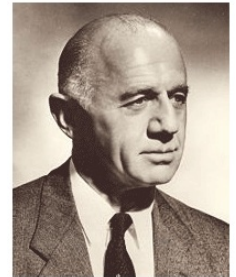
The controversy says a lot about our political system. In a formal sense it shows how easy it is to change leaders in a Westminster parliamentary system. If the Liberal Parliamentary Party had so desired Howard could have been removed from office in the time it took to organise a party room meeting. Howard could have entered that fateful meeting last week as prime minister and left it as a political has been. All it would have taken was a motion to declare the position of leader vacant and Howard would have been fighting for his life. It didn't happen but it could have been that easy. Peter Costello, or another Liberal, might have emerged from the meeting as our prime minister.

The only vote taken would have been among the small number of Liberal MPs; not even the Nationals' MPs who make up the other portion of the governing Coalition would have had a vote. Effectively the senior Liberal Cabinet ministers in the 30-member ministry made the decision when they decided not to force Howard out.

That is a very narrow constituency, narrower than we often recognise, but something that foreign observers notice. Because of the APEC meeting and the invitation to the Canadian Prime Minister, Stephen Harper, to address the Commonwealth Parliament, there were a number of senior Canadian journalists in Canberra observing the leadership struggle at close hand. They were staggered at the power vested in the hands of so few.

Jeffrey Simpson, from the *Globe and Mail*, Canada's national newspaper, was amazed that there was no debate in Australia about the process of leadership selection. Canada's party leaders are selected by open competition in large conventions of several thousand party members. He was disbelieving that, though the Australian Democrats give their members at large the right to select their parliamentary leader, there was apparently no interest within the major parties in widening the franchise for leadership selection.

Though it is very easy in theory to change party leaders in Australia the Howard case shows how difficult it is in practice. The incumbent has enormous resources at their disposal to ensure their survival. There are many more unsuccessful than successful challenges, especially in government. John Gorton did lose to Billy McMahon (pictured) in a tied vote almost 40 years ago in 1971. But Peacock couldn't defeat Fraser. Howard has faced down Costello. Keating took two votes and a spell on the backbench before he eventually ousted Bob Hawke in 1991.



The process is extraordinarily destabilising for the party in government. It is also wounding for the individuals involved. Unfortunately the worst aspects of human nature appear to dictate that in parliamentary systems political leaders, if not defeated in an election, stay on too long.

At the federal level in Australia the three longest serving prime ministers, Robert Menzies, Hawke and now Howard have stayed on too long. Menzies was holding up social progress by the time he went. Hawke broke a solemn promise and was dragged out kicking and screaming. Howard didn't have the good sense to make an orderly departure and has now entered a messy deal with Costello.

This suggests that the Americans have got it right in limiting their presidents to two four year terms. Eight years is enough for any leader. Continuity is balanced by orderly transition. Howard will now either win the election and stay too long in office or lose the election and make an undignified exit that will further tarnish his record. Term limits put the decision out of the reach of temptation and greed.

Confessions of a repatriated editor

HUMOUR

Bob Hefner

aluminum *	aluminium
analog	analogue
anesthesia	anaesthesia
archeology	archaeology
catalog	catalogue +
center	centre
color	colour
curb	kerb
defense	defence
dialog	dialogue +
donut	doughnut
draft	draught
encyclopedia	encyclopaedia
favorite	favourite
gage	gauge +
gray	grey +

For more than 20 years as a journalist and editor in Australia I worked hard to purge myself of the Americanisms that sometimes crept into my work. I was eager to adapt not only to Aussie English, but to the metric system as well.

In the beginning I was perhaps a bit too eager: as a junior sub-editor at *The Canberra Times* I once converted nautical miles to nautical kilometres. The check sub leaned over to me and said gravely, 'Nautical miles are nautical miles.'

Now, when I'm finally starting to get the hang of it, I find myself living again for a while in my native US, and for the first time in more than two decades, doing some freelance editing here — for Yale University.

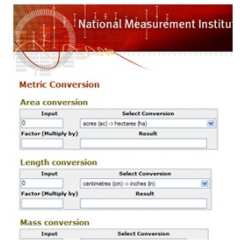
It's a bit like learning to drive a car on the right (that is, the wrong) side of the road again. Years ago I learned to drive on the right side, then moved to Australia where I had to learn how to drive on the left side. Since then I've been back and forth between the two countries many times, and have become reasonably proficient in switching driving styles.

