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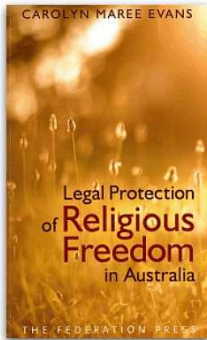
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Exempting churches from anti-discrimination laws

THE MEDDLING PRIEST

Frank Brennan



Church groups in Australia have been engaged in a gruelling campaign to maintain what they regard as justifiable exemptions from the provisions of equal opportunity employment laws. They want to maintain the ethos of their educational institutions and remain true to their teachings on questions such as family relationships. Cardinal Pell makes the point nicely:

Should the Greens have the right to prefer to employ people who believe in climate change, or should they be forced to employ sceptics? Should Amnesty International have the right to prefer members who are committed to human rights, or should they be forced to accept those who admire dictatorships? Both cases involve discrimination and limiting the freedoms of others, and without it neither organisation would be able to maintain their identity or do their job effectively. Church agencies and schools are not exempt from anti-discrimination law in New South Wales, and the language of 'exemptions' is misleading.

While there may be strong agreement about the need to maintain a faith community's right to employ in certain positions only persons who live in conformity with religious teaching, there is plenty of room for disagreement as to how most prudently and charitably to exercise that right.

It is not only secularist, anti-Church people who think that Church organisations and leaders would be displaying homophobia by singling out only gays and lesbians for exclusion from employment in some key positions when heterosexual persons are also living in what the Church might formally regard as irregular situations.

I applaud the Prime Minister's statement yesterday in response to the claims by the Australian Christian Lobby about the harmful effects of homosexual relationships. I agree with Ms Gillard's claim that 'to compare the health effects of smoking cigarettes with the many struggles gay and lesbian Australians endure in contemporary society is heartless and wrong'.

During the 2009 National Human Rights Consultation, former NSW Premier Bob Carr told a conference convened by the Australian Christian Lobby and the Catholic Archdiocese of Melbourne that one of the chief advantages of not having a Charter of Rights was that church leaders could deal directly with government.

He told the story of the two Archbishops of Sydney coming to see him as premier when there was discussion about a proposed Bill to restrict the freedom of Churches to employ only those persons living consistently with Church teachings. He was able to give them an immediate assurance that their interests would be protected.

It is a matter for prudential political assessment. I think those days have gone. It is a good thing for society that elected political leaders and church leaders are able to meet and talk confidentially. Whatever the situation in the past, it is now not only necessary but also desirable for religious leaders to give a public account of themselves when seeking protection of freedom of religion within appropriate limits, especially when they are in receipt of large government funds for the provision of services to the general community,

and not just to members of their faith communities.

Religious special exemptions regarding employment are all the more defensible when religious personnel including religious leaders and those with the hands-on directing of religious agencies are prepared to appear before a parliamentary committee and provide a coherent rationale for those exemptions, rather than simply cutting a deal behind closed doors with the premier or prime minister of the day. The Australian Catholic Bishops Conference has made a submission to the Commonwealth's present inquiry into the harmonisation of discrimination legislation.

In another submission to the inquiry, Professors Patrick Parkinson and Nicholas Aroney observe:

Great care needs to be taken to ensure that a focus on the first-mentioned right (freedom from discrimination) does not diminish the others (e.g. freedom of religion, association and cultural expression and practice). This can readily happen, for example, if freedom of religion is respected only grudgingly and at the margins of anti-discrimination law as a concessionary 'exception' to general prohibitions on discrimination. It can also happen if inadequate attention is paid to freedom of association and the rights of groups to celebrate and practise their faith and culture together.

Last year, the new Baillieu government amended the *Victorian Equal Opportunity Act*. Those amendments replaced the more restrictive ...æinherent requirement... test for employment which had been introduced by the Brumby Government.

The Victorian law once again permits religious bodies to be discriminating in their employment practices in relation to ...æreligious belief or activity, sex, sexual orientation, lawful sexual activity, marital status, parental status or gender identity... provided only that the discriminatory practice ...æconforms with the doctrines, beliefs or principles of the religion... or ...æis reasonably necessary to avoid injury to the religious sensitivities of adherents of the religion... .

The religious school can be discriminating in their employment of the gardener or maths teacher, just as they can be in their choice of the religion teacher or principal. Attorney General Robert Clark when introducing the amendments said that the ...æso-called inherent requirement test would have the consequence that faith-based schools and other organisations could be forced to hire staff who are fundamentally opposed to what the organisation stands for... .

It would be regrettable if religious bodies were to exercise this liberty in a manner inconsistent with their own religious commitments to respecting the human dignity of all persons, including those who are gay or lesbian or not living in church authorised marriage relationships. The scrutiny of unauthorised sexual practices needs to be equally applied. In the parliamentary debate at least one Coalition member, Mr Newton Brown, warned:

I would like to put on record tonight that faith-based schools should be on notice. Yes, the election commitment to remove the inherent requirements test will be realised by this bill, as was promised by the Coalition, but make no mistake: this does not open the door for schools to engage in unfettered discrimination against people that is not justified in light of an organisation's beliefs.'

When seeking to balance conflicting rights, there may be a case for permitting a fuller expression of religious liberty and preferences when alternatives exist elsewhere in society for persons seeking non-discriminatory opportunities or services.

For example, the UK now insists that all registered adoption agencies, including Catholic ones, provide a non-discriminatory service such that adoption would be as readily available to a same sex couple as to a man and woman wanting to adopt a child into their family.

In my opinion, it would be no interference with the rights or dignity of gay and lesbian couples if some religious adoption agencies acting on their religious beliefs gave preference to married heterosexual couples when determining adoptive parents for a child, provided always that the agency was acting in the best interests of the child. There would still be a range of non-Church adoption agencies providing services to all couples, including gay and lesbian couples.

It is legislative overreach for the state to insist on uniform non-discrimination for all adoption agencies. If all schools or even the majority of schools were faith-based, there would be a stronger case for anti-discrimination provisions applying more broadly in employment situations for teachers. With the present mix, the Victorian Parliament has got the law right.

This is an extract from Frank Brennan's speech last night at the Melbourne Law School launching of Carolyn Evans' book [Legal Protection of Religious Freedom in Australia](#) (Federation Press). The full text is [here](#).

Conflict resolution through the arts

VIDEO

Peter Kirkwood

The tragic deaths of five Australian soldiers last week in Afghanistan highlights yet again the ongoing cross-cultural and interreligious violence that is very much a mark of our times.

Usually we look for solutions to conflict through talking, through negotiations amongst politicians, community and religious leaders. The interviewee featured here is taking a very different approach: she places her hopes for interreligious peace and understanding through promotion of the arts.

Helen Summers is founding Director of the [Interfaith Centre of Melbourne](#) , and since it began in 2000 she has been the driving force behind many large community arts events.

(Continues below)

Summers' early professional life was devoted to teaching English to migrants, and to the higher education of teachers of English. The last job she had in this sphere was as Assistant Professor of English Language at Bond University in Queensland.

Then her life took a turn towards religion and spirituality. In the 1990s she was living in New York and started attending the Anglican [Cathedral of St John the Divine](#) on the Upper West Side. The Dean of the Cathedral at the time, James Parks Morton was an inspiration to her.

He had opened his church to leaders of other faiths, and hosted services conducted by them. In particular he made close connections with Shinto leaders from Japan, and later when he retired from the Cathedral, he founded the [Interfaith Centre of New York](#) .

At the time, Summers also met Rabbi Joseph Gelberman who had started [The New Seminary for Interfaith Ministers](#) in 1981. He became another pivotal influence on her life. She felt called to train as an interfaith minister, and joined the two year seminary program.

After ordination, when she returned to Australia, she founded the Interfaith Centre of Melbourne. It aims to build religious and spiritual understanding and respect among the multicultural communities of Victoria.

A special focus of the Centre is promoting arts and cultural events. In 2003 Summers curated *A Shining Example: The Golden Age of Spain before 1492*, a performance of poetry and music from medieval Al Andalus, a period in Spain when Muslims, Jews and Christians lived together in relative harmony and prosperity.

Other examples of events produced by Summers are *The Rumi Concert*, a performance of Rumi's poems by Coleman Barks, world renowned exponent of the Sufi mystic, and *Breaking the Veils: Women Artists from the Islamic World*, an exhibition of 64 artworks by 51 women from 21 Islamic countries from the collection of the Jordan National Gallery of Fine Arts.

In the lead-up to the [Parliament of the World's Religions](#) held in Melbourne in December 2009, Summers chaired the Arts and Culture Committee of the Parliament. In that role she produced the massive *Sacred Music Concert* with 18 international individual and group performances, and a host of other smaller performances and religious art exhibitions.

In 2010, in collaboration with the Islamic Council of Victoria, she organised an evening of songs and story with Yusuf Islam (formerly Cat Stevens) called *Ten Promises to Peace*, at

The Great Hall, National Gallery of Victoria.

Ever the spiritual entrepreneur, Summers has several future projects in the planning stages. These include an interreligious group tour to Al Andalus in Spain with TV documentary coverage of the journey, a performance in Melbourne of Sir John Taverner's seven hour masterpiece, *The Veil of the Temple: An All Night Vigil*, and various other exhibitions and performances.

Exploring teacher suicide

FILMS

Tim Kroenert

***Monsieur Lazhar* (M). Director: Philippe Falardeau. Starring: Mohamed Fellag, Sophie Nelisse, Emilien Neron. 95 minutes**

What makes a good teacher? French-Canadian drama *Monsieur Lazhar* offers two contrasting examples. The first is characterised by selfishness and absence: a teacher, after a period of prolonged stress, commits suicide in her empty classroom before school. The second, by presence and selflessness: Algerian migrant Bachir Lazhar's (Fellag) own experience of loss gives him something to offer the students that his predecessor so abandoned.

