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Big and little crooks of politics

AUSTRALIA

John Warhurst



Unethical misconduct by public figures, proven and alleged, is in the public eye almost daily. No one is above suspicion, including Prime Minister Tony Abbott and former Prime Minister Julia Gillard.

The last term of Federal Parliament was dogged by the charges against former Liberal Peter Slipper and Labor MP Craig Thomson. Since the election there have been various matters including wedding attendance on the public purse, extravagant expenditure and unexplained travel. In most cases lack of transparency and defensiveness by those implicated have fuelled media-driven public irritation.

Is it a case of a few bad apples or are there systemic problems? There are levels of seriousness in these cases and it is helpful to disaggregate them to keep a sense of perspective. First there are the big crooks. They would include the New South Wales Labor MP Eddie Obeid and the NSW Health Services Union leader and former ALP national president, Michael Williamson. Both were shameless in enriching themselves to the tune of millions of dollars.

Secondly, there are the little crooks, those who allegedly have cooked the books to deceive authorities about the true purpose of travel expenditure. While in both cases investigations have not concluded, Slipper and WA MP Don Randall are probably in this category. Slipper allegedly concealed the true purpose of private trips around Canberra, while Randall claimed 'electorate expenses' for a trip from Perth to Cairns with his wife.

Finally, there are those MPs who attended weddings, of colleagues and shock jocks, at public expense. Some might also include apparently loose expenditure under the parliamentary library allowance.

To be fair to the MPs involved they are held to a high standard. They live in a society in which fudging expenses and arranging affairs to minimise taxation is widespread. Perhaps we shouldn't rush to judgment.

However when MPs repay disputed funds they often do so grudgingly, rarely admitting wrongdoing or even a mistake. This aloofness only exacerbates mistrust. Partial and shallow apologies are next to worthless.

Once individual cases have been resolved administratively or by the courts two bigger questions remain.

The first is 'what can we do about it?' The short answer is to demand higher standards of our elected representatives. Tighter mechanisms of accountability must accompany this aspiration. A few big crooks will still escape the net as they do in many areas of private and public life. We have to expect that.

A more promising approach is to minimise grey areas and discretionary expenditure as recommended by the Belcher Report commissioned by the previous Labor Government. This approach seeks to simplify matters by moving expenses across into direct salary so MPs can manage their affairs themselves. Life becomes easier for most busy MPs trying to manage paperwork and harder for the few who are deliberately trying to rot the system.

The second question is 'what causes the ethical misconduct?' Here a deeper understanding of parliamentary life and the psyche of MPs is required. Many elements are involved but three points can be made.

Some MPs, like some citizens, have a sense of entitlement to a comfortable life. They are not particularly interested in choosing the cheapest option when spending public funds on themselves. Their sense of self-importance is encouraged by having government cars, access to the Chairman's Lounge at airports and having their daily life managed by others. They are not the only ones in this situation but they are our elected representatives.

Secondly, MPs are surrounded by a culture of deference, in parliament and elsewhere. If they don't fight against the natural consequences of this milieu it is easy to come to see yourself as a cut above the rest, deserving of special treatment.

Finally, the idea of being hardly done by has taken root among some MPs. They do work hard, keep long hours and often are surrounded by people who are actually better off. But if MPs feel that their salary is insufficient then squeezing the lemon as far as entitlements are concerned comes too easily.

Hyphenated migrant's homeland homage

CREATIVE

Bernard Appassamy

Under instructions from my four nephews, I have ordered a half-baguette with roast chicken at a snack bar in the town of Beau-Bassin. The vendor asks 'Mayonnaise and chilli?' and waits for my answer from behind his glass counter and displays of stacked banana tarts, hot pink *napolitains* and lime *gÃ¢teaux coco*. In two otherwise foreign condiments and a question mark, he has captured an entire nation and the portent of flavours to come.

After eight years, I'm back visiting Mauritius and struck by a maze of overlapping cultures, religions and customs. On my first night, my mother wished me goodnight with a warning, 'Remember the *muezzin* will wake you up at 5:20 and our church bells at six o'clock'. But jetlagged, I found myself listening to the mating calls of a lizard hiding behind the curtains. Everything is the same. Everything is different.

On my previous visit, my father was dying at our family home. Four nurses, Mr Cannoossamy and Mr Armoogum, Tamil Hindus, and Mr Nepaul and Mr Angateeah, Indian Hindus, were taking turns caring for him. They spoke of English soccer while eating lunch under the verandah. Serving them, my mother was mortified, 'Only one piece of chicken? Did you eat before coming here?'

I like to refer to Mauritians as the Italians of the Indian Ocean. We are emotive, loud and obsessed with family and food.

Now, the family home is sold, and from her apartment, my mother calls on Mr Joypaul, Mr Nazhir and Mr Bagby as her favourite taxi drivers. Mr Joypaul, the oldest, has known my mother — now a great grandmother — from their childhood. He picks us up in a comfortable air conditioned sedan, a far cry from the stifling black Morris Minor cabs of my youth with vinyl seats that would get so hot they would burn my thighs.

Mr Joypaul reminisces about a picnic my maternal grandmother invited his family to at Mont Choisy beach in the early '40s when he tasted *TÃ¢te de Maure* cheese for the first time. Through his reflection in the rear view mirror, his smile to us carries the memory of a delight that dates more than 70 years.

On the way to my father's grave, we stop at the bazaar to buy flowers. My mother bargains briefly in Creole with the florist who laughs and offers a special family price, '*Enn pri fami akoz ou*'. On the way out along the spice stall, I catch a whiff of dried octopus hanging above and strung flat, and recall how I used to avoid the stare of their mummified, glaucous eyes.

After the cemetery, we drive past our former family home. The new owners have extended the garage. The bottle palms from Round Island in the north that my father planted along the drive way more than 50 years ago are still there. On the

roof stands the TV antenna my father would painstakingly take down at every threatening cyclone.

Over the following weeks, locals stare at me when I take photos of rundown wooden colonial houses and shops, rickety buses and mundane vistas that I used to ignore. Now I see them as landmarks safeguarding my past and defining the Mauritian in me. 'Do you remember when ...', 'What's happened to ...', I find myself asking my mother and two sisters again and again.

Growing up in a country referred to as a dot on the world map and isolated by vast expanses of water, the horizon quickly became a strong feature in my landscape. That line defined a safe edge to my tiny world, the only one that I knew. When my family went on a 15 minute boat trip within the lagoon to Stag Island for a picnic, I raved at school about having left Mauritius, 'gone overseas' and dared to set foot on a foreign land. As a young adult, that same horizon became a metaphor for the frontier that locked me in and that I needed to escape from.

Leaving Mauritius for Australia changed everything and nothing. While I am now liberated from a suffocating horizon, I only need to step outside to sense the presence of a different horizon, one that sits instead as a formidable continent behind me.

My understanding of home has also evolved. As a hyphenated migrant, my home does not have a main entry, but a few side doors. Mr Bagby, a Muslim, gave me that insight when he drove my mother and me to our parish church. 'It's windy. How about I take you to one of the side doors? You don't want to catch a cold sitting in a pew off the main aisle'.

The insubstantial Bishop of Bling

RELIGION

Andrew Hamilton

Springtime always draws attention to the sweet harmonies and scratchy discord between style and substance. The ducks that escort their young across green lawns to brimming ponds, and peck at anything or anyone that dares approach them; young things in coats and tails, summer dresses and cornucopial hats sit sozzled in Cup Day mud.

And this springtime there is the glorious spectacle of politicians who make doubtful claims for recompense and repay them when they are made public, all the while proclaiming their essential honesty; of legislators who criminalise groups while asserting their respect for the rule of law; of spooks who are caught spying on citizens throughout the world, including national leaders, and protest that they do it to protect us.

In the Catholic Church, too, the expansively named Limburg Bishop Franz-Peter Tebartz-van Elst was summoned to Rome by Pope Francis and later suspended from office. This followed protests against a lavish building program that led the tabloids to dub him 'the Bishop of Bling' who spent more than \$50 million on his private residence.

Of course there was more to the story than that. The building project included a library, conference rooms, chapel, museum and the restoration of old buildings and walls. The cost was closer to \$30 million. And the controversy was part of a wider German debate about the way the state collects funds for churches. Still, \$30 million is a great deal of money. In the Limburg church during a time of austerity, a project in such radical contrast with the style displayed by Francis was on the nose. In this case the bishop's style had consequences of substance.

The relationship between style and substance recalls questions earlier asked about Francis — whether the novelties of his papacy were a matter of style or substance, and indeed whether this distinction was particularly helpful. This discussion may illuminate the broader cultural contrasts between style and substance.

People who wanted to minimise the novelty of Francis' actions, words and casual remarks argued that his innovations lay merely in style. They saw the underlying substance to lie in the Pope's adherence to the inner truth of Catholic faith and life. The substance was important. The style in which he spoke and acted had to do with the surface, and was unimportant.

This way of relating substance and style failed to catch the inner logic of the Pope's conduct. The substance of his message does not lie under or behind the style he displays but is embodied in the style.

For him the substance of Christian faith is contained in the conviction that God loves the human world so much that God enters it in Jesus Christ. God's love is embodied in the style of Jesus' life: in his actions and words and in the stories that express his qualities of freedom, faithfulness, hope, trust and compassion. The only way in which the Church can speak persuasively of that faith is by adopting the style of Jesus. It must embody the joy of God's love by going out to people in compassion and simplicity.

The inseparable unity between style and substance is central to Francis. His simple and available way of life, his expedition out of Rome to wash the feet of young men and women at a juvenile detention centre on Holy Thursday, his disdain for any security regime that prevents him from mingling with crowds, his exhortation to Church ministers to smell like sheep and not to be preoccupied with internal Church matters, and his openness to people of different faith and moral codes unite style and substance.

The Bishop's call to Rome should perhaps be seen in this light. The response to his building program suggested a serious gap between his style and the substance of the Gospel. The Pope met this gap with a compassionate process that involved personal conversation, an enquiry and temporary suspension.