But I'm not sure it will be that easy to make the switch in my editing. Once-familiar American spellings and abbreviations now seem foreign to me. I'm so used to dropping the periods (sorry, full stops) from 'US', for example, that U.S. looks a little too busy. And years of reading 'per cent' as two words have made me want to pull out my blue pencil every time I see it here as one, 'percent'.

In my first US editing job I had to constantly remind myself, as I did when I first began driving in Australia, just which side of the language I was supposed to be on. All those years in Australia of coming to terms with '-re' and '-our' suffixes have made finding the 'center' of an American document more 'labor-intensive' than it used to be.

And then there is the problem of '-ise' and 'ize'. It's taking a while to reacclimatise/reacclimatize to that one. At least they're pronounced the same in both countries, unlike some words. (If you're shopping for basil here, ask for 'bayzil', not 'bazzle'.)

By the time I'd made my way through the first edit of a document here my head was spinning between the two hemispheres and I was in need of some calming herbal tea — and I mean some strong 'herb', with an aspirated 'h', not one of those quieter American 'erbs'. On second thought, I passed on the tea and poured myself a drink.



Certainly not to condone drinking and driving, but to return for a moment to the driving analogy, it occurred to me that even harder than learning to drive on the left side of the road in Australia was relearning to drive on the right side when I returned to the US the first time. I nearly got creamed in downtown Honolulu attempting to make a left turn into the right lane of oncoming traffic. Those drivers were pissed (in the American sense of angry, not drunk). I was mainly pissed off with myself.

After that near miss, I settled down. But now, no matter which country I'm in, whether driving or walking, I look left and right two or three times before crossing the road or changing directions. In editing, that's called double- and triple-checking, and while it slows the process down considerably, it probably prevents lots of noses from being smashed into the curb (sorry, kerb).

It might help if I had a different computer in each country, one with a left-hand drive here and one with a right-hand drive in Australia, so that when I'm starting to veer onto the wrong side of the language a little bell would ring, warning me it's time to pull back across the line.

Come to think of it, that's probably what my computer is trying to tell me every time it underlines some word that looks fine to me and automatically changes the spelling of another, such as 'realise', to 'realize'.

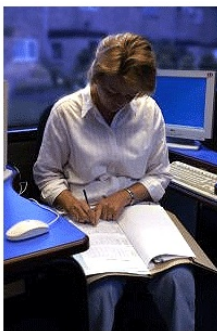
It seems to think it knows which country we're in; I'm not yet so sure.

Performance-based pay for teachers could kill collegiality

FEATURES

Education

Chris Middleton



Some 200,000 teachers work in nearly 10,000 Australian schools teaching 3.1 million students. Proposals about teacher education and teacher pay have figured in almost all the 24 reports on education commissioned by the Federal Government since 1998.

Most people agree that teachers generally are underpaid, and also that very good teachers are significantly underpaid. A substantial pay increase that moved the profession into new territory would be prohibitive, and introducing a system that rewards “good” teachers becomes problematic as soon as one seeks to define the nature of such a system. Only the very rich schools can afford large above-award payments for all teachers, and the new Industrial Relations laws may well accelerate this gap.

Why the focus on teachers and pay? Every significant study of education, here and abroad, identifies the quality of teachers, together with the ethos of a school that teachers help shape, as being fundamental to the quality of education. Teachers are a school’s most valuable resource. Concerns have also been raised by the looming shortage of teachers in some areas, and by the perception that the profession has not been attracting enough quality new teachers (anecdotally, at Aloysius and our other Jesuit schools, the quality of students entering teaching in recent years has been excellent and seems to reflect a resurgent interest in teaching).

The problem with the present system of teachers’ pay has been laid out clearly by Minister Bishop: unless a teacher goes into school administration “they can reach the top salary level within nine years of starting. That’s, on average, at 30 years of age, whether they are any good or not, and then their salary is capped”. She goes on to ask “so where’s the incentive for the next, say, 20 or 30 years?”

