

EUREKA STREET

Vol. 10 No. 4 May 2000

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Streets of Taipei

Jon Greenaway



The India Clinton didn't see
The high ground

Jim Carlton, Hilary Charlesworth, Margaret Coady, Geoffrey King
and John Menadue on public morality at home and abroad

Florence greets you at dawn ...



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At the Hôtel du Chari, expatriates gather to watch the sunset over the river in which the hippos play, while children in rags peer in from behind the high wire fence. It is a time-honoured colonial ritual in Africa: watching Africa without really seeing it.

—'African pipe dreams',
Anthony Ham, p15

This project has been assisted by the Commonwealth Government through the Australia Council, its arts funding and advisory body.

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Crowd celebrating the Democratic Progressive Party's victory in Taiwan.
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Subcontinental drift

IN MUMBAI THEY CALL IT 'the informal sector', which means what daily work has long meant to the bulk of the world's population—hard slog for minimal reward.

The Indian family pictured below keeps body and soul together by shelling peas for a local vendor. If they are persistent enough they might obtain a low-interest loan and establish their own pavement business.

It's not Silicon Valley. And it is not what finally drew an American President to visit the subcontinent. President



Clinton, nearing the end of his term, has an eye, one suspects, on history. His visit may not be Nixon in China, but it is nonetheless a significant move in bringing two extraordinary democracies closer together. The wonder is that it took so long.

The spur was India's rapid emergence as an information technology giant. There is also the additional matter of India's nuclear capability and the ongoing instability of its relations with Pakistan.

Australia's Foreign Minister, Alexander Downer, was quick to register President Clinton's visit. His after-the-event comments suggest that Australia also might now take note of more than the Indian batting line-up.

About time. As writer and photographer Peter Davis confirmed during his recent visit to the state of Maharashtra, there is more than one kind of enterprise afoot in India (see 'India close up', p24). And many grass-roots Indian initiatives have more to do with equity, ingenuity and dignity than with creaming off the profits from a stockmarket boom.

India has long been an imaginative source for Australia, through its literature, history and the worst and best of a common colonial heritage. It is curious that we have been so slow to realise the connections. What better time than now? ■

—Morag Fraser

Respecting memory

FORGIVE AND FORGET. The alliteration is somehow reassuring. It lulls us into thinking the two things actually belong together, but few things could be further from the truth. To ask for or to grant forgiveness is to acknowledge that something treasured has been damaged or even destroyed—some trust, some relationship, perhaps even a whole lifetime of friendship or, worse, life itself.

Forgiveness (whether begged and granted, or offered and accepted) is not pretending that the *status quo ante* has been restored and we can all get back to business as usual. Rather it is a commitment to rebuilding, from scratch if need be. It relies not on forgetting but precisely on remembering the joy and the beauty of what once was, so as to recover it or to create something new that will honour the memory of what cannot be recovered. Forgetfulness is the enemy of forgiveness because it refuses the hard work of rebuilding. It wants to go back and live on the top floor without a thought for the foundations that have been damaged or perhaps no longer even exist.

The solemn penitential action that took place in St Peter's Basilica on 12 March was not a plea to forget the past but an effort to remember and a commitment to carry that memory into the next millennium lest we merely continue on the same path.

It was a moving sight: the once robust and buoyant, now frail Wojtyła, himself almost hanging from the cross against which he leaned. It was made even more stark by its setting. It is often not the vastness of St Peter's or its beauty that leaves many people breathless, but rather its sheer triumphal assertiveness, even its arrogance. (There are plaques on the floor with the lengths of other churches just to remind the visitor how much longer this one is.) Here amid the self-glorifying tombs of past popes, whose effigies make them look as though they had never been wrong or even considered committing a sin, Pope John Paul II and his cardinals enumerated the faults of Christians over two millennia. That's a lot of sins to confess and so it was necessary to summarise. In spite of that, and in spite of the occasional heavy qualification ('If in certain periods of history Christians have at times ...'), it didn't entirely lose its edge. Cardinal Ratzinger could hardly have helped but hear the voices

of his own critics as he prayed that 'we will recognise that even men of the Church, in the name of faith and morals, have sometimes used methods not in keeping with the Gospel in the solemn duty of defending the truth.'

But this confession also turned out to be an occasion of temptation. It brought out the worst in many of us because we immediately began wondering how sincerely it was meant, or whether its implications were even fully understood by those who made it. Did these prelates really include themselves in the category of 'the Church's children' or did they just mean the likes of us? We scanned the list to find whether we had been included and whether our hurts or pet peeves had been recognised explicitly enough. The *New York Times* welcomed the move but, with chutzpah bordering on the offensive, opined that the confession would have received a better mark if the Pope had apologised for not being in favour of abortion!

To stand back and evaluate the penitents in this way is to play the part of the officious priest in everyone's worst nightmare of the confessional. This was not just their confession; it was ours. Even if we don't belong to the Catholic Church, whether we are believers or not, we can still recognise ourselves in those few stark paragraphs that pledge to remember the sorry history of our world—its divisions, crimes and injustices—in the hope that the future will be different.

This is assuredly not the time to beat the people making confessions, but to join them. ■

Daniel Madigan SJ teaches Islamic studies at the Gregorian University, Rome.

Forgiveness ... is a commitment to rebuilding, from scratch if need be. It relies not on forgetting but precisely on remembering the joy and the beauty of what once was, so as to recover it or to create something new that will honour the memory of what cannot be recovered.

Judging the law

JUDGES OF THE highest stature (former Chief Justices of the High Court, Gibbs, Mason and Brennan, for example) have criticised mandatory sentencing. Across Australia, judges, magistrates, solicitors and barristers of all political persuasions have been protesting against these laws. Professor Alice Tay, the Federal Government's own appointment to head the Human Rights Commission, points out the inconsistency in applying UN standards in Asia but not at home. This has attracted little direct comment from the Federal Government.

On 18 March, the *Sydney Morning Herald* published a letter from four NSW Supreme Court judges which raised their concerns about mandatory sentencing. The day previously, the *Herald* ran a front-page story about the letter under the heading 'Judges lash Howard's "clever politics"'.

In fact, there was no direct reference to the PM in the judges' letter. Rather, the judges criticised as simplistic the notion that 'democracy is merely the majority will'. They stated:

Racism and injustice are evil, particularly when they have popular support. It is unjust to imprison offenders without regard to their personal circumstances ... or other, more suitable, sentences. It is racist (and cowardly) to enact and implement laws which apply most harshly to a disempowered minority. It might be thought to be clever politics but it is not leadership to pander to ignorance and prejudice.

The judges said that the failure of the national political process to achieve reconciliation with indigenous Australians and to terminate mandatory sentencing regimes provided a 'disturbing insight' into the shortcomings of Australian democracy.

The Federal Attorney-General, Mr Daryl Williams, immediately issued a statement that the judges were out of order because they were interfering with 'politically contentious issues which are properly the domain of the democratic political process'. The PM has reiterated this argument on ABC Radio.

Although we are not privy to what is going inside the government, it would be easy to surmise that what the Attorney (and probably the PM) took exception to on 17 March was not so much what the judges said in their letter to the *Herald* (because it had really all been said before), but the headline.

In recent years we have seen politicians making some astounding assaults on the judiciary. The

unrestrained *ad hominem* attacks on High Court judges by Queensland Premier Borbidge, then-Deputy PM Fischer and others after the *Mabo* and *Wik* decisions were probably unparalleled in our legal history. More recently we have had the spectacle of the Attorney-General of the NT being forced by the Chief Justice of the NT to apologise for labelling the judiciary in the Territory as 'corrupt'. Both sides of politics do it when it suits.

The Attorney and the PM claim that the judges have stepped out of their own domain into the political realm. The PM says that if they want to be politicians they should go into politics. He implies that it is a breach of the separation of powers for the NSW judges to have written their letter. That is a serious accusation. Is it justified?

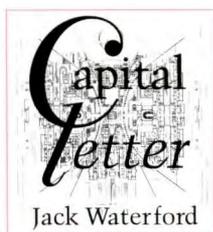
The difficulty with this issue is that the political and judicial realms overlap, and they overlap because the WA and NT politicians have encroached on the judges' domain—they have brought politics into sentencing. The Federal Government refuses to apply UN Convention standards to Australian state legislation (at least in this instance). Thus it acquiesces in that politicisation of the sentencing process in a way which most honest commentators recognise effectively targets Aboriginal people.

BY OUR CONSTITUTIONAL conventions, judges always have a right to criticise such encroachments on their independence. They also have the right to protest against bad laws, and against breaches by the other branches of government of the laws or policies, conventions and standards we apply in our legal system. And it follows that if judges do criticise laws they should say why. This means that from time to time they will say things which have political implications.

Judges will not ordinarily enter political controversies. The four NSW Supreme Court judges have abstained from partisan involvement, despite the *Herald's* headline. The rarity of their intervention shows how significantly they regard this problem.

Mandatory sentencing is an issue which goes beyond party politics. If judges, whose job it is to apply sentencing laws on a daily basis, cannot tell politicians when they are blundering with people's lives, what point is there to their independence? ■

Hugh Dillon is a NSW magistrate.



Caught in the wedge

WHEN PAUL KEATING practised wedge politics, it did not seem so unattractive. A master polariser in any event, he was sometimes a specialist in finding the issue which would make the Coalition writhe while Labor stayed safely united on the side of the angels. The best dead cat in the ring pitched the Liberal moderates against the party's social conservatives, but just as effective were issues which exploited divisions between the centrists and the federalists, or which set up visions—say of republics or reconciliation—that pitched the conservative instincts of mainstream Liberals against those who feared it would make them seem backward-looking.

But there are two ends of a wedge. A key factor in Keating's doing himself in was that the Coalition was able to promote an image of him, and his party, as obsessed with second-order issues and divorced from the main ones. An image of a leader who governed for the lobbies. And of a leader who was obsessed and out of touch with the concerns of ordinary Australians. These were all buttons which, when pressed, sent powerful signals to those who were susceptible to such cues.

The support of those who are susceptible is well worth having, as Pauline Hanson's initial success demonstrated. Yet Howard has rarely benefited even in the medium term from pressing the buttons or from refusing to denounce those who do so. The reason is that there are as many voters—and supporters—who are alienated by such tactics as there are who are prised away from the other side.

The Pauline Hanson revolt itself was sparked by Howard's need to dump her on election eve in 1996. Traditional liberals, particularly in Victoria, are scandalised by the use of the politics of resentment. There are substantial constituencies, not least among people of Asian descent, who see the employment of such politics as a coded attack on themselves.

Business gets worried about the signals sent out by coded appeals to xenophobia and race. And, in the long term, the group among whom the appeals work most effectively—older, working-class voters of only middling education and skills, the group most left out by the economic and technological revolution of the past 20 years—are a declining force compared with a younger, better educated and more socially liberal electorate which has little time for the politics of resentment.

That emerging electorate may also have little time for old Labor images of big government and the all-embracing helping hand. The new workforce is less unionised, particularly in the private sector. It has fewer expectations of government and less faith in its capacity to cause change. The shift away from a dole culture to phrases about mutual responsibility—where it is the Liberals who are ahead in the popular mind—is in part a reflection of a new working environment in which old macro-solutions are not seen to work.

That does not mean that crude appeals to the resentment which low-income 'battlers' feel as they see some groups getting what they see to be favoured treatment, work in the same way on the emerging class. Indeed it is the very crudity of such appeals which reinforces Howard's primary political problem—that he is seen as mean-minded and backward-looking.

Australia, moreover, does not have the sharp divides which, for a while, gave wedge politics such power in the United States.

Beazley, with a very strong focus on education, is better poised to appeal to emerging groups of voters who are far less likely to vote on class or traditional lines and have more of an ear cocked for generally appealing noises. Labor is better poised on the compassion side of the equation, to seem the party which will 'look after' those who everyone agrees have been left out. It is also, of course, well poised to take advantage of the resentment and chaos of the implementation of the Goods and Services Tax.

Labor's problem is, however, that its own veneer is very thin. The vagueness about policy is not mere strategy: those of Labor's ideas that are not in shape often contradict other ideas still in play. The party itself is still entirely unreformed since the revolution of which it hopes to take advantage, and its own corruptions and undemocratic processes inhibit its capacity to adapt to the changing demographics and structure of the workforce. It would be very difficult to argue that the new electorates see their interests and outlooks reflected by Labor instincts. A mere avuncular decency and some pessimistic words about how the tertiary system is not being adapted for change may not be enough to rebuild confidence and trust in politicians and the political framework. ■

Jack Waterford is editor of the *Canberra Times*.

Do not disturb

From John F. Haughey

Re: the Pope's confession.

I have been a practising lay Catholic for 67 years and am now unmoved by momentous Vatican statements.

I recall that Vatican II was once also deemed 'momentous'; yet since then, in 35 years of Sunday masses, I have never heard a sermon on any of its decrees.

I have learned that Vatican statements—especially the momentous ones—are not addressed to me. They are published by the Vatican to inform the Protestants, the Orthodox, the Jews, the Muslims, the Hindus and the atheists. But they are never mentioned at Sunday Mass in case they disturb the Catholics.

John F. Haughey
Toorak, VIC

Give and take

From Bill Helem

The Pope showed moral courage to admit the church makes mistakes.

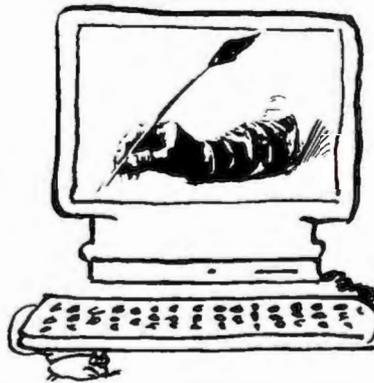
It would be difficult to quantify—in Purgatory Units, say—the suffering caused by the church, or compute whether it has done more good than harm throughout history, or balance this against deeds of its rivals. Yet here we all are, and can say: thank you, for the good stuff the church has given the civilisation we share.

As citizens, we can hope churches will co-operate to change the human condition for a better future. Organised religions, like other agents, do function for the public good, such as for welfare, health or education. In this era of outsourcing and public funding, does it matter if the cat is white or black, so long as it catches mice? It does require transparency, scrutiny, dialogue and the occasional 'sorry'.

Neil Ormerod (*Eureka Street*, March 2000) discusses whether government funding for job-search programs will silence the church on government policy or compromise the church's mission. I hope not; I hope there will be creative synthesis.

In an integrated multicultural society, sub-communities need space to flourish. However, Australians outside the Catholic community are reciprocally concerned for what goes on in the church. And funding isn't 'government money', or even 'tax-payers' money': it's 'voters' money'. Church

Eureka Street welcomes letters from its readers. Short letters are more likely to be published, and all letters may be edited. Letters must be signed, and should include a contact phone number and the writer's name and address. If submitting by email, a contact phone number is essential. Address: eureka@jespub.jesuit.org.au



institutions are accountable to the public.

So, welcome to the give-and-take of fallible civic society!

Bill Helem
Pascoe Vale, VIC

De-briefed

From Ben Hider

It would appear that the work of the Jesuit Bollandists was all to nought, when a magazine published by the Jesuits can contain such glaring errors as those contained in the normally perspicacious Juliette Hughes' *Watching Brief*, 'Trashing Treasure' (*Eureka Street*, April 2000).

Contrary to Ms Hughes' assertions, Gabriel is not the patron of television, but of telecommunications (he's the one to turn to when your mobile drops out of the network in the middle of a vital call). The true patron of television is St Clare of Assisi

(although how a 12th-century enclosed nun ended up patron of television is anyone's guess) whom Ms Hughes called the patron of Art. There is, of course, no patron of Art, but rather a patron of artists, which is St Luke.

Normally I would avoid such pedantry, but as I agree with Ms Hughes about the evils of most television adaptations of Dickens, I consider it vital that we call upon the intercession of the right saints.

Ben Hider
Toorak, VIC

Juliette Hughes replies

So that's why things have deteriorated so much: my prayers went to the wrong address! You'd think there'd be some sort of postal redirection system in Heaven though, wouldn't you? And never trust an archangel with an axe to grind: I think Gabriel's got his eye on the TV job because all that mobile radiation is frying his feathers. But if the nun I saw wasn't Clare, then St Luke must have taken to wearing a fetching wimple since Leonardo got out of Purgatory and started all that bother among the Dominations ...