The film is not harsh in its judgment of the woman whose suicide in the opening scene hangs like a pall over the remainder. She was a popular teacher, loved by her students and colleagues. Her suicide is revealed to be the result of an arguably hysterical attitude toward physical contact between teachers and students, where a consoling hug can be misconstrued as abuse. The frailty and fallibility of humanity is not overlooked here.

But her popularity heightens the magnitude of the loss, especially among her own students. Lazhar senses their anger and confusion, evidenced by a throwaway line here, a glum expression there, an occasional unanswerable question. As he coaxes them forwards in their studies (his methods are unorthodox, for reasons that later become clear) he also feels compelled to turn back to the tragedy that looms but is largely ignored.

This compulsion is resisted by his fellow teachers, including the school principal. There are echoes here of institutional cover-ups of abuse. Their attitude is favourably cast, as being about protecting the reputation and memory of a colleague and a friend rather than shielding the needs of an institution. But well-intentioned or not, it is misguided, as it loses sight of the children whose wellbeing should be the first priority.

Details of Lazhar's own past are revealed gradually and to great emotional impact. They give shape to the sadness that resides beneath his warm demeanour. They are characterised by loss and grief, which explains his particular insight into and interest in the children's emotional plight. Ultimately it is in giving of himself — encountering his students as fellow hurting human beings — that he can help them, and can himself be helped.

Fellag gives an exceptional, soulful performance as Lazhar, but it is two of the child actors, Neron and Nelisse, who shine. They portray Simon, who discovered his teacher's body and feels responsible for her death, and Alice, a gifted student who can intellectualise and articulate her feelings about the loss. Their performances, under director Falardeau's guidance, embody complementary

versions of childhood grief with warmth and authenticity.

Human lives Australia could have saved

POLITICS

Tony Kevin

Many of the 100 people who were drowned in the sea near Indonesia last week could have been saved.

The Australian Maritime Safety Authority (AMSA) needed to have immediately [launched](#) a search and rescue (SAR) operation. This would have involved nearby Border Protection Command (BPC) sea and air surveillance resources (HMAS Maitland and the Customs Dash 8 aircraft stationed at Christmas Island), as soon as it received distress calls early last Wednesday morning.

This is another case of reprehensible search and rescue negligence by the AMSA/Customs and Border Protection system. A human emergency on this scale, clearly reported by two distress phone calls to AMSA, should never have been passed to the less capable Indonesian BASARNAS to handle.

It is an even more reprehensible Australian system failure, coming so soon after the Houston Panel had reminded the [system](#) of its international law obligations, under three international legal Conventions governing rescue at sea to which Australia is signatory, for search and rescue at sea in response to [distress calls](#) .

By bumping this emergency to BASARNAS, and then returning to border protection business as usual for a full wasted day, the Australian border security system left 100 people to die — as it had done previously on 15 December 2011 (with the foundered *Barokah*), and again on 19-21 June 2012.

As previously, under 'the presumption of regularity', the mainstream media narrative has exonerated the Australian border security system from any serious questioning. An uncritical Australian media has again failed to ask the obvious questions of Australian ministers and responsible agencies.

The timeline of Wednesday's sinking is already quite well established. Someone with a satellite mobile phone on the stricken boat made two distress calls to AMSA at 1.20 am (local time, 4.20 AEST) and 2.05 am (local time, 5.05 AEST) on Wednesday. The Minister for Home Affairs Jason Clare told media on 30 August that the boat had reported engine failure and that it was taking on water.

According to BASARNAS, AMSA informed BASARNAS and asked them to manage the search and rescue operation, just 11 minutes after the first distress call to AMSA, at 1.31 am (local time) Wednesday. At this time, according to BASARNAS, AMSA gave them the boat's exact location coordinates, eight nautical miles off the coast of [Java](#) .

The public record is inconsistent here. According to Mr Clare, 'in the *second* phone call, the person provided RCC with the vessel's location, approximately eight nautical miles south-west of Java'. Yet the Indonesians say that AMSA

informed BASARNAS of the location coordinates (6 degrees 46.44, 105 degrees 05.15) at 1.31 am, just minutes after the *first* phone call.

Probably quite soon after the distress calls (but we do not yet know just when), the drifting engine-less boat filled with water and foundered. According to one survivor, Muhammad Zahir, 'the boat capsized but stayed afloat for about six hours'. He said he was among perhaps 100 clinging to the upper deck after the boat [capsized](#) .

The boat finally sank in international waters south of Sunda Strait. The first six survivors were picked up very early on Thursday morning by a container ship, APL Bahrein, about 40 NM from [Java](#) . The captain of *Bahrein* told media that these survivors told him they had been in the water since about 7am Wednesday, local time. This is our best indicator so far of the time when the capsized hull finally sank, fully five hours after the two distress calls to AMSA.

There would thus have been ample time following the two phone calls to AMSA for the Australian Customs Dash 8 surveillance aircraft to be tasked to fly from Christmas Island (around 200 NM away) to reach the last known location coordinates at first light (around 6 am) on Wednesday, locate the drifting boat or its capsized hull (both large conspicuous objects) from the air, and drop life rafts to survivors.

Also, HMAS Maitland, the closest BPC response vessel on station northwest of Christmas Island to intercept incoming asylum-seeker boats, could have reached the search area not long after the Dash 8, had it been ordered to steam there in response to the distress calls.

Instead, AMSA simply passed the search and rescue responsibility to its Indonesian counterpart. The BASARNAS response on 29 August was tardy, hasty and ineffective.

Meanwhile, for all of Wednesday, it was business as usual for the Department of Customs and Border Protection. BPC followed its normal border surveillance procedures. HMAS Maitland was busy intercepting a boat near Christmas Island.

On this day of nearby distress at sea, could not other interception arrangements have been made, freeing up HMAS Maitland to save lives? A Dash 8 made its usual daily 'routine surveillance' flight over the area north of Christmas Island. It started, Clare said, 'at approximately 4pm Eastern Standard Time'.

Clare said the aircraft searched an area 'where it was calculated that a vessel might be if it had continued to motor or drift towards Christmas Island'. But Customs would have known that the powerless vessel or its capsized hull was drifting westwards. The Dash 8 saw nothing, because it was surveilling the wrong area.

Clare says that 'during this surveillance, AMSA obtained updated vessel location using commercially available satellite telephone positioning data'. No one has

interrogated this important statement.

After Australia effectively took over the search and rescue operation from BASARNAS on Wednesday night, 54 survivors were located through Thursday over an area about 40 NM from Indonesia — see published AMSA map. 'Incident Response 2012/5710 Refugee [Vessel](#)'. Ships were now searching an area where they had been advised to look, from Australian drift analysis and satellite telephone positioning data — a day too late.

Not all the criticism should be directed at BASARNAS for its ineffective search and rescue effort on Wednesday. It should also, and more so, be directed at AMSA and the Department of Customs and Border Protection for improperly and negligently passing the SAR responsibility to an agency they knew does not have the technical resources or organisation to handle it well.

They would not have done this had the distress calls been made to AMSA from an Australian-flagged vessel carrying Australians.

The Rescue At Sea Convention, Safety of Life at Sea Convention, and UN Convention on Law of the Sea all say (in different words) that every State Party to these Conventions has a duty to render assistance, when it receives information that persons are in distress at sea.

Every State Party must require the master of a vessel flying its flag to render assistance to any person found at sea in danger of being lost, and to proceed with all possible speed to the rescue of persons in distress if informed of their need of assistance. State Parties shall ensure that assistance is provided to any person in distress at sea, regardless of the nationality or status of a person or the circumstances in which the person is found. Note that this duty applies anywhere at sea: the rescue obligation is not limited to a State party's own search and rescue region.

The boat or its capsized hull would have rapidly drifted westwards, out of the Indonesian 12 NM territorial sea zone and into international waters south of Sunda Strait, during the five hours following the distress calls. AMSA and Australian signals intelligence would have certainly read exact coordinates for the two calls. They would also have been able to track the hull's exact whereabouts through the ensuing five hours if the satellite mobile phone from which the distress calls were sent had been left switched on. There are many questions here.

Indonesia has none of these sophisticated resources and technologies which BPC uses — when it wants to — to locate and intercept incoming unauthorised boats.

The 100-odd survivors clinging to the boat's capsized hull were properly entitled under Australia's international legal obligations to a fully resourced Australian search and rescue response to their two distress calls to AMSA.

Because AMSA and Customs botched Australia's search and rescue

responsibilities, up to 100 people died needlessly. To this point in time, the Australian people seem blissfully unaware of these facts. It is time our media started asking real questions.

Spiritual leader for questioning Catholics

INTERNATIONAL

Gerald O'Collins

When Carlo Martini, the former archbishop of Milan, died on Friday, the Catholic Church lost a great and inspiring leader. A tall, aristocratic man, he spoke with gentle and measured authority. He never hid behind the regalia of a cardinal or succumbed to other pretensions of clericalism.



From the mid-1970s, I came to know and esteem him when he was successively rector of two flagship institutions in Rome, the Biblical Institute and the Gregorian University.

He reached out constantly to the young, to intellectuals, to all manner of alienated Catholics, to immigrants and refugees, and to Jews, Muslims, and followers of other religions. His deep faith in Jesus opened him to the whole world.

'More people today have the gift of freedom than ever before in history,' he told Jesuit students in Rome in 1993, 'and my task is to evangelise this freedom.'

In conversations with an Austrian Jesuit, Martini was highly appreciative of the papacy of Paul VI, but explicit that the Pope's encyclical [Humanae Vitae](#) reaffirming the ban on contraception had done 'great damage'. The encyclical was one reason why young people would hardly ever turn to church representatives on questions to do with family planning and sexuality.

Martini cultivated connections with the Hebrew University of Jerusalem, which eventually conferred on him an honorary doctorate. Archbishop George Carey invited him to preach in Canterbury Cathedral. Work together towards producing *The Greek New Testament*, the most scientific edition ever produced of the New Testament in its original Greek, endeared Martini for life to Gordon Fee, a Pentecostal who became one the world's leading interpreters of St Paul's letters.