I suspect many younger teachers, in particular, would agree with her identifying the challenge of keeping talented teachers in the classroom. How to reward those teachers who go the extra mile, and how to have a system of rewards that is not simply based on seniority that rewards equally those who might simply be serving time or those who, as there are in any profession, do the bare minimum.

The present “one size fits all” approach has a deadening hand. It imposes a civil

service-style approach to a role that can be extraordinarily varied in its nature.

The problem with the performance pay proposals is the risk of overlaying another model onto teaching, namely that of the corporate workplace with performance pay measured by clearly identified results. Apart from the fact that some big executives appear to earn incomes beyond any reasonable criteria and get severance deals when companies lose money, teaching would not easily, nor would I think desirably, moved to such a template.

There is a collegial aspect to teaching that is real and important. Teachers build on the work of each other. An overly competitive environment could pit teacher against teacher, and therefore student against student. Parents could compete to get their children into the classes of teachers who have received performance bonuses.

Some teachers may not achieve remarkable things academically, but may have a major impact on their students in the wider task of formation. All of us have characters in the story of our education who exercised an influence on us that would unlikely be captured by any performance measure. The make-up of a classroom can have a great impact on the learning environment, while being largely outside the teacher's control. Senior teachers might expect to be placed with classes that would maximise the chances of earning a performance bonus.

The question of performance pay raises an almost endless number of similar issues. And it is not simply a question for teachers. The result could dramatically impact on a school's ethos and the learning environment of students, the very relationships that educational research have identified as central to good schools.

My concerns about such proposals are not an endorsement of the status quo. Genuine concerns about teachers' pay have been identified. One measure that goes some way to rewarding effort is that of professional development, where teachers acquire further qualifications and skills relevant to their teaching (such as a Masters degree), then the school assists in paying that cost, and salary scales may reflect something of such qualifications. Co-curricular payment schemes can reward the extra hours and talents employed by our staff in the sport, music, drama, debating, cadets and other areas of interaction with students.

It is worth looking at creating a culture that encourages teachers to suggest or accept specific projects that add value to our educational offerings, require greater commitment to research, time and energy and carry with them agreed upon bonuses. And there needs to be some form of differentiation of payment for teachers after the ten or so years in the profession that acknowledges ability, contribution, creativity and the like. The challenge is that the measure of such achievement must be flexible and sensitive to the culture of the school. It will be a challenge for all schools to be allowed the autonomy needed for schools to go down such a path.

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The Sydney Morning Herald

News Entertainment Life & Style Business Sport

Inquiry sounds alarm on performance pay

September 13, 2007 - 2:34PM

A bipartisan inquiry into teaching standards has raised serious doubts over the federal government's plans to introduce performance pay for school teachers.

The report, tabled in parliament, warns the government to proceed with great caution as it implements its pay reforms.

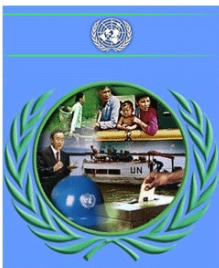
"There is potential for individual performance pay to create considerable tension in school communities, and lead to a serious loss of trust and collegial spirit," it said.

It's time for Australia to reclaim sovereignty

FEATURES

Essay

Tony Kevin



There are two choices that help define the role of a state that aspires to have a meaningful sovereign role in the world. Governments must choose whether they subscribe to the ideal of a rules-based international order, or whether they merely pay lip service to this order, believing that the world is actually governed by competing powers? Following on from this, the question of how governments conduct their foreign policy — whether it is hegemonic, equal status, or in a tributary style — arises.

Finland, Sweden, Denmark, and Norway, are all ‘smaller’ states than Australia . Yet they exercise more international sovereignty than does Australia (I define sovereignty as the exclusive right of governments to exercise authority within their territory. The UN, as a rules-based international order, rests on the convention that all sovereign states, large or small, possess equal sovereignty) because they proceed from the ideal of a rules-based international order and because they conduct their foreign relations with all countries — large, medium or small — as formal equals within that order. They participate in the UN and its agencies, and have earned widespread respect for their independence and good international citizenship.