The insistence that style should embody substance may not be heard by ducks or young things. But it does speak to politicians, legislators and spooks. We should expect the honesty of politicians to express itself in scrupulous and conservative exactitude when claiming expenses from the public purse. We should expect legislators to embody in the laws they pass a fastidious concern for the personal responsibility on which the rule of law is founded. We should expect spooks to display a respect for the laws of their own nations and the right to citizens to privacy.

When style and substance are separated in public life and in churches we are back in winter.

Would-be nun's Holocaust history

REVIEWS

Tim Kroenert

***Ida* (M). Director: Pawel Pawlikowski. Starring: Agata Trzebuchowska, Agata Kulesza. 80 minutes**

Circle the block from the Classic Cinemas in Elsternwick, and halfway you'll encounter a horror wrought in bronze. This suburb in Melbourne's south-east has a large Jewish population, and so it seems a natural home for the Jewish Holocaust Centre — part education centre, part museum and part memorial to vast 20th century trauma. Andrew Rogers' silicon bronze sculpture *Pillars of Witness*, which flanks the entrance to the centre, solidifies this trauma.

The peaks of these slender monoliths are cast as reaching, tortured limbs or tortuous razor wire. The lower sections are studded with panels that depict in ghastly detail the sites of trauma: urban spaces invaded by Nazi villains; concentration camps bursting with degraded humanity; mass graves dense with wasted torsos and limbs. In one scenario, a man kneels at the lip of such a grave, as a Nazi trains a gun at the back of his head.

So vivid is Rogers' depiction — the weary resignation of the victim, the cool, determined stance of his assailant, the insouciance of the soldiers gathered in the background, their expressions captured on moulded bronze faces half the size of your fingernail — that the observer tenses in anticipation of the gunshot, and of the sight of the man's corpse tumbling down to join the hundreds of other nameless corpses in the pit below.

Take a breath, bow your head, and return to the Classic, where today's screening is *Ida*. This Polish film holds the horrors of the Holocaust close in its recent memory (it is set in 1962), yet maintains an elegant stillness that resonates with the frozen chaos of Rogers' panels. Lukasz Zal's tranquil black-and-white cinematography is beautifully composed, belying the tumult of history and identity that ebbs beneath the surface.

If *Ida's* cinematic still waters run deep, that can equally be said of the central character (Trzebuchowska), an 18-year-old novice who, on the eve of taking her vows as a nun, discovers that she is Jewish. Trzebuchowska's large, expressive eyes pour emotion from an otherwise opaque expression.

Keep an eye on those eyes to fully appreciate the transformation the pious but naïve orphan *Ida* undergoes as she discovers her roots and seeks to, literally, uncover the bones of her past. And just try not to think about Rogers' mass graves as *Ida* encounters the smaller but no less horrifying reality of her own family history.

Ida's companion on this journey is Wanda (Kulesza), her estranged aunt, a

former Communist state prosecutor with blood on her hands. Wanda is world-weary, a drinker, and promiscuous. She has plunged into the vices of the world that Ida would reject should she continue in her vocation. These two very different women meet on the common ground of their shared history. It is debatable to what extent each is improved by the experience.

Yet surely it is better to grasp the bones of truth than walk in pious ignorance past the mass graves of history. For *Ida*, in particular, truth and experience amount to authenticity, and lend the weight of choice (rather than simply destiny) to the path that she ultimately chooses to take.

Post script: The Classic Cinemas is so close to the Jewish Holocaust Centre that visitors to both venues might be breathing the same air. It therefore seems like a comfortable, spritual home for the Melbourne leg of the Jewish International Film Festival, which next month will premier *Ida* along with other contemporary Jewish films.

Yet it seems equally appropriate that the Sydney leg will take place in Bondi, a stone's throw from the site of last weekend's [anti-semitic violence](#) . If the remembrance of bleak history can breed solidarity among those who share that history, perhaps it can equally help to overcome hostility and prejudice borne of difference.

Hockey's space cadet schemes

AUSTRALIA

Ray Cassin

Picture the scene. In one of the retail businesses that are still known as post offices but are mostly private contractors, not Australia Post-owned-and-operated branches, a longer than usual queue is forming. Apart from people buying stamps, paying utility bills and sending registered mail, other customers are appearing.

They are not there because they are eager to buy the coffee mugs, coloured pencil sets, computer mouse mats, mobile phones, DVDs and other assorted merchandise that the privatised post offices have to tout to turn a profit. These other customers are applicants for periodical payments such as the Youth Allowance or Newstart (the unemployment benefit, which at \$250 a week is now more than \$100 below the poverty line).

People used to apply for these benefits and receive advice about them in the offices of Centrelink, the Federal Government's one-stop shop for clients of its services. But Centrelink has been consigned to history and Australia Post is the new shopfront for just about anything you might require from the government, from the age or invalid pension to Medicare refunds.

Medicare? Oh yes, Australia's universal health insurance system has also been deemed not to require offices and a bureaucracy of its own. A separate counter in a privatised post office will do. Except, that is, in the smallest such businesses in country towns or newly (i.e. barely) established suburbs on the fringes of major cities, where there's only space for a single counter and a couple of overworked and untrained staff who have to deal with every kind of government customer and client, from the dwindling numbers of stamp buyers to the burgeoning numbers of irate people who want to know why their Newstart payment didn't arrive on time.

Does this scenario sound far-fetched? It shouldn't, because Treasurer Joe Hockey has confirmed that the transfer of Centrelink operations to Australia Post will be one of the proposals considered by the Commission of Audit, which the Government has appointed to advise it on cutting costs and eliminating inefficiencies in the public sector.

The idea that sending all recipients of government services to a single shop — and often a single queue — could ever be considered efficient is risible. The most charitable response to this proposal would be to say that it could only have occurred to people whose experience of queues is limited to cinema box offices.

But in this context, of course, 'efficiency' has a very specific meaning. It means notionally maintaining a service while reducing the cost of providing it, even if that in fact means reducing the quality of the service. It is the cost, not the service itself, that becomes the primary consideration. And if the service then deteriorates so much that people are deterred from seeking to become its beneficiaries, so much

the better. If having fewer public agencies, with fewer public employees or contractors, dispensing Newstart or the Youth Allowance results in fewer people on Newstart or the Youth Allowance, that is the preferred 'efficient' outcome.

This is a different conceptual universe from that still inhabited by most Australians, for whom the efficient operation of a program such as Newstart means the provision of adequate income support to people who are in need of paid employment, and who can prove that they actually are devoting their time and energy to finding a job. Most people still expect governments to do things. That is not, however, the premise on which the Commission of Audit is likely to make its recommendations.

Nonetheless there is a bizarre and remorseless logic to proposals such as the absorption of Centrelink by Australia Post and to some others that Hockey has floated, such as making Medibank Private responsible for delivering the services of the National Disability Insurance Scheme, if and when it is established. These changes — and the privatisation of Australia's HECS debt, which Education Minister Christopher Pyne has 'refused to rule out' — are continuous with the steady attrition of the public realm that began in the 1980s with the sale of public trading enterprises under the Hawke and Keating governments.

The debate then was couched in relatively innocuous terms, e.g. why does the government need to own an airline? The obvious answer to that question was that if we want a national carrier that not only gives Australia a tangible presence in the world's major airports but has an unrivalled safety record, too, it won't be done by an enterprise that has to generate sufficient profits to satisfy shareholders. Similar arguments could have been made about the privatisation of other government enterprises. Obvious though they may have been, however, such arguments were simply dismissed in policymaking circles, including large sections of the media.

The end result is the situation we now have, in which a federal treasurer can seriously countenance making local post offices virtually the only shopfront deliverer of government services yet the response from most mainstream media commentators is barely even a raised eyebrow. The people who potentially have to use those services, however, will be horrified. They and their government live and move in different thought-worlds.

In an ABC Lateline interview this week, ACTU president Ged Kearney described the transfer of Centrelink's operations to Australia Post as 'moving into space-cadet territory'. Well, yes, Ged. The space cadets are flying the ship now.

Sticking it to disability

CREATIVE

Tim Ferguson

Speaking from experience, I can tell you that a physical disability can be a pain or a chore, but the devices available to help disabled people get around can have surprising benefits.



I'm a person with multiple sclerosis (MS). Neurologists have no idea what causes MS, but they're paid well because they know what they don't know better than anyone else.

MS involves the deterioration and scarring of myelin, the coating of nerves in the brain. Without this coating, exposure causes nerves to misfire, sleep, stay permanently awake, go nuts or go AWOL. Or all of the above. Though the intensity, timing and progression of the symptoms vary for everyone with the condition, MS often causes a range of mobility challenges. And, over time, there is a chance those challenges will worsen. Or not. The uncertainty is one of the things neurologists are certain of.

My MS relapses and remits, comes and goes, stands me up then trips me over. I resisted declaring my condition to the world for many years. It was nobody's business and I was living a busy life. Pride or stupidity, or both, caused me to endure fatigue and falls. Finally, I got bored with falling over and realised I needed to 'out' myself as someone with a disability.

The first symbol of my 'outing' was a walking stick. I cringed as I bought one but I soon realised that a walking stick is good for more than balance and strength. With a walking stick, you can go any place and be offered a seat when you get there. Your stick can help break the ice in the awkward chair-stealing situation. When you walk with a stick, the world looks you in the eye but remains wary. Will you tip over unexpectedly ... or use it as a weapon?

One night I was stopped on the street by an angry drunk man. 'You're too young to need a walking stick,' he shouted. 'Are you an idiot?'

I replied, 'You're picking a fight in a dark laneway with a tall man who wields a large stick. Who's the idiot?'

He backed away. Sticks have their benefits.

The next vehicle in my MS progression was a walker, a four-wheeled affair affectionately known as a Zimmer frame. This clunky contraption is like a Volvo — boxy but safe. People with walkers get instant respect from others, probably due to the apparent level of difficulty in every manoeuvre.