Jobs cost

From Dr Philip Mendes, Lecturer, Department of Social Work, Monash University

Much of the public discussion around the Howard Government's interim Welfare Reform Report has focused on technical questions such as the potential integration of payment structures, and the restructuring of service-delivery arrangements to encourage greater social and economic participation by welfare recipients.

However, this discussion has tended to obscure the key point which is that any reforms that genuinely improve the circumstances of poor and disadvantaged people will be neither value- nor resource-neutral.

Genuine opportunities for those not in the workforce to improve their access to employment and potentially higher incomes will only come about through a redistribution of resources from the rest of the community. Transferring hundreds of thousands of people from welfare to some form of paid work will require not only idle rhetoric about the value of economic growth and the free market, but also:

1. Increased employment of case managers to assist people individually into training and job opportunities;

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2. Increased support with clothing, child care and transport as noted by the Interim Report; and

3. Increased job opportunities either through direct government employment, or through subsidies or tax incentives to private employers.

This specifically means that along with winners who improve their prospects, there will have to be losers. Any serious welfare-to-work scheme will require substantially increased government spending which will need to be funded by increased taxation on the most affluent and privileged groups in society.

Philip Mendes
Kew, VIC

Courage

From Lynn Ryan, National Courage Co-ordinator

I refer to the article 'Is There a Cure for Melbourne's Catholicism?' by Allan Patience in the March 2000 edition of *Eureka Street*.

The allegation that Courage 'holds out the promise of a "cure" for gayness and lesbianism' is false. I would refer readers to Fr John Harvey's article, 'The Nature and Purpose of Courage', in the 5-12 March issue of *Kairos*.

I would like to ask Allan Patience if he could tell me who is the 'one Australian ecumenical church group which provides pastoral care to celibate homosexuals' who 'has cut its links with Courage because of Courage's draconian approach'? Courage is not aware of any such group.

Also, Courage members do not identify themselves as 'gay and lesbian' but rather as children of God who struggle with varying degrees of same-sex attraction and who wish to live chaste lives. This is their choice which should be respected. Courage teaches how to use the rich treasury of the means of grace which the church possesses—her sacramental life, a life of prayer, her moral teachings, but above all the lifelong quest of transformation through union with Our Lord.

Lynn Ryan
Broadway, NSW

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The Month's Traffic



Cyclonic variations

AS CYCLONE TESSI bore down on the North Queensland coast on Sunday night, 2 April, the manager of Townsville's Seaview Hotel told an inquisitive local radio station that none of his customers was worried. 'The wind's howling and so are they.' Some may have been consoling themselves about the defeat, a few hours before, of the Crocs at The Swamp (the local basketball team at its stadium in a national semi-final). Others were enjoying the final of the Belly Flop Competition, which

desperates with their stubby-holders clustered by candlelight. The pub's strongest illumination, a hurricane lamp, had been deployed in the urinal.

I emerged into nacreous light to see the masts of a beached yacht pecking above the level of the road. All along the recently and expensively revitalised Strand, trees were trashed and uprooted. The Mayor would deftly explain that months of near-record rainfall had made them 'wet-footed', hence ripe for collapse. Palm fronds and branches lay everywhere. Thinking of the screaming winds last night that had followed hours of malevolent calm, I was naturally put in mind of Wordsworth: 'There was a roaring in the wind all night/The rain fell heavily and fell in floods.' At that point a wild,

already on the way, breaking loose from the sea off New Caledonia and intensifying more quickly than Tessi had.

Nevertheless, Tessi brought Townsville its worst damage since Althea in 1971. Thirty thousand households had no power for at least two days. Bitumen blistered and broke as streams forced their way up through it. Waterfalls coursed down hills and roads, although this time there were no reports of wheelie-bin surfers heading for the sea. The relentless persistence of the wind, the strange shifting and snapping sounds coming out of rained-in black night, the uncertainty about how long one's household watch would last, meant that before long anxiety bested curiosity.



enticed big men to fall into a small rubber pond to see who could make the biggest splash. Two weeks earlier, in the heats, a truckie walked straight out of his illegally parked rig to victory.

By the next afternoon, the pub had gone quiet. Torrential rain still fell (almost half a metre in a day), but the cyclonic winds had passed. From sea to sky, Townsville was monochromatically grey. Thousands of fallen trees had blocked roads and brought down power lines, so a darker night loomed. In search of a beer, I trudged down the lower slopes of Castle Hill to Seaview. Soon I was heartened by an anchored sign that promised Takeaway Beer in Public Bar. Inside, in the gloom,

close-eyed man, a Wordsworthian solitary, accosted me: 'Pub open ay?' After my reassurance, he thanked the Lord profanely and added: 'Beer and fags ay!'

Tessi, a friend observed, started in the backyard, on Saturday morning, not far out in the Coral Sea, and was on us next day. Another, an asthmatic, to whom I spoke on Sunday, said that she could feel that a cyclone impended by the effect on her bronchial tubes of changes in barometric pressure. Supermarket shelves emptied—but not until the cyclone had passed (it crossed the coast at Bambaroo north of Townsville before weakening into a rain depression). Residents were wise after the event, although Cyclone Vaughan was

Repair and damage reckoning began on Monday, but that evening there was a disastrous, foreseeable, but unexpected consequence of the cyclone. Parts of Castle Hill slipped down on to houses beneath. Four hundred residents were evacuated. Some buildings, including the mansion of the owner of the Crocs' franchise, were badly damaged. Huge boulders teetered above the landslide. The city's hold on its slice of coast can seldom have seemed more tenuous. But folk memory was prematurely active, setting Tessi in its already notorious place in frontier history well before the last chainsaw had fallen silent, or insurance claim been settled. 'We get some weather up here, ay'.
—Peter Pierce

The art of war

IN LATE 1944, the Australian Government tried to protect the first prisoners returning from captivity at the hands of the Japanese. 'Give them space,' the government told the people. 'They'll need to find themselves before they can tell us what it was like.' But within a couple of days the letters starting pouring in from all over Australia to each of the men: 'Did you know my son?'; 'Can you tell me if my husband is alive?' One of the survivors told me that he had received 'about 400' of these letters.

John Walker's father—only 19—was badly wounded in fighting on the Somme and was brought home, useless any longer to a war that was unlike any other. His mother dressed this soldier in his uniform—he couldn't dress himself—and propped him up in a chair outside the front door. Women queued up to hear from him what the official letters really meant when they said that a husband or son was missing in action or had been killed.

They may have come back from the front, these survivors, but they cannot tell us much about what they have seen and known. They do not have the words; anyway, they want, in kindness, to hide the story from us. But that story, even untold, travels further than we might imagine. Interviewing the sons and daughters of former prisoners of war has proved to me that their war never ended. 'My father was a prisoner for three-and-a-half years,' one told me, 'my mother for 53 years.'

Artist John Walker was born in 1939, more than 20 years after his father had returned from the Somme, but even 51 years later, in 1998, he was still using that war and his father to tell us something that he knew perhaps before he could talk: that his father was a shell, a husk; that service on the Somme had stripped away essential aspects of his personality.

John Walker's *Passing Bells* was on show at the National Gallery of Australia until a few days before Anzac Day this year. The Gallery owns the 27 etchings. Perhaps they could be put on display each year around Anzac Day to tell us what an awful evil war is.

There is nothing bold or heroic in this son's view of his father's war. Rather it is an intimate examination of the disintegration



Epoch of the e-packrat

IT'S ALL THE COMPUTER'S FAULT. I now hardly use my car at all. I no longer commute to work and almost all of the publishers and printers, libraries and government bookshops I used to go to, I can visit electronically. Driving now is mainly confined to ferrying children and groceries.

There are so many similar stories about the impact of computers—the parent who spends the evening downloading information from the web for a school project, the builders who can hardly remember being without their chip-driven mobile phones, and the business people surgically attached to their laptops.

Up until now, most of these life-changing applications of computers have resulted from their speed of calculation. But I'm beginning to think that the other major advantage of computers—their capacity to store and retrieve almost limitless amounts of information inexpensively—could stimulate changes that are even more profound.

According to Alistair Moffat, associate professor of computer science at the University of Melbourne, it is now a waste of time and energy to cull and file our emails after we've read them. Moffat leads a team which is developing software to index such material automatically and store it in a compressed form for future reference. All of it. 'If you receive something, it might be because you are going to need it.' Moffat has entire hard disks full of old information.

In fact, he is the ultimate electronic hoarder. He talks of the potential of computers to act as a 'personal prosthetic memory', where every document pertaining to our lives—birth and death certificates, books we have read, reminders of dental appointments, letters we have written, music to which we have listened, parking tickets we have received—is indexed and stored, so that it can be easily retrieved. 'When people discover old newspapers, they get very excited. Perhaps within a few years we will be doing the same with old electronic documents.'

That idea seems to strike at the very heart of the ancient quasi-religious dictate of keeping things neat and tidy—'a place for everything, and everything in its place'. Order was necessary when humans had to search for information and memory was limited. Now, that imperative to spend time culling and filing documents has been superseded by the capacity of computers to run away and find whatever is needed, almost instantaneously.

There are other signs of this trend. Think of all the CDs of archival recordings of great musicians now available. Many contain several previously unreleased versions of the same tune, so that the listener can compare different moods or instrumentation.

Where will it end? Will it affect the way future generations think, organise and administer things? Will such a plethora of information and such a range of alternatives make people more woolly in their thinking and indecisive in their actions, or will it increase flexibility and promote better analysis?

The argument has already started in the computer world. Today's computer programmers, for example, produce software which is much more comprehensive but also much sloppier than that produced in the era when disk space was tight and memory expensive. Which is 'better'?

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Earthly Jerusalem

IF THEOLOGICAL READING IS A HORSE that helps bear the burdens of the world, it has been carrying top weight this month.

The load—of government ministers travelling around the world to flog Australia's mean attitude to refugees, and of others at home claiming that all is well with Australia because the stolen generation is really not a generation and because the United Nations Committee on the Elimination of Racial Discrimination is maverick—would tax any beast.

The theological nags on offer are a motley lot: an account of conferences about China, reflection on Jerusalem, and a treatment of gratuity in ministry.

A Birmingham Conference on religion and society in China and Europe, reviewed by John May in the *Irish Theological Quarterly* (Winter 1999), explores different approaches to human rights. In China, God's mandate has always been seen as subordinate to the Emperor's celestial mandate from heaven. God's business and claim for humanity has to fit in with imperial business. In Europe, the future has been seen to belong to God. Governments have therefore been judged by their respect for human beings who are made for a higher destiny. In Australia, the Chinese way is gaining support, as shown by the insistence that human rights are a domestic matter that is not subject to external interference. The mandate of the great gods of money and power override humanity.

The great image of the future which historically has inspired resistance to tyrannies is of Jerusalem, the new city coming down from heaven. Sibley Towner (*Interpretation*, January 2000) looks at the way in which Jerusalem has been presented in the Judaeo-Christian tradition, claiming that even the earliest descriptions are of an idealised city. Jerusalem today has been shaped by the successive religious traditions for which it has been a symbol. For that reason, accounts of pilgrimage to Jerusalem have always been touched with disillusionment.

The vision of Australia as a hospitable, just and reconciled nation, too, always exceeds the actual landscape. Disillusionment, therefore, breeds the resigned thought that Canberra, the site of Treasury and the Department of Prime Minister and Cabinet, is the true celestial city. Against such despair, the Aboriginal Tent Embassy keeps alive the hope of a better city.

How to encourage dreams about a just city? In *Manresa*, the Spanish Jesuit magazine (September 2000), André Brouillette claims that Ignatius Loyola was captivated by the verse of Matthew's Gospel, 'You have received freely, so give freely.' His original hope was that Jesuit ministry should be without charge and depend on alms. As economies became more complex and education began to be transformed into a commodity, his practical vision became an ideal.

It is an ideal whose time may have come. When all relationships come to be thought of as goods and services, some of which are admittedly exempt from taxation, even the encouragement of larger dreams will be seen as a commodity. Is it time to return to a vision of ministry which begins with the principle that there will be no fees and no payments, and makes practical arrangements accordingly? A lightweight thought, no doubt, but what Christian horse ever gained dignity by having gold put in its saddlebags? ■

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of personality and humanity as men were overpowered by a mechanised war that took human action and engagement out of the equation. The soldier's head is gradually transformed into the skull of a sheep. Men going up to the frontline would make sheep sounds, a caption (perhaps unnecessarily) tells us, just to let the brass know that they knew who they were and what was happening to them.

Yet by the seventh of these small and intimately lit etchings, as the sheep image takes over, the soldier begins to be two persons—perhaps the person who knows about war and the person who will hide all he has learnt about war from others.

In the 27th etching the artist himself appears, sheep-headed too. 'A sign of loving identification with his father', the caption tells us. I don't think so. I would suggest that John Walker is telling us that wars do not end for those caught up in them, directly through lived experience or indirectly in the life of someone who did know but could not say.

Passing Bells was an exhibition for Australia's Anzac Day. The victims and survivors of war are not only those who are in the march and at the reunion.

—Michael McKernan

THEOLOGY

Here we stand

LAST YEAR A SIGNIFICANT event took place in Augsburg, Germany.

On what Lutherans celebrate as Reformation Day (31 October), representatives of the Vatican and the Lutheran World Federation signed a *Joint Declaration on the Doctrine of Justification*. This is the greatest achievement of an international dialogue that has been going on for decades.

Parallel to this international development is the production and signing of a *Common Statement on Justification*, the result of three years of dialogue between Roman Catholics and Lutherans in Australia. In recent months members of both communions have celebrated these two agreements in packed cathedrals in Adelaide, Melbourne, Sydney and Palmerston North, New Zealand, and at a function at Banyo Theological Seminary in Queensland.

Here is another case where reception of documents is as important as their production.

Their impact on the numerically small Lutheran Church of Australia has been marked. One suspects that there has been less of an echo in Catholic circles. After all, 'justification' is hardly a key theological term for Catholics—and its present secular usage gives no hint at profound theological meanings. Some might also suggest that there are other issues higher on the agenda of the church today.

History can't be rewritten. The fact is that Lutheran reformers in the 16th century felt compelled to assert the doctrine of justification by faith on account of the merits of Christ alone as the touchstone of true theology. It was the article on which the church stands or falls. To allow human co-operation with grace was to detract from the honour of Christ. Historical fact also is that the Council of Trent rejected justification by faith alone as an incomplete view of Christ's work. It omitted good works from the equation. They also are products of grace.

Tragically, what began as a reform movement within the church catholic became a denomination. And denominations have an inbuilt propensity towards self-preservation, readily justifying separation from others by dwelling on and magnifying differences.

While history can't be rewritten, its results can be undone; the wounds can be healed. The *Joint Declaration* doesn't claim to document total agreement. It does assert that the condemnations hurled against each other by Lutherans and Catholics in the 16th century no longer apply to the teaching of the two churches today. There is essential agreement on how we view the saving work of Christ. The sovereignty of grace and the signs of the renewed life belong together. What results from this present agreement is a common biblical and theological foundation on which to base further discussions in pursuit of fuller unity.

So who was wrong in the past? Which side has had to change its views? Such questions fail to understand what dialogue entails. It is not a matter of winning theological or historical arguments but of joint exploration on the basis of a common faith. The search for a fuller expression of

Christian unity means a process of mutual exploration and learning.

Instead of looking for winners and losers, a better question would be: why has it taken so long for both traditions to realise that they were not as far apart on this issue as they thought they were? At the time of the Reformation there were theologians on both sides who felt that basic agreement did exist on the doctrine of justification. In 1541 there was even dialogue at Regensburg, led by Luther's colleague Philip

from the bondage to sin but also participate in the divine nature and become children of God. (Article 5, *The Regensburg Book*)

It's a tragedy that this promising moment came to nothing. It has taken nearly 500 years to pick up the dialogue once more, to listen and learn together. Will the *Joint Declaration* suffer the same fate as the agreement in Regensburg?

Present gains need to be guarded jealously. Soon after the *Joint Declaration* was released a number of Lutheran professors on theological faculties in Germany published a letter of protest in the *Frankfurter Allgemeine Zeitung*, pointing out that no consensus had been reached on a number of key issues. They even suggested that this international agreement is the first step in a Roman Catholic plan according to which 'Protestant ministers will be integrated into the Roman Catholic hierarchy'.

More recently a small but influential group of Lutheran theologians in the US sent a letter to Cardinal Edward Cassidy of the Pontifical Council for the Promotion of Christian Unity informing him that they do not see themselves bound by the document because of unresolved differences on this doctrine.