The Italian press cherished him, not least the Milan daily, [Corriere della Sera](#). That paper carried a remarkable exchange of letters between Martini and Umberto Eco on the ecological, political, social, and religious challenges facing the church and the whole world. (In 2000 this exchange was published as *Belief or Unbelief*.) They began with the future of our race and our planet. Eco listed some ecological and other threats, and even entertained the thought of humanity's 'necessary suicide'. Without minimizing the terrifying portents listed by Eco, Martini insisted that no human or satanic power can destroy the hope of believers.

A deeply biblical person, he seemed a latterday Abraham, Moses or Paul. He made some of those figures the focus of spiritual exercises that he preached around the world. Many of these retreats were published: for instance, four volumes on the spiritual exercises in the light of Matthew, Mark, Luke and John.

The volume on Mark served me well in 1980, when I visited Japan and puzzled over the material to use when leading a retreat in Kyoto.

Martini set his whole life under the word of God. He opened business meetings by slowly reading some scripture and inviting the other participants to spend a few moments mulling over the passage they had just heard. Each month in the Milan cathedral, he met for reflection on the scriptures with massed congregations, largely of young people. 'Let the text ask you questions,' he would tell them. He made hearing the scriptures in the context of worship, prayer and meditative silence a path to modern spirituality.

When John Paul I tragically died after barely a month as pope, Martini preached a remarkable homily, taking as his text what the Fourth Gospel has Jesus say about John the Baptist: 'He was a burning and shining lamp, and you were willing to rejoice for a time in his light' (John 5:35). Martini challenged his audience: 'Is that all you are willing to do—merely rejoice for a time in the shining lamp that ...æthe smiling Pope... was?'

During the Lent of 1997, Martini was among the cardinals invited to preach at Westminster Cathedral, London, for the centenary of its foundation. In its spiritual and biblical brilliance, his sermon stood out. Those who heard him preach on that occasion knew that the Catholic Church had lost a pope who would have ranked right at the top of papal preachers—with Leo the Great and Gregory the Great.

Martini lived and breathed the teaching and spirit of the Second Vatican Council. Along with other professors at the Biblical Institute, before, during and after the council, he helped to inspire and then implement the council's work.

When Cardinal Martini died last week, the editor of the *Corriere della Sera* said that the cardinal would be missed as a theologian, 'but especially as a teacher and spiritual guide for all of us, also for those who do not have the gift of faith'.

Life in the Ramadan fasting lane

NON-FICTION

Pat Walsh



A website for foreigners coming to live in Indonesia warns about the downside of the Muslim fasting month of Ramadan. These include sluggish performance by local office and domestic staff, louder and more frequent broadcasts from mosques, interrupted sleep and closure of some restaurants at lunchtime. Having recently spent some of Ramadan in Bandung, I have a slightly different take on the holiest month in the Indonesian calendar.

My temporary home was situated on a hillside overlooking a narrow valley that is home to more than the usual quota of mosques. The valley amplifies the calls to prayer so that they are heard louder by those above. But being repetitive, the sound soon becomes a familiar, even comforting, part of the landscape, like the train that passes at regular intervals or the grandfather clock that chimes deep in the night down the hallway.

My elevated position allowed me to tune in to the muazzin calls and adjudicate their different talents. One was hauntingly beautiful. He could project his call, then truncate the note in mid cry to leave it hanging over the valley like an exclamation mark. I imagined him, head up, listening to the effect like Andrea Bocelli.

The starting date for this year's holy month was, as usual, a matter of some debate. Some insisted it begin when the crescent moon was seen by the naked eye above the horizon following the new moon. Others, encouraged by pollution, weather and the obstruction of modern high-rise buildings, simply referred to the lunar calendar.

Teams of public servants were dispatched by the Minister of Religion to consult and monitor. True believers used telescopes to survey the horizon, and anyone who claimed a sighting got on telly. In between the latest on Syria, soccer results and news from the stock exchange, the news ticker reported few sightings of the crescent moon.

The Minister stepped in to resolve the matter. After listening patiently to learned arguments during a long televised conference with Muslim leaders, he pronounced in favour of 21 July.

The fasting month involves a good measure of self-maintenance, but it is not about self-flagellation or wearing sackcloth and ashes. It's equally about family, community, compassion, looking after the poor, and ethical behaviour in business etc. (a way to go there).

I got very good marks from a taxi driver (mind you after he'd effectively ripped me off by claiming his meter was *rusak*) for donating to a mother and child who

approached our car. When I said it was *zakat* (the charity expected at this time) he asked if I was Muslim. He laughed when I said no though I had fasted since lunch time.

The fasting rule is interpreted flexibly. Many exemptions apply. You are free not to fast if you have to travel a certain distance (30km or similar), are pregnant, breastfeeding, old, little, sick, or basically have a good excuse (like Muslim athletes at the London Olympics or [Bachar Houli](#) on a Saturday).

When I told a Muslim friend that Garuda flights to Melbourne were fully booked, he suggested it might be Muslims heading to Melbourne to fast because it's winter there and the days are shorter!

Fasting makes you hungry and can focus the mind on food and matters material rather than liberate. Ironically, Ramadan can also involve an enormous amount of planning, cooking, shopping, late night and pre-dawn binges. Households buy up. Restaurants and hotels offer discount meal packages.

One hotel lobby I visited was decked out like Mecca. Plastic date palms waved under the A/C around a large green-domed mosque sculpted out of foam; hijabers thronged; the lift doors were adorned like entrances to a Mosque and, mercifully, the karaoke had been shut down for the month (thank you Muhammad).

It is also a time of serious devotion. My young colleague, a professional, stopped to pray during the day as naturally as texting or having a coffee. My host, a retired professor in his mid-70s, rose around 4am to pray.

As thanks for his hospitality I gave him a framed image of a man at prayer. It was an apposite gift to make at this time. Ramadan celebrates the period when Allah revealed the Koran and the calligraphy that forms the image, I was told, is a sentence in Arabic from the holy book.

I refrained from drinking red wine while in Indonesia. Given my culture, where the fruit of the vine enjoys considerable status, including medicinally and sacramentally, this might seem heroic, even unthinkable, like asking an Indonesian go to without rice for a month.

My abstinence was due more to circumstance than virtue. But I have to admit it was good for me. I have Ramadan 1433 to thank for that too.

Not so Independent schools

CARTOON

Fiona Katauskas



Children breathe the air of protest

POETRY

Various

What I mean

I don't mean when the film ends
and the lights come on, the shuffling
of feet and banging of seats.

And I don't mean what it's like
in towelling robe and slippers
dashing to collect the post
before the neighbours see.

Nor do I mean if only. What I mean is
to be lifted by the scruff of my life
to do it all again. Another go.

This time, not just cope
and not as a work in progress seen only

as supporting player in other people's lives;
but the dreamy-eyed girl still in the woman
her life as a poem that makes something happen.

—*Paula McKay*

Peace tattoo

Children need to breathe the air of protest
walk together, arm in arm with strangers
wear badges of hope and T-shirts with lifelines
Sing words of wisdom and history
chant choric responses of camaraderie
in a mass movement of human voices.
Understand the justice of causes
and the constant need for change.
The dignity of freedom
and the strength of real choices
Find courage to lead others by honourable action
spreading metaphors of compassion
over roads of pain and tears.
Letting the certainty of liberty
beat with their hearts
as strong as empathy
And may peace be tattooed
on every breath
they ever breathe.

—*M. L. Emmett*

Reading poetry in my garden

Looking up from the page and there it is
the longest worm I'd ever seen, although
I've not observed that many. They often
appear in clods of earth sliced by spade

or left intact if lucky. This one's far from
home, has strayed from soil to brick path
its slow undulation a poem in the making.
As it continues in the wrong direction, its
existence threatened by harsh midday sun
I cannot bear to touch it, risk breaking the
glossy pink skin. So I gather damp leaves
for a nest of sorts, watch it take cover and
then deliver it safely back into the dark.
This bundle of nothing yet everything

—*Lorraine McGuigan*

An offering

I smiled at Peter Sculthorpe
in the hardware store today.

I don't think I embarrassed him:

I am in awe, I said.

He was buying batteries
for his alarm.

Because I sleep so heavily

I need the clock.

It's batteries and bulbs — he said
expensive ones.

And then he left.

The shopkeeper made sure

I got the maestro's drift:

To illuminate his passion, he disclosed.

Those symphonies of substance
that he fleshes out most nights
through into dawn.

I wish I had it all together

like that man.

Instead, in bed I toss
and loose slats croak across
the rubbery night, as residue invades
incumbent poetry concerns.

I reach for pen and paper, scribble
musings loose with promise, ponder
restless on this man who at this point
in time is probably fine-tuning
in the halo of his genius.

It's just a thought ... but since
my nights in bright Kings Cross
are always flush with light
perhaps the virtuoso might consider
moving here to share my space.

He'd save on bulbs and lend
a glorious dimension to my sound.

—*Penelope Evans*

Australia's nebulous borders

POLITICS

Brian Toohey



While territorial disputes in the South China Sea and the Sea of Japan attract headlines, few Australians realise that their own country's borders are not as settled as commonly assumed.

Looking at a map of the Australian coastline gives no clue about how far Australia's territorial claims extend. As a result, Australian policy makers aren't eager to embrace suggestions that Asian countries disputing possession of small islands and rocky outcrops should resolve their differences by assigning ownership to the closest country.

Australia has sovereignty over Kussa, a small island in the Torres Strait, that is only a couple of hundred metres from Papua New Guinea's shore at low tide. Australian possessions such as Christmas Island are much closer to Indonesia than Australia.

In one case, the CIA's *World Fact Book* notes, 'Indonesian groups challenge Australia's claim to Ashmore Reef'. Moreover, the Indonesian parliament is yet to ratify a 1997 treaty to establish an Exclusive Economic Zone (EEZ) with Australia. East Timor has left the issue of its final maritime boundary with Australia in abeyance.