The next level of disability aid is a wheelchair. I fought against getting one until a bad spell gave me no choice. I should have bought it 20 years ago.

If you have a disability getting help isn't surrender, it is common sense. And an important note: a wheelchair does not diminish IQ points and you don't have to shout.

Our society is better equipped to accommodate wheelchairs than it was in the 1990s. Ramps and elevators are more common (though not universal) and disabled parking spaces are handy.

There are downsides however: pedestrians and shoppers don't stop for wheelchairs. It doesn't occur to them that if a collision ensues, they'll come off second best due to their higher centre of gravity and lack of stabilising wheels.

Another drawback of being in a wheelchair is instant invisibility. Even close friends will walk straight past their wheelie-pals. If you're ever keen to avoid notice, a wheelchair is the place to hide.

The one key thing I know for sure, and I didn't need a neurologist to help me discover this, is that mobility devices are symbols of the haphazard harshness of life. If you're resisting surrender to a mobility device, play it safe and give it a go. And if you're able-bodied, spare a thought and keep an eye open for people moving with wands, walkers and wheels. Live life to the full because those contraptions await you.

Stick happens. Act accordingly.

Near the far-sighted eyeball of God

CREATIVE

Carolyn Massel

Aphasia, exile, outlawry

I

One of those nights. You and sleep playing
tag, though only one of you thinks it's a game.
I will rest, you say, I will go home:
Just let me find the words from the water garden.
So you haul them up from the well, but they smear like ink.
They belong to your real life that you abandoned —
there where the wattles bloom and corn and 'taters grow.
Eucalypsis, apocalypsis ...
Every night you make a run for home.
In exile language fades away, unused,
till the whole tree languishes.
Words are comfortless as bare boards;
you pace about forgetting what you came for,
unless some ancient knot or syllable
trips you up and thrills you to the quick.
You have to hope the long-sought words will come
like Bo-peep's proverbials safely grazing
a suburban garden full of virtual magpies:
plumbago
frangipani
Hargenbergia

II

All photos lie. But something's caught
in this one: faster than a speeding bullet,
a flying blur in tabard and trousers.

If you're caught, it's
waiting and preparing and serving;
left alone you
climb trees and run fast and sing,
pledge fealty to the forest and the life of an outlaw.
Peep peep peep cry all the little girls
from the West Indies, Americay and Spain.
We're nearly three and a whizz at words
on which we know the universe depends.
We repeat: we hear you loud and clear.
We're pretty sure you can't hear us at all.
Maid Marian's maids are we.
If you call, we are not at home.
We're dining very publicly
with the Sherriff of Nottingham.
The Sherriff has a fulsome set,
his words line up without a gap,
He'd sentence us without a second thought:
we hold our gaze and smile a mirror shield.
Peep peep peep, all the women cry
In Ireland and Australia and France.
It's just as well he cannot read our hearts:
Our voices are inviolate and clear.

III

This table's had hard use. The grain
is coming through in tiny elevations.
I run my fingers lightly up and down,
learning the long contours. And I know
something about how my life has gone.
This evening I've been marking papers

on the colonised and their oppressors,
their strategies my strategies,
fully theorised — and on my shelf,
lest I forget.

You know what happens to outlaws. Such is life.

So don that pencil skirt, sharpen your nose,
powder the old perruque. And remember,
you can never be lost, knowing
home is any place where poems are.

Spring in Melbourne with doves

Like parents we wait
while the season does its awkward flip,
heads bent in the gale driving cloud
shadows across the page
— as if we needed another prophecy.

Wind tires in the roof vents.

A cube of space forms round us, and comforting sounds.

Our crotchety dogs resume their dialogue
with distant quavers
demi-semi-quavers

Till a helicopter,
hummingbird from hell,
burrs all thought,
and ratchets up and away

leaving only doves' loud mad
repetitious purring

New research shows city birds call louder.

Today they're the sole thing that doesn't
sound like something else you can't escape.

Iipse. Same. The selfsame birds

telling all their lives in that same sound,
as though condemned to the residue of speech.
Wait.

Remember Robert Duncan —
how, when he learned of the stroke that killed the words
in H.D., beloved poet mentor,
he turned to the ur-language of doves, hearing
there the originary Word.

Something's a-flutter. Dog among the pigeons?

What you doin' with that metaphor?

Taboo, treif, two thousand years!

Who do you think you are? Paul Simon?

And on and on, patrolling the dream ground.

Jokes aside, I'd give a bucket of dreams
for a minute with the minstrel of all the world.

He's pulled out the knife that divides us
and mines for song in the site of the wound.

Hallelujah! Good for him!

So far, I feel compelled to leave it in.

It's not that you could undo understanding
a style of understanding. It's what you say.

As collared doves should not be here but are —
invaders, refugees or immigrants

or offspring of same,

conceived in St Petersburg, born in Bendigo.

Glad to be here. Bobbing their heads, side
by bright-eyed side, out there on the bricks,
despite their interminable double-cadenced cry,
there's every sign they're making sense of it all.

Aerial footage

A French philosopher went up the Tower
to spurn the matchless view. In principle.
New York City sparkled at his feet.
How to convince them of their value down there:
the spontaneity of life on the street —
its chaos, brio, democratic lack
of vista ... While up here, perilously
near the far-sighted eyeball of God
(that insatiable, designing orb),
you could forget it all, and just hang
like a planet, while the lights went out ...
He looked at the moon. It wasn't having any;
never one for rancour, or anything much,
serene or lobotomised, presiding
over everything with an equal mind:
a vacant city sailing into the void ...
a French philosopher's last seminar ...
another crumpled Tower for the set ...
and another. Eyes fill with horror
at the moon-cold screen, compelled
by repetitions of the spectacle.
Now we're only given distance shots.
Jumping, screaming, drowning strictly forbidden,
all cities, all countries, unreal —
if we believed the footage. But we don't.
Our life and death as citizens depends
on peopling empty landscapes, seeing ghosts,
rebuilding dwellings, with gardens, pets, water
and food, in the teeth of the mindless grin of the moon.
The world's a jewel in space, but nobody's fooled.

ACT makes a dog's breakfast of marriage equality

AUSTRALIA

Frank Brennan

After the June decisions of the US Supreme Court on same sex marriage, I [repeated](#) in July 2013 my support for civil unions. Conceding that neither side of the debate was much interested in that outcome, I said, 'We can probably no longer draw a line between civil unions and same sex marriage. That will be the long term consequence of last month's US Supreme Court decisions which will impact much further west than California.'

The caravan has been moving at some pace since then in Australia but it is difficult to assess in what direction or whether it just be around in circles with the advocates for marriage equality digging themselves into a judicial hole from which it might be difficult for either side to emerge.

During the recent federal election, Kevin Rudd pulled out all stops to advocate same sex marriage legislation in the Commonwealth Parliament. Tony Abbott stuck firmly to the line that his party would maintain party policy that marriage is a relationship between one man and one woman to the exclusion of others, and that the party policy would be maintained unless and until the party revised its position, including whether or not to allow a conscience vote. In the Liberal Party, as distinct from the Labor Party, members are always free to cross the floor without the risk of automatic expulsion from the party — though their prospects of promotion tend to take a nosedive.

I remain of the view that any extension of the civil law's definition of marriage should be the preserve of the Commonwealth Parliament with all members being granted a conscience vote. Presently the 1961 Commonwealth Marriage Act as amended states that 'marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life'.

At 11.40am on 22 October the ACT Legislature voted by nine votes to eight to agree in principle to the passage of its Marriage Equality Bill. Thirteen minutes later, they voted by eight votes to seven to agree to 25 amendments including a renaming of the bill as the Marriage Equality (Same Sex) Act 2013. The purpose of the amendments was to 'clarify that this is a law for same-sex marriage and the ACT is not seeking to legislate in an area of law already governed by the Commonwealth under the Marriage Act 1961'.

The result is a dog's breakfast. And everyone is now off to the High Court.

Just to give one morsel from the dog's breakfast: The long title of the Act has been amended to read: 'An Act to provide for marriage equality by allowing for marriage between two adults of the same sex, and for other purposes'. But another amendment provides a definition of marriage: 'Marriage means a marriage under the Marriage Act 1961'. But the main 'dictionary' definition given in the Act states

that 'marriage does not include a marriage within the meaning of the Marriage Act'.

So there you have it: under some provisions of the ACT Marriage Equality (Same Sex) Act, marriage means a marriage under the Commonwealth Marriage Act (which excludes same sex marriage) except presumably when it is a marriage under the ACT Marriage Equality (Same Sex) Act, between two adults of the same sex.

Under the Constitution, the Commonwealth Parliament has power to make laws with respect to marriage. So too do the states. And since 1978, so too does the ACT Legislative Assembly. But if a Commonwealth law covers the field, any state or territory law does not operate to the extent of any inconsistency.

Undoubtedly the Commonwealth will argue in the High Court that it has covered the field on marriage since 1961 and it should be left to do so. Advocates for 'marriage equality' frustrated by the slow pace of change at a Commonwealth level have decided to pursue state and territory legislation for forms of unequal and inferior marriage recognition in the hope of providing further political pressure for the Commonwealth to act.

All this is being done in the name of 'marriage equality'. The sort of marriage being offered same sex couples by the ACT law is so 'equal' as to provide: 'A marriage under this Act ends if either of the parties to the marriage later marries someone else under a Commonwealth law (including a marriage in another jurisdiction that is recognised by the Commonwealth as a valid marriage)'. No need for a minimum time of separation; no need for a court order; just up and off!

Professor George Williams, one of the legal advisers to the ACT Government on their amended Act, said three years ago: 'It would be better to have a single national law providing for same-sex marriage. However, such a law may not be legally possible, and in the short term may be politically unachievable. In these circumstances, we should not discount the possibility of a state leading the way.'