The other extreme was the communist regimes set up in Eastern Europe after World War 2. These were essentially tributary states. Though retaining some of the traditional attributes of sovereignty — parliaments, flags, anthems and armies, they were satellite states of the Soviet Union. While paying lip service to the UN ideals, they voted in the UN as directed by Moscow. These states had no faith in a rules-based international order — after all, the League of Nations had failed to protect them from Nazi aggression in 1939. These regimes, led by not wholly unpatriotic people, identified their personal and national destinies with Soviet power.

There is a fault-line between those who believe the last twelve years have been ‘business as usual’ in Australian foreign policy, and those who believe these have been years of growing foreign policy dysfunction and failure to defend Australian national interests.

Through the conceptions of international participation outlined above, the Australian government since 1996 can arguably be said to have ceased to believe in a rules-based international order and become increasingly cynical about the UN. It has instead moved towards coalitions with powerful world players with whom we are claimed to “share core

values” — in particular, this has meant the United States.

The Federal Government has also moved from a foreign policy based on sovereign state equality to a belief in a hierarchy of contending powers, in which Australia must prudently position itself as a loyal tributary to the US, as a hegemonic power vis-a-vis South Pacific island states, and (with the exception of the UK and major regional powers with whom it tries to maintain special bilateral relationships, e.g., Japan and China), as broadly indifferent to other states or regional groupings in the world. With ASEAN countries, Howard’s relations are uncomfortable — neither hegemonic, nor tributary, nor genuinely equal.

Under 12 years of Howard government, this way of viewing the world has come to be seen as ‘the new normal’, now deeply ingrained in Australian political elites and the commentariat as simply ‘common sense’ — even among people who would claim to be Labor voters.

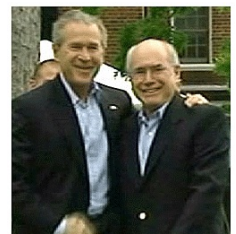
If Labor wins the forthcoming election, Australia must decide if its foreign policy will continue to operate within such a world view.

I believe the reality of our foreign policy experience over the past few years has more in common with the Warsaw Pact system than many Australians would like to admit. Over recent years, Australia has progressively surrendered important attributes of sovereignty, including the following.

1. Warmaking — Parliament has become a rubberstamp on the Executive’s power to engage our soldiers in wars of choice.
2. Defence strategic doctrine and force structure planning, and procurement decision-making and practices — all now heavily influenced by US alliance considerations.
3. Trade and investment policies, in particular as affected by the WTO Rules and the US-Australia Free Trade Agreement.
4. Protection of national cultural values, quarantine protection regimes, public health and the provision of public medicines (and even blood).
5. Environment protection and climate change — where we have echoed US policies.

The Australian government is reluctant to admit how much sovereignty Australia has surrendered in these areas over the past 12 years. To do so reflects poorly on their professional stewardship.

The polarisation of debate on such issues over the past 12 years has left the middle ground of public opinion confused as to what is really happening to Australian sovereignty. Questions include how much of our foreign policy is within our control, and what aspects of sovereignty really matter any more. If Howard goes, there will need to be much work in redefining Australian strategic interests.



My hopes for Australian foreign policy in 2008 include the government making an explicit re-commitment to the UN, cooler engagement with Washington under ANZUS, a serious review of our strategic doctrines, defence force structure and procurement , a stronger role for the Parliament in decisions to go to war, an independent review of the US FTA, a review of our relations with Pacific and Southeast Asian neighbours and review of the manner in which aid is distributed as a foreign policy tool, and aid as an international good-citizen obligation.

I would also like to see a judicial inquiry into questions such as how human rights and civil liberties been eroded in recent years by the blurring of the separation of powers between administrative and judicial functions, and between the police and the military.

The collective expertise that exists in the Australian foreign policy and strategic community must not remain silent in the debates that our country needs to have as the Howard era draws to its close.

Community needs a say on fertility procedures law

FEATURES

Community

Maurice Rickard



McBain v State of Victoria: Access to IVF for all Women
Kathryn Gull Gillin
Law & Bills Digest Group
13 August 2006

Introduction
On Friday, 28 July 2006, Justice Sweeney of the Federal Court of Australia handed down the decision in *McBain v State of Victoria*.
The decision in the matter is a number of paragraphs in length.
The decision is available in HTML, PDF, Word and OpenDocument formats.
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In 2000, a Federal Court found, in the case of *McBain v State of Victoria*, that it was inconsistent with Commonwealth anti-discrimination law to allow only married women or de facto heterosexual couples to access reproductive treatments like IVF and artificial insemination. That finding implied that women who are single or in a non-heterosexual relationship cannot be automatically excluded from accessing medical treatments to help them have a child.