Perhaps the greatest uncertainty surrounds Australia's claims to sovereignty in the Antarctic. Most countries, including the US, don't recognise Australia's claim to 42 per cent of Antarctica. Six nations — Argentina, Chile, France, NZ, Norway, and the UK — claim a total of around 38 per cent. About 20 per cent is unclaimed. However, Australia, Chile and Argentina have also made offshore EEZ claims, but the *World Fact Book* says, 'These zones are not accepted by other countries'. Australia's EEZ claim covers two million sq km.

Australia also claims the Heard and MacDonalid islands in the sub-Antarctic, about 4100km south-west of Perth, and Macquarie Island about 1500km south of Hobart. It also claims an EEZ around each. Although Macquarie Island is closer to Invercargill than Hobart, fortunately New Zealand remains a gracious neighbour.

Australia supports the 1961 Antarctic Treaty that aims to keep the continent demilitarised; promote international scientific cooperation; and exclude any new claim, or enlargement of an existing claim, during the life of the treaty. The ban on any enlargement of an existing claim may help explain why so few countries recognised Australia's subsequent declaration of an EEZ off the continent. In 1991, an addition to the treaty imposed a ban on minerals exploration, which is up for renegotiation in 2048. The treaty itself has no expiry date.

A Lowy Institute paper argued last August that Australia should regard its

Antarctic claims as primarily a national security issue and include defense personnel in its scientific presence there. The paper's author Ellie Fogarty, writing while on leave from the Prime Minister's department, referred to unspecified emerging 'threats' to Australia's 'ability to preserve its sovereignty claims'. Her paper wanted the next Defence White Paper to consider including the Antarctic within the Australian military's area of operational interest.

The US, Russia, China and India, among others, maintain research bases without claiming any territory. Fogarty is stretching a long bow, however, when she sees as disturbingly nationalistic China's description of its recent ascent of the Antarctic Plateau within Australia's territory as a 'conquest'. New Zealanders described Edmund Hilary's ascent of Everest as a 'conquest' without implying they were making an incipient claim to sovereignty.

The US's research station at the South Pole covers 'territory' of each claimant state. It has other stations within areas claimed by Australia, New Zealand, Argentina, Chile and Britain.

Australia's chances of maintaining its claim to 42 per cent of the continent will weaken if the prospects for oil production and mining appears commercially attractive. Military action could not secure Australia's position if the US, for example, decided in future decades that it owned part of Australia's huge claim.



Australia would also be hard pushed to object if most countries, including the US, decided to reject all claims to sovereignty and preserve the Antarctic as an international wilderness area. Alternatively, there may be an international agreement to allow limited commercial development with the proceeds shared globally. In either case, the national security importance of Australia owning 42 per cent continent's would be rendered irrelevant.

Australia's possession of islands close to PNG is a legacy of Queensland's annexation of almost the entire Torres Strait in the 1870s. The Whitlam government tried to modify the colonial arrangements before PNG's independence in 1975, but faced stiff opposition from the then Queensland premier, Joh Bjelke-Petersen.

The Fraser government's foreign minister Andrew Peacock persevered with complex negotiations that produced a new treaty in 1978. Australia retained possession of the islands, but gave PNG citizens greater travel access and fishing rights in the strait. The arrangements, however, remain subject to political volatility in Port Moresby.

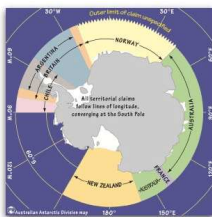
Further west, Australia won potentially lucrative rights to petroleum resources as part of highly favourable sea bed agreements with Indonesia in 1971 and 1972. These set boundaries well to the north of the median line between the two countries. The Australian Secret Intelligence Service helped by providing information about Indonesia's negotiating position. But the outcome was mostly

due to the way international law allowed Australia to claim the seabed to the full extent of its continental shelf that (ignoring troughs) stretches close to Indonesia.

International law was not so accommodating when Australia drew up a 1997 treaty to establish an EEZ for resources on or above the seabed, such as fish. The law allows the zone to extend 370km offshore, but the boundary is usually set along the median line where countries are close enough to create an overlap.

Although the Indonesian parliament is yet to ratify the treaty, the Department of Foreign Affairs and Trade says, 'Consistent with international law, during the period between signature and ratification, Australia and Indonesia are obliged to refrain from acts contrary to the purpose of the Treaty.'

Developments in international law also put East Timor in a stronger position to negotiate a better deal on its seabed border with Australia after independence in 2002. Although Australia's seabed boundary with Indonesia left a gap below East Timor, new government in Dili agreed in 2007 to share petroleum revenues with Australia over a bigger area for 50 years and postpone the determination of formal boundaries.



However, Hamish McDonald recently pointed out in the *Sydney Morning Herald* that two months before East Timor gained independence, Australia withdrew from the International Tribunal on the Law of the Sea and from the maritime jurisdiction of the International Court of Justice so the tiny nation could not take Australia to court over disputed oil fields. McDonald noted that Tony Abbott, overlooked Australia's withdrawal when calling for disputes in the South China Sea to be resolved 'in accordance with international law'.

DFAT says there will be no change to 'the position of successive Australian governments that negotiations are the most appropriate way to settle maritime boundary delimitations with neighbouring countries'. So Australia will continue to share China's rejection of the international dispute settlement procedures for maritime zones.

The Indonesian government accepts Australian sovereignty over the Ashmore and Cartier islands, which Geoscience Australia says are 320km off Australia's northwest coast and approximately 170km south of the Indonesian island of Roti near West Timor. A University of NSW historian Ruth Balint says the shortest distance from Roti is less 80km.

In 1933, Britain handed formal administration of the now uninhabited islands to Australia, which later allowed controlled access for traditional Indonesian fishermen. Some Indonesians who question Australian sovereignty say there is evidence that the Dutch regarded the islands as part of their East Indies' colonial territory. So far, the challenge to Australia's continued sovereignty remains subdued.

The Indonesian government also accepts that Christmas Island is part of Australia, despite being only 360km south of Java. The closest part of the West Australian coast is 1560km away at Exmouth. Britain transferred administration of the island from its Singapore colony in 1958.

Although now a detention centre for asylum seekers, Christmas Island was previously known as an 'unsinkable' aircraft carrier that extended the range of Australian fighter planes. So was the Cocos group (975km further west), which is also closer to Indonesia than Australia. Despite being in the minority, Air Marshal David Evans argued after retiring in 1985 that Christmas Island would not be worth defending if threatened.

Both sides of politics insist that the attempt to discourage asylum seekers by excising the Ashmore, Christmas and Cocos islands from the nation's immigration zone in no way weakens Australian sovereignty.

Equality within marriage is biblical

RELIGION

Andrew McGowan

Two Sundays ago many Christians heard a passage from the Letter to the Ephesians which opens the door to the very different world in which the Church first emerged:

Be subject to one another out of reverence for Christ. Wives, be subject to your husbands as you are to the Lord. For the husband is the head of the wife just as Christ is the head of the church, the body of which he is the Saviour. Just as the church is subject to Christ, so also wives ought to be, in everything, to their husbands (Ephesians chapter 5 verses 21–24).



The Lectionary had proven surprisingly topical for Australians. The previous week, news had come that the Anglican Diocese of Sydney was proposing a marriage service in which wives would promise to 'submit' to their husbands, language which runs counter to the current liturgy authorised in most of the Anglican Church of Australia, where identical vows are offered by both bride and groom.

The framers of the Lectionary did not see fit to continue their selections from that ancient compendium of household advice into the following chapter, where children are urged to obey parents, and then this:

Slaves, obey your earthly masters with fear and trembling, in singleness of heart, as you obey Christ; not only while being watched, and in order to please them, but as slaves of Christ, doing the will of God from the heart (Ephesians chapter 6 verses 5–6).

The logic is identical, and in all these cases the writer (not the apostle Paul himself, in the view of most critical scholars, but an early follower) also makes demands of the figure to whom authority is given; husbands must love the wives, fathers should not provoke their children, and slave-owners are not to threaten their slaves.

In the ancient context, this was fairly enlightened stuff. The fundamental structures of ancient Greco-Roman society are accepted, but the Christians are urged to inhabit them with moderation and mutual consideration.

If we get past the myth of immediacy which suggests we can judge the author as though he had our own sensibilities, we can perhaps be sympathetic to the positions outlined, at least as a survival strategy for the emerging Christian movement in a potentially hostile world.

But the social institutions or hierarchies are not themselves being advocated or established here; rather the recipients of the letter are being advised to face what

the world had given them with patience and charity.

To develop a theological sense of how power relations should be assessed, and supported or opposed or transformed, requires far more than a de-contextualised citation of such proof texts.

In this new debate however, as in those over the ordination of women, leading Sydney Anglicans have argued for a notion of male 'headship' derived from passages such as these, taking the ancient authors' advice about first century existence within a given social order as a prescription for the 21st century social order itself.

Most Australians, including those whose Bible knowledge may be less well-developed than their common sense, are rightly disturbed by such suggestions. They understand that we should not tolerate promotion of inequality between men and women, or slavery for that matter.

Most Christians, Anglicans included, think as much too, and have for many years. Although Archbishop Peter Jensen is reported as saying egalitarianism is a phenomenon of the last three to four decades, the 'obey' provision was being eased out of Anglican liturgy as long ago as 1928, when a revised Prayer Book was proposed for the hardly-radical Church of England.

This proposal then illustrates not the real meaning of scripture, but the idiosyncrasies of one part of Anglicanism.

Many will perceive dangers for women in these proposals. But there are dangers for the Churches too. If the Bible is seen as the preserve of a fundamentalism not so much genuinely conservative as creatively reactionary, the capacity of Christians to use scripture as a basis for seeking social relations characterised by mutuality, justice and love is compromised for all, not only for the fundamentalists.

The Paralympics as a work in progress

EDITORIAL

Michael Mullins

The Paralympics have been paired with the Olympic Games since Rome 1960. They are a good and necessary fit.