These reactions are puzzling because the document itself does not claim to have removed all the doctrinal problems. It even lists those areas that still need more careful definition. The critics demand what the document itself does not claim to deliver: total doctrinal agreement. But why must theologians of repute in the Lutheran tradition suddenly require a greater level of agreement on this and related doctrines from Roman Catholics than they do from their own people?

Is it that some Lutherans have for so long been defining themselves in contrast to Roman Catholics that they feel their identity threatened on suddenly discovering substantial agreement with Roman Catholics on such a foundational doctrine as the justification of sinners by God's grace?

The agreement reached after years of careful dialogue demands that Roman Catholics and Lutherans walk together more closely. Walking together will mean a lot more talking.

It's wrong to expect giant strides before small steps.

—Vic Pfitzner



Martin Luther, 1520, by his friend Lucas Cranach the Elder. From Martin Luther: The Christian Between God and Death, by Richard Marius, Belknap Press, Harvard, 1999.

Melanchthon and the Roman Catholic theologians Johannes Eck and Gasparo Contarini. They surprised those assembled by reaching the following agreement:

It is known by all Christians and is without any doubt believed and confessed that human beings cannot reconcile themselves with God nor free themselves from the bondage to sin. It is only through Jesus Christ, the only mediator between God and humanity, and his grace that we ... are not only reconciled with God and set free

Divided family

ON A RAINY DAY in the Torres Strait two women sat grieving together. In the afternoon they had buried Bishop Ted Mosby on the island where he was born 51 years ago.

Six hundred mourners gathered on Yorke Island (population 300) on 22 March for the funeral of a man committed to the unity of his people but who unwittingly became an agent of division.

The Federal Member for Leichhardt, Warren Entsch, was there. Metropolitan Archbishop Peter Hollingworth was there with the Bishop of North Queensland, Clyde Wood. And Bishop Dave Passi was there with three priests of the Church of Torres Strait—which split from the Anglican Church of Australia following Ted Mosby's consecration.

Ted Mosby's appointment in 1997 as assistant bishop responsible for Torres Strait congregations in the Diocese of North Queensland had far-reaching consequences. Spiritual leaders are highly influential in

the Torres Strait. Mosby, still too young for eldership, had reservations about taking up the pastoral staff. Other Torres Strait Islanders were not happy with his appointment, including the Reverend Dave Passi, elder of the traditional high priestly family from Miriam Islands.

The Anglican Church found itself trapped in a wrangling cross-cultural dialogue which would not conform to the sometimes equally sanguinary procedures of canon law. By Christmas it ended in schism.

The causes of this parting of the ways were complex. Disgruntlement among the fiercely independent Torres Strait Anglicans arising from a history of frustrated aspirations. The High Court's decision in favour of Eddie 'Koiki' Mabo, which strengthened political will to achieve self-determination. Resentment that decisions about Torres Strait Islanders' spiritual leadership were being made outside the islands. Whatever wood had been laid, the consecration of Ted Mosby set a match to it.

In December 1997, the Bishop of North Queensland was startled to hear on a radio program that a significant number of his Torres Strait Islander priests and deacons had decamped to form an independent indigenous church. A new constitution ratifying the Church of Torres Strait was signed on 14 December. In April, Dave Passi and another Islander priest, Gayai Hankin, were consecrated by bishops of the USA-based Traditional Anglican Communion as leaders of the Church of the Torres Strait. Several bishops and 52 priests of the Anglican Church of Australia sent greetings to the assembly.

Bishop Passi, a veteran of the Torres Strait Islander struggle for independence, was a litigant in the historic *Mabo* case. He remains strongly critical of what he describes as the ethnocentric Anglican Church of Australia. Bishop Gayai Hankin had campaigned for a Torres Strait diocese ever since he took part in the independence celebrations of the Church in Papua New Guinea. But his patience with the Anglican establishment ran out after what he described as '82 years of no progress'.

The two bishops' desire for their new church was to retain Anglo-Catholic rites and develop

indigenous liturgy. Integration of Torres Strait culture and spirituality into new indigenous liturgies would chart a new course—one fraught with perils without the vast theological resources of a mainstream denomination.

Because religious affairs in the Torres Strait remain intimately related to political and economic life, there can be no such immunity from conflict in the church there. Church land is mostly leasehold and an amendment to the Queensland Land Act has ceded control of leases to local councils. Wrangling began over sites of worship. Bishop Passi argued that his grandfather gave the land to God, not to a church. 'We will still give the same land for God to use. This giving has an eternal quality about it, generation after generation.'

A public community meeting on Badu Island declared the Anglican Church of St Mark's the pro-cathedral of the Church of Torres Strait. The declaration was rescinded by the Bishop of North Queensland for 'as long as even one family remained on Badu Island who wanted to belong to the Anglican Church of Australia'.

Haggling over church property and buildings remained the primary point of contact between the Anglican Church of Australia and the Church of Torres Strait until the time of Bishop Ted Mosby's sudden death at his home on 16 March.

In death Bishop Mosby succeeded in doing something he had not achieved in life—his funeral brought together in worship bishops of the Anglican Church of Australia with clergy of the Church of Torres Strait. Although Bishop Gayai Hankin could not come, his wife Anna was there, keening with Mary, the wife of the late bishop. Ted was Anna's cousin. The eulogy on Masig (Yorke Island) described Ted Mosby as a true 'ilan' person. He held on to his traditional and cultural values and through this he influenced others. His vision was for unity and forgiveness for the whole of Torres Strait. His departure leaves both an opportunity and a question mark.

—Maggie Helass

This month's contributors: Peter Pierce is head of the School of Humanities, James Cook University; Michael McKernan's study of returning Australian prisoners of war will be published next year; Vic Pfitzner is head of Biblical Studies at the Luther Seminary, North Adelaide, and Chair of the Commission for Theology in the Lutheran Church; Maggie Helass is a Brisbane-based journalist.

Art Monthly

AUSTRALIA

IN THE MAY ISSUE

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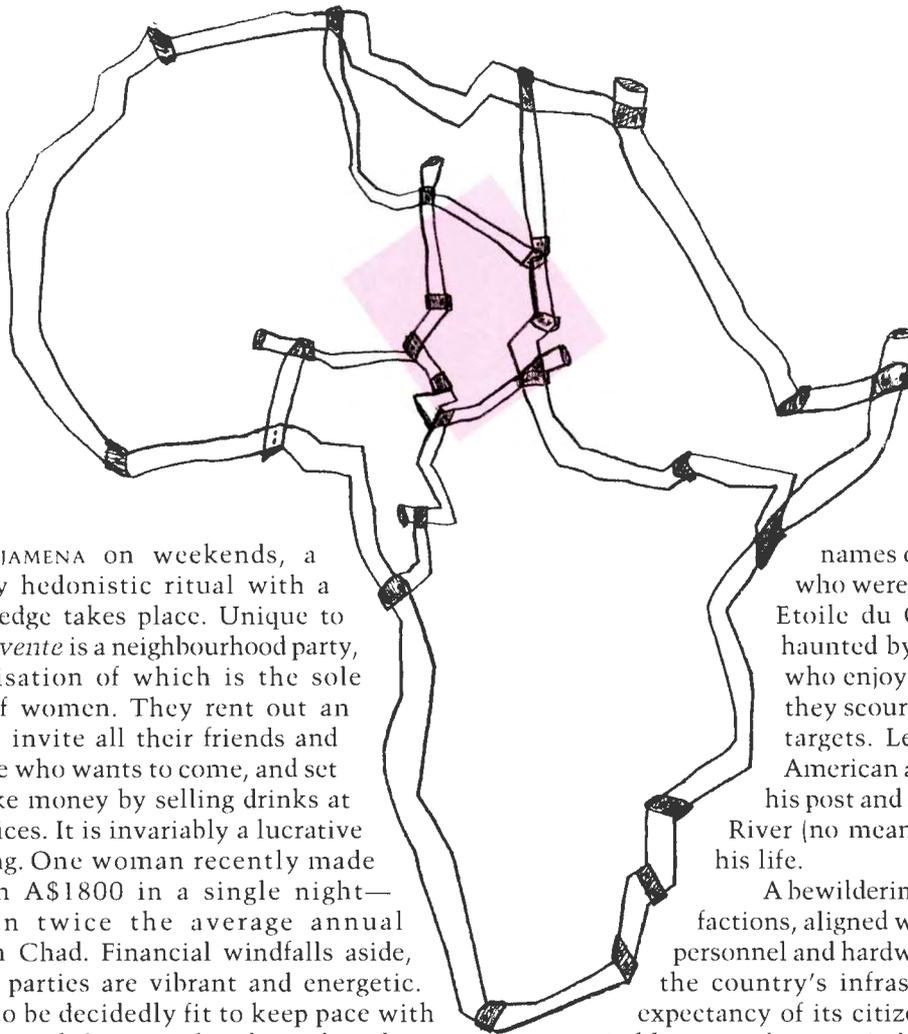
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*Oil could float Chad out of its post-colonial, post-war doldrums.
But just try getting it out of the ground—or getting the World Bank to help.
Anthony Ham reports.*

African pipe dreams



IN N'DJAMENA on weekends, a deliciously hedonistic ritual with a profitable edge takes place. Unique to Chad, *pari-vente* is a neighbourhood party, the organisation of which is the sole preserve of women. They rent out an entire bar, invite all their friends and anyone else who wants to come, and set out to make money by selling drinks at inflated prices. It is invariably a lucrative undertaking. One woman recently made more than A\$1800 in a single night—more than twice the average annual income in Chad. Financial windfalls aside, *pari-vente* parties are vibrant and energetic. You need to be decidedly fit to keep pace with the rhythm and the town locals as they dance the night (and much of the morning) away. Undoubtedly, this is *the* place to be in N'Djamena, come nightfall.

Perhaps because of the rapid and intoxicating pace of events like *pari-vente*, N'Djamena does not, at first, feel like the capital of one of the world's poorest countries. After decades of war, the city's peace dividend has come in the form of an optimism which only those who have known war can fully appreciate. N'Djamena was devastated in the fighting which spared no-one—some shops are still known by the

names of their former owners who were killed; the Restaurant Etoile du Chad will be forever haunted by the ghosts of snipers who enjoyed fresh fruit juices as they scoured the street below for targets. Legend has it that one American ambassador abandoned his post and swam across the Chari River (no mean feat) in a bid to save his life.

A bewildering array of home-grown factions, aligned with French and Libyan personnel and hardware, wrought havoc on the country's infrastructure and the life expectancy of its citizens. But there are few visible scars, few reminders of the time when Chad was a byword for meaningless destruction. Only a few bullet-ridden facades remain, including the elegant pastel shell of the old Ciné Etoile which stands forlornly under the mango trees. The impressive reconstruction of most public buildings speaks eloquently of a desire to move on, a desire to forget the past.

This rejection of the past is not always entirely healthy. While I was in Chad, a court in Senegal indicted Hissène Habré, the former Chadian dictator. Facing defeat, Habré had unleashed his troops on a

killing spree in N'Djamena which left thousands dead. He then drained the treasury, fled with his millions, and left much of the capital in ruins. An African country arresting a former African dictator is big, previously unheard-of news. But no-one in N'Djamena, or elsewhere in Chad, wanted to talk about it. Nor did the government, which perhaps feared a dangerous precedent.

But the past has not been entirely forgotten. A Chadian friend of mine, Jeremiah, was silent for a moment when I asked about Habré. He looked around at the open spaces and mudbrick houses of Sabangali, a N'Djamena suburb not far from the central market, and said wistfully, 'This was once a nice area with many big houses. That was before the war. Now it is a big village.'

N'DJAMENA IS REALLY TWO CITIES. To the west of the wonderfully clamorous market—the Grand Marché—lie the business and administrative districts, home to the city's embassies and five-star hotels, strung out spaciously along the banks of the Chari River. The Novotel la Tchadienne is always full, the A\$150-per-night price tag no deterrent to the development experts and European businessmen filling the plush foyer. At the Hôtel du Chari, expatriates gather to watch the sunset over the river in which the hippos play, while children in rags peer in from behind the high wire fence. It is a time-honoured colonial ritual in Africa: watching Africa without really seeing it. A few shady blocks away, Avenue Charles de Gaulle is lined with enormous trees and arched reconstructions of colonial-era architecture. Travel agents sell tickets to Paris and display posters of the Great Wall Of China—dreams forever beyond the reach of a small beggar boy I saw staring wistfully at one such poster.

To the east of the market lie what are known as the African quarters of Chagoua, Moursal and Paris-Congo. It is here that most of the population reside in bleak, treeless suburbs with square, mud, dormitory-style buildings. There is nothing picturesque about these areas. They are the quintessential sprawling outer suburbs of

African cities whose air is invariably heavy with the smell of raw sewage, human sweat and diesel fuel.

In these eastern suburbs of N'Djamena, the only peace dividend comes in the form of the lively nightlife and music. There is music and dancing at any hour of the day. *Pari-vente* is merely the most well-known and formalised of the occasions which send music out over the whole city, even as far as the stuffy, tranquil boulevards of the west, where people envy the absence of inhibition to their east. One lot dances; the other strolls.

The city is, however, united in enjoying no economic dividend of peace. During daylight hours, N'Djamena is often without electricity. In a nightly twilight ritual, the children gather in the dusty streets of Sabangali, playing with tyre tubes and rag footballs before squealing in a chorus of delight as the lights come on. The businesses of the commercial district have their own generators, but, along with the mud-shanty dwellers, they must often go for days without water. In summer the temperature can reach 50 degrees Celsius.

In the Chadian countryside the roads are appalling. Potholes, ruts and land subsidence make for painfully long travel times. Chad, Africa's second largest cotton producer, is one of the most landlocked countries on the continent, and with no railway, roads are Chad's export arteries. One wonders what the plethora of development agencies and expert residents of the Novotel have been doing.

It need not be so. Oil was discovered in the Doba Basin in the country's south in 1974, and the commercial viability of the deposit was finally established in 1996. Oil companies, no longer scared off by a precarious security situation, rushed for a share of the project. A consortium consisting of Esso (40 per cent), Shell (40 per cent) and Elf (20 per cent) signed a deal which promised to extract 200,000 barrels per day from over 300 wells—certainly not on a scale to challenge the supremacy of the oil-rich sheikhdoms of the Persian Gulf, but sufficient to transform Chad's economy radically. Some analysts have predicted a growth of 100 per cent over the first 10 years. The government even promised to set aside 55 per cent of its oil income for 20 to 30 years to benefit the region, with a significant proportion of the remainder earmarked for poverty alleviation projects.

The oil should have been flowing for over a year, but visit Doba and Moundou, the southern boom-towns-in-waiting, and you can almost see the frustration and discontent.

The linchpin upon which the entire project depends is a 1050km pipeline, from the Doba Basin to Kribi on Cameroon's Gulf of Guinea coast. This pipeline would circumvent the physical difficulties in Chad's location. Without it there is no point in extracting the oil.

The governments of both Chad and Cameroon were unable to finance the construction of the pipeline, so they turned to the World Bank. What followed is a familiar African story—of plentiful natural resources, multinational companies keen to exploit these resources and spirit away the profits, and a grass-roots struggle to retain for local people the profits of development. The consequence has been the suspension of all activity, with the consortium pitted against environmental groups who have, in turn, rounded on the World Bank. Meanwhile, the people of Chad wait for running water, for electricity, for the long-promised alleviation of poverty.

The oil should have been flowing for over a year, but visit Doba and Moundou, the southern boom-towns-in-waiting, and you can almost see the frustration and discontent.

All parties claim to have at heart the best interests of the local people. The World Bank claims that it originally stalled its approval of the financing to ensure that Chadian Government income from the project was directed towards health, education, and environmental safeguards. Cynics in the non-government organisation (NGO) community counter-claim—not without some grounds if leaked World Bank documents are accurate—that the bank's belated concern is a public relations exercise, designed only to placate critics.

More damagingly, environmental groups such as Friends of the Earth have accused the World Bank of providing 'corporate welfare' to rich international oil companies while failing to ensure the improved welfare of Chadians themselves. Charges of complicity in the exploitation of African resources to the detriment of Africans have stung the World Bank. So too have other concerns raised by NGOs. These include the destruction of Cameroonian rain forests and endangered species habitats along the pipeline's path, the forced relocation of villages, and fears of future conflict akin to that in Nigeria's volatile Niger Delta oilfields just across the border. The compelling weight of opposition has been difficult to ignore, with more than 90 local, national and international NGOs petitioning the bank.