The Victorian Law Reform Commission has recently reviewed Victoria's Infertility Treatment Act 1995, and released its recommendations on who should be considered legally eligible for medically assisted reproduction. Controversial as the initial *McBain* decision was, the Commission's recommendations are perhaps even more so. While the Federal Court upheld the view that it is clinical infertility, and not marital status, that is the relevant factor in deciding eligibility for assisted reproduction, the Victorian Commission's view is that not even infertility should be a deciding factor.

Any woman, whether married, single, or in a non-heterosexual relationship, would be eligible for medically assisted reproductive treatment, as long as the doctor is satisfied that without treatment she is 'unlikely to become pregnant in the circumstances in which she finds herself'. Those circumstances can include her being medically infertile, but also her being medically fertile but not likely to conceive with a male.

In the context of calls for uniformity between the states and territories on fertility laws, the importance of these recommendations extends beyond Victoria, to other states and territories.

A far-reaching social reform such as this needs to be inclusively debated and soundly justified. Despite the Commission having consulted widely, it has left some significant gaps in its case for extending legal access to medically fertile women. Some of those gaps relate to the logic and clarity of the arguments it puts forward. But the most problematic gap resides in the Commission's failure to address an issue that is critical and fundamental to the whole question of access to medical techniques, and pivotal to all the other arguments the Commission discusses.

Both non-discrimination and children's interests are certainly important in deciding who

should have access to medically assisted reproductive procedures. But these considerations become academic if it is simply not within the proper purposes of medicine to provide medical treatments or apply medical techniques to people who do not have medical or clinical conditions. Not every use of medical procedures is a justifiable use of medicine.

The basic question remains as to whether the latter falls within the scope of the proper purposes of medicine. Once all the arguments are in and thoroughly assessed, it may well turn out that it is. But the point is that those arguments really need to be addressed and assessed prior to all the other considerations the Commission focuses on.

The Commission (and the Act it reviews) are concerned to ensure women's appropriate access to procedures that are assumed to be legitimate applications of medicine. If providing an infertility treatment to a medically fertile woman/couple were shown, on independent grounds, not to be an appropriate use of medicine, such a practice would arguably fall outside the intended scope of the Infertility Treatment Act. It would arguably be out of contention from the start. Most importantly, it is a logically necessary condition for justified access to a medical procedure that it is medically proper and legitimate no matter what any of the other 'access' arguments might have to say.

Of course, what the underlying goals and purposes of medicine are, and what count as proper uses of medicine, are complex social and ethical matters. In the public debate surrounding the McBain decision a number of years ago, applying infertility procedures to fertile women was questioned on several grounds. One of these was that medical interventions are inappropriate when there are other effective options (such as adoption or intercourse with a man). A second was that physiological interventions are for physiological conditions and should not be used to address 'lifestyle preferences'. A third, that the purpose of medicine is to restore 'normal' human functioning, not to enhance the lives of women who function normally, by helping them have children. Needless to say, how well these and other views about the purposes of medicine hold, is a matter for debate.

Clearly, it's not the role of legislators to decide for us what counts as a proper use of medicine. That's something that has to be determined by the community. And not solely, or even mostly, by the medical profession, either. Without doubt, medicine is a technical and precise area of knowledge and skill that calls upon special expertise. But it is also, more fundamentally, a social practice, and one whose goals and purposes we all, as a community, have a legitimate stake in.

Games tell a different story about the Pacific

FEATURES

The Pacific

Luke James

Never heard of the South Pacific Games? With more events than the Commonwealth Games and some of the best underdog stories in sport, the Australian sporting public is missing an opportunity to see another side of the Pacific.



During the past two weeks, 22 Pacific countries and territories have turned their attention to Apia, Samoa, host of the 13th South Pacific Games. With enormous support from volunteers and foreign donors, particularly China, the Games overcame criticism in the lead up to demonstrate the value of bringing together countries separated by distance and language but united by many shared cultural values. Samoa's population swelled with new faces from around the region as athletes, officials and media enjoyed the convivial atmosphere.