Marriage equality advocates are pursuing the issue at a state level in the hope of pressuring the Commonwealth. In the process they risk blowing apart the national coherence of marriage laws put in place in 1961.

History provides some salutary lessons about the need for detailed, careful legislative work — other than the 13 minutes consideration given by the ACT legislature to their amendments last week. History also points to the wisdom of a conscience vote in the national Parliament on this issue.

Introducing the Commonwealth Marriage Bill on 19 May 1960, Sir Garfield Barwick said he had taken a full year to prepare the legislation and he was prepared to wait many more months to debate the bill 'making with the states the several administrative arrangements which the bill contemplates'. He said: 'the measure will not be treated as a party measure ... members will be free to adopt their own attitudes and to express them by their vote, freely'.

The original Marriage Act contained no definition of marriage. Kim Beazley Snr like other members saw no need for a definition as he thought the marriage customs of Australians were unlikely to be radically changed by legislation. He said, 'The marriage customs of the community are, in fact, customs and they have not been framed around law. Perhaps to a considerable extent they have been framed around religion.'

Barwick said, 'The founding fathers of the Commonwealth were of a like mind; they thought that these fundamental relationships should be governed by a national law; for in a list of subjects not notable for its length, which were to be conceded to the national Parliament, marriage was included.'

Interesting for present purposes, Gough Whitlam, Deputy Leader of the Opposition with the carriage of the matter for the Labor Party, reminded the Parliament on 17 August 1960:

When the Attorney General (Barwick) made his second reading speech on this bill, he announced that while the Government would take full responsibility for having made the proposals contained in the measure and would support them, as a government, the legislation would not be treated as a party measure, and honourable members would be free to adopt their own attitudes to it and express them freely by their votes. The Opposition has resolved to take the same course.

Whitlam went on to say:

This is a field in which the founding fathers themselves, with their very narrow and timid conceptions of the Commonwealth's powers, were agreed that this Parliament should be able to pass laws.

In that respect our Commonwealth is different from the other English-speaking federations, the United States of America and Canada. We have power to pass laws on these subjects. I believe that everyone, whatever he might think of individual features of the bill, would agree that we should pass laws on this subject. As a result of this bill, Australian men and women and their children, wherever they live, will be able more readily and certainly to ascertain and establish their rights to marriage and arising from it.

In what might now be seen as a delightful ambiguity, Barwick, summing up the parliamentary debate, pointed out that there was no definition of marriage in the Bill nor in the Constitution: 'That is because we in this community recognise marriage as monogamous and a voluntary union for life of two people to the exclusion of all others.'

Religion is much less relevant now to the civil definition of marriage because while the crude marriage rate continues to decline (from 7.3 in 1960 to 5.5 in 2008), the proportion of civil marriages continues to increase. A century ago, 95 per cent of marriages were church marriages; in 1969, 89 per cent of marriages were still being performed in church. By 2010, 69 per cent of all marriages were

performed by civil celebrants.

Some strong advocates of traditional marriage, including the Australian Christian Lobby, have been suggesting that the matter should be resolved by referendum. That is a bad idea. In Australia, we expect our members of parliament to make the statutory law and our judges to shape the common law and interpret the Constitution. We the people vote by referendum only to change the Constitution.

Occasionally there is a case to be made for a plebiscite when we are trying to determine a particular question to put to the people by referendum to change the Constitution. This is what we did when we wanted to determine whether we were ready to vote for a particular form of republic.

Groups like the Australian Christian Lobby should be careful what they wish for. If a referendum on same sex marriage, why not a referendum on (say) the death penalty? If the opinion polls are right, there is no doubt the way that one would go. Or a referendum on excluding boat people from Australia? Or a referendum on euthanasia? There are good reasons for avoiding the populist politics of lawmaking by direct popular vote of the people.

A year after the passage of the Marriage Act 1961, Barwick observed:

As I said when introducing the Bill ... I do not believe that there is any necessary virtue in uniformity; indeed, in many areas of human endeavour, variety may bring strength. 'But' (to quote from Hansard) 'the relationship of husband and wife, parent and child, is common to us all, whether we derive from one State or another. Also I think it is particularly proper that, as this country increases in international stature, it should have one uniform law of marriage applicable throughout the Commonwealth.'

Writing in an academic journal and reflecting on the passage of the Marriage Act 1961, Barwick said:

To bring unity to the marriage law of Australia was not, however, the main task of the architects of the Marriage Act. Their main task was to produce a marriage code suitable to present-day Australian needs, a code which, on the one hand, paid proper regard to the antiquity and foundations of marriage as an institution, but which, on the other, resolved modern problems in a modern way.

This remains our task, and it is best done by the Australian Parliament exercising a conscience vote rather than state and territory legislatures tinkering and then leaving the matter to the High Court. Marriage is too precious a social institution to be put in the mix of a dog's breakfast.

Bikie laws sicken civil liberties

INTERNATIONAL

Binoy Kampmark

There is something unhealthy in the legislative air. In Queensland, a renewed effort has commenced against the bikie gangs that have plagued the law and order landscape of several states. Victoria and NSW are making murmurings that they might follow suit.

Last week, the Queensland parliament passed three bills that would effectively classify 26 bikie gangs as 'criminal organisations'. The implications of this designation are extensive and extend beyond the sunshine state. 'Bikie' members are prohibited from assembling. They will be a provision of a special 'bikie jail' termed colloquially a 'clubhouse' for convicted members. The terms of incarceration may also be mandatory; and there will be job bans. Special treatment will be meted out.

The Queensland Police Minister Jack Dempsey [explained](#) his rationale before parliament, citing that customary hearth and home image of security and protection. 'People need to know when they go to bed at night and the darkness of the evening comes over, that they can sleep safely in their beds.'

The flipside of such protective romanticism is that of arbitrariness. This was reflected in the views of Queensland Premier Campbell Newman who said, 'Frankly I don't care how these people go to jail.' Premature adjudication is a dangerous tendency in any process, but notably in one where legal fairness is considered the norm.

Political commentator Malcolm Farr, himself a bike enthusiast, termed such measures and rationales 'utter tosh'. It was a 'bogeyman story' to tell the frightened kids. It was irrational. And more to the point, such laws were dangerous to everyone. Farr is careful not to excuse bad behaviour on the part of the gangs. They are, for much of their part, 'frauds', 'thugs' and 'grubs'.

The medicine, however, is bound to kill that frail patient known as civil liberties. How to sort the wheat from the chaff in policing a special group of law- or non-law-abiding citizens? In Farr's words, 'these laws will be applied to others who wouldn't know a bikie from a brickie'.

What is being touted here is a police state response, rather than a measured, legal program. Broad brush strokes in legal responses tend to be disastrous. Selective punishment of groups, assaults on the assembly of individuals, and selective prisons are not expressions of sober policing but marauding heavy-handedness. In 2009, Moira Rayner, in a survey of the NSW government's attempt to rush through extreme bikie laws, [noted](#) that it was 'never a good idea to make law on the run'.

And we've seen it all before. In 1994, the New South Wales parliament enacted the Community Protection Act with a specific intent of permitting the NSW Supreme Court to order the continued detention of Gregory Wayne Kable, a prisoner slated for release. He had been deemed a threat to the public after being convicted for manslaughter for killing his wife. The High Court found in 1996 that the law was unconstitutional, [citing](#) that the Court had been vested with non-judicial powers offensive to Chapter III of the Constitution. The saga has persisted.

Thus began a string of decisions from the High Court finding organised crime control laws as incompatible with the State judicial process. Some cases such as [South Australia v Totani](#) and [Wainohu v New South Wales](#) found against them. Others, such as the [Gypsy Joker's Motorcycle Club Inc case](#), found the laws compatible. The result has been unsatisfactory, giving us, in the [words](#) of Cheryl Saunders, a 'messy jurisprudence'.

The Kable principle remains as [confusing](#) as ever as to where the boundary lies in granting state courts powers excessive powers of crime control over specified groups. The High Court justices are reluctant to speak with one voice on the subject. It says much about the muddle-headed thinking on the subject of civil rights in this country. The states have profited in this climate of obtuseness. A legislative lottery has sprung up with attempts, like Newman's, to pass laws that push the bar in terms of how groups can be targeted as dangerous to the community.

In Victoria, laws have been [drafted](#) to be consistent with the High Court interpretation, though remain on the shelf because evidence is required in a court to demonstrate that a group is a criminal organisation. This, at least, is an inbuilt restriction. The Queensland laws, if they pass muster in any legal challenge, have no such limit. They will be bliss for the police state advocates. First came the bikies — then came everyone else.

Ja'mie's disability

AUSTRALIA

Michael Mullins

TV viewers are alarmed that they can so easily [identify](#) with Ja'mie King, the studiously unlikeable comic creation in Chris Lilley's [Ja'mie: Private School Girl](#), currently screening on ABC1. The 17-year-old school captain at the fictitious Hilford Girls Grammar on Sydney's North Shore is proudly racist, sexist, homophobic, classist, and more.

Lilley developed the character with the use of recorded interviews with private school girls and a certain amount of strategic eavesdropping. It seems he also consulted [textbook](#) descriptions of narcissism that point to shamelessness, distorted thinking, arrogance, envy, entitlement, exploitation, and lack of respect for the boundaries of other people.

There's another critique of educational privilege in Christos Tsiolkas' new novel [Barracuda](#). The character Danny Kelly is from the other side of the tracks and was sent to a prestigious private school in Melbourne's east. But he remains an outsider. He calls the school 'Cunts College' and ruminates on the finer points of his classmates spending their summer holidays at Portsea and Sorrento as opposed to Rye and Rosebud.

The novel reflects on a society that is crippled because it is beholden to a privilege that fosters class division, racism, and hostility to Indigenous Australians, asylum seekers, and others on the margins.

But privilege can also work the other way. If the privileged are so disposed, their resources can be shared with those who are disadvantaged. But what matters most is not the amount of the resources that are shared, but the attitude of the privileged persons doing the sharing.