Finally, in November 1999, and with World Bank approval for the project imminent, Royal Dutch Shell

and Elf informed the Chadian Government that they were withdrawing from the Chad-Cameroon Petroleum Development and Pipeline Project.

Upon hearing the news, thousands of Chadians marched through the streets of N'Djamena in protest. With weak optimism, the Chadian Government expressed hope that new investors would be found, knowing full well that they would have to accept any conditions offered, and that their financial bargaining position is weak. Esso reasserted its commitment to the project and promised to seek new partners, but it must know that the residual development problems will deter investors. Even if funding for the remaining 60 per cent could be secured and all human rights and environmental issues resolved tomorrow, it would be two years before the pipeline could be completed. Chances are it will take much longer than that.

In the meantime, Chad's oil remains underground. Three quarters of the country's population continues to be without access to safe drinking water. Life expectancy continues to be less than 49 years.

For nearly a decade, Chadians have been promised that with peace will come prosperity. Little wonder that, having heard it all before, the people of N'Djamena choose to dance the night away. ■

Anthony Ham is a Middle East specialist and *Eureka Street* correspondent.

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Fear and loathing in the Law Society

Moira Rayner finds the adversarial tradition alive and well in London.

LAW SOCIETIES are widely accused of being both conservative and Clubs for Old Boys.

Since I graduated in law 30 years ago, the legal profession has changed. Its professional bodies, however, have been slower to adapt. Legal practice has become to some (not to me) a business, and would be much like any other were it not for the 'conservatives'' old-fashioned practice of imposing ethical obligations upon it. A thorough knowledge of the law privileges the holder, and imposes duties upon him (or her) to promote the common good and the high purpose of the common law. These duties are greater than and different from those assumed from a thorough understanding of QuickBooks and the Income Tax Assessment Act and imposed upon, say, accountants and stockbrokers.

When I studied law in the 1960s, women were relatively rare in the profession. It has since become common for the majority of law undergraduates to be women. Women are, nonetheless, grossly under-represented in the upper echelons of the law, as partners, judges and office-holders in their professional associations. There is no doubt that sexism has played a part in this. Women who have reached those outer galaxies pay quite a price to get there. As Justice Mary Gaudron commented, when she launched the Australian Women Lawyers' Association four years ago, women lawyers of her generation (and mine) were inclined to practise law as 'honorary men'. The legal profession has been diminished as a result.

So it is good that women are taking up these positions in numbers. But when I landed in London a few weeks ago, a

full-scale scandal was blowing. It concerned, first, the 'behaviour' of one such pioneering woman and, second, the investigation into her conduct, with accusations and counter-claims of threats, bullying, intimidation, sex discrimination and outright racism. Courts and tribunals will ultimately determine the truth of the matter. But this tale is a telling one. It shows how



women practise law, how legal professionals manage legal practice, and how difficult cultural change is to manage—harder than herding cats.

Kamlesh Bahl was born in Nairobi nearly 40 years ago and is—now, was—the first woman, the first 'black', and the youngest candidate to be elected as vice-president of the Law Society, in 1998. Before that she had a distinguished career: chairwoman of the Equal Opportunities Commission and corporate legal practice (Greater London Council, British Steel, Texaco and Data Logic). In 1997 she was awarded a CBE, honorary degrees from three universities, and the *Guardian* described her as one of the 50 most powerful women in Britain.

But on 15 March this year, a report was tabled that investigated complaints

that Bahl had bullied staff of the Law Society. The author, Lord Griffiths, found that Ms Bahl had created an atmosphere of fear and confusion in the Law Society. Staff were reduced to tears, subjected to verbal onslaughts and publicly humiliating treatment including, on one occasion, what he called 'bestial behaviour'.

Bahl was due to become president of the 80,000-membership Law Society this year. The report sounded the death knell for these plans. She replied that she had been denied natural justice; that she had been ambushed by these complaints, some made many months before; that the complaints had been 'stockpiled' by those resistant to her reform agenda; that she had been targeted for retribution by an organisation which was determined not to reform its bureaucracy; and that she had been treated poorly because of her race and her sex. The report recommended that Bahl be expelled from the Society's Council. Instead, she chose to resign, but not quietly. She made formal complaints of sex and race discrimination, briefing Cherie Booth QC (the feminist, human rights advocate who happens to be married to the British Prime Minister) to act for her. She is pursuing those complaints, and it is getting very nasty.

Where does the truth lie? As ever, in the eye of the beholder. In 1998, an independent management consultant reviewed the Law Society and said that it just didn't work, that its structure prevented effective decision-making. When decisions were made, there was no way to ensure their implementation. Its regulatory arm was overwhelmed with a backlog of complaints, and the government was threatening to take its self-regulatory

powers away. Claims on its indemnity funds against negligent or defalcating members had outstripped the fund considerably, and many of its members were both embarrassed and fed up with it. To this august mess Kamlesh Bahl was elected, with a mandate to sort it all out.

Did she overplay her hand? Perhaps, but there is a ring of truth in her claim that what would be 'firm and direct' management style in a man, was 'aggressive and frightening' from a woman, and a young, dark-skinned, foreign-born one at that.

Bahl complained that Law Society officers had not warned her about the growing complaints about her 'style', and that the complaints were stockpiled and allowed to fester, for nefarious reasons. She pointed out that a previous presidential candidate—a male—had been taken aside and 'spoken to' when he was found to be what the *Guardian* described as a 'serial groper', and allowed to resign. She, on the other hand, was subjected to a formal, external report and a public inquiry report into her conduct, and escorted from the premises. Yet, a former press officer at the Equal Opportunities Commission wrote to the *Guardian* that when Bahl had been appointed as chairman of that Commission in 1993 the staff had been thrilled, but 'imagine our horror when our heroine turned out to be a power-mad bully ... If Kamlesh Bahl plays the race card in her dispute with the Law Society it will be an insult to those thousands of black people who really do face discrimination at work.'

THEY MOVE SLOWLY, Law Societies, but they do (and must) adapt, or they disappear. I know what I'm talking about. Five years ago I was elected to the Council of the Law Institute of Victoria, and for my last year I was a member of its Executive. Cultural change comes slowly, and its agents may easily become frustrated, shrill and shabbily dismissed as *agents provocateuses*. Involvement in professional affairs is thankless, for everyone hates lawyers. Governments do not like being criticised by them and find it convenient to dismiss them as antediluvian or self-interested. Consumer groups decry their sometimes ineffectual self-regulation. Our own members become tired of the clubbish amateurism

that still hangs around their hallowed halls. Major firms, to whom the law is just a business, see the professional organisations as irrelevant to their business contacts. All of which makes Law Societies and Institutes and Bar Councils and professionalism that much more important.

None of this necessarily means that Kamlesh Bahl was a victim of sexist, racist discrimination, or that she adopted the worst characteristics of bullying, masculinist managers. When an 'outsider'—an alien—enters a 'traditional' workplace culture, the organisation responds as the body does to an introduced organism. Its antibodies attack the unfamiliar and possibly dangerous intruder.

In the Law Society case, the saddest outcome of all is not that Bahl resigned, but that the Society chose to send out the

A Thought from Isaak Walton

Two lutes being strung and tuned together,
One being played—the one put by
Will in some sort, reply, reply.

That one, laid distant on a table,
Will answer with the faintest sound
As does an echo in a round.

And some there are will not believe
Two souls may join in sympathy
Though distant each from each may be,

So Isaak Walton wrote. He held
Visions and miracles appear
And souls respond to those most dear

As does the answering unplayed lute.
Reading, I do believe this true
And think, unknowing, of those two

Their marriage overturned by death,
Pairing from which I was begot—
Their music long forgot, forgot.

Rosemary Dobson

40-page report to its members anyway, that not one of the lawyers involved thought it sensible to resolve this dispute through mediation, and that it is now headed for the courts and tribunals and months, or years, of point-scoring, excoriating, expensive litigation. There are ways of resolving disputes other than trench warfare. Lawyers are too slow to take up the new tools of the conciliator and the negotiator. The 800-year-old adversarial legal culture has survived; its proponents have embarked on their Punic excursions, and neither side can win anything but a Pyrrhic victory. ■

Maira Rayner is a solicitor and former Human Rights and Equal Opportunity Commissioner. Since March 2000, she has been the Director of the Office of the Children's Rights Commissioner for London.

Tightrope politics

Jon Greenaway catches the mood on the ground before and after Taiwan's historic election.

THREE DAYS BEFORE Taiwan's presidential election in March, one of the leading candidates, James Soong, held a rally in front of Taipei's Chiang Kai-shek Memorial Hall. In a huge courtyard that leads up to the Memorial with its blue vaulted roof, 300,000 people gathered, sporting hats, banners and flags all bearing his name. Perhaps Soong chose this location not just because it is one of the few places on a very crowded island where there is open space, but for the suggestion of dynastic succession that it offered.

Soong had been a popular Governor of Taiwan when he was still with the long-ruling Kuomintang (KMT/Nationalists). He left the KMT to run as an independent when he was not selected as the party's candidate for the 2000 presidential race. The support of émigré voters—1.5 million of them fled across the Taiwan Strait in 1949 with Chiang Kai-shek after the victory of Mao's red armies—was crucial to his campaign.

Historical enmities and divisions have more life and meaning in Taiwan than they do in most other places. Nonetheless, Taiwan over the last two decades has become as modern a state as possible—and fast. Chung-Hsiao East Road in central Taipei is a boulevard of European proportions, flanked by department stores and fashion houses. 'Made in Taiwan', once sewn on the labels of T-shirts and shorts, is now stamped beside the serial numbers of 70 per cent of the world's laptop computers. It is hard



to remember that martial law ended only 13 years ago.

So before Soong's arrival a group of dangerous-looking dancers came on stage to groove to Ricky Martin's 'Vida Loca'. The crowd pressed and shoved—it could have been ten rows back at the Hordern Pavilion with Midnight Oil in full cry.

In the crowd was Peter Cho, who for 20 years has worked as a law-school librarian at Hofstra University on Long Island, New York. He, with many other expatriates, had returned for Taiwan's second-ever presidential election because this time there was a real race between the KMT's candidate Lien Chan, James Soong, and Chen Shui-bian from the Democratic Progressive Party (DPP). Peter Cho supported Soong, he said, because he was a capable administrator, a man of the people and, most importantly, he was 'safe'.

'Right now I think the tension between China and Taiwan is very dangerous, and if we were to elect Chen, who I think really does want independence, then there could be a war.'

An hour later James Soong was on stage and criticising the intimidatory comments made by the Chinese Premier, Zhu Rongji, earlier in the day.

ON 20 MAY, Chen Shui-bian will be sworn in as President of Taiwan. His victory caps a remarkable rise for a group of reformists who, when they formed the Democratic Progressive Party in 1986, were saved by then KMT President Chiang Ching-kuo from a crackdown by Nationalist hardliners.

Chiang Ching-kuo was General Chiang Kai-shek's son.

The following year Chiang ended martial law. When he died in 1988, Lee Teng-hui took over. Lee earned the nickname 'Mr Democracy' because he ushered in the changes which, ironically, saw the defeat of his party in the March 2000 election.

At a press conference at the DPP party headquarters in Taipei, held less than an hour after the result became clear, the President-elect read a congratulatory message from Lee in which he declared, 'Taiwan has taken a large step for democracy, a step taken after 50 years of Kuomintang rule.'

PAUL SU IS 48 YEARS OLD. He has a wife and daughter and is a business manager for a TV production house. Su became a member of the DPP in 1994 because he wanted to support the party he felt was

most democratic, but his dissatisfaction with the Nationalists goes back decades.

'Thirty years ago I thought of myself as Chinese and I accepted the idea of the Kuomintang as a government-in-exile. But after the Kaohsiung incident in 1979 I began to read and talk with people about the event and I changed my thoughts.'

The Kaohsiung incident occurred on 10 December 1979, when democracy activists staged a rally that turned into a

Chen Shui-bian, 29 years old at the time and an apolitical maritime lawyer, was asked to join the defence team. After a two-week trial the accused were found guilty and sentenced by a state-influenced court. Among those imprisoned was Annette Lu. Annette Lu is now Chen Shui-bian's Vice-President elect.

In an official biography, Chen commented on what he described as a personal epiphany.

the return of Hong Kong and Macao to the fold. This view is confirmed by Patrick Tyler, former Beijing bureau chief for the *New York Times*, in his recent study on China's relations with the United States. According to Tyler, Beijing is using rising nationalism to keep the peace as China modernises, and reclaiming Taiwan is a crucial element in this policy. He believes a cross-strait conflict will be more rather



Above: Protesters outside the Kuomintang headquarters, on the Monday after the election, venting their anger at KMT Chairman Lee Teng-hui because of his perceived sympathy for Chen Shui-bian (Chen, like Lee, was born in Taiwan, not on the mainland).

Above left: Chen Shui-bian delivering his victory speech on the big screen to Democratic Progressive Party supporters.

Pages 22&23: A crowd outside the DPP headquarters celebrating victory.

riot. The trouble was sparked the previous night when two workers from the journal *Formosa* were beaten by police as they spruiked for the rally in the streets of Kaohsiung. (*Ilha Formosa*, the name given to Taiwan by Portuguese explorers, had become an expression of independent Taiwanese identity.) The rally the next day turned into mayhem, and key figures at *Formosa* were charged with sedition.

'I came to accept the defendants' political ideals and arguments. I became a believer. We should have two separate countries across the Taiwan Strait ...

Taiwan is an independent sovereign nation.'

FOR CHINA'S LEADERSHIP, the move to recover what it describes as a 'renegade province' has gained momentum since

than less likely in the coming decade.

'Increasing tension will only lower the threshold for a war that could be triggered by the rise of a nationalistic Taiwanese leader who becomes so emboldened ... as to proclaim permanent and separate sovereignty for the island. Or, it could be triggered by Beijing issuing an ultimatum demanding reunification or else.'

Taiwan has had a nationalistic president for the last 12 years. Lee Teng-hui,

the island's first native-born leader, wrested control of the Kuomintang from the conservative mainlander factions who had quixotic notions of returning to the mainland in triumph. During his tenure, Lee tried to buy diplomatic recognition from poor states like Papua New Guinea and the similarly cash-strapped United Nations. In the middle of 1999, he enraged China by saying that relations between the mainland and Taiwan should be on a state-to-state basis.

During Taiwan's first presidential election in March 1996, China flexed its muscles over Taiwan as it had not done since the 1950s. 150,000 troops massed across the Taiwan Strait and conducted a series of missile tests. Shipping lanes were cut off and some of the missiles hit targets a mere 20 miles from Taiwan's main harbour. The sonic boom was heard in Taipei. America diverted the *USS Nimitz* from the Persian Gulf to add to the deterrent force of its Pacific-based aircraft carrier, the *USS Independence*. The testing ceased and Lee won the election comfortably. Commentators suggested that the attempt by Beijing to herd Taiwan's voters towards a pro-unification candidate had failed.

During the March 2000 campaign, China employed words rather than military hardware. At the beginning of March a white paper was released by the State Council, the highest authority in the Chinese Government. It told Taiwan to return to the negotiating table, which Lee Teng-hui had left, or risk war. Zhu Rongji was thumping the table at the conclusion of the National People's Congress a few days before the Taiwan vote. In addition to telling the Taiwanese not to choose the 'wrong' candidate, he revived the threat of conflict.

'If [reunification] is allowed to drag on indefinitely, how can it be possible that we will not use force?' he was quoted as saying in the *Taipei Times*.

Chen Shui-bian is that 'wrong' candidate. The DPP was formed as much around notions of Taiwanese sovereignty as democratic reform and an end to the corrupt money politics practised by the Kuomintang. Perhaps the only reason Chen managed to sneak over the line with 39 per cent of the vote in March was because President Lee's comments last year about state-to-state relations had shifted the ground for all three of the

major candidates. The DPP could not be targeted as the single insecure option.

On election night, party supporters celebrating victory outside the DPP headquarters did not look up in fear of missiles. Nothing more dangerous than fireworks filled the night sky.

In among the crowds, Paul Su impressed on me that this was not the ordinary euphoria of an election victory. This was the Taiwanese people marking an historical turning point.

'This is Taiwan standing up for itself. We have waited 400 years to be in control of who we are and what we do,' Su said.

I asked him if what he had told me earlier—that he no longer feels Chinese—is part of this.

'You come from Australia but your heritage is from Great Britain, similar to many people in America and Canada. But just as you call yourself Australian and not English, I call myself Taiwanese not Chinese.'