In Apia, most people knew of colleagues, friends or family competing at the Games. Most athletes were amateurs in the truest sense; many made sacrifices to compete at the Games. It was the personal stories that came to the fore during the two weeks, providing an inside glimpse of conditions and peoples across the Pacific.

Two examples stood out to me, as an observer, in particular. In the Womens' 5000m event, 14-year-old Fijian runner Akesa Drotini crossed the line in first place. In a blow for sporting apparel manufacturers, she did so barefoot. Her story was fascinating. So often, athletes are the public face of a well resourced techno-scientific enterprise. Drotini reportedly lives in a remote Fijian community with her large family, walking a mile-and-a-half to school every day. Her family struggled to fund her fortnightly training sessions in Suva. Her win was celebrated by Samoan observers no less than a win by one of their own, such was the raw talent on display.

At the other end of the spectrum, a strongly-built middle-aged gentleman who has been training for around six months took silver for Samoa in a team event in the archery. The Honourable Tuilaepa Lupesoliai Sailele Malielegaoi lived close to his training venue and probably had little difficulty in funding the expensive equipment used in his sport. However, his day job as Prime Minister of Samoa made his achievement equally impressive.



Prime Minister Tuilaepa's message to Samoans was simple — let no-one complain that they are too busy, or too old, to participate in sport. It is an important message in a region where non-communicable diseases are on the rise. This was also leadership by example in a country which has initiated government-mandated weekly fitness sessions for state employees, in an era when some leaders in the region are more likely to cosy-up to elite sportspeople to bask in reflected glory.

At a national level, the Games provided fresh good-news stories for countries and territories seemingly condemned to negative press or total obscurity by regional media. The diminutive state of Nauru, better known in Australia for rapidly declining phosphate and an Australian-built detention centre, proved that it can also export gold medallists, particularly in weightlifting. Political instability in French Polynesia was forgotten as Games' crowds got to know its energetic national anthem during medal presentations. Tokelau, the New Zealand territory with a population similar to a Victorian dairy town took home one medal per 300 of its people.

Admittedly, many of the athletes reside or train in non-Games countries. But this reflects Pacific reality. In a region where population growth has stalled as migration levels remain high, ethnically Pacific peoples residing outside their country of birth can make up a larger percentage of the birth-population of a country than those who have stayed. Identity and nationalism, so often part of international sporting meetings, therefore are twisted into an inclusive, rather than exclusive, concept.

Australia's national radio broadcaster, Radio Australia, covered the events admirably, yet it was also responsible for an example of regional news stereotyping which the Games could have done without. In a brief break during an otherwise extremely long day's shooting, a young reporter, interviewing the Samoan Prime Minister, could not help but inject a loaded question about Australia's involvement in RAMSI. The Prime Minister's answer to that question, and not his participation in the Games, became the lead story of the day's news bulletin. It was a reminder that even in the midst of the Games' success, much in the Pacific remains to be done to positively promote the diversity and spirit of the region.

Pictured (top): Prime Minister Tuileapa of Samoa collecting a silver medal.

Delivering the mentally disabled from evil

THEOLOGY

Scott Stephens

Anyone wanting to poke fun at the naïveté of the first-century worldview — and by implication the biblical texts shaped by it — will sooner or later bring up the ‘primitive’ belief that those suffering from a mental affliction are actually beset by demons. As unremarkable as this jibe is, the comparisons that inevitably follow between their worldview and our own are even less interesting.



For instance: while the first-century world is full of magic, myths and demons, the modern world is determined by rationality, hard science and medicine. And so, whereas the ancients used exorcism to deal with mental illness, we use medication, precise treatment programs and various forms of supported accommodation. The implicit judgment that drives these comparisons is the superiority and benevolence of modern science and the health-care system, versus the cruel, more ancient practice of ostracising the sick from civic life.

But is the difference quite so clear-cut? As soon as it's pressed, this double reduction (modern benevolence versus primitive cruelty) collapses.