Ja'mie showed the wrong attitude when she appeared in the earlier series *We Can Be Heroes* (2005). She was sponsoring underprivileged Third World children about whom she knew little and cared less. The fundraising was all about her, and not the other people who could use her help. She could not feel their need.

People like Ja'mie have a pathological disability when it comes to being genuine in their attempts to do things for others. A few years ago, some privileged schools started to encourage their students to be 'men and women for others'. There were students who mocked this. Perhaps they shared Ja'mie's disability, or maybe they were just having fun at the expense of their more earnest teachers. Either way, some students took the message to heart and into their lives and careers, and found what it led to deeply satisfying.

While the character of Ja'mie is set up to be judged for her callous disregard for the feelings of others, it is not for us to judge her and people in real life who are

like her. In time, they come to the conclusion that there is something wrong with their lives when they constantly feel empty when not performing for their friends.

For us, it is better to allow those who are 'men and women for others' to inspire us towards a life of empathy. Whether or not we ourselves are economically and socially privileged, the ability to feel the pain and discomfort of others is a personal asset that leads to deeper contentment and a life fully lived.

Human stories of criminal monsters

AUSTRALIA

Joe Caddy

For 11 years I worked as a chaplain in a maximum security prison at Melbourne's Metropolitan Remand Centre. In that setting I would at times meet inmates who were accused of serious crimes that had shocked the community.

In a number of cases I would end up reading about the crime in the newspaper or seeing it presented on the TV news long after I had met the accused person. Invariably the person presented in the media was barely recognisable to the one that I had encountered — often being portrayed as a dangerous and irredeemable monster. And yet that would not be anything like my experience of the person I met.

Portraying a criminal as a monster makes it possible to disregard our shared humanity. It distances us from the person who has done wrong and refuses to recognise that we have more in common with them as fellow humans than we would like to imagine.

In coming to know a little about those who stood accused I came to see that they too had a story. More often than not that story included enormous deprivation, grief and sadness. They had relationships that they cherished, and I never met anyone who in their heart did not want their circumstances to be better. They wanted 'the good' but had done wrong. Certainly their wrongdoing has to be addressed, but as the famous old Pentridge chaplain Fr Brosnan used to say of his charges, they had been sinned against infinitely more than they had sinned.

For many of those who I met in prisons I could truly say that 'There but for the grace of God go I'.

Once we have labelled someone, we lose the opportunity to hear their story. If we call a person escaping oppression and seeking asylum a queue jumper or an illegal or dismiss them as 'just' an economic refugee, it becomes easier to overlook their desperate human plight. Those who are unable to sustain decent employment can equally be labelled bludgers; those who are mentally ill or homeless might be dismissed as no-hopers; those suffering from addictions as junkies.

Each of these labels that our society so readily applies does two things. First, they fail to acknowledge the enormous disparity between the relative privilege of those standing in judgement and the deprivation of those who suffer. Secondly, they dismiss the lived human experience of the 'other', making it possible for us to fail to appreciate what 'of us' is 'in them'. Labels allow us to distance the 'other' and to escape the obligations that arise out of a sense of solidarity and shared humanity. And so it is easy to become indifferent to suffering.

In July, Pope Francis visited recently arrived refugees on the island of Lampedusa. He blasted the rich world for its lack of concern for their suffering and denounced a 'globalisation of indifference'. 'We have become used to the suffering of others,' he said. 'It doesn't affect us. It doesn't interest us. It's not our business.'

If we allow comfort and privilege to blind us to the suffering of our brothers and sisters; if we allow our society to label those who are lost and on the margins of our world, thus rendering them invisible, then we are all diminished. We begin to create our own world that is exclusive, lacking in compassion, intolerant, judgemental and unable to embrace diversity.

Confessions of a fat, exploitative tourist

INTERNATIONAL

Ellena Savage

With the exception of one great-grandfather, my brothers and I are the first in our family to have travelled the world for purposes other than migration. We've all lived overseas at times, and both of my brothers' partners come from other places. Even my parents have taken some inspiration from us and started doing their own non-migration-style travel.

It's a weird privilege when you look at it in those terms — something that seems culturally normal is actually a historical anomaly. It's now less expensive to travel outside Australia than to holiday within it. Flying is the cheapest it's been, and the cheapest it's ever likely to be. And the Australian dollar is strong.

So what does that mean for the places we are now able to travel to en masse? It means something, especially because those who live in the places we travel to are often people who can't travel themselves, people who can't escape the monotony of home life even if they wanted to.

Sometimes when I see the inequity of my traveling, when I register my complicity in a system that is contingent on global inequalities, I am reminded of Jamaica Kincaid's 1988 book *A Small Place*. It's a fictional memoir about how Antigua's colonial past is lived out through contemporary tourism. In it, the tourist's perspective of a beautiful, smiling Antigua is met with the scathing voice of the formerly colonised, who explains the ramifications of every interaction the tourist has, and deduces the inherent exploitation of the tourist-local relationship.

So I was in Bali recently being a fat, exploitative tourist and it didn't feel all that good. I was there to see some of a writers festival, which I did, and which was incredible. But I felt slightly unpleasant being there, slightly wrong, because all of the restaurants we ate at were basically for tourists and expats — people with money.

To the credit of the festival organisers, events were packed with international and Indonesian audiences alike, but back in the tourist town, the only Balinese in sight were those serving us. Without natural resources, Bali's main industry is tourism, and so in some ways, the economy depends on people like me eating at restaurants like that.

Too many people who happen to live in the tourist regions (which are ever expanding — 700 hectares of land are cleared each year to build tourist infrastructure) are forced into some kind of tourist labour, even if they're not interested in it, or good at it. So while you can get a cheap massage almost anywhere, it's less likely that a trained practitioner will massage you than an inexperienced young person who will make it up as they go. Which is not to critique the standards of massage in Bali, but rather the perhaps exploitative

expectations of tourists.

One person told me the story of going out to a gallery in a rural area and seeing the same man harvesting rice with a buffalo that they'd seen a few months earlier. When they asked the gallery owner if it was harvest time again, he was told that the man in the rice patty was not actually harvesting rice, he was just employed to look like he was. A spectacle for the tourists. Which I'm pretty sure is the most alienated labour possible.

Where the tourist attraction to Bali has always been its beautiful natural environment and friendly, spiritual culture, both of these attractions are suffering under the impact of mass tourism. While some argue that any employment for locals is good employment, the poverty rates in Bali have in fact increased in recent decades, as has the disparity between rich and poor.

Bali now has the second highest percentage of disadvantage in Indonesia, after Jakarta. In seaside areas, coral reefs have been destroyed, and in rural areas, water is often redirected from rice patties towards guest houses. Deforestation has impacted the local environment, bringing on drought. Drought inflates prices.

Kincaid writes that the 'natives', the local residents of a tourist destination, are likely to hate the tourists, even when they are smiling, for the simple inequity of the transaction. She writes, 'Every native would like to find a way out ... But some natives — most natives in the world — cannot go anywhere. They are too poor ... They are too poor to escape the reality of their lives; and they are too poor to live properly in the place they live, which is the very place you, the tourist, want to go.'

What, then, to do with the privilege of travel? Guilt is not necessarily a useful political gesture. And it's not as though people are going to stop travelling overseas any time soon. So maybe we should just find somewhere else to mess up.

Making a mess of civil rights history

REVIEWS

Tim Kroenert

***The Butler* (M). Director: Lee Daniels. Starring: Forest Whitaker, Oprah Winfrey, David Oyelowo, Robin Williams, John Cusack, Alan Rickman. 132 minutes**

Don't misunderstand the title card: 'Based on the true story' (as opposed to 'a true story') refers to the history of the civil rights movement in the US, and not to the central premise of this film, about an African-American butler who serves at the White House under eight successive presidents during these tumultuous decades of the 20th century. As appealing as that conceit is on paper, a conceit is just what it is; the central (fictional) character, Cecil Gaines (Whitaker), is like the Forrest Gump of black America; he is not mentally challenged, but he is a man whose innocence is tested over many years by his incidental proximity to major figures and significant events.

The film follows Cecil from his childhood on a cotton plantation, and his elevation to the homestead after he witnesses his father's murder at the hands of the plantation owner's adult son. It portrays his early aptitude as a 'house negro' and his eventual arrival at the White House, where he becomes a fixture for the decades to follow. During that time America sees the dawn of the civil rights movement, the rise and assassination of its great leaders such as Martin Luther King Jr and Malcolm X, the Vietnam War, and a string of presidents who each grapples in his own way with the problem of race relations in his country.

The idea of viewing these events through the eyes of a black White House butler is so tantalising, that it is utterly disappointing to discover that *The Butler* is in fact a sloppy, sappy mess, that snaps rather than tugs at the heart strings, has been packed with fine actors but barely a single substantial character, and which makes plenty of heavy handed points about the civil rights movement without offering any new insights into it.

With all due respect to [Barack Obama](#), Winfrey is a major problem in this film. It's not that she can't act — there is technically little to fault in her portrayal of Cecil's long-suffering wife Gloria. But the subplot regarding their tense home life — her alcoholism, an affair with a neighbour, all rooted in her sense of discontent regarding the secrecy and time demands of her husband's job — has been inflated beyond necessity, as if to justify Winfrey's presence by allowing her to sullenly chew the scenery while more significant events are happening elsewhere.

Far more effective and thematically relevant is the major subplot regarding Cecil and Gloria's son Louis (Oyelowo), and his own active participation in the civil rights movement. The contrast here is potent: Louis is raging against The Man, while his father is dutifully serving The Man drinks. This tests their relationship, as well as

Cecil's resolve regarding the rightness of his choice of career. A sequence in which Louis participates as a university student in a sit-in at a segregated restaurant proves to be the film's most powerful moment.

Even here, the power is diminished by the pointed juxtaposition of this peaceful protest that turns ugly, with Cecil's first night on the job serving food and drinks to rich, powerful white men. Daniels lacks subtlety, and his refusal to let his audience draw their own insights and reach their own conclusions is one of *The Butler's* great weaknesses.