★
IN THE DAYS AFTER the vote Beijing was surprisingly mute, despite, or perhaps because of, the overtures towards China that Chen made in his acceptance speech. For 50 years, the Kuomintang had been in power—an adversary the Communist Party knew well—but the elections had thrown up a new administration and they seemed unsure of how to proceed. But Beijing returned to its habitual name-calling, after Annette Lu asserted the historically distinct Taiwanese identity when speaking to the Hong Kong media in early April. Beijing branded Lu, who does not shy away from upsetting dominant male cliques, 'the scum of the nation'.

And in an accommodation that would have been unthinkable under Lee, the DPP indicated that it would remove the clause in its party platform that advocates the establishment of the Republic of Taiwan. This followed Premier Zhu Rongji's comments, three days after Chen's victory, that China could not negotiate with a party that promotes independence.

Chen Shui-bian's biographer, Richard Kagan, does not see this accommodation as causing problems for Chen with supporters. Chen, he believes, has a lot of room to manoeuvre on policy formation.

'If he does not deliver on independence, it will not harm him,' says the

history professor from Hamline University in Minnesota. 'The DPP people will be satisfied if China does not attack, and if Chen can rule the island. A declaration or more muscular support of independence would create unwelcome waves.'

But Chen Chi-nan, Dean of the School of Humanities and Social Sciences at Chiaopung University, argues that there is a possibility that Chen Shui-bian's desire to appease China prior to his inauguration is an attempt to keep the peace while tension is high.

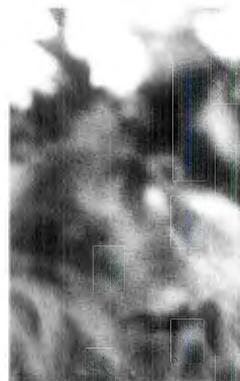
'President Chen needs to have a certain political attitude and at the moment that means keeping the peace on both sides of the Strait. Many people see Chen's change as strategic, and not his real intention.'

If Chen plays for higher stakes on the question of Taiwanese sovereignty, the United States will throw in its hand as well. Since the March result, numerous envoys—official and unofficial—have visited Beijing and Taipei to ensure that the situation does not flare up. While assuring the mainland that they will not change their commitment to one China, they have been gratified by Chen Shui-bian's restraint.

But Richard Kagan suggests that the United States, while placating China, must also indicate to the Chinese leadership that undue aggression towards Taiwan will not be tolerated.

'Sandy Berger, our National Security Council representative, recently met with the Chinese and confirmed Clinton's three "no" policies,' Kagan points out. 'No two Chinas, no independence, and no recognition of Taiwan as a sovereign state. He did not mention the TRA [Taiwan Relations Act], which provides protection to Taiwan. If the Chinese believe that we will not protect Taiwan, and that Japan would not be involved in the defence of the "renegade" province, then China will continue to be hostile to Taiwan.'

Professor Chen Chi-nan suggests, however, that China is likely to have fewer opportunities to be hostile with Chen Shui-bian at the helm than they had with President Lee.



'Chen has learnt from his previous mistakes and he will not be as outspoken as Lee. His actions will also be tempered by the political environment his presidency will find itself in. Lee was unassailable as president but Chen will not be in a strong position to make bold statements.'

All commentators on US-China-Taiwan relations indicate that China will be pushing harder for reunification during Chen's presidency, now that the 'splittist' Lee Teng-hui has gone. But even with a minority president in power, the people will not want any bullying from Beijing. Most Taiwanese do not want a declaration of independence, but nor will they tolerate any bowing to China's will.

But this is also election year in the US, so it is not inconceivable that China

'Every year, two to three million people visit China from here, not only for sight-seeing but increasingly for business,' says Carter Tseng, a PhD from Berkeley and Vice-Chairman of Arlotto, a small communications technology company located in Hsinju, Taiwan's silicon valley.

Arlotto is looking to establish a factory on the mainland. Tseng says that many large companies are relocating their manufacturing base to China because of cheaper labour costs.

'Taiwan has the world market in scanners, for example. Four years ago they were all made here, but now 65 per cent of the manufacturing is done in China.

'China is also a booming market. A few years ago, 50,000 PCs were sold per year into China, but in 1999 five million were bought,' says Tseng. He is

well as an end to the Kuomintang rule.

Chen campaigned for more accountable government, an end to 'Black Gold' (money made by the Nationalists during their time in power) and to the association between politicians and criminal elements. The support given Chen by a respected Nobel laureate for chemistry was allegedly offered after Lien Chan was seen at a rally in the company of a known criminal. Pundits claim the laureate's support got Chen over the line.

But Chen also has to govern without alienating the majority who did not vote for him. He has already begun a consensus approach by appointing Tang Fei, the current defence minister and Kuomintang member of parliament, as his Prime Minister.

Standing amid the election crowds you have a feeling that the Taiwanese



will try to gain some leverage on Taiwan. As Patrick Tyler points out (in *Great Wall: Six Presidents and China, an investigative history*), Taiwan has grown in economic and political stature:

At the end of the twentieth century, America's bonds with ... Taiwan are deeper than ever because the island has become a thriving democracy, a major trading partner with the United States, and a landscape of modern and progressive culture.

One of the areas of solid connection between the United States and Taiwan is in the booming high-technology industry. Taiwan, an island roughly half the size of Tasmania, with a population of 22 million, has foreign reserves of US\$100 billion. America is the biggest market for its computer components and communications technology, but it is drawing on China as well, with two-way trade growing 50 per cent last year.

sanguine on the question of cross-strait relations.

'A war is not going to happen. It is just because of the elections that people are talking about it. If we cut the relationship, Taiwan is going to suffer a huge deficit and China is going to lose a lot of business.'

★
FOR THE TAIWANESE, though, the election of Chen has huge domestic repercussions.

The real surprise was the poor showing by the Kuomintang, with Lien Chan receiving just over 20 per cent of the vote.

The size of the vote against Lien Chan and for Chen (and James Soong, just a few percentage points behind) represents a desire for an end to the cronyism and the money politics that prospered under Nationalist rule. That Chen got over the line suggests that enough voters wanted a real change as

will soon discover what they have traded one-party rule for—for insecure coalitions and a pluralism of interests. But many are enthusiastic about making the change. A producer for a Taiwanese television network told me, as we waited for protesters at the Kuomintang party headquarters to break the line of riot police once again, that all of this was 'healthy'.

'Not only have we seen a change in government, but there is a new political force with the success of James Soong. [Soong has since formed a party.] If Taiwan wants democracy, and to live with the results, this is the best way to learn.'

But will China, only a hundred miles away across the shallow waters of the Taiwan Strait, learn to let Taiwan make decisions for itself? ■

Jon Greenaway is *Eureka Street's* South East Asia correspondent.





India close up

In the Indian State of Maharashtra, writer and photographer **Peter Davis** visited some AusAID development projects and saw a slice of Indian life that President Clinton didn't.

FROM HIGH UP, the slums of Mumbai look like festering wounds dotted across sagging skin. At ground level they become complex makeshift communities precariously grafted on to the edge of more permanent things. In the shadows of up-market high-rise apartments, they lean into the walls of churches, temples, schools and once-splendid but now decaying public buildings. In other parts of town they snake their way out along the endless railway tracks that carry three million workers in and out of the city every day.

During the gentle heat of winter, when temperatures hover around 32 degrees Celsius, slum life is only just bearable. But in the summer, when the mercury hits 45 degrees and the monsoon rains bucket on to fragile roofs and into inadequate drains, life is not fit for human consumption.

Eleven million people call Mumbai home. The city generates an estimated 33 per cent of India's income tax revenue. And it happily claims some of India's (if

not the world's) wealthiest people among its residents. Yet almost half the city's inhabitants are slum-dwellers. They come from all over the country—from villages where the crops have failed because of floods, drought, or maybe both. They come because the streets of Mumbai are paved with promises. Once here, they stay. Many find work in what is known as the informal sector economy. They cart goods, construct roads and sell trinkets or vegetables. Even with sporadic work, many make a better income than they did in their villages.

Tourist brochures warn travellers to steer clear of slums. 'Don't walk through them', the literature states. In so doing, the mythology of slum-dwellers as social miscreants is perpetuated. 'The reality is very different,' says Sheela Patel, Founder Director of a non-government organisation called Society for the Promotion of Area Resource Centres (SPARC). 'Slum-dwellers are hard working, honest and very organised.'



Photographs by Peter Davis. Page 24: Waste-pickers in Pune. Page 25: 35-year-old Lakshmi begins her work picking through the waste at 5am every day. This page and page 27: Office of the Railway Slum-Dwellers Federation (left) and Pune waste-pickers.



Sheela sits on the floor of the sparsely furnished SPARC office, only half a kilometre from one of Mumbai's largest pavement slums. She talks with passion about the victories of the slum-dwellers. 'In past decades it was not unusual for slums to be bulldozed with no notice whatsoever. The harassment from authorities was constant. But things began to change with the establishment of the Slum-Dwellers Federation in 1986. It's a grass-roots organisation and through it, the slum-dwellers have become empowered. They have found their voice and they know how to use it.'

In another corner of the SPARC office sits Jochim, the softly spoken founder of the Slum-Dwellers Federation. Jochim has a guru-like persona. 'Even when he's not here we feel his presence,' said one SPARC volunteer. Although Jochim can clearly afford better accommodation, he still lives in a slum. 'I'm proud to be a slum-dweller,' he says. 'Our power lies with our people and it's the women who have succeeded in making our voices heard.'

Like all their fellow workers, Jochim and Sheela embrace the language of activism. When they're not sharing experiences with activists in other slum areas in Mexico, Thailand or the Philippines, they sit in the SPARC office and deal with the daily issues. Often they give counsel to the flow of doctoral students

researching public housing. Fred D'Souza is one such student. Indian-born, he's currently studying at the London School of Economics. He was in Mumbai to make some practical observations for his thesis on power and decision-making in deprived urban communities. Fred became my translator as I ventured with my camera into the slums.

We spent one morning with Lakshmi Naidu, a volunteer with SPARC. Her job is to collect savings from her neighbours. 'Many families save around ten rupees (40c) a day,' she says. Lakshmi has lived in the pavement slum near the SPARC office for about 20 years. 'My husband died eight years ago and my children are far away. I collect from about 100 homes every day. I know all the families so my work isn't just about collecting money. It's also about listening to people's problems and encouraging them to become active.'

It is through their propensity to save that the slum-dwellers have successfully challenged the thinking of the authorities. After a year of saving, members are eligible for 'soft' (low interest) loans. They can establish a business or, in some cases, purchase their own home outside the slums. 'The authorities take us seriously now,' said Lakshmi as she showed us the toilets. Installed by the Society for Clean Public Toilets, after much lobbying from SPARC, they are

owned by the municipality and maintained by private operators. Three thousand people use the 20 cubicles. They operate 18 hours a day and a single visit costs one rupee. 'This is a good slum,' said Lakshmi. 'Life is easier on the pavements than on the railways.'

IN THE AFTERNOON, I travelled to a railway slum where I met families living less than three metres from the tracks. I also met Mohan Devkule, President of the Railway Slum-Dwellers Federation. He told me that trains passing through slum areas must slow down to 5km per

hour (normal speed is 40km per hour). 'Frustrated commuters often vent their anger on railway property,' he said. 'Some people have lived here more than 20 years. Trains pass by every five or six minutes and almost every day someone is killed on the tracks.'

In collaboration with the World Bank, the city of Mumbai has been attempting to alleviate the congestion with a new railway line through the metropolis. The World Bank has a deserved reputation for showing indifference to poor people adversely affected by large development projects. However, changes have happened since the controversy over the massive Narmada Dam project in Gujarat. (Intense lobbying by groups representing the millions of people who would be displaced by the dams resulted in the withdrawal of the World Bank from the project.)

Through their community-based organisations the slum-dwellers took on the State Government, the powerful Railways Board and the World Bank. And they won. These authorities have promised to consult with the Slum-Dwellers Federation before attempting to 'clean up' the areas and improve the flow of the commuter trains. 'There can no longer be any slum clearance without proper relocation,' says Sheela Patel, who describes the situation as a victory of 'one David over three Goliaths'.

MY FINAL VIEW of the Mumbai slums was from the train as I travelled four hours east to the city of Pune. My assignment was to photograph the women who collect and sort the city waste.

The wealthy flock to Pune from around the world in search of spiritual fulfilment at the famous Osho Commune (home of the Rajneesh devotees). Cocooned in overpriced luxury, they're isolated from the harsh life on the streets.

It wasn't far from the commune that I met another woman named Lakshmi. She's 32 but looks much older. She uses her bare hands to rummage through the putrid waste in a municipal bin. I watched her search for anything of value—a piece of plastic, some glass, bits of cardboard or strands of metal—before she hauled her find into her sack and vanished into the chaos of the city traffic in search of the next bin.

Like most of the 7500 waste-pickers in Pune, Lakshmi begins her day at 4am. By 5pm she may have filled several sacks, each weighing around 40 kilos. She collects her payment of 50 rupees (about \$2) from the middlemen who buy waste and then she makes the long journey home to her slum to prepare the family meal. If she's lucky, she might have Sundays off.

'Waste-picking is about as low as you can get on the social scale,' says Poornima Chikarmane of the Department of Adult Education at the SNDT Women's University in Pune. 'The women feel much shame about their work. Yet what they do is one of the most important jobs. They recycle materials and help keep the environment clean.'

In 1996, Poornima and her colleagues helped the waste-pickers establish their own association. One of their successes is the co-operative store. Established in 1998 with a seeding grant from AusAID, the store is owned by about 40 waste-pickers. It enables them to avoid the middlemen and sell their waste directly to the buyer. In its first year of operation the store has generated a profit and paid dividends.

The store operates from a space under a concrete flyover on the outskirts of Pune. The waste-pickers mounted a successful argument that their work actually saves the city a lot of money and so the space was granted free of charge.

The separation of waste at its source is now a priority for the Waste-Pickers Association. 'Separation will mean less hazardous work for the waste-pickers,' says Poornima. 'However, it will take a lot of public education to encourage people to separate their waste before discarding it. In the meantime, we are concerned with the education of the waste-pickers and their children. Our hope is that people like Lakshmi will achieve their goals—that their children will have better opportunities and not have to rummage through hazardous waste. With the success of the co-operative store, that might just be possible.'

On the train back I met a young film crew working for Mumbai MTV. They'd been to Pune to shoot video clips of young female musicians for International Women's Day. I spoke with the energetic 27-year-old director about my encounters with the slum-dwellers and the

waste-pickers. 'It's good that they're getting organised,' she conceded. 'But they mustn't get too organised because if we have a revolution I might lose my job.' The film crew laughed and I looked out the window as the train slowed down to inch its way through the Mumbai slums. ■

Peter Davis is a Melbourne-based writer and photographer. He lectures in Professional Writing at Deakin University and Photojournalism at Photography Studies College.



The high ground

At this year's Jesuit Lenten Seminars, **Jim Carlton** and **Hilary Charlesworth** discussed morality and Australian public policy abroad. **Margaret Coady** and **John Menadue** addressed morality and public life in Australia. **Geoffrey King SJ** responded. In summary, this is what they said.

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Jim Carlton

Secretary-General of Australian Red Cross
and Minister for Health in the Fraser
Government

WHAT WE ARE DEALING with here is the ancient question of realpolitik versus morality. At first sight, there is always a clash between these two, but on closer inspection it is more complicated. Let's take the example of Australia's policy towards Indonesia. It has never been easy for Australian governments to balance a principled and moral approach to the abuse of human rights in East Timor against the dangers to the whole Australian population arising from the potential hostility of a close neighbour with a population of 200 million.

To illustrate, let me quote one English point of view on the Irish question:

The optimist view of politics assumes that there must be some remedy for every political ill, and rather than not find it, will make two hardships to cure one. If all equitable remedies have failed, its votaries take it as proved without argument that the one-sided remedies, which alone are left, must needs succeed. But is not the other view barely possible? Is it not just conceivable that there is no remedy that we can apply to the Irish hatred of ourselves? ... There is no precedent in our history or any other, to teach us that political measures can conjure away hereditary antipathies which are fed by constant agitation. The free institutions which sustain the life of a free and united people, sustain also the hatreds of a divided people.

The author of that passage was the Marquess of Salisbury, British Prime Minister between 1885 and 1902. There are many questionable assumptions in that piece of argument, but the fact is that we still have no solution to the Irish problem. Importantly, Salisbury raises the question, 'Must something always be done?' Few would argue that all possible diplomatic avenues should not be pursued, but questions arise as to the use of force or sanctions.