To begin with, earliest Christianity — in which designation I include Jesus himself — did not simply accept the superstitions and religious palliatives supplied by its cultural surroundings. Instead, it consistently exhibited a remarkable capacity for theological imagination and an ethical intensity that released it from the clutches of nationalist idolatry and merciless ritual practices. The ethical freedom of early Christianity is nowhere better demonstrated than in the radical way that it presents and uses the notion of ‘the demonic’. Far from simply accepting the existence of malevolent, individuated personalities as an easy explanation for a variety of ailments, the Christian texts identify demonic influences as an effective mechanism of cultural and political critique.

For instance, in Mark's Gospel, the commencement of Jesus' public activity — in the form of the announcement of the redefined kingdom of God — is punctuated by the presence of ‘a man with an unclean spirit... in the synagogue. It is as if the Jewish religious system itself, governed by the demands of holiness and ritual exclusions, is possessed by something antagonistic to the presence of the kingdom of God. Similarly, it is hard not to pick up the political overtones in Mark's episode concerning the Gerasene demoniac. As Dominic Crossan observes: ‘The demon is both one and many; is named Legion, that fact and sign of Roman power.... Toward the end of Luke's Gospel, the nocturnal arrest of Jesus is depicted as the proper activity of ‘the power of darkness....

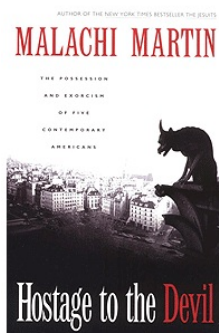
And in Paul's writings, not only are the Roman rulers reduced to impotent 'powers... that cravenly plotted to execute Jesus, but the Jewish Torah itself is described as belonging to the stoicheia, the dark, elemental forces that exert their chaotic influence on this world.

What is crucial to notice here is the way that the demonic influence is mediated through political and religious structures as the means by which individuals are subjugated, humiliated, excluded, dehumanised. The message of the gospel is that these powers have been emasculated (as Karl Barth put it, demons 'are null and void, but they are not nothing...'), and that their effects must be opposed in the same manner by which they were defeated: in faith and by love. The powers are thus to be taken seriously, but disregarded as an act of faith. Here again, Barth captures the spirit of the Christian critique perfectly:

'Demons are only the more magnified if they are placed in a framework of the conflict between a modern and an ancient system... The demythologisation which will really hurt them as required cannot consist in questioning their existence. Theological exorcism must be an act of the unbelief which is grounded in faith....

The Christian attitude toward demonic powers, then, was not simple acceptance of their existence and influence on the world, much less a kind of primitive heuristic device for explaining what now is the domain of medicine. Instead, it represented a vital critique of those political, religious and even bureaucratic systems that subjugate the masses, and thus manifest a terrifying yet anonymous form of Evil.

But this sword cuts both ways. Just as the New Testament texts are neither naïve nor homogenous in the way they speak of demons, our own world is hardly free from 'demonic' influences.



What is needed is the theological clarity and moral courage to be able to identify these influences as such. And one need look no further than the diabolical effects that political neglect and bureaucratic indifference continue to have on the quality of mental health care. The dehumanising forces endemic within the mental health care system stretch from the woeful levels of funding — designed to maintain an already exceedingly tenuous status quo — to the high rate of staff turnover due to burnout and work-related stress. But Stanley Hauerwas has gone further, suggesting that the care of the mentally handicapped exposes the deep contradiction at the heart of liberal humanism:

'No group exposes the pretensions of the humanism that shapes the practices of modernity more thoroughly than the mentally handicapped. Our humanism entails we care for them once they are among us, once we are stuck with them; but the same humanism cannot help but think that, all things considered, it would be better if they did not exist.'

In his terrifying masterpiece of theological journalism, *Hostage to the Devil*, Malachi Martin

insisted that it is the exorcist himself that must play the role of 'the devil's hostage', by placing himself between the victim and the demon, by being an advocate for the one who has no capacity to resist. This is precisely the kind of faithful advocacy demanded from Christians today: to oppose Evil even in its most innocuous, anonymous and bureaucratic forms, and thus to enact the prayer, 'Deliver us from the Evil One!'

Passive aggressive Pilger hurls well-aimed stone at his Goliath

FILM REVIEW

Documentary

Tim Kroenert

***The War On Democracy*: 96 minutes. Rated: M. Directors: Christopher Martin and John Pilger. Starring: John Pilger. [Website](#)**

With his shag of grey hair and weather-worn face, Aussie journalist-cum-documentarian John Pilger might well look more at home on an outback ranch than embroiled in the tumult of global politics.