In many ways, they represent an antidote to the Olympic movement, which fosters the deification of athletes. The Paralympics account for, and affirm and celebrate, diversity in the physique of human beings.

The low point of the modern Olympics is often identified as the 1936 'Nazi' Olympics in Berlin, which Hitler saw as an opportunity to promote his government's ideals of racial and physical supremacy.

The Nazis' attitude to disabled people makes it scarcely possible to imagine a Paralympics paired with the Berlin 1936 Olympics.

They took the Darwinian idea of the survival of the fittest in the animal kingdom, and applied it to human beings. Those who did not fit the definition were excluded, left on the margins and persecuted. Many disabled people were killed because they were considered an unnecessary burden on society.

The theme of last week's Paralympics opening ceremony was new enlightenment, which was personified in the event's star Stephen Hawking. It spoke of a new world of inclusion that does not limit human potential.

It shows how far we've come, with the relatively recent [United Nations Convention on the Rights of Persons with Disabilities](#), and the widespread acceptance by Australians of the National Disability Insurance Scheme, in the background. Disability is becoming accepted as part of the new normal.

But in celebrating this achievement, we need to acknowledge the limits of the Paralympics in their current ability to break down barriers between ability and disability in general. In many ways its emphasis is on cultivating physically disabled — but intellectually agile — superheroes such as the South African sprinter Oscar Pistorius (pictured). Instead of merely physical prowess, the Paralympics has become a showcase of 'mind over body'.

In itself this is a great achievement. But where does it leave those with an intellectual disability? Sadly, it would seem that the Paralympics breaks down the kinship that exists between the physically and the intellectually disabled, leading to a more decisive marginalising of the latter.

One of the most insightful thinkers on intellectual disability in recent decades has been French-Canadian philosopher [Jean Vanier](#). His emphasis is that a common fragility is what unites us as human beings. This definition of humanity ensures that the intellectually disabled and those suffering mental illness are not

at all marginalised. But it is not compatible with the Paralympics' stress on performance.

This suggests that the Paralympics is a work in progress. Its remarkable achievement to date has been to stress the mind part of the mind-body equation. To this, a truly inclusive Paralympics would need to add 'spirit'. This would surely complete the extrication from the Nazi influence.

Holistic cures for school snobbery

EDUCATION

Ellena Savage

Once, my mother reprimanded a young student she taught music to at an expensive private school. He told her that his dad could 'buy and sell' her. His father was apparently wealthy.

Once, while accompanying a friend to his year 12 formal at one of Melbourne's most selective and expensive boys schools, a student asked what school I went to. When I mentioned the name of my small state school in Melbourne's northern suburbs he responded, 'Well, you're moving up in the world.'

As easy as it would be to draw from these anecdotes that private schools breed poor behaviour, rude children are just that — class has little to do with it.

People who have had a taste the different classes within Australia (and they do exist) will understand that where humility is concerned, notions of privilege or disadvantage rarely come into it. Children learn behaviours from their surroundings, and as they are exposed to a greater diversity of experiences, their behaviours develop into those which are socially acceptable, and socially advantageous.

The little boy interested in buying and selling his teachers quickly learned — from the principal and his family, who were horrified — that he had watched too many movies. The young man wearing his entitlement on his blazer sleeve will probably have learned by now that there's no social advantage in making oneself unlikable.

Of my 13 years of primary and secondary school, four were in Catholic schools, the other nine in government schools. The Catholic schools were not 'elite'; their fees were low, and students came from all backgrounds. The government school was similar, but had an ESL school affiliated, so my classmates came from all over the world.

It was a good school by any measure except academic, where I learned about Coleridge and Beckett, the languages spoken in Eritrea, how to write a letter to the prime minister, and the meaning of Ramadan.

Students from that school are now themselves teachers, academics, artists, mechanics, students, business owners, real estate agents, nurses, dole bludgers, doctors, shopkeepers, musicians, and public servants. Some are in jail and some are dead.

Many of them are doing what would have done regardless of what school they had been zoned to, because they had great teachers, and families who were able to support their development, with or without money. Some of them didn't have a privileged family life, and needed greater care than teachers could be expected to

provide. It is they who don't have the lives they deserve, or don't have lives at all.

Although the uni I went to was just ten minutes on the tram from my high school, some former classmates thought it was posh, or part of an inaccessible world. In reality, the students at uni were just as varied in their personal discipline, academic skills, and interests, as the students in my high school had been.

Some of them had simply come from a school system that emphasised the importance of university admission. This is an impoverished approach to education, and is not limited to private schools.

Students ought to be given the opportunity to encounter reality before they enter it. Reality being that people are poor; that some have survived torture and trauma that can make them dysfunctional; that there are barriers to success outside the power of one's 'personal responsibility'. Without such opportunities, education is about little more than tertiary admission, or the promise of a life without ever confronting these realities.

Children learn behaviours from their surroundings, so it follows that for a thorough education, their surroundings should be as diverse as possible. Limiting interactions between classes, and consequently between ethnic identities and ability levels may facilitate an easy entry into university.

But education should be about much more than grooming children to be workers and consumers. Learning from students with diverse backgrounds and abilities supports a holistic education.

There is serious disadvantage in Australia. You won't see it in the wealthy private schools, or even in the state schools in affluent neighbourhoods. Pouring more resources into the disadvantaged within the education system won't totally extinguish the inequities we face at birth. But ignoring the emancipatory power of education is a sure way of perpetuating disadvantage. Rather, of condoning it.

Historical perspectives on Slutwalk

COMMUNITY

Madeleine Hamilton



Slutwalk is back. Tomorrow, the [Australian expression](#) of this international movement will see — according to the organisers' press release — local women and men march the city streets of Melbourne to 'take a stand against rape culture' and condemn 'victim-blaming and slut-shaming'.

That sexual assault has in recent times been justified and trivialised by American and British politicians, [lame comedians](#), and professional footballers may well have a mobilising effect, resulting in a larger turnout than last year's inaugural event.

It may be a reflection of my current occupation — married 35-year-old full-time stay-at-home mother — but I have very little direct experience of the social dynamics that are provoking such outrage. I haven't seen what's happening on city streets at night or worked in an office for years. That my daughters are only three and one respectively means they have (hopefully) at least a decade before anyone starts flinging the insult 'slut' at them.

I remember as a teenager having 'Ugly dog!' and 'We want some pussy!' shouted at me from moving cars, and receiving regular enquiries of 'How much?' as a 20-something St Kilda resident walking home with my groceries.

But now, aside from reading press reports of increasing sexual activity among teenagers, the prevalence of porn, the bringing of sexual harassment suits against sleazy bosses, and the continuing difficulty of bringing rapists to justice, I feel insulated (with some relief, to be honest) from the issues many women deal with daily.

I'm at a loss to know what, exactly, 'rape culture' is. Who, aside from the high profile figures perpetrating or justifying sexual assault and harassment, are the 'shamers'? And who are the 'sluts' being shamed?

While I admit to being out of the loop, as a gender historian, I am familiar with some 100 years worth of past incidents involving the abuse of Australian women and girls. Consequently, when I first read about the emergence of Slutwalk I was instantly reminded of a 1954 article I once came across in a local scandal rag.

The reporter had interviewed several women who declared themselves victims of 'lecherous' 'foreigners'. Walking home from their jobs in lowly paid clerical and factory jobs, these women reported being accosted and harassed by men in Melbourne's inner north. The men were 'flashily-dressed street wolves ... lonely, pleasure-seeking New Australians who live in the hundreds of rooming houses in the Carlton area'.

'It is a shocking state of affairs and should not be tolerated but the district is now overrun with New Australians who regard it as their own territory,' complained one woman. The paper warned women that to be 'alone and attractive courts molestation'.

Italian and Eastern European migrant men were commonly accused of harassing Anglo-Saxon women (as well as running prostitution rings and plying teenage girls with cocaine). The government's post-war migration policy favoured single men as a labour supply source for the burgeoning heavy industries. By the mid-1950s thousands of lonely male migrants were notably present in the cities, and many local-born women found them threatening.

The article fascinated me because it documented — in salacious, sensationalistic language — friction between new migrants and lowly paid young women in a working class suburb.

In the same year, an Australian Gallup Poll revealed that opposition to the migration intake was highest among small business owners, farm workers, unskilled and semi-skilled workers. As historian John Murphy notes, because migrants were automatically assigned to labouring jobs, 'the Australian-born working class most experienced social change as a result of migration'.

For Carlton women that meant — according to the article — being relentlessly propositioned by 'foreign' men. The situation equated to a turf war: who had priority use of the suburb's streets? Local-born Anglo-Saxon women or male migrant intruders?

Like those women, Slutwalk participants defend their right to walk the streets day or night wearing what they want without being harassed or worse. They do not, however, identify certain groups as perpetrators; they are keen to avoid accusations of racism and snobbery. Nor do they argue that some groups are more vulnerable to assault and abuse than others (which could, in effect, patronise such victims for 'lacking agency').

To specify that certain men are victimising certain women would also disregard the prevalence of women 'slut shaming' each other — which surely has as significant an impact on gender equality as any male activity.

While seeking not to stigmatise, the Slutwalk movement's objectives can seem nebulous and confusing. To truly change behaviours, frank discussion of the economic, political and historical factors fuelling 'slut shaming' should be welcomed. Do widening class disparities, resentment between ethnic groups, and the continuing inroads women make into once male-dominated public roles provoke the kind of misogyny Slutwalk rails against?

Beyond the evocative placard slogans ('My clothes are not my consent!'; 'End victim blaming!') some cold hard analysis of who is doing what to whom should be welcomed. Then, maybe, people like me can gain a better understanding of what

exactly Slutwalk is all about.

SBS goes celebrities over substance on asylum seekers

TELEVISION

Tim Kroenert

Go Back to Where You Came From. Tuesday 28, Wednesday 29 and Thursday 30 August. 8:30pm on SBS ONE

They stop short of calling it *Go Back to Where You Came From: Celebrity Edition*, but they needn't bother. The second season of SBS television's '[refugee journey in reverse](#)' reality TV series replaces the 'ordinary' Australians of last year's inaugural season with six 'prominent' Australians, with divergent views about Australia's border protection policies.