But not its greatest weakness. That would be the choice of A-listers who file past to lazily caricature the various presidents of the United States under whom Cecil serves. I won't say much about this other than that the casting of Williams as Dwight Eisenhower is baffling, and Cusack's Richard Nixon is downright laughable. These are fine actors who have been cast for their audience appeal rather than their suitability for the roles. That being said, who'd have think that Alan Rickman could look so much like [Ronald Reagan](#) ?

Scott Morrison and the power of negative branding

RELIGION

Andrew Hamilton

What's in a word? Quite a lot if you ask Immigration Minister Scott Morrison. He instructed department heads and agencies to refer to people who come by boat to Australia to seek protection from persecution as illegal maritime arrivals, not as irregular arrivals. People detained after seeking protection are to be called detainees, not clients.

At one level harsh public language does not matter. It can sometimes clarify reality. It would, for example, be clearer to describe the condition of all people who are deprived of their freedom in secured premises as imprisoned, the places of detention as jails, and themselves as prisoners. The differences of treatment between different categories of people are not significant when compared to their deprivation of freedom.

But at another level such language matters a great deal. It is designed to create the stigma of criminality, which can then colour our attitudes to people who come to Australia to seek our protection. This stigma has consequences for their lives and reputation, and for the workings of the places where they are held. It also has consequences for the quality of Australian society.

This can be seen best by a thought experiment. Suppose the media, shocked to the core by what seemed to them a cavalier approach to politicians who claim allowances for travel and other perks, unanimously decided henceforth always to refer to our parliamentary representatives not as Members and Ministers, but as Rorters and Archrorters.

Such branding would quickly attach a stigma to political life. It would be reflected in the judgments and expectations that people have of politicians. Imagine how the change of terminology would affect people's response to such ordinary announcements as, 'the Prime Archrorter of Australia today announced a parliamentary enquiry into corruption', 'the Archrorter for Immigration is in Sri Lanka to do a deal on asylum seekers', or 'the Archrorter for Finance today appointed three new members to the Gambling Regulation Board'.

The stigma attached to politicians would be reflected in a diminishment of the high level of trust in which they are currently held by the Australian public. Voters might even be tempted to spoil their ballot papers at election time.

People would also see politicians as the disreputable other, and no longer ask what effect government decisions would have on the welfare of the nation, but, what is in them for the relevant ministers. Then, disillusioned, they would withdraw from engagement with public life and ask only what was in any decision for them. In the face of such spreading mistrust the government would eventually have to force the media to use neutral language.

This fanciful example illustrates the harm done to any society by naming groups of people abusively, so creating stigma. Certainly, the ill effects of cynicism about politicians prompted by branding them in such a way are more easily recognised than in the case of other less influential groups.

But in both cases it weakens the sense of a common humanity. Solidarity is made to rest on circumstantial qualities such as the circumstances of birth, nationality and way of arrival in Australia. When one unpopular group is stigmatised, the inclination to stigmatise other groups based on their qualities will grow, and society will become more fragmented. The trust that is essential for the building of society is eroded.

But more important is the effect of this kind of branding on people who seek protection from persecution. Especially for those who are detained, it makes more difficult the tenuous relationships on which their health and spirits rest. The relationships between those who are deprived of freedom and those whose responsibility it is to ensure they remain deprived are inherently unequal and can easily deteriorate.

In immigration detention centres the tendency of such relationships to turn authoritarian and callous has been mitigated by insisting that people relate to one another as officers and clients. To name the relationship as one between detainers and detainees will benefit no one.

If we are seeking a more accurate language, we might speak of asylum seekers as persons. And if we wish to describe their relationship to Australia more precisely, we might refer to them as 'persons who came to Australia seeking protection from persecution'.

Bushfires demand response-ability

CREATIVE

Bronwyn Lay

I've never felt the earth move but have sniffed smoke, ashes and the aftermath of bushfires. The fright of inferno is akin to the world being taken away in an instant. It makes bodies tremble and language vanish. In front of violent nature, who are we but helpless and mute?

In bushfires, tsunamis and earthquakes, our relationship to the 'natural' world comes at us like an alive nightmare, and hurts. The natural world might not possess emotions like anger and revenge, but asks violent questions about meaning and action and responsibility. Many ask us to draw a line in our mourning, and only think about the humans. This is repression, for on such occasions humans and nature are bound in a dangerous dance.

In Lisbon 1755 the Western world changed direction. The ground literally moved as the biggest earthquake recorded in Western history hit the Portuguese coast and decimated Lisbon. A tsunami and fires followed. It was All Saints day and many people were at Mass when the earthquake hit. The monarchy fled to the hills to live as nomads, and thousands died.

At the time, God controlled nature. When the quake decimated churches but left brothels untouched the population went wild with rumours that God was vengeful against believers who had lost their way. The great designer of the world was sending a hard message to the Lisbon population through his mute and obedient messenger — the earth.

This natural disaster halted Portugal's imperial project and rendered the Jesuits momentarily impotent, but also founded the modern idea of nature and culture separation. Philosophers like Kant, Rousseau and Voltaire set about exploring what the natural disaster meant. Nature was severed from God, and by consequence human behaviour had no influence on nature's movements.

After Lisbon humans didn't live in the best of all possible worlds, and everything wouldn't be well in the Panglossian sense. Instead we had to make sure we looked after each other and consolidate human communities. Nature was cold, mute and to be treated as we liked, for God had nothing to do with her. Nature made us feel 'sublime' and romantic but lived in a world apart from us. The Enlightenment and modern science fired up.

Today, after natural disasters, those who talk of God's revenge aren't given space, for that is considered anachronistic fundamentalism. Instead we remain back in the aftermath of 1755, as if times haven't changed. Now in the ashes of bushfires God is dead and humans have no relationship with nature's movements. While in 1755 philosophers and lawmakers sought to abandon cultural perspectives that didn't aid the growth of healthy human communities, our time

perpetuates the anachronistic idea that humans have no relationship with nature.

Can we still claim that natural disasters are pure chance? When all is well, when we own, possess and operate upon the land, the biosphere and ecological communities, there's no need to question our penetration of nature: our violent tinkering with its systems, flows, equilibrium and connections. When all is well there's nothing to lose except the future, which is hard to conceive or predict. A natural disaster is a loss in the present.

But science, ironically the great Enlightenment creation, tells us that when the earth moves or fires rage we might be implicated.

1755 is a long time ago. Now 'natural disasters' are confused entities. As illustrated in Japan; an earthquake occurs, and two years later we're still battling radioactive leaks across the Pacific. Food chains are infected across borders. Repercussions across places and times and organisms are diffuse and difficult to contain. Natural and unnatural disasters collide in causes and consequences.

Why is fire different? Human land practices and increasing temperatures alter the earth, fuel its flammability and are influenced by politics, law, philosophy and economics. In Lisbon, Western philosophy sought to sever God from nature; now we pretend that the fusion of humans and nature doesn't exist. The term natural disaster shouldn't be trusted. It is superstitious to think that humans and nature aren't locked in a reciprocal relationship with political and ethical responsibility.

It hurts to watch communities being decimated and having to rebuild. People who face disasters are brave and need to be supported. But the reason Western philosophy shifted in 1755 is that people cared about each other and the world. They sought to find an honest way to be with each other. Honesty alters with history.

While the Enlightenment has a lot to answer for, Lisbon also has much to teach us. While those who directly experience disasters are often incapable of immediate reflection, for pain makes us as mute as nature, those who can speak should be allowed voice. We cannot ignore the world around us. These disasters demand response-ability. The human who stops asking 'Why?' is headed for fundamentalism, or more natural disasters — or both.

Now, as in 1755, it's crazy to declare that everything will be well. The natural disaster is a violent question mark. Nothing is the same in the aftermath. While comfort and love are vital, to retell the Panglossian lie that 'this is the best of all possible worlds' is suicidal. While the Jesuits were killed in Lisbon for their cries that human sin rendered nature's revolt, now we face the reverse. Those that expose the lie that humans are not implicated in natural disasters are sanctioned and told to shut up because we're in 'mourning'.

I don't know many people who mourn without asking the heartbreaking question 'Why?' To silence this question is to disrespect grief. All is not well. The

French philosopher Michel Serres talks about two laws: to love each other, and to love the world. They belong together. We can mourn the world and each other simultaneously.

Current politicians silence those who mourn the world, the natural, and accuse them of abandoning their fellow human. This lie orders us to turn away from the world, and each other. The natural disaster is a human disaster — we're in it together. It's going to be a long summer.

Mandate mantra is mumbo jumbo

AUSTRALIA

Ray Cassin

What exactly is it that a defeated government loses and its successor acquires? The question is typically answered by using the word 'mandate', which doesn't amount to much more than saying that in a constitutional democracy the elected government is, well, the elected government.

Governments, of course, like to pretend that there is much more to a mandate than that. Those faced with the prospect of negotiating legislation through an upper house in which they don't possess a majority, which is mostly the case in Australia at federal level, usually insist that their election victory conferred a right to expect that legislation arising from their platform will be passed. The people have chosen them, they argue, and therefore must want them to fulfill all their election promises, too. If MPs and senators vote against bills implementing those promises, they will be treating the will of the people with contempt and repudiating the outcome of the election.

There are several problems with this claim. Among them is the majoritarian assumption [criticised](#) in an earlier *Eureka Street* article by Max Atkinson: in parliamentary systems winning a majority of lower-house seats confers the right to form a government, but it doesn't follow that the preferences of a majority of voters possess any privileged moral insight that must be heeded.

For example, opinion polls routinely record majorities in favour of restoring the death penalty. Does that mean parliaments are therefore obliged to do so? Politicians in all the mainstream parties have rightly resisted that conclusion, chiefly for ethical reasons but also because stable government would be impossible if every item of legislation had somehow to be validated by the dictates of popular opinion.