Nonetheless in his feature documentary debut *The War On Democracy*, Pilger pits his astute investigative mind and radical's spirit against no lesser rival than the American political empire.

Utilising archival news footage and probing new interviews, as well as his own investigative acumen, Pilger dissects a range of troublesome US incursions into South America's political landscape, and constructs a compelling argument that suggests their seemingly self-interested interference has often caused more harm than good in these impoverished nations.

He couples this argument with a spiritous celebration of 'people power', and what can happen when the world's oppressed classes finally decide 'enough is enough'.

While *The War On Democracy* is far more straight-faced than, say, Michael Moore's 'infotainment' advocacy docos, Pilger does display the occasional underhanded approach to his interviews, and a condescending, 'nudge-nudge, wink-wink' attitude towards his interviewees that may leave some viewers questioning his methods.

For example, early in the film Pilger visits the home of a wealthy Venezuelan man, who proceeds to boast about his extravagant lifestyle and ludicrously expensive possessions.



It's clear the man has no idea Pilger plans to juxtapose his disproportionate wealth (courtesy the country's oil industry) against the poverty that pervades most of the country. The man may not be all that deserving of our sympathy, but surely he at least deserves the opportunity to respond to the implicit charge Pilger is laying against him: that he's part of a wealthy elite sustained by the suffering of others.

Still, there's no denying that Pilger's point is effectively made, so in that respect perhaps the end justifies the means.

At the other end of the spectrum, yet no less effective, is a more openly confrontational interview later in the film with a former CIA big-shot who suggests somewhat inanely that Amnesty International are merely propagandists, who have fabricated or highly exaggerated statistics referring to alleged US human rights violations in democratic South American nations.

Rather than responding in kind to the man's uncontained aggression, Pilger instead adopts a more passive aggressive approach and allows his subject to 'hang himself' with his own diatribe.

Pilger has long been a critic of the 'American empire' and, with *The War On Democracy*, this particular 'David' hurls many a well-aimed stone at his vast 'Goliath'.

Local anti-hero

POETRY

Ian C Smith

Local Anti-hero

He meditates in saffron alone in
a yurt. Writing music and busking now,
abstinence and rice have rendered him thin.

He cakes a mudpack to his sunburnt brow,
fashions bangles from gumnuts. Bass Strait heaves
as he strides with Walkman, staff, and backpack
beneath Mount Killiecrankie's peak. He grieves
for damage done, sees beyond the sea wrack,
flouts convention, looking like a Hindu
— see his headdress bob above the breakers —
from the cray fishermen's curt point of view.

The film industry's movers and shakers
must seem a long way behind now, his days
of editing, a retrospective haze.

Small Mercies

There is some warmth from the fire still.
In its last, burnished light I think about
a couple who lived a life together
of quiet goodness offset by yearning.
They argued, laughed, interrupted with shouts.

The idea of women's freedom was touted
and then practised — in a way, but their
life was also subjected to age-old tension.
He was sometimes sick with a bitter fervour
she believed was her cross to bear.
Hurt, he resisted her circumspection.
After dark, in bed, they turned to stone
instead of to each other's injured heart.
The house quietened around them.
Cold stars glimmered in space, each alone.
They had enough money, energy
to do their work, enough to seem
modest models of success but she
could not grow wings, could not fly
to the coast of his separate dreams.
They learned by heart not to envy,
to accept with grace daily routine,
to listen for their deaths in the distance
and know this as their salvation,
take from their days what they could glean.

Truce

When she returned after twenty-five years
her family cancer travelling with her
like a suitcase filled with past mistakes
she was struck by how it tasted the same.
The sea still crashed over enduring rocks

fishing boats bobbed in the postcard harbour
gaunt fishermen, remembering a wild teenager
grinned, kissed her shyly in welcome.

The mountain, dark, as if already in mourning
love, the landmark rock, and clouds like shrouds
still loomed as she watched gulls squabbling
thinking what a soap opera her homecoming was.

She tried to greet her sisters' needs with grace
their anxious glances, their need to plug pauses
tried not to weep at her stepmother's kindness
the suffering in her old father's eyes.