They include former rock star and aspiring politician Angry Anderson; actress and supermodel Imogen Bailey; former Howard minister Peter Reith; outspoken journalist and comedian Catherine Deveny; former 2UE and 4BC 'shock jock' Michael Smith; and Allan Asher, the former ombudsmen who resigned in 2011 after revelations he provided Greens Senator Sarah Hanson-Young with questions to ask him during a Senate committee hearing regarding problems with detention centres.

It's hard to escape the view this is a cynical exercise on the part of SBS, and the show's production company Cordell Jigsaw. Series one was a bona fide 'conversation starter' but also a ratings boon. Its sizeable multi-platform approach enlivened the debate through a vigorous social networking component. Whatever its flaws, this was about ordinary Australians watching ordinary Australians whose experiences both illuminated and challenged their own values and prejudices.

Two episodes in, series two seems more interested in conflict and drama than illumination.

This is best epitomised by the pairing of Deveny with Reith, whom the forthright journo scorns for his role in the Tampa crisis in 2001 and in the construction of the original Pacific Solution. Deveny is knowledgeable about the issues but her style is belligerent to say the least. She pays Reith due respect for being willing to partake in the journey, but what she calls 'robust debate' between the two is better described as aggression both passive and active. There's not much insight to be gained from watching these two snipe at each other, fun as it may be.

The producers also waste no time ramping up the sense of peril confronting the 'celebrities'. In the first episode, after visiting local Afghani and African refugees living in the community, the participants are immediately flown either to Kabul in Afghanistan or to Mogadishu, the capital of Somalia. Breaking from the strict 'journey in reverse' formula allows the producers to cut quickly to footage of the nervous participants clad in armoured vests as they are driven through war-torn streets, ever mindful of the proximity of bombs and gunfire.

This is edge-of-your-seat television. And it arguably is a more effective means of shaking the participants' prejudices, juxtaposing so explicitly the lives of refugees living in the destination country of Australia, with the dire state of affairs in their country of origin. But it also conjures up images of emphatic television producers sitting around a table as they opine: 'It's the sequel, so we need more action, and we need to get there faster!'

More encouraging is how the series allows some of the participants to transcend easy labelling. Bailey's reflections on having been in a long-term relationship with a devout Muslim man, and of experiencing 'reverse racism' as 'the only Australian in the room' on social occasions, suggests she is more than merely a bleeding heart on this issue. Her views have some substance, even if they are vaguely and weepily expressed.

By the same token, Smith, whose particular beef is with 'illegal' entrants and the 'gravy train' they provide for refugee lawyers, is shown interacting easily with children in Mogadishu, displaying digital photos of his own children and hoisting one young Somalian to his shoulders with avuncular glee; whatever his political prejudices, he encounters them simply as human beings, while Bailey can only stand aside looking overwhelmed.

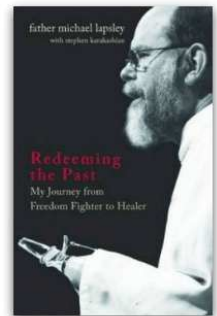
This acknowledgement of human complexity is more heartening. Problematic legislation enacted in the wake of the Houston Report highlights the fact that these are issues that we need to continue talking about. If the primary goal of *Go Back to Where You Came From* is to help stimulate this conversation, then it needs to be a conversation of substance, with the inherent dignity of all human beings at its core, and not one characterised by the cynical and even puerile elements that have marked other aspects of the series so far.

Walking the asylum seeker advocacy tightrope

RELIGION

Andrew Hamilton

Anglican priest Michael Lapsley recently visited Australia to promote his challenging story of his ministry in South Africa and his courageous resistance to apartheid and support of the ANC. This led to his losing an eye and both his hands to a letter bomb sent by the South African security forces, and to his becoming a champion of reconciliation and healing in the Mandela era.



In the background of his book lie questions of how white South Africans responded to what was being done in their name, of how the few who reached out to Black Africans and pleaded their cause kept their spirits in the face of the opprobrium and ridicule they received, and of how we ourselves would have behaved.

The answers seem to lie in a strong and unwavering ethical framework and the conviction that what mattered in all their dealings with South African institutions was the human dignity of the black people whom they served.

After the passing of the recent legislation condemning refugees to indefinite detention on Nauru or Manus Island many people working with asylum seekers are asking the same questions.

The Australian situation is clearly different from South Africa of the apartheid era, but the same challenge exists to maintain morale and a moral compass when their convictions are clearly out of sympathy with the majority of their compatriots and when they are regarded as naïve or irresponsible. And they face the same perplexity in trying to act compassionately and with integrity in the new situation.

The experience of South African activists is instructive, and perhaps we have much to learn about the necessity for a strong and principled ethical framework and for a single minded focus on the human dignity of the asylum seekers themselves.

The ethical principle in play is that we may not do evil in order to achieve a good end. The end does not justify the means. In this case asylum seekers are being treated in a way that will cause them harm in order to realise goals variously described as stopping boats, protecting borders, preventing people smugglers or saving the lives of other asylum seekers. These goals may be unexceptionable, but they may not be achieved by evil means.

To inflict on other people serious harm that is unmerited, predictable and avoidable is as morally unjustifiable. The harm that the asylum seekers sent to Nauru and Manus Island will suffer is predictable and inescapable. They will be unable to move on with their lives or reunite with their spouses and families,

placed in high risk of lasting mental illness, and probably restricted in their movement.

It is also avoidable. It is a choice, not a necessity.

And it is unjustifiable. It does not follow from fault or crime but is to achieve goals that have nothing to do with those sent to Nauru or Manus Island. They suffer because of the calculation that these goals will be achieved through the abuse of their human dignity.

The ethical rock on which those who serve asylum seekers must build is the conviction that the new policy is an unjustifiable abuse of the human dignity of asylum seekers and refugees. At the same time those committed to their welfare we must try to ameliorate the effects of their mistreatment. This may mean cooperating with the government to provide services that will improve the lot of people and to develop a just regional policy.

Most workers have had experience of cooperating with the government under the detention regime. It is demanding, requiring them to enunciate a clear ethical position on the policy and to avoid being coopted into its direct administration. The UNHCR has rightly refused to have any direct part in the scheme which might suggest its approval or sponsorship.

But the dignity of those suffering under the policy demands that good people provide education, foster connection with the island communities and so on and, if it can be done by Australians, alleviate some of the psychological damage caused by the indefinite sentence to languish on Nauru and Manus Island.

Lapsely's experience suggests how hard it was in South Africa to maintain a steady moral compass and so to avoid being made complicit in an unjust government policy, while reaching out to the people whose dignity was diminished by apartheid.

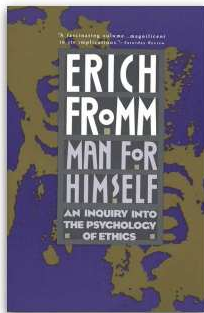
Australians working with asylum seekers under the new policy will face these challenges, and the even larger task of representing the claim of humanity to an Australian public opinion that has grown callous.

Anders Breivik and the insanity question

INTERNATIONAL

Binoy Kampmark

'Man is the only animal for whom his existence is a problem which he has to solve and from which he cannot escape.' *Erich Fromm, Man for Himself (1947)*



To be called sane might be regarded as a salutary point. To be regarded as insane is, however, another matter — a point that is hotly debated in legal circles.

Insanity confers a tag of exceptionalism on the human subject — the killer undertook his task without awareness of what he was doing. Insanity presumes not merely that your views hailed from Martian premises — it also assumes that, for the rest of your natural life, a diet of drugs, needles and surveillance is appropriate. The rational crime is, it would seem, the best outcome for a criminal, though that poses its own set of

challenges.

The case of [Anders Breivik](#), who killed 77 people in Oslo and the island of UtÅ, ya in July 2011 as a bloody political statement against Islam and multiculturalism, has demonstrated this point with severe starkness. The prosecutors have been seeking, unsuccessfully, a verdict of insanity.

Sanity assumes purpose and responsibility — the guilty mind or *mens rea*; insanity assumes its absence, that you have been dislodged from the world of meaning and symbols.

This is hardly applicable if one consults Breivik's testimony. His critique of Islam, his vengeful attack on the processes of 'cultural Marxism' as he terms it, suggest a radical and violent conservative response. Conservative, Christian radicalism, that is not anti-Semitic, is on the rise in Europe, and Breivik is its foremost proponent.

The gymnastics of reason that has been undertaken at the Breivik trial suggests the complexity of what is at stake in terms of conceptualising mental illness, aggression and crime. To be declared sane has an awful implication — one kills rationally and voluntarily, suggesting that the human race has not progressed that far from the days of its precarious survival.

If aggression is simply viewed as a form of behaviour, then we have scant moved from the premise that resolving disagreements requires a resort to brute and lethal force.

That said, human beings have always justified killing with cold, rational premises. The aggressive tendency in the human species, discussed by such individuals as psychologist Erich Fromm and ethologist Konrad Lorenz, suggests that we are disposed to such tendencies. For Lorenz, the lust for human violence

was contained by ceremonial acts and rituals; for Fromm, the desire for destruction was motivated by necrophilia.

Famously, Sigmund Freud saw civilisation as the taming of more violent, death-driven tendencies (the motivation of Thanatos) where life is reduced 'to its original condition of inanimate matter', though it also came at the cost of repressing the drive of life-giving and nourishing Eros. Everything has its stabilising, if retarding price.

It would be more striking to examine the case from other perspectives, rather than examine the fruitless, even redundant point of whether Breivik was insane. His politics and the way he chose to enact it is what matters. The prosecutor's brief can be crudely limiting, as was the brief of the Israeli prosecution team when it came to mounting the case against one of the 20th century's greatest killers — Adolf Eichmann.