The notion that a mandate to govern confers the right to implement all the policies in an election platform — a notion now being vigorously asserted by the Abbott Coalition Government, and which previous Labor governments have sometimes invoked, too — essentially regards an election as a referendum on a set of policies. This is inherently implausible and all politicians know that it is, however much they invoke, when in office, the magical 'mandate, mandate' mantra in the hope of browbeating opponents into supporting contentious legislation.

For one thing, treating an election as the voters' verdict on the platforms of the various parties assumes that when people enter the voting booths on polling day they are fully informed about what is in those platforms. Anyone who has ever handed out how-to-vote cards knows that to be false.

Further, this inflated notion of what a mandate means also assumes that

'majority of seats' and 'majority of votes' are the same thing, though they evidently are not. The mechanics of Australia's electoral system mean that it is entirely possible to win a majority of seats without winning a majority of votes, as both Kim Beazley and Andrew Peacock know to their cost. In the 1998 election, the Beazley-led ALP won a majority of votes but that did not translate into a majority of seats; the Howard Government, however, secured its second term with only a minority of the vote and promptly claimed a mandate for introducing the GST.

The most important reason for rejecting the election-as-a-referendum-on-platforms view of mandates, however, is this: if it were taken seriously, no government would ever be able to change its mind. And occasional changes of mind (and changes of heart, too) are essential to the process of governing.

The newly installed Abbott Government, for example, has already had several notable — though not admitted — changes of mind, even as it continues to demand that ALP and Greens senators bow to its mandate and allow repeal of the carbon-price legislation. Remember the budget deficit, which the Coalition inveighed against so much when in opposition? Labor's inability to deliver the surplus it had promised was portrayed as the chief, and sufficient, measure of its incompetent stewardship of the economy. Yet Treasurer Joe Hockey now seems to think that the deficit is not such an urgent problem after all and that we can comfortably live with it while longer.

This was always the sensible attitude to take to the deficit, because drastic spending cuts to reduce it quickly could trigger a deflationary spiral, and because Australia's public debt is in any case relatively low when compared with that of other OECD countries. That is emphatically not the message, however, on which the Coalition campaigned. It has a 'mandate' for austerity but clearly does not feel constrained by it.

The promise to 'stop the boats' is another core Coalition campaign message that, although not quietly dropped in the way that achieving an early surplus has been, is nonetheless in the process of being revised away. Whether or not the Coalition ever vowed to tow boatloads of asylum seekers back to Indonesia, which Immigration Minister Scott Morrison denies, it certainly assured voters that a hairy-chested and unilateral insistence on border security would discourage asylum seekers from coming. It hasn't, and Tony Abbott's visit to Indonesia resulted in an implicit acknowledgment that there will be no such thing as a unilateral Australian solution to the problem because Australia cannot take action that might infringe Indonesian sovereignty. What, then, is left of 'stop the boats'?

So while the Government — with its eye on a hostile Senate now and a potentially unreliable one when the new senators take their seats next July — brays about a mandate to end the carbon price, it is also shrugging off what, by its own theory, it has been 'mandated' to do in other respects. Hypocrisy is

nothing new in politics, but we could have a little less of it if journalists did not so easily let politicians talk nonsense about mandates.

Protection visa sequel worse than the original

AUSTRALIA

Kerry Murphy

The first version of the temporary protection visa (TPV), introduced by the Howard Government, commenced on 20 October 1999 and was repealed by Labor on 9 August 2008. The new TPV, which commenced last week almost 14 years to the day since the Howard version came into being, is harsher than the original, mainly because it has no pathway to a permanent visa — once granted, it is likely that the best you will ever get in Australia is a TPV. The good news is that it does not apply to all asylum seekers, only to those who come without a visa.

When TPV1 was introduced, a barrier was put in the permanent visa which stated that a person could not get a permanent protection visa for at least 30 months from the grant of their TPV. There was a 'no further stay' (8503) condition which means the person is unable to apply for any visa other than a protection visa. TPV2 has the 8503 condition, but the permanent visa has a new requirement that the applicant does not hold and has not held a TPV. There is no waiver of this barrier, so legally, holders of the TPV2 cannot be granted any permanent protection visa.

The TPV provides work permission but there is no access to family reunion. So partners and children are likely to be separated for very long periods, with little if any prospect of reunion. In the explanatory memorandum, there is a cold explanation as to why this does not breach human rights principles under articles 17 and 23 of the International Covenant of Civil and Political Rights (ICCPR) or the Convention on the Rights of the Child (CROC):

A UMA (unauthorised maritime arrival) and UAA (Unauthorised air arrival) becomes separated from their family when they choose to travel to Australia without their family, Australia has not caused that separation. To this end, Australia does not consider that Articles 17 and 23 are engaged by this Legislative Instrument.

To the extent that this might amount to interference with the family, Australia maintains that any interference is not arbitrary and ... considers that this is a necessary, reasonable and proportionate measure to achieve the legitimate aim of preventing UMAs from making the dangerous journey to Australia by boat.

The cold heartedness continues with the Convention on the Rights of the Child:

Article 3 of the Convention on the Rights of the Child (CRC) requires that the best interests of the child are treated as a primary consideration in all actions concerning children. However, other considerations may also be primary considerations. While it may be in the best interests of unaccompanied minors (UAMs) to be reunited with their family, it is clearly not in their best interests to be placed in the hands of people smugglers to take the dangerous journey by boat to

Australia.

Australia's political interests trump the rights of family reunion for refugees and for a permanent solution for the refugees.

What is especially harsh is that TPV2 applies to all those currently in the system. So my client, 'Ali', who was accepted as a refugee back in 2011 but has been waiting for a security check since then, only gets a TPV. He is now married to an Australian and they have a child, but the 8503 condition on his TPV prevents him from making a partner visa application in Australia.

My client 'Ahmed's' first Refugee Review Tribunal (RRT) was conceded by the Government to be legally flawed and is awaiting his second RRT; if he is successful he will only get a TPV. Part of his case involves the ongoing threats against his family, including his wife — from whom he will now be separated for years.

One of the major lessons of the TPV1 was that the forced separation of families caused significant mental health and medical problems for refugees. Families broke up. In one case, a TPV1 holder grieved the death of his son, who was killed in a bomb attack. He had been hoping to sponsor him to join him in Australia once granted his permanent visa. Instead, his relief at being finally granted a permanent visa was forever overshadowed by grief.

Even the previous Coalition Government ameliorated the harshness of TPV1 in August 2004 by making it possible to apply for other visas onshore. I recall a number of cases of refugees on TPV1 who were able to get a partner visa because of relationships with Australian citizens. Others suffered because they could not provide a way for their family to escape.

There is no evidence the TPV worked as a deterrent. After it was introduced in October 1999, boat arrivals spiked as the next boats had many women and children seeking to join their husbands in Australia. The tragedy of the [SIEVX](#) sinking was compounded by the large number of women and children on the boat because they had been forcibly separated by the TPV.

The TPV is a punishment, not a deterrent — it has no other justification. The Government has decided that its campaign to demonise asylum seekers by wrongly and deliberately calling them illegal, needed to include the punishment of those whom Australia has decided meet the refugee criteria, but who came without a visa. The TPV is a cruel visa, and it reflects the cruelty of the politicians introducing it.

A lost civilisation of toast crumbs

POETRY

Various

The city of Pierrots [[Turkish version \(PDF \)](#)]

Your hope is the tendency to heal
in the voice-strings of a bird that cannot chirp
Come let's climb this slope again
Be fearful of those dancers wearing masks again
so that when we hug each other they can be
smashed to smithereens
and so only hope can remain:
a naked tree in the corner of the path
a light that never turns off
a meow of a cat and a door of a cottage
opening up to another city
Then you burst out with joy and
we are sent back 50 years into the past
Look! The spirits of Camille, Virginia and
Sylvia clang like laments diffusing into the
cosmos from the vortex of light
This is the moment where Forugh said:
'let us believe in the beginning of the cold season'*
Kamyar was playing hide and seek waiting
behind the couch so his mother can come
and find him — ready or not, here I come!
shouts a polar bear in Alaska
compassionately running towards her baby bear ...
Russia is dreaming of future nuclear weapons
yet America already toasted the victory
In spite of everything that's happening

we keep walking
and here we come — that tiny door!
we read the sign in the entrance:
Welcome to the city of Pierrots
You will be loved properly for the first time
in your life: Are you ready?

We sigh. Then suddenly a bird falls from
the sky screaming like a kicked out guest
it hits the ground and goes quiet with a
not-to-be-spoken death.

Elif Sezen

**Forugh Farrokhzad's line derived from her poem 'Let us believe in the beginning of the cold season' that was published in A Lonely Woman, ed. Michael C. Hillmann, pp. 126-128, Mage Publishers, 1987.*

Brought to you by Pepsi

The ice-blocks quiver in their glass,
melting into the Pepsi,
chinking softly against one another in the fizz
before they vanish.

The phone rings, the fridge hums and your
sweet heart beats.

For what and whom do the other bells toll?

In between this mysterious toil,
the advertisements and diversions,
the electric shocks, the grand sky and
the fabulous lives of others
stretch out before us,

Clementine and Winston, Penelope and Odysseus, Jane and the chimps, Marilyn
and the camera, Nietzsche and some grey matter.

Taken all together we are
everything, separated by nothing

but a few thousand hours
and
a few million metres.
The shaking hand,
unshaken,
is not alone.
In time, everyone arrives,
to shake
and fizz
and chink.