Kosovo is a prime example. In the lead-up to the NATO intervention the

Organisation for Security and Co-operation in Europe (OSCE) had been conducting a monitoring operation in Kosovo, and numerous diplomatic initiatives had been taken to try to achieve a peaceful solution, all to no avail. A success in the Paris peace talks would presumably have been an 'equitable remedy' in Salisbury's terms. A 'one-sided remedy' was then undertaken. Did that remedy, to quote Salisbury again, 'make two hardships to cure one'? That is still an unanswered question.

I make no judgment on the NATO decision to go in with force. Indeed, not all the evidence is in. Will Kosovo be a better place as a result? The extent of reprisals and the current unrest in Mitrovica raise awkward questions. And there is the additional question as to whether a military alliance should take action without the authorisation of the UN Security Council.

In reaching their decision, the NATO powers said that there was a moral imperative to act and the UN was powerless because Russia, with a veto in the Security Council, would not agree. There was also a moral imperative to worry about the suffering of all the potential victims, regardless of on which side of the fence they were located. The moral decision is presumably the one that, one hopes, will produce the least human suffering and the most human freedom in the short, medium and long term.

Even if you believe that you have got this balance right on the available evidence at the time of the decision, subsequent events will almost certainly tip the balance. For example, did the NATO planners expect 700,000 people to be driven out of Kosovo with their identities taken away and their homes burnt?

THE LAST ISSUE I want to raise is the question of penalties for immoral behaviour on an international scale. Gustave Moynier, one of the founders of the Red Cross in 1863, was preoccupied from its early days with the absence of sanctions in international humanitarian law. Time and again he proposed the creation of an international tribunal for the prosecution and trial of war criminals. Sadly it was not until 17 July 1998, 88 years after Moynier's death, that

120 nations, including Australia, signed a treaty for the establishment of an International Criminal Court. Much still has to be done before the Court becomes a reality. Sixty states must ratify the treaty, and the rules of procedure and evidence of the court are still being negotiated in a Preparatory Commission in New York in which the Australian Government is actively involved.

Although the International Criminal Court is far from a perfect instrument, representing as it does a compromise between various positions and proposals, it is nonetheless a great step forward in extending the possibility of ensuring justice on a global scale, and in relation to the most horrendous crimes, whether committed in war or in peace. It also



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represents a further step forward in the battle for humanity against the obsession of so many governments with sovereignty.

Other developments also provide evidence that the scales of justice are tilting at last in favour of the victims of war crimes. Recently the Yugoslav war crimes tribunal sentenced Croat General Tihomir Blaskic to 45 years' imprisonment—the first top-level military officer in the Balkans conflict to be sentenced.

The Pinochet case is also a landmark. Although Pinochet escaped extradition, the decision of the House of Lords that he could be brought to trial removed a long-standing pillar of international law that held that under accepted concepts of national sovereignty, heads of state were immune from prosecution for war crimes outside their own country. Tyrants will in future think twice about seeking asylum in or even visiting other countries.

As a final thought and to leave a little sting in the tail, let me quote H.L. Mencken:

The worst government in the world is the most moral. One composed of cynics is often very tolerant and humane. But when fanatics are on top there is no limit to oppression. ■

Hilary Charlesworth

Professor and Director of the Centre for International and Public Law at the Australian National University

THE TERM 'mandatory sentencing' refers to laws that remove the traditional discretion of magistrates and judges in determining a sentence once a person has been convicted of a crime.

The laws can be of many types. In Western Australia the Criminal Code provides that a child who is found guilty for the third time of entering a house with

intent to commit an offence must be detained or imprisoned for at least 12 months. The Young Offenders Act allows the court to make an intensive youth supervision order in addition to the custodial sentence. If this course is taken, the child is released while the order operates.

In the Northern Territory, the Juvenile Justice Act provides that a 15- or 16-year-old child found guilty of a property offence for the second time must be detained for 28 days; the Sentencing Act provides that a 17-year-old must be imprisoned for 14 days for a first property offence, unless there are exceptional circumstances. For second and third offences, a 17-year-old must be imprisoned for 90 days and 12 months respectively. The apparent rationale for the laws was that property offenders were being treated too leniently in the court systems.

Although we have had mandatory sentencing laws in place for some time, public concern with this type of legislation has been slow to develop. Critics of the laws have pointed to their ineffectiveness, their inconsistency with penalties for comparable or worse crimes, and their disproportionate impact on indigenous people. I want to focus, however, on the role played by questions

of morality defined by international standards in the debate.

One argument used by critics of the mandatory sentencing laws is that the laws violate Australia's treaty obligations under the International Covenant on Civil and Political Rights (ICCPR) and under the Convention on the Rights of the Child. To my mind, from an international lawyer's perspective, there is little question that the laws are in breach of our treaty obligations. However, the response to this argument by Northern Territory and Western Australian politicians and also, it seems, by federal Cabinet, does not deal with the substance of international law (for example, that international law can be interpreted to allow mandatory sentencing laws) but is rather that our treaty obligations are simply irrelevant in these circumstances because the mandatory sentencing laws deal with domestic matters.

The view that the international community has no legitimate interest in Australia's mandatory sentencing laws has a number of flaws. First, it ignores the fact

human rights treaties. The internationally oriented face enjoys the international status it receives from being a party to the treaties; while the nationally turned face refuses to acknowledge the domestic implications of its international obligations. I often wonder if our politicians have read the text of the human rights treaties they tell us are irrelevant to mandatory sentencing.

THE THIRD FLAW in the government's line is the claim that the Federal Government should not intervene to overturn state and territory legislation. Mr Howard has said that such action would 'knock the federal system out of balance'. This claim, as many have pointed out, rings rather hollow in light of the present government's willingness on explicitly moral grounds to overturn the Northern Territory's 'right to die' legislation three years ago.

But the argument is flawed also at face value. For a start, under the human rights treaties, it is the Federal Government that bears international responsibility

The second flaw in the official line rejecting the relevance of international scrutiny to mandatory sentencing is the failure to appreciate that international human rights treaties are all about domestic implementation.



that Australia has freely agreed to abide by the principles set out in the relevant human rights treaties: we signed and ratified both the ICCPR and the Children's Convention only after considerable discussion and debate. We would not consider so blithely dismissing our obligations under extradition or trade treaties.

The second flaw in the official line rejecting the relevance of international scrutiny to mandatory sentencing is the failure to appreciate that international human rights treaties are all about domestic implementation. The very point of international human rights treaties is to protect human rights within the borders of a state. They set out standards with which domestic laws and practices must conform. Australia thus seems to be Janus-faced with respect to

to ensure that all Australian laws conform to our treaty obligations. Under international treaty law, internal political or constitutional arrangements can be no excuse for failure to perform its treaty commitments. The Commonwealth Government has the undoubted constitutional power to override the state laws, but it is politically reluctant to do so because of its rhetoric of states' rights. The victory of 'states' rights' over human rights has been a consistent theme in Australia's legal history, but it has impoverished our social and political culture. The use of the word 'rights' in the catchphrase 'states' rights' distracts attention from the fact that the right most typically asserted by states is the right to violate the human rights of its residents.

Australia is prepared to give some place, even if hesitantly and inconsistently, to morality in its public policy abroad, using the vocabulary of human rights, but it resists the application of other human rights principles to its own laws and practices. The problems in this position were illustrated for me by some statements from Jakarta, Darwin and Canberra all reported on the same day in February. There was a statement by the Indonesian Government after Kofi Annan's visit to Indonesia, criticising the Secretary-General's intervention in 'Indonesia's internal affairs'. Kofi Annan had provoked this rebuke by referring to the need for international monitoring of the Indonesian investigations into human rights abuses in East Timor. The same day here in Australia, both Denis Burke, Chief Minister of the Northern Territory, and Prime Minister John Howard, were warning the Secretary-General that it would be most inappropriate for him to allude at all to the issue of mandatory sentencing in Australia. Mr Howard was reported as saying that 'Australia would make its own moral judgments and would not be told what to do by outsiders.' He went on, 'I'm not going to cop this country's name being tarnished in the context of a domestic political argument.' While our government might support Kofi Annan's statements on Indonesia, it rejected his potential role here. But, from the perspective of human rights principles, such a distinction cannot be sustained.

While the international law of human rights is not perfect in many ways, I want to argue that it provides the best moral basis for public policy that is currently available and a set of principles and conditions that, if observed, enable people to live lives of full human value and worth.

At the end of the day, this is what our society should be committed to. Australia is a party to all the major human rights treaties and we should take them seriously, insisting that all laws and practices, state, territorial or federal, comply with them. If we ensure that our domestic practices have this principled basis (and I concede that this would involve a sea change in our political and legislative traditions), our voice abroad will have considerably more authority and persuasiveness. ■

Margaret Coady

Program Manager in Professional Ethics at
the Special Research Centre in Applied
Philosophy and Public Ethics at the
University of Melbourne

MY EMPHASIS IS ON groups and in particular those groups so important in public life—the professions. My argument is that we ought to be more aware of the ethical dangers of groups. It has become somewhat fashionable to decry the individualism which is traced in Western thought to the Enlightenment, and to point to the way in which human beings are constituted by the communities in which they live. While acknowledging the importance of groups, we need also to be aware that these groups can themselves be corrupting influences.

The Genovese effect, a popular topic in business management courses, was named after Kitty Genovese, who was stabbed to death in New York City in 1964 with many people hearing her screams but nobody going to her aid. Why was this? Was it because of the anonymity of the big city, the individualism of the US which denied the possibility of altruism? The subsequent research of Latane and Darley showed that individualism was not to blame and that in fact an isolated bystander was much more likely to go to the aid of a victim than were members of groups of bystanders. Other writers on the ethics of business suggest that the very individuals who refuse to support unethical decisions when consulted alone will agree to such decisions when they are part of a collective.

But does the same kind of group corruption occur in groups like professions?

One of the distinguishing marks of professions has been that they have codes of ethics. Are codes of ethics a way of making professionals less criminal and more ethical? If past history is our guide the answer must be 'no'. This is not to say that individual professionals have not been in many cases good, even heroic, people. Professional associations too, while being rightly blamed for much of the unethical behaviour of professionals, have on occasion demonstrated exactly the

values which should be expected of them.

But codes of ethics are only a small part of the ethics stew. The most corrupt organisations can have codes of ethics. They even boast of them. The question which needs to be asked is: what are the ways of changing the ethos of the professions and of organisations where professionals are employed? There has been much discussion about whistleblowing and giving legal protection to whistleblowers. This is important, but in some ways it is too late, and the whistleblower and many other innocent



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bystanders will be injured if the only way to solve ethical problems is through whistleblowing.

Can anything be done to prevent or counteract the kind of group-think or group corruption described earlier?

In a recent study, 'How Organizations Socialize Individuals into Evildoing', John Darley gives graphic and detailed case-study descriptions of several organisations notorious for their involvement in corruption. Darley holds that it would be a mistake, at least in the initial stages of the corruption, to explain the harm by reference to the decisions of evil individuals. In the initial stages of a process which leads to disastrous harm there is often no clear victim and no individual who decides to commit an evil act, but a number of factors which in hindsight can be seen to have contributed. These include, in Darley's analysis, the existence within the organisation of certain fears, the fear of losing profits and the fear of losing jobs. Other factors relate to management by objectives where these objectives are defined solely in terms of profit.

AN IMPORTANT DANGER sign is the existence in the organisation of ethically dubious practices which are already well-established. Darley gives the Saloman Brothers case as an example. In this case the stockbroker firm moved off poor quality bonds to its least sophisticated customers, and gave larger bonuses and

promotion to those salespeople who successfully 'got rid of' these useless bonds to clients whose interests the company was meant to be serving. The unethical actions of the stockbrokers resulted in a loss of life savings for many elderly customers. Though the person who initiated this practice left the company, the practice grew and spread to other companies. It became part of the culture of several stockbroking firms and new members were socialised into it.

There are no easy answers to these problems. Codes of ethics and even

courses in ethics can just be hypocritical facades if they do not address the temptations which exist in each of the professions.

These temptations need to be faced. For the police they are often connected with their ability to use physical force; for doctors with their power over life and death, and with the history of paternalism and secrecy in the profession; for judges with their relative immunity to criticism.

In revising codes of ethics and preparing courses in professional ethics, professional bodies should address these temptations, but they should do so with the assistance of people outside the profession. This outside contribution is important not only because it gives some representation to the client, but because it is very hard to identify the mote in your own eye.

Perhaps I am being carried away in using words with biblical overtones such as mote and temptation. Ethics courses often discuss 'dilemmas' rather than temptations. 'Dilemma' implies that an interesting conflict of principle is involved. Such dilemmas are often intellectually challenging and possibly for that reason regularly form the basis of academic classes in professional ethics. While it is important to discuss such difficult cases, in real life what ought to be done can frequently be determinatively settled, and the question that needs to be looked at is what are the forces which lead the professional from that path. ■

John Menadue

Former head of the Department of Prime Minister and Cabinet, and former Ambassador to Japan

IN MY PUBLIC LIFE, the ethical questions that have arisen have generally been about conflict of interest and having to make a choice. A few years ago, I sent, as a shareholder, a fax to the Chairman of AMP asking him whether he had been correctly reported as saying at the Annual General Meeting, 'It is not for the AMP to make moral judgments with its investments.' He was answering questions about AMP investments in tobacco companies. He replied, without a hint of justification or defence, that he was correctly reported. There was no comment or reaction at all in any of the media. Was he out of step with the times, or was I?

I have learned over many years that one way to avoid public responsibility is to remain silent. Working as the General Manager, Sydney, for Rupert Murdoch's News Limited in the 1970s, I succumbed to the temptation to stay silent. To this day I recall that I remained silent when Murdoch was contemplating sacking yet another editor. I found that silence is so much easier than speaking up. Evil prevails, as Edmund Burke commented, when good men remain silent.

The principal conflict of interest in my experience is remaining silent for fear of not being promoted or reappointed to the board. Directors of boards have serious responsibilities. They also face ethical dilemmas. Deference to chairmen is wondrous to behold. Should I speak up on a bad business deal that the minister or chairman favours, knowing that he or she will be a major influence on whether I am reappointed to the board? Should I tell the minister that, together with his private staff, he should stop trying to micro-manage government business enterprises and let the board and CEO do their proper jobs? Or should I play the political game, remain silent and be reappointed? Several times I decided to speak up. I wasn't reappointed.

In working with government bodies, I found a lack of transparency. I have often told government boards that in my view the minister can do what he or she wants provided it is legal and transparent. My experience is that ministerial directives are not always clearly given and recorded. Instead there are winks and nods with boards and CEOs complying. Responsibility is fudged. In one case I did not remain silent. I persuaded the board to agree that ministerial interventions of this nature should be recorded in the board minutes. I was off the board in six months.

Transparency and open government would also be enormously enhanced if ministers, chairmen and CEOs did more public explanation instead of retreating



I have no doubt that I was appointed to the board of Telstra because, having worked for Rupert Murdoch, I was expected to support his business plans for Telstra.

behind highly skilled public relations experts. Reputation cannot be sustained by clever PR. It requires that the issues are openly debated and resolved with integrity.

ANOTHER THING I have learned is the inclination of some ministers to use public assets and authorities for political ends. Look no further than SOCOG in Sydney. A few years ago, I attended a briefing by a senior executive of the Olympic Road and Transport Authority (ORTA), a sister organisation to SOCOG. I was a director of the State Rail Authority at the time. We were told that the primary function of ORTA was the re-election of the Labor Government. It was as blunt as that.

While I was CEO of Qantas I saw conflict of interest at first hand in the favoured treatment which ministers gave Ansett Airlines at the expense of the public interest and the public carrier, Qantas. Ansett was owned by Rupert Murdoch and Peter Abeles.

Later, I have no doubt that I was appointed to the board of Telstra because, having worked for Rupert Murdoch, I was

expected to support his business plans for Telstra. Before my appointment I was rung from Canberra and asked about my relationship with Murdoch. I thought the inquiry was to establish whether I had any conflict of interest. Silly me. The inquiry was really whether I would be a supporter of the Foxtel venture between Telstra and News Limited if I was appointed to the Telstra Board. Directors were later told at the Telstra Board that 'the Government wants us to do the deal with News Limited'. I opposed what I regarded as a very bad deal. I paid a price and was sacked. I was described to the Department of Prime Minister and Cabinet, that puts recommendations to the prime minister on government board appointments, as a 'poor team player'.