Famously, Hannah Arendt, in examining the trial in *Eichmann in Jerusalem* (1963), spoke of the false assumption on the part of the prosecutors of 'the unequivocal voice of conscience'. Eichmann was being neatly packaged as uniquely evil when he was, in fact, a bureaucratic phenomenon of dullness, evil as banality. What more terrifying assumption of rationality can there be than the reduction of killing to process and ideology?

The great calamities of human misery were the handiwork of rationalised states — the gulag, the death camp, industrialised genocide. To exterminate human beings because of their headdress, custom and manner might be deemed without foundation, but it hardly speaks about sanity.

It was a rationalised technique of killing humans, truth and history, a form of historicide and ethical reversal that characterised Auschwitz and the Archangel camps. One killed because it was ethical to do so.

Should Breivik be ever declared insane, it will be more a case of exculpation than explanation, more a case of making cruelty a product of disease rather than the outcome of cold, certain calculation. As Fromm warns us, humanity's existence is the problem that cannot be escaped.

Fourth grade Jesus envy

NON-FICTION

Brian Doyle

And while we are talking about fourth grade, I am reminded of Maureen McArdle's neck in front of me in the third row, that smug smarmy neck gloating and preening at me for nine long months, as day after day, week after week, she bested me in maths tests and social studies projects and science experiments, finishing first in whatever academic contest had been posed to the class by Mrs O'Malley, who looked like a linebacker with spectacles, and she, Maureen McArdle, owner of that smirking neck, again and again got her paper back with a gold Jesus on it, whereas I earned a series of silver Jesuses as long as your arm.

No boy ever accumulated such a parade of silver Jesuses as the undersigned, who brought them home day after day, week after week, Jesus glinting like a brilliant new coin from my satchel, and showed them to my mum, who tried her best to pretend that a silver Jesus was every bit as good as a gold Jesus.

At least it is not a bronze Jesus, she actually said once, a line I remember because I never heard that sentence before (or since), and because my brother Thomas had earned a bronze Jesus in kindergarten that very morning, apparently for not peeing on himself, for once, or perhaps for managing to eat his lunch without incurring injury, for a change.

You wouldn't believe how many times this kid started out to eat a candy bar and ended up with a cast on his arm, or tried to open the peanut butter jar and finished by using the last seven bandaids in the pantry to staunch the blood, which caused my father to once again use lewd and vulgar language, which he had sworn, in front of a priest at the Nocturnal Adoration Society meeting, not to do, but did.

The bronze Jesuses in our class, I note, were scattered like cherry petals, cheap goods, willy nilly (and there actually was a kid in our class named Willie Nilley), everyone earned one eventually except Michael O'Sullivan, whose grandfather had married a Lutheran — a mixed marriage, yes, but not a good example of miscegenation, Michael, as Mrs O'Malley said, tersely, while handing Maureen McArdle yet another gold Jesus.

I kept my silver Jesuses for some years, in a drawer filled with Jesuses of various shapes and hues and materials, there was the Jesus patch presented to us by a visiting Jesuit one time, as a sort of team logo, and there was a small statue that may or may not have been Jesus, presented to me in sixth-grade basketball, although the coach, one of the dads, and not one of the dads who had ever played or seen basketball played before, it turned out, told me that if it was Jesus, which he was not totally sure it was, it was a rare case of a long lean Jesus portrayed in tight gym shorts, sculpted as if he, basketball Jesus, had just launched a jump

shot, his right hand following through correctly so as to impart backspin on the ball, and his left hand serving as a guide, something like the tower that guides a rocket until the moment of liftoff, at which point the tower, or left hand, having executed its function, flies free, are you listening to what I am saying, Brian?

Anyway, the reason I tell you this story is to relate the time I set out to actually, no kidding, steal a gold Jesus from Maureen McArdle's desk at recess.

I had been driven mad by the infinite parade of silver Jesuses, and I could take no more silver Jesuses, and I set out, greed and rage in my heart, to procure a gold Jesus, come hell or high water. I say this ruefully, aware of the stench of sin, but a man must face his demons, even those that taunted him when he was ten years old, and I crept toward her desk, wondering what that awful stench was, and hoisted the lid of her desk, and found her most recent gold Jesus face-down in what appeared to be the soggy remnant of a liverwurst sandwich.

Thus ended my roaring ambition for a gold Jesus unearned by personal toil and discipline, and I have been a better man since.

I think we can all agree that this is a lesson that should not be lost. When next you find yourself weary beyond words of silver Jesuses, and your dignity and discipline have dissolved to such a degree that you find yourself on your knees at recess slinking up an aisle of cracked and ancient linoleum toward a desk glowing with gold Jesuses, take it from me, your friend Brian, that this is a poor idea, not a project that will end well, and return to your seat forthwith, and face forward, with your hands where I can see them, and forget the smug prim neck of Maureen McArdle; for while you will go on to a glittering career as a penniless essayist, she will eventually become an Episcopalian bishop, *I believe somewhere in the Midwest*, says my mother on the telephone. Let us say a prayer for her eternal soul. *Do you still have your silver Jesuses? Did I tell you what happened to Thomas?*

Moments after meditation

POETRY

Earl Livings

Above, below

Like water, I surrender any time, any place
to the songlines of the sun, and rise
into the sky, only to plunge again.

Like water, the moon tugs me into
flirtations of everything my waves lap
and thread with thunder.

Like water, I conjure mist at dawn, at dusk,
veiling and unveiling the land
and all its diurnal broodings,
so no one knows exactly what dreams
approach, what missives dreams contain.

Like water, I seep into the most secret places
and at length return with skeleton news
of things hidden, ignored, forgotten,
tinctures of jewels and mineral veins,
echoes of slow-drip alabaster ornaments.

Like water, each drop of me contains all
of me, each drop spreads itself over
all surfaces, reflecting the shimmer-pulse
of any seam of light, and each drop, under
ferment of heat and pressure, custom
of gravity, shapes itself to a sphere,
to a tear-drop, into searing ice or steam,
toil and comfort of snow and rain.

Like water, I flow to the lowest point, path
of most doubt, cracking open rock,

carving vistas, flooding plains, greening
deserts, glossing wings and leaves.

Like water, nothing can stop me, everything
drinks of me, everything bleeds with me.

Like water, where I am not, life is not.

Like water, where I am scattered, words and touch burst free.

Born in the Year of the Snake

Fifty years on there are still skins to shed,
Still obsessions to conquer or unwind,
The awe of final brightness far ahead.
When I was young, age seemed a distant dread,
Would never guess dull and cracked flesh to find
Fifty years on there are still skins to shed.
Each birthday, judging what was left to tread,
I would wish one hundred more, wisdom's mind,
The awe of final brightness far ahead.
Then studies, job, marriage, each duly led,
All things of art and spirit left behind —
Fifty years on there are still skins to shed.
Too late for some, I claimed a potent thread:
The sense that life should never be unsigned,
The awe of final brightness far ahead.
Now this pause, to consider things unsaid,
Unknown, how to reject those facts that bind,
Fifty years on there are still skins to shed,
The awe of final brightness far ahead.

Looking for grace

By definition it comes
When least expected. Yet we
Call for healing and vigour

When we are most unlike them,
Not knowing grace waits for us
To curse its absence, fall back
On faith, forget even that.
Then one day a host of birds
Blasts out of thick scrub, blue
Bodies, crimson wings blazing
Past blackened tree trunks, and we
Watch them crack open the sky.

Moments after meditation

Somewhere else car bombs split-screen the news
Somewhere else couples harangue vows and bagged fears
Somewhere else children mimic fashion of what works what conceals
And here sometime else rifles colonise ploughs desecrate

theodolites divide motor pools accumulate

Here also but now with sun and wind circulating their blessing
with black birds snacking in the vegie patch next door
with one daisy nodding its petalled banner
to no one in particular

Silence infuses skin and thought earth and cooch grass

Much like that pause

before

a newborn's first surprise

of light

Much like that link

when lovers rock

their masks of touch

into arch

Much like that gasp

of last surprise

eyes opening

a deeper hue

Our leap into all stories, all landscapes, at once

Summer walk, early

To be so close

Yet still not there —

On a path strewn

With dead leaves

No movement

But a green-gold fly

In a maze of wings

No sound

But my thoughts

On what may shift

If I wait long enough

Let breath hover

Let words disappear

Forget the path

Leading up the far slope

Be so empty

The forest opens

With revels of light

And when I breathe

I carry it with me

Leave myself there

That gift of metempsychosis

What returns us to the womb?

That chance to once more kindle

Ourselves with breath, keen desire.

Become the unravelling

Of ourselves as dilemma.
Thrill to stars, grass underfoot.
Luxuriate in the crush
Of loving, the tease of sweat,
The balm of a baby's scalp.
Outside of space-time we are
The nothing that triggers all.
Here, now, we are the one self
Amongst all others, licking
Ice-cream, timely scars, stroking
A cheek, a gun, an old dream,
Making a tomb for our sins,
Striving when we can to break
Open the skin of our fears
And embrace the rushing breath
Of creation, soon dying
To do all over again.

How to handle workplace bullies

POLITICS

Luke Williams

The Federal Workplace Bullying Inquiry has been told Australian workers are getting soft and will litigate by the truckloads if new workplace bullying laws are introduced.



'In every decade, there is a buzz word for some activity or malady within the workplace. In the 1980s, it was repetitive stress injury. Today RSI is barely heard of. Is workplace bullying therefore merely a passing fad?' So wrote Gerard Phillips, a partner at law firm Middletons, in the *Australian Financial Review* on 22 August.

While Phillips thinks the [workplace bullying](#) debate is an attack on 'managerial prerogative and control', I've met at least a dozen people who say they have lost their jobs and former lives as a result of being bullied at work.

One woman, aged in her 60s, had much of her small coastal town, including the local doctor, turn on her when she made a bullying claim against her employer. She shows me a psychiatric assessment which concluded that her workplace bullying had caused her nightmares, memory loss, paranoia and chronic anxiety, and that despite having had no psychological conditions prior to the bullying, she would not be well enough to work ever again.