Cecilia Condon

Cigarette smoke curls in the air

Cigarette smoke curls in the air
like the Buddha's eyelashes.
Dishes collect in the sink like a shipwreck.
Black ants trail
like a gang from changhi
Sunshine
like butter in honey.
A lost civilisation
of toast crumbs.
A north wind blows
like an exhausted prophet.
A poet's blood is worth bottling
he drags
on a cigarette
till nothing is left
but love's white ash
A thought
grows like ivy,

scratches the skin,
when the stars come out
they're like
fingertips that have been in the bath too long.
Peta Edmonds

Australian connections to drowned asylum seekers

AUSTRALIA

Marg Hutton

Saturday was the 12th anniversary of Australia's worst asylum seeker disaster. On 19 October 2001, 353 people, mostly women and children, drowned on the high seas trying to reach Australia in a small, dilapidated, grossly overloaded fishing boat that would later come to be known as Suspected Illegal Entry Vessel (SIEV) X. There were 45 who survived the sinking, of whom seven eventually settled in Australia. Another 23 disembarked before the vessel sunk; all are now living here.

SIEVX was the first major drowning incident involving asylum seekers travelling to Australia by boat. It is likely that prior to this, back in the late 1970s and early 1980s there were other boats that sunk en route to Australia from Vietnam, but no passengers survived to tell the tale. And certainly none of the vessels travelling from Vietnam in that era carried anything like the numbers on SIEVX.

Of the more than 1000 boats that have attempted the journey to Australia over the last 17 years, there is only one asylum seeker boat that carried more passengers and that was the boat rescued by the *MV Tampa* in August 2001. The catalogue of terrible mass drowning events where scores of asylum seekers lost their lives begins with SIEVX.

There was a time, a little over four years ago, when the 353 deaths on SIEVX accounted for virtually all the asylum seeker deaths at sea. But since October 2009 it is estimated that another 1100 people have drowned attempting the treacherous journey by boat to Australia; the total death count now [exceeds](#) 1500.

Over the last 12 years there has been a monstrous 'othering' of people trying to enter Australia irregularly, and when they drown we are told that it is a human tragedy that has nothing to do with us; it happened a long way from our shores and is not our responsibility. But the people who travel on these boats are not strangers — they are often people with strong connections to Australia. More than 70 people who boarded SIEVX had family living here and, for many, taking the dangerous boat voyage was their only hope of reuniting with family.

In October 1999 the Federal Government introduced the Temporary Protection Visa (TPV) policy which put family reunion years out of reach for refugees who arrived in our country irregularly. As a result increasing numbers of women and children took passage on people smuggling boats. I know of 16 instances of people travelling alone or in family groups on SIEVX who were trying to reunite with other family members already here. When SIEVX foundered there were at least seven men living in Australia on TPVs whose entire families were washed away.

For those bereaved men whose families were annihilated, SIEVX was a weight too massive to shoulder and inflicted a wound too deep to heal. As survivor Sadeq

Al Albodie [wrote](#) : 'We continue to suffer. The tragedy was too big. We have seen the deaths of children and women parading between the waves. Our lives have been severely narrowed by what happened to us.'

As testament to what the human spirit can survive, some of the bereaved husbands and fathers have married again and now have young families. The loss they endured is always present — it is not something they will ever recover from, but their lives go on. So there are now young kids growing up in Australia, who were born here and speak with Australian accents, who had brothers and sisters who drowned on SIEVX.

SIEVX is not only a huge Australian tragedy, it is also an international one. Philip Ruddock, Immigration Minister in 2001 when news broke of the sinking, was unmoved by the plight of the survivors. Ruddock refused to provide visas to the 45 survivors and only accepted seven into Australia because to do otherwise, he claimed, would [encourage](#) more people to embark on similar dangerous journeys.

Survivors were split up and resettled in far away countries including Canada, Norway, Finland, Sweden and New Zealand. While all of the 23 'early survivors' who departed SIEVX the day before it sunk were eventually settled in Australia it was only after a gruelling wait of many years, despite the fact that most had family connections here.

There were other cruelties meted out by our government to the survivors and bereaved of SIEVX. Sondos Ismail was travelling on SIEVX with her three young daughters, Eman, Fatima and Zhara to join her husband Ahmed Al Zalimi in Australia. Sondos survived the sinking but her three girls drowned. Her husband was unable to go to her because of the restrictions of his temporary protection visa — if he left the country he was not permitted to return and Philip Ruddock [refused](#) to bend the rules to help the couple.

Despite pleas to the government, five months passed before husband and wife were [reunited](#) in Australia. And even then their suffering at the hands of our authorities continued. In 2003 it was [reported](#) that Ahmed would be returned to Iraq when his visa expired. Thanks to a concerted community campaign this did not eventuate, but the needless pressure exerted on the couple who had already suffered so much, could not have assisted their recovery.

When Ahmed was interviewed in July this year — the first time he had spoken publicly about SIEVX — he [made it clear](#) that the tragedy continues to torment his family: 'It is very very difficult to talk about there is a lot I can't say, my wife is still so depressed and it's been 12 years.'

Australia's response to the SIEVX sinking is in stark contrast to how the Italian government responded to the recent tragedy off Lampedusa, where a similar huge number of asylum seekers lost their lives. Italy declared a day of national mourning and is reportedly providing state funerals for all 359 victims.

But despite our Government's hard attitude to SIEVX survivors and bereaved family members, SIEVX has not gone unmourned here. Spearheaded by psychologist and writer, Steve Biddulph, and a group of friends based in the Uniting Church, concerned people across Australia came together and brought into existence a strikingly beautiful and haunting [memorial](#) of poles that snake along the shores of Canberra's Lake Burley Griffin — one pole for each life lost on SIEVX, hand-painted by school children, community groups and bereaved fathers of the victims.

This memorial stands as a virtual cemetery for the 353 souls lost on SIEVX whose bodies were never retrieved from the ocean, and provides a place where those who lost loved ones can go to mourn their dead.

In Canberra in 2006, bereaved husband and father Mohammad Hashim Al Ghazzi [spoke](#) of how important the memorial was to him: 'It is like there is a ceremony for our family. I feel their souls will go there, to this beautiful park in Canberra. I will never forget the support of so many Australians in making this memorial.'

Australians have responded to SIEVX in other ways, creating [songs](#) , [paintings](#) and other art which help to keep the memory of this terrible incident alive in public consciousness.

A popular pastime shared by many is to trace our family histories back to find the earliest ancestor to arrive in Australia — some are proud to discover a convict, some a digger on the goldfields, others a penniless immigrant who made good. It is not hard to imagine that in years to come descendants of the current wave of asylum seekers will trace their ancestry and wear it as a badge of honour when they find that the first of their family to arrive in this country came on a SIEV.

In 2001 Prime Minister Howard tried to distance Australia from SIEVX by repeatedly [referring](#) to the sinking as having occurred in 'Indonesian waters'. If there was any doubt in 2001 that SIEVX was an Australian tragedy, in 2013 there is none. Relatives of the dead live among us, their children go to Australian schools and are growing up as Australians; an inspiring memorial, honouring all the lives lost, has been built in our nation's capital.

But the question that continues to haunt many of us is this — if the people who took passage on these sunken boats were Australian, would we have done more to try and save them? How many of those 1500 lives lost over the last 12 years could have been saved?

Chopper Read and other people like us

AUSTRALIA

Michael Mullins

Most people will not miss Mark 'Chopper' Read, because of his reckless attitude to human life and law and order. The 58-year-old standover man died from liver cancer last month. In his last interview, screened last night on *60 Minutes*, he [boasted](#) about killing four people, speaking in a manner reminiscent of the subjects of the current [film](#) about the 1960s Indonesian genocide *The Act of Killing*.

Read's pride in his criminal exploits, and indeed Channel 9's giving him a platform to boast about them, stands at odds with much of what we value in a civil society. It is hard to conceive of him as anything other than a seriously negative contributor to the community. Yet at master of his own destiny, he had an ability to maintain his dignity, and in that sense it is possible to argue that he was — like Ned Kelly — a partially positive role model for today's prisoners, and indeed all human beings whose behaviour makes them an outcast and an object of scorn.

The majority of prison inmates have come to crime through circumstances not of their own making, such as mental illness or a disadvantaged upbringing. They are further crushed by the system and objectified as 'monsters' by the media and public, even though in fact they are 'people like us'. Joe Caddy [writes](#) elsewhere in *Eureka Street* that labelling people as criminals denies that we have a good deal in common with them as fellow human beings.

It is good that Read overcame this 'other-ness' but regrettable that he remained unrepentant and thoroughly evil in character. He was able to win a kind of public respect that is routinely denied to prisoners who are contrite but lack Read's celebrity.

There are various ways of dehumanising people, and it is always wrong to do so, no matter what the circumstances are. Immigration Minister Scott Morrison is doing this with his [instruction](#) that departmental and detention centre staff must publicly refer to asylum seekers as 'illegal' arrivals and as 'detainees', and not as clients.

Asylum seeker advocates work tirelessly to restore the dignity that these people have lost through being outcast in this way. The asylum seekers are being made faceless through government policy.

The creator of the [sievx.com](#) website Marg Hutton attempts to reverse this objectification of asylum seekers with her [publication](#) of names of some of those who perished in the SIEVX tragedy in 2001. 'Ghazi Alghizzy — wife Fatima Jabbar Alidawi and four children, Mohammed (age ten), Hussein (age seven), Zahraa (age eight) and Alyaa (age four) all drowned.' Her meticulous research has yielded names for many of the 'illegals, and this brings home the humanity we share with

these people. Like us, they all have their own [stories](#).

There is also the example of one asylum seeker who has been able to resist this objectification. Hazara refugee Barat Ali Batoor is a photojournalist, and his image of a group of asylum seekers emerging from a makeshift gap in the deck of a timber boat bound for Australia was last week [named](#) Photo of the Year in the 2013 Nikon-Walkley Awards for Excellence in Photojournalism. His [story](#) is in *The Global Mail*, which published the award winning photograph.

Batoor is no longer an unnamed asylum seeker. He is an inspiration, in that he was able to rise above his circumstances, and in that sense he has won public respect like Chopper Read. Some would say that he simply jumped a few queues in order to be accepted as a refugee by UNHCR and gain resettlement in Australia, but it's also true that allowing human beings like him to master their own destiny will bring out the best in them and us.