Another troubling question for many of us is the value and remuneration of senior executives. Many senior executives are now paid 100 times the salary of their lowest-paid employees and 30 or 40 times the salary of the principal of a high school responsible for the education and future of perhaps 1000 students. The 'market' may say that these salaries are justified, but are they right?

It is obvious that high executive salaries are not a reward for risk. The risk is borne by shareholders, not the executive. And the risk is also borne by staff, often the poorest paid, who risk losing their jobs.

Finally, concerning what I have learned along the way (and I hope I say it with suitable modesty) there is a price to be paid for following one's own path. Ask any whistleblower. Disturbing messages are not popular in business, state or even church. A price is paid financially. A greater price is paid in being marginalised or excluded. You are told politely that you are 'high risk'.

In my case I have found the price worth paying. Clarity of mind and peace of heart have their own rewards. ■

Geoffrey King

Canon lawyer and Principal of Jesuit Theological College, Melbourne

JOHAN MENADUE offered us some helpful criteria for judging when to keep silent and when to 'blow the whistle' in the face of apparent injustice.

What about injustice in the church?

I believe that there is injustice in the Catholic Church, including, these days, significant abuse of authority. And I think that we—myself included—choose too often to keep silent rather than blow the whistle.

I am encouraged to proceed by the recent acts of repentance made by the Pope and the Australian bishops. If we admit failings in the past, it would be naïve or arrogant to think that we can be immune from them in the present.

Let me say first what I mean by abuse of authority. Then let me explore some of the reasons for silence.

I am thinking mainly of interventions by central church authority to impose certain views or ways of acting. It is not simply that I disagree with the views being imposed, but rather that I disagree with the way in which authority has been used to impose them. What we are seeing is in part a central church bureaucracy out of control in the declining years of a long papacy, something for which there are several historical precedents. And I do not think that this perception is contradicted by the remarkable leadership that the Pope has shown in his public apology and in his words and actions in Israel.

A much-publicised recent example is the intervention of the Congregation for the Doctrine of the Faith to forbid the Sisters of Charity's involvement in a safe injecting room program in Sydney. Here the Congregation was exceeding its competence—both in the technical sense of legal competence (there was no issue of faith or morals that was in dispute) and in the ordinary sense of ability (how could they make an informed practical judgment from so far away?).

Then there is the way in which Rome has dealt with the question of the

ordination of women. Whatever one thinks of the substance of the case, one ought to have doubts about the way in which the 'impossibility' of women's ordination has been declared to be as close as it is possible to get to a defined doctrine. This is hard to square with a tradition that has seen defined dogma to be about matters that lie at the core of our faith. It seems to put ordination and gender on the same level as the divinity of Christ, or the real presence in the eucharist.

Next, I note anomalies in the appointment of bishops. At least two fairly recent appointments were made with what appears to have been indecent haste. Such haste that it is difficult to see how the process of consultation called for by canon 377 could have been carried out. On the other hand, some episcopal vacancies take more than a year to fill. The secrecy of the whole procedure makes it impossible to judge whether there are any good reasons for these discrepancies. Even if justice is being done, it cannot be seen to be being done.

Then there is the effective suppression of the Third Rite of Reconciliation. Central authority has acted here on the basis of a very restrictive interpretation of the relevant provisions of canon law. It seems to be a case of the law meaning what the central bureaucracy says it means, even though that executive lacks the power to give authoritative interpretations. Even more disturbing is the way in which one's attitude to the Third Rite has been made almost a litmus test of orthodoxy.

SELECTIVE CONSULTATION, secrecy, neglect of the tradition, neglect of subsidiarity, failure to follow proper procedure, intervention beyond competence. The litany of complaints could go on. But, enough already for our present purposes. The above and other abuses provoke, of course, much privately expressed criticism in the church. Sometimes a piece of carefully coded criticism is published. But there is rather little plain-spoken public criticism. Why?

John Menadue has reminded us that whistleblowers often lose their jobs or are marginalised, considered 'high risk' or 'poor team players'. The same factor certainly operates in the church, at least for clergy, for many religious, and for lay

people employed in church agencies. And loss of job takes on an added sharpness, when it is a matter not only of livelihood but of vocation.

There can be a real dilemma here—to speak out and risk being marginalised, or to keep one's head somewhat down and work quietly for change from within. The latter option need not come simply from timidity.

Another dilemma is posed by loyalty. Loyalty is pretty deeply ingrained in at least clerical church culture. At its worst, it can be like patriotism at its worst: the last refuge of a scoundrel. But not necessarily always so. In an ideal world, church authority should have nothing to fear from honest criticism. But 'going public' on problems within the church, even speaking the truth in love, can in fact be genuinely damaging to the church.

There is another factor connected with loyalty. The person whom we perceive as abusing authority may be someone for whom we actually have respect, perhaps someone whose personal fragility we appreciate, even on occasion a friend. While such a relationship does not justify silence, neither is silence necessarily a cowardly putting of relationship ahead of justice. The relationship itself may make some just demands.

Finally, and my previous point already suggests it, the issues themselves are not always absolutely clear. The people in authority may be exceeding their competence, may not be following proper procedures, but still have some right on their side. Abuse of authority is not always blatant. And rightly enough we accord the person in authority some degree of benefit of doubt.

These are genuine dilemmas. But my concern is that we—I—too often resolve them in favour of public silence. Even more disturbingly, I suspect that some of the factors that I have tried to list are not dissimilar to factors that led to silence, or to failure to see the evidence, with regard to cases of sexual abuse—fear of damage to the institution, some degree of personal relationship, respect for the vocation of the other. And, as the Australian bishops have recently reminded us, sexual abuse and abuse of authority generally are closely related. This does not mean that we should always speak out, but it should disturb us if we always choose the way of silence. ■



Age shall not wither ...

THE INTERNATIONAL YEAR OF the Older Person was, it is now probably safe to admit, a bit of a fizzer. Partly, I think, this was due to gauche coyness on the part of the United Nations in identifying the object of its solicitude. For there are comparatively few human beings in the world who are not entitled to be described as older than someone else, and those that there are do not hold this status for very long.

I asked a young nephew if he thought he might fall within the purview of the United Nations' concern, given that he was older than his brothers, but was met only with that expression of slightly alarmed, slightly exasperated bafflement which nephews so often seem to need to fall back on in conversation with uncles.

When I asked old people what they thought of being thus favoured with the attention of the United Nations they snorted in derision, rather as one imagines Zachariah might have snorted at Gabriel's ridiculous news that he was soon to be a father. The *New Revised Standard Version*, that triumph of comprehensive political correctness, has Zachariah announce that his wife is 'getting on in years'—a cosy, almost jocular, euphemism, and a far cry from the *Authorised Version's* splendid and accurate, though, it must be admitted, archaic, 'well stricken in years'. By this baroque turn of phrase Zachariah means no more than what he says of himself: he is old; he and his wife are both just plain old, and the angel must therefore have got the wrong address.

What most old people seem most often to resent about their age is not the truth of it, but the pussy-footing manoeuvres that others seem to need to resort to in confronting it, or rather, not confronting it. It seems, therefore, a pity that the largely laudable objectives set out in the United Nations' resolution should have been mired so early, at least in the English-speaking world, in a tacky euphemism.

One of the Fathers of the Church would have applauded the view that any concept of humanity

which does not include and properly respect the elderly is radically incomplete and flawed. Irenaeus of Lyons held the curious belief that Jesus was about 50 years of age when he died. This was important to him because he thought it gave him ammunition against the Gnostics, who had supposed that Jesus' ministry lasted only one year after his baptism, and who wanted the 30 years of his hidden life and these final 12 months as grist for their numerological mills.

Irenaeus finds evidence in John's Gospel for three Passovers celebrated by Jesus in Jerusalem after his baptism, and he backs up this exegetical argument with a more directly theological argument for an even lengthier public ministry of Jesus. Jesus had come to sanctify and redeem, in his own person, every age of humanity, and thus to be in truth the Teacher of all. For this reason he became 'an infant among infants, a child amongst children, a youth amongst the young, and an elder amongst the elderly'. 'Everyone knows,' Irenaeus said, 'that a person is still young at forty, but between forty and fifty begins the descent into that old age in which it is proper for a teacher to have disciples.' If Jesus had not made it to 50 he would not have been properly a teacher, still less the Teacher of all.

Irenaeus claimed that his view on the age of Jesus was supported by tradition, in particular, by a Johannine tradition in the church. The fact that there is no evidence apart from Irenaeus for such a tradition (which is in all likelihood no more than an extrapolation from John 8:57: 'You are not yet fifty years old') may serve as a salutary reminder of what a slippery thing a theological argument from tradition can be. But it would be a pity if Irenaeus' rather too robust reliance on such an argument were to obscure our view of an argument of another kind bobbing just below the horizon: that if Jesus did not live to be an old man he jolly well should have. ■

Denis Minns *OP* is *Eureka Street's* United Kingdom correspondent.





SPEECH

BRIAN JOHNS

For the record

While Jonathan Shier, the new Managing Director of the ABC, was swapping performance analyses with his staff and looking askance at the One ABC policy, his predecessor was staking out his place in history. This was Brian Johns' ABC.

ABC NEWS AND current affairs in many ways have been a catalyst for the radical repositioning of the ABC, referred to as the *One ABC*.

It was Norm Taylor, now head of ABC News, then State Editor for news and current affairs in Perth, who first coined the phrase *One ABC* as he developed his vision for a bi-media newsroom in Perth—the precursor to the widespread collocation of programming we are witnessing in the ABC today.

News and current affairs are often ignored. On 13 March, *The Australian* produced a report card on the ABC's performance under my management. Enterprises, regional radio, television

drama, the digital and online future—all of these were mentioned.

But it was silent on news and current affairs.

I have often said that the two beacons which light the way for the ABC's programming output are news and current affairs at one end of the journey, and drama at the other. They mark our journey because they represent the tallest vantage points from which to view the ABC's total output. News and current affairs deal with the reality. Drama deals with the imagination. In between, we travel through comedy, entertainment, information and a range of other programming genres. It is therefore curious that

one of these beacons is often taken for granted—perhaps because there is an assumption that it will always be there, that its existence cannot be challenged.

However, I believe that we cannot be complacent. The ABC's political masters, whatever their complexion, have a direct interest in the ABC's news and current affairs coverage. If that coverage is a political thorn in the side, there is need for vigilance.

Five years ago, we set about discovering what Australians really wanted from the ABC, and how best we could deliver it: now, and well into the 21st century. We looked closely at the ABC's structure and its operations, at its output on radio,

television and online, and—very closely—at the direction the world was moving in. Our analysis was timely.

The past five years have seen an unprecedented explosion in media activity, in all formats and markets. We are now in the vortex of the Information Age, where there is only one certainty: demand will keep growing, for entertainment, but especially for information.

The ABC positioned itself to meet that demand with maximum flexibility—continuing its evolution as a broadcast entity. From its humble origins as a radio

provider. We set out to place that informative and compelling content on to as many outlets as possible. Under its Charter, the ABC must offer an independent news service—that too has been strengthened and streamlined under *One ABC*. We found ways to put radio and TV material on to the fledgling ABC Online: in text, images, audio and video. While our competitors were making exploratory noises, we assumed a leading position on the net, especially with online news. All this has kept us at the very forefront of Australia's information media.

Every year the Corporation commissions a study, polling a broad range of Australians. Last year, on whether the ABC is 'balanced and even-handed when reporting news and current affairs', 90 per cent of respondents rated our performance positively. That was

four per cent higher than the previous year, and—given the contentious nature of current affairs—a very impressive figure.

Last year we also asked: how well do Australian radio and TV networks cover news and issues in country and regional areas? The result for 'very good' or 'quite good'—commercial TV and radio: 52 per cent; ABC TV and radio, 86 per cent. In Queensland and Western Australia—with more remote locations, and heavily dependent on this sort of programming—the ABC's figures exceeded 90 per cent. Other networks—here and overseas—would give an arm and a leg for performance results like these.

The reasons are not hard to find. In a world awash with information—with so many choices that, on closer examination, offer little choice at all—what audiences seek is a service they can trust and rely on, with the resources and experience to produce stories that have meaning.

The ABC now has more than 600 journalists, in every state capital and Canberra, and in 50 regional locations, keeping Australians in touch with their local communities, and communities of interest, about the greater sweeps of national politics, about the social and

economic issues that concern us all. Another 20 ABC correspondents provide in-depth foreign coverage with a distinctly Australian perspective.

ALL THIS GIVES the Corporation a unique competitive edge. Yet it finds itself increasingly operating in an environment dominated by players with deep pockets and near-borderless visions. The best way to hold the leading position is, as always, by offering outstanding content.

The new *Lateline* on ABC TV reflects this. It offers more substantial news coverage later in the evening, with breaking stories and deeper analysis, plus the key ingredient that has always made *Lateline* successful: brain food. It provides what Robert Hughes called 'narratives and explanations which enable viewers to get a handle on the world in a rational way': stories, interviews and analysis for people who want to know what's making the world turn, here in Australia and abroad, and what it means for them.

Needless to say, the new *Lateline* has its own website. With its extraordinary growth, multimedia now has the potential to attract new and especially younger audiences to ABC news and current affairs, and onwards to other ABC programs and services. The News Online service, based in Brisbane, scores a remarkable 800,000 accesses weekly, making it by far the ABC's most popular online site.

Other sites are recording equally impressive figures. In just 12 months, accesses to the *Four Corners* website have risen from 2000 weekly to over 30,000 in some weeks since the establishment of an after-program chat forum.

The Australian Bureau of Statistics reported in May 1998 that 971,000 Australian households had access to the internet. In May 1999 the figure had grown to 1.524 million—an increase of 57 per cent. The most recent figure (November 1999) states that one quarter of Australian households now have internet access.

The most exciting aspect of this, from the ABC's point of view, is that we can deliver a huge range of news and information via the net to regional Australia. We have already established a localised gateway in *The Backyard*, which gives

The ABC's political masters, whatever their complexion, have a direct interest in the ABC's news and current affairs coverage. If that coverage is a political thorn in the side, there is need for vigilance.

broadcaster in 1932, the Corporation has grown in many directions. As a result, it has remained central to the lives of many, if not most, Australians.

OVER THAT TIME we've come to understand that the media is a river without banks. Just as there is no endpoint in broadcast technology—radio gave us television, and television and computers gave us the internet—so too we are learning that no medium is discrete. Forms are merging, as are media skills. A generation ago, ABC journalists reported their stories in text—on typewriters, for the benefit of newsreaders—before another generation switched to microphones and audio tape. Now we have a new breed of reporters using cheap and lightweight digicams to film their own stories and—ironically—writing their stories in text once more, only now for the internet screen.

As the media keeps evolving, so must the ABC.

We now have a much more streamlined and flexible organisation than we did in 1995. *One ABC* embraced our diversity, and brought it into sharper focus.

And it created flexibility, allowing the ABC to move from a primary role as content deliverer, to that of content

every ABC regional centre its own web page, with local news and views and information on local events. No other media organisation has remotely the regional spread of the ABC.

This is a two-way stream—providing access to the ABC's national online presence, and reflecting each regional centre to the rest of the country and to the rest of the world. In a sense, this is both local *and* global content. *The Backyard* gives those communities beyond major cities a genuine stake in the internet revolution, at a time when so many services are disappearing from the bush.

And we aim to do the same for regional Australia with digital television—more local, more relevant, more interactive.

THERE ARE RISKS, of course. By embracing this technological revolution, we may alienate some of our traditional audiences. We will, I hope, continue to frustrate our main competition. On the other hand, we'll engage new audiences, younger audiences with different perspectives on the world, different agendas. Their voices also need to be heard, and responded to. In this evolving media, the only way to predict the future is to create it.

With multimedia, news convergence is a reality. The ABC holds a leading position in the field, and Online is the perfect example of how an innovative approach can score big victories. Why then should the ABC—arguably the nation's most important media organisation—be prevented from taking full advantage of these developments, and the host of opportunities they provide—to give all future Australians the right to enjoy what we have always had: the best content on the best delivery systems available? That is the most pressing issue the Corporation now faces.

There was a time when the ABC was regularly threatened with censorship; back in the '60s, the ABC's independence was far less an issue than whether we uttered certain unsavoury words on air or screened certain parts of the anatomy. That era seems to have receded, but now the balance has shifted the other way. The growing threats to the ABC's independence must concern us all.

Acquiescence is not the ABC's role: our business is to report the truth, to

maintain an independent watch over our world, to give a fair, balanced and comprehensive coverage of what goes on. There will always be people who want that to end. Some are quite blatant about it: stop public funding, sell off the ABC, put ads on the ABC, curb its reporters, muzzle its voice.