She thinks about suicide all the time — 'I even thought about it on the way to this interview.' She becomes so distressed during our meeting that she begins a wheezing: she has developed asthma since the bullying started.

In 2011, Victoria became the first state to criminalise bullying following the death of café worker Brodie Panlock. Now Federal Workplace Minister Bill Shorten has given every indication that national workplace bullying laws will follow once the Government's workplace bullying inquiry concludes in November.

Many workplaces and employer groups say more regulation will lead to more complaints, more litigation, more costs, lower productivity and a culture where a worker cannot be legitimately disciplined without crying 'bully'. However, the evidence is that effective regulation will actually reduce levels of workplace bullying.

Just look at France. It has the most comprehensive workplace bullying laws in the world, and its workplace bullying levels are among the lowest reported in the OECD.

The development of French workplace bullying law stems from psychoanalyst Marie-France Hirigoyen's 1998 book *Moral Harassment: The Perverse Violence of Everyday Life*, where she defined moral harassment as 'psychological violence that

produces effects for the health until it creates an authentic work-related illness’.

The French began an intense public discussion about acceptable workplace behaviour, and eventually a new article was introduced into the French Labor Code that protected employees from ‘repeated actions ... constituting moral harassment’ that ‘deteriorate their working conditions’ and are ‘likely to violate their rights and dignity, impair their physical or mental health, or jeopardise their professional future’.

Note, too, Queensland, which has a highly regulated psychological-injury prevention program. The state even employs psycho-social safety inspectors to assess work areas and advise management on how to make the environment more psychologically conducive.

The number of psychological injury claims declined sharply after the increase in government regulation, risk analysis and workplace education. Queensland also has the lowest rate of psychological workplace injury compensation claims in the nation.

The devil is in the regulatory detail. What sort of regulation do we need? How will we know it is working? What are the risks? What do we regard as ‘bullying’ and what do we regard as mere workplace ‘cut and thrust’?

These are complicated questions involving complex human interactions. As Dr Sara Branch, research fellow at the Key Centre for Ethics, Law, Justice and Governance at Griffith University, told the parliamentary committee:

The term ‘bullying’ has the potential to be used as a weapon against others in the workplace ... so there is a risk for the grievance system to be misused and used as a tactic to bully others in the workplace, with the performance review system also potentially used in the same way. And yes unfortunately it has got to the point where the term bullying has almost become the signifier of all the ills within our workplace.

There may be a fine line between robust performance management and workplace bullying, but international surveys have repeatedly shown Australian managers fail international benchmarks when it comes to the treatment of their people. Bullying might be subjective, but research consistently shows around a quarter of Australian workers say they have been bullied in their current job — more than twice the level in France.

On the other hand, if workers were happier with the way workplaces were handling the bullying issue, this debate would never have arisen. ‘Treat us well and we will do good work for you’ — it’s a simple proposition which many employers still fail to understand.

Rudd's forgettery and the things that don't matter

EDITORIAL

Michael Mullins



The word 'forgettery' was mentioned several times by Kevin Rudd during the *Eureka Street* [Discerning Conversation](#) at Melbourne University earlier this month.

It's not listed in the Oxford or Macquarie dictionaries, possibly because it originated in the Rudd household and may not have gone far beyond. Rudd said: 'Mum always had a saying: just put it into your forgettery'.

He used the term to indicate what he does with criticism he's been subjected to over the years, such as that referring to his reported tantrums and harsh treatment of staff.

Is putting unpleasant or shameful memories out of our mind a sign of arrogance, or instead the outcome of a proper discerning of what needs to be taken seriously?

There are some clues in an [interview](#) which Annabel Crabbe conducted with his wife Therese Rein for Fairfax in 2009. They suggest it was apt to use it during an event that was titled *Things That Matter*.

In dealing with her anger over the publication of photos of her gym workout, Rein said she put it into the forgettery. It's the same for opposition and media outrage over the Rudd Family's use of a publicly funded maid to babysit their youngest teenager during their early days at the Lodge in 2008. The forgettery is for the things that *don't matter*.

'All that stuff goes straight to the Forgettery,' Rein told Crabbe. 'Stuff that actually doesn't matter goes in there. Stuff that's not important, stuff that if you carried it with you would be a burden.'

On the other hand, some things do matter, and we need to carry them with us until we can atone for them. These may or may not include items in Rudd's forgettery. But they certainly included the treatment of Indigenous Australians, and also the Forgotten Australians mistreated in institutional child care last century, and children sexually abused by church officials.

The media and opposition are programmed to act as watchdogs. They — and indeed the public — will not allow things that matter to remain in the forgettery. Former prime minister John Howard put the treatment of Indigenous Australians into his forgettery. Subsequent support for the Apology showed this to be a misjudgment of public sentiment.

As for the church, Bishop Anthony Fisher appears to have had the forgettery in

mind when he provoked outrage during World Youth Day 2008 by trying to insist a sexual abuse case belonged there. Before later apologising, he [spoke](#) disparagingly of those who were 'dwelling crankily ... on old wounds'.

This raises the question of the motivation for keeping some things in the forgettery while allowing others to be retrieved from it. The identification of the truth in a way that leads to the righting of the wrongs of the past would seem appropriate justification. But too often, it is done as an act of political or psychological vindictiveness.

Julia Gillard has had her own forgettery raided during the past week with media coverage and opposition questions concerning events that occurred two decades ago at the end of her period of employment as a lawyer with Slater & Gordon.

At her media conference on Thursday, she lashed out at the 'misogynists and the nut jobs on the internet', which would seem to be fair criticism. As would criticising *The Australian* newspaper for using already resolved issues from the past to prosecute its anti-Labor political agenda.

A forgettery is not sealed like the confessional, but it should not be opened unless it promotes justice for the individual and the common good.

The upside down world of global capital

ECONOMICS

David James

The unfairness of the global financial crisis has been hard to miss. Greek pensioners impoverished, American home owners bankrupted, unemployment throughout the developed world soaring. And the worst that seems to happen to bankers and financiers is a loss of their oversized bonuses, and even that has not happened often.

How has such injustice been allowed to develop?

Imagine the global financial markets as a block of flats. On the first floor is the 'real' economy, the commercial exchange of goods and services. This equals about \$50 trillion, with growth increasingly coming from developing economies because Europe, the US and Japan are experiencing declining growth rates.

The second floor is the conventional world of money: bank lending, shares, land, bonds. It is about \$350 trillion, according to the McKinsey Global Institute.

The third floor is derivatives. These are complex financial instruments 'derived' from more conventional forms of money (that is, it sits on the second floor). It is possible, for instance, to take out a derivative, such as a futures contract, to bet on the direction of a company's shares on the stock exchange. This 'derived' trade can create much larger profits or losses than would be possible with the actual shares and may not even require buying or selling the actual shares.

The initial catalyst for the GFC was the failure of a derivative called collateralised debt obligations (CDOs). These were derived from conventional mortgages. The mortgages were securitised (aggregated into a security), and the bits sold off around the world. When things went wrong, it was realised that the CDOs were not like a normal mortgage secured against the underlying property. No-one knew what the lines of ownership and accountability were any more. That uncertainty led to a collapse of trust in the system and the crisis.

Derivatives are not new. They have long been used to hedge (price insure) commodities like wheat and pork bellies. But over the last 15 years their usage has increased dramatically. Changes initially made by US president Bill Clinton and reinforced by former US Federal Reserve chairman Allan Greenspan allowed financial institutions and traders to grow spectacularly.

The Bank for International Settlements estimates that the global stock of derivatives is over \$700 trillion.

The construction of the global capital markets is thus looking a little top heavy,

not to mention unstable. The third floor is twice the size of the second floor, and 14 times the first floor.

What we have been witnessing for the last four years is a desperate attempt by the governments of Western nations to reinforce the second level. Especially the portion that is bank lending, which almost ground to a halt after the collapse of Lehmann Brothers in 2008 and which has been weak since.

This in turn has created a focus on government debt, especially in Europe. Governments finally have to underwrite the banks (as they did in Australia with government guarantees of deposits and wholesale funding) and so they cannot be crippled by debt themselves.

The rush to fix the second floor has taken attention away from the real problem: the oversized third floor. An impression has been created that governments have somehow caused the crisis by being profligate, the only solution for which is extreme budget austerity. It is a simplistic picture at best.

Globally, government debt is only about \$41 trillion, of which two thirds is held by the US and Japan. Private debt, consisting of financial institution bonds, non-financial corporate bonds, securitised loans and non-securitised loans is estimated at \$117 trillion. And then we have \$700 trillion of derivatives to worry about.

Still, the banks had to be saved and that meant using public money. The US Federal Reserve and the European Central Bank have been loaning banks money at virtually no cost and then encouraging the same banks to purchase government bonds at a high rate of interest (interest paid to the banks, of course). They have used taxpayers' money to subsidise the finance sector which caused the problem.

That is the kind of absurdity that occurs when you live in a block of flats that does not make engineering sense.

It is tempting to call for more aggressive treatment of financiers, and it is likely the current scandal over the London Interbank Offered Rate (LIBOR), the rate at which banks lend money to each other, will result in significant criminal prosecutions.

Yet revulsion at greed and irresponsibility is not the most important point. The existence of greed is hardly new in the finance sector. More significant is the body of quasi-scientific ideas that has led the world into this situation.

At the heart of this strange lurch into the 'meta money' world of derivatives and high speed computerised trading is the belief that money is a thing, something like water, that 'flows' around the world, reaching 'equilibrium', or experiencing 'volatility'. This can in turn be analysed much as a scientist would analyse a natural phenomena, such as the movement of the tides.

Of course, money is not that. It is transactions between people, based on trust.

It enables the cooperation that forms the basis of social life. Human beings should be at the centre.

Yet that is the opposite of what is happening. Instead of money being used in the service of people, people are increasingly serving the interests of money and its high priests.