But there are still others, less brazen but more sophisticated in approach, who will strategically attempt to limit the ABC's activity by limiting the very means by which it does its job, and gets its product to the Australian people. They will do this by attempting to hold the ABC to its more traditional outlets, while the rest of the media world moves rapidly and dramatically forward. The effect is to marginalise the national broadcaster, by default to make it a rump outfit rather than a main player. And this is a clever strategy, when aligned to fears about spending taxpayers' money, however well spent.

Under no circumstances should this manoeuvre succeed.

ABC announcers do not read the news in the stilted tones of the 1930s. They do not wear dinner suits when they read the news. We move forward. That is what being a player in the electronic media is all about.

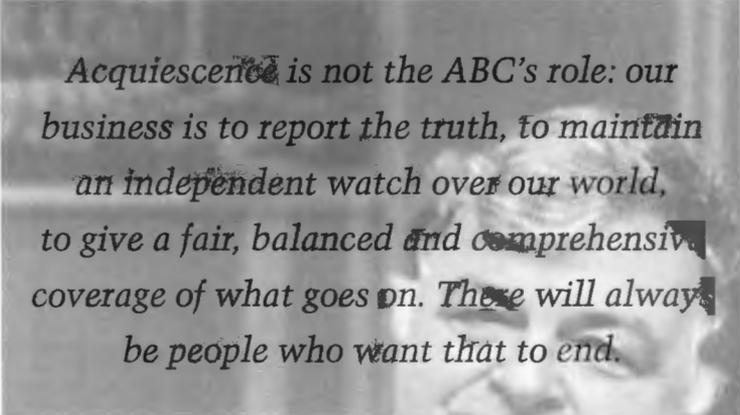
Why then would anyone be suggesting that the ABC should be limited in extending its digital reach as far as the technology will take it? Or on as many channels or outlets as possible? Or that the ABC should not form the necessary strategic alliances to help make that happen? All of these options will enhance our range of services and take us closer to our audience and its changing needs; and in so doing, help us meet the requirements of our distinctive Charter.

Our main task is to match what we do now to current and future audience needs. That equation, if successful, leads to continuing relevance; and relevance is what makes the ABC so special in the Australian media marketplace. We have strengthened our role over many years by critically assessing what our audiences want (and indeed, what they expect) from us, and ensuring they get value.

The only alternative to broad relevance is marginalisation, and for the ABC as a national institution, that would spell the end.

Our latest study on how the Australian community sees the ABC's performance shows just how well the ABC is achieving its objectives. In 1999, 92 per cent of respondents rated the ABC's contribution to the Australian community as valuable. ABC TV was overwhelmingly rated the best for Australian programming, and when it came to news and current affairs, the ABC won hands down: the percentage of respondents who used the ABC as a source of news and current affairs most days—from TV, radio and online—was a staggering 99 per cent.

Survey after survey shows that Australians share and value this deep involvement with their ABC—even those who find elements of it not to their total liking. They understand the need in a diverse and complex society for a unifying national broadcaster, one that allows Australians to speak to each other. The ABC daily strengthens our culture,



Acquiescence is not the ABC's role: our business is to report the truth, to maintain an independent watch over our world, to give a fair, balanced and comprehensive coverage of what goes on. There will always be people who want that to end.

and the democratic decision-making process. As such, it is far more than just another broadcaster. It is now embedded in the Australian psyche, in how we see ourselves.

The new slogan of ABC news and current affairs says it all: Our Country, Your World. ■

Brian Johns was Managing Director of the ABC from 1995 to 2000.

This address was first given in Sydney to the International Institute of Communications.

Books: 1
BRIDGET GRIFFEN-FOLEY

THE LIBERAL PARTY OF AUSTRALIA
— CELEBRATES
ITS FIRST TEN YEARS
IN GOVERNMENT

ERA OF GREAT
STORIES
1949
1951
1954
1955
1958



Menzies etc.

National and Permanent? The Federal Organisation of the Liberal Party of Australia 1944–1965, Ian Hancock, Melbourne University Press, 2000. ISBN 0 522 84873 7, RR \$49.95

THE FORMER FEDERAL president of the Liberal Party, Tony Staley, recently appeared on the New South Wales edition of ABC TV's *Stateline*. Attempting to deflect the interviewer's questions about the unpopularity of the Opposition leader, Kerry Chikarovski, and the debts of the state division, Staley averred that the organisational wing must work hand-in-hand with the parliamentary wing, and maintained that the party was committed to nurturing the health and vitality of the local branches.

Stateline viewers could learn much from Ian Hancock's new history of the federal organisation of the Liberal Party. The author has spent several years poring over the voluminous records of the federal executive of the Liberal Party in the National Library, and the extant papers of the state divisions in libraries and offices around the country. What emerges from Hancock's painstaking research is a fascinating and important account of one of Australia's two major political parties.

While numerous studies of the labour movement, and biographies (of varying merit) of Labor luminaries have been published, there is a dearth of material focusing on the conservative side of politics. In his introduction, Hancock explains that he decided not to include a literature survey as he does not intend to locate his book within a body of theory or historiography. This is rather unfortunate, as even a paragraph or two about the existing literature would have pointed to the need



for a book such as this, and drawn some useful comparisons with works like Ross McMullin's history of the parliamentary ALP. It would also have been nice to know what Hancock made of Gerard Henderson's history of the Liberal Party, first published in 1994. *Menzies' Child*, eagerly anticipated, proved disappointing. Excessively anecdotal, it failed to take full advantage of the massive archives of the federal Liberal Party.

National and Permanent! begins with a short but judicious account of the key groupings and players on the non-Labor side of politics in the 1930s and early 1940s. The book then proceeds to dissect the events that culminated in the formation of the Liberal Party in 1944. Hancock situates the party's emergence in the context of post-war reconstruction, a process typically seen as generated by left-wing idealists. He argues that the party was different from earlier conservative parties for three reasons: it was formed against the background of the Depression and World War II, with an expectation that government prevent a repetition of mass unemployment; it was infected by Keynesian economics, mean-

ing that it was a middle-of-the-road party; and it was determined to be a national, permanent and professional political party.

Henderson's book was essentially, but not exclusively, about the parliamentary wing of the Liberal Party, while Hancock focuses on the extra-parliamentary party. The elaborate organisational structure—consisting of a federal council, federal executive, federal secretariat and staff planning committee—is deftly unravelled by Hancock, although the mass of acronyms sometimes leaves the reader bewildered.

National and Permanent! explores how the extra-parliamentary wing dealt with the challenge of influencing government from 1949 to Menzies' retirement in early 1966. Implicit throughout the book is a rejection of the notion that the party was 'Menzies' child'. Hancock addresses the

role played by various lieutenants in setting up the state divisions of the Liberal Party, and examines the activities of apparatchiks such as W. H. Anderson, J. R. Willoughby and Sir John Carrick in formulating the strategic direction of the federal and state divisions of the party.

The book begins with a disarming story of how John Dawkins propelled Hancock, at the time an academic at the Australian National University, to rejoin the Liberal Party. But this is not a partisan 'insider's' account of a political party. There is much here that officials such as Tony Staley, along with hero-worshippers of Menzies, will not like.

The title of the book poses the question of whether the Liberal Party can be both national and permanent. Hancock's answer to the first question is in the negative. He illustrates the contradiction inherent in the party's understanding of the concepts 'federal' and 'national'. The federal executive believed that the party should be willing to place its nation-wide interests above sectional concerns, while the state divisions maintained that a truly federal perspective acknowledged their right to remain autonomous. The author's account persuasively demonstrates the prescience of the fears of the first federal president, T.M. Ritchie, that the interpretation favoured by the divisions would prevail.

But Hancock also argues that by Menzies' retirement the principal non-Labor party was now permanently established in Australian politics. The Liberal Party, he writes, could survive electoral setbacks, in-fighting and lightweight federal leaders because it had established an organisation which was 'substantial, permanent, managed by professionals, paid officials, and supported by unpaid but committed office-bearers and the party's own financial resources'.

Unlike most other Australian political historians, Hancock addresses the deployment of public relations. While disputing the claim of many commentators that the Liberal Party was a policy-free zone, the author concedes that many Liberals did steer clear of philosophical discussions, and the party was often more 'anti-Labor' or 'non-Labor' than identifiably 'for' something. Hancock examines how many leading Liberals visualised a solution to the party's reverses—or anticipated reverses—in terms of marketing a 'product'. What he shows is that, from its inception, the party placed an extraordinary reliance on effective public relations, employing first-class press

officers, commissioning public opinion polls, broadcasting fireside chats on radio, and making skilful use of the new medium of television. Nevertheless, Hancock could have gone further in looking at how the party dealt directly with media companies other than those dominated by the Fairfax and Murdoch families. By carefully cultivating Sir Frank Packer, Menzies and Carrick secured the editorial endorsement of the *Daily* and *Sunday Telegraphs*, discounted advertising space and the opportunity to televise policy speeches in peak viewing time in the most populous state of Australia.

HANCOCK EXPLORES how Menzies was 'created' by the party; publicity carefully fostered the image of 'Bob Menzies', 'Mr Menzies' and then 'Sir Robert Menzies', in contrast to the dangerous and erratic Dr H.V. Evatt. But while Menzies owed much to the organisational wing of the party, he was frequently dismissive of it. The prime minister attended less than half of the federal executive's meetings, ignored those resolutions he did not like, and arrogantly accused individuals who dared to criticise the campaigning in the election that nearly brought Labor to office in 1961 as an 'ill-informed, irresponsible collection' who neither studied nor understood the subject.

Despite its considerable strengths, the book is not without flaws. For example, after being told that the hapless William McMahon was regarded as driven, energetic and intelligent, we are treated to an hilarious anecdote illustrating his 'low personal regard', and informed (rightly) that he led a rudderless party into 'uncharted depths of mediocrity' in the early 1970s.

There is much that is new and of interest in *National and Permanent!*. Hancock explores Menzies' views on women, and the place of women in the broader party; the role of Young Liberals and migrants in the party; the financing of the party; and, of course, the oscillating relationship between the Liberal Party and the Country Party. Impeccably researched, well-written, handsomely produced by Melbourne University Press, and at times very funny, this book, perhaps like the Liberal Party, is made to last. ■

Bridget Griffen-Foley, an historian at the University of Sydney, is studying the relationship between the media and politics in post-war Australia.

Above left: Sir Robert Menzies addressing the Federal Council, 1959, with Dame Pattie Menzies at far left.

Your own man

Memoir: *My Life and Themes*, Conor Cruise O'Brien, Profile Books, 1999. ISBN 1 86197 151 6, RRP \$29.95

CONOR CRUISE O'BRIEN tells us in the first chapter of his autobiography, 'my father had the gift—traditionally esteemed and feared in Ireland—of saying wounding things in a memorable manner.' His son has that gift, but also the higher gift of writing elegantly and incisively on themes and issues with which he has grappled over his long and tumultuous career.

In the introduction to his 1965 collection of essays, *Writers and Politics*, he announced:

Outsiders, and some insiders, have discerned in the Irish mind ... a tendency to anarchism, to rebellion for rebellion's sake. Where it exists, and it does among intellectuals, this tendency derives, I believe, from the necessities of individual intellectual survival in communities where correct thinking is assumed to be the province of a specialized caste. If we take an intellectual to be a person who prefers to try to do his thinking for himself, even badly, rather than delegate it to specialists trained to discharge this function with considerable subtlety, then we see that the intellectual, in a priest-led community, must develop strengthened means of defending himself ... He is likely to set great store by irony, the versatile, durable, and easily camouflaged weapon of every ideological guerrilla; he will take an almost morbid interest in hypocrisy ... [To Catholic intellectuals] the truth or falsehood of a given proposition is far more important than its social implications ... truth, not utility, [is] the essential criterion of all propositions.

His memoir delivers an account of a life lived on those terms. While he has crossed swords with many an adversary, no-one will deny that O'Brien has thought for himself, however bad they may consider his thinking to be.



Conor Cruise O'Brien was born in 1917 in Dublin. The previous year, an uncle, Francis Sheehy Skeffington, a pacifist republican, was murdered by a British officer during the Easter Uprising, and another, Tom Kettle, an officer in the British army, died on the Somme. His father was an agnostic and his mother a Catholic.

One of the brightest Irish students of his generation, he spent the first 20 years or so of his career in the Irish foreign service, finally being seconded to the UN as a diplomat in the early '60s.

He was sent to the Congo as part of the UN mission attempting to settle the bloody civil war. His experiences there were soured by British antipathy to the policy he pursued, and ultimately he resigned and wrote a play and a book about the Congo experience. He was subsequently invited by President Nkrumah to be Vice-Chancellor of the University of Ghana. Afterwards, he took on the post of Albert Schweitzer Professor

of Humanities at New York University.

He spent four years there, teaching and protesting against the war in Vietnam, before returning to Ireland in 1969 to join the Irish Labour Party and win a seat in a Dublin constituency. The Labour Party was then in Opposition, but in 1973, Fine Gael and Labour formed a coalition, and O'Brien entered Cabinet as Minister for Posts and Telegraphs (later known as 'Communications'). In that post he took joy in suppressing Sinn Féin and the IRA in the Republic, activity which some have criticised as at odds with his assertion that he is a liberal.

When the coalition government was turfed out in 1976, O'Brien lost his seat. His refusal, thereafter, to tone down his antipathy to the Northern Irish nationalists led ultimately to his expulsion from the Labour Party.

After leaving the Irish Parliament, he was invited to take over the editorship of the London *Observer*. At the time the paper, run by a noblesse-oblige aristocrat, David Astor, was riven by internal politics. O'Brien became increasingly uncomfortable in his management role and, after the near-death of his wife in a car accident, he returned to Ireland while remaining a columnist for the paper.

Since his departure from the management suites of the *Observer* he has earned his living mainly by journalism, principally with the *Irish Times* and afterwards with the more downmarket *Irish Independent*. He has also pursued more serious intellectual studies, writing controversial biographies of Edmund Burke (whom he admires) and Thomas Jefferson (whose outlook he likens to that of Pol Pot).

In 1979, he proposed that *The Observer* support Margaret Thatcher in the election campaign against the Callaghan Labour Government. He does not say clearly why,

but we can infer that his bitter experiences in government in Ireland had soured him against Labour parties in general. In 1995, taking his unionist views to their logical conclusion, he joined the United Kingdom Unionist Party, a hardline group that opposes the mainstream Ulster Unionist Party because it was prepared to negotiate with Sinn Féin.

HIS MEMOIR commences in arresting fashion:

The first sound I can remember is a series of booming noises which woke me up. The cause of the noise was the bombardment of the Four Courts Dublin, beginning at 4.07am on Wednesday, June 28, 1922. I was then four-and-a-half years old. That bombardment is generally considered to be the beginning of the Irish Civil War ...

The first main theme of his life is thus established—the violence of romantic nationalism. The second great theme is religious authoritarianism. His father was an avowed agnostic and anti-clericalist. His mother was a practising Catholic. He reports, 'A few days after my father's death [in 1927] I noticed on the table beside my mother's bed a Catholic devotional work, *In Heaven We Know Our Own*, by a certain Father Blot SJ. When I saw this, I knew it boded no good, either for my mother or for myself.' His mother was subjected to emotional blackmail by clergy and family to send Conor to a Catholic school. She refused to do so. This set him against the Irish Church for life.

He came gradually to regard with particular horror the creation, by Patrick Pearse, of a republican movement devoted to the propitiation of the ghosts of dead generations by blood sacrifice. And he sees the compound of religion and nationalism as an atavistic force which inevitably leads to irrational bloodshed, beyond the power of pragmatic politics to restrain. There is much to admire in his analysis.

Nevertheless, since the early '70s, O'Brien has been regarded by many in Ireland as a maverick, a curmudgeonly eccentric with increasingly shrill and extreme views on Northern Ireland. Many of those sympathetic to the substance of his views on the North were repelled by his expression of them. As Terence Brown remarked in his *Ireland: A Social and Cultural History*:

A mind capable of severity and astringency on other matters became markedly

self-indulgent on this issue ... Indeed it may have been his paradoxical fate to have protracted the life of a geriatric ideology [1916-style nationalism] beyond its natural span, so objectionable did many find his attacks upon a respected ancestor.

The Australian parallel is the case of Geoffrey Blainey. If there is good sense and acute observation in many of the things that O'Brien (and Blainey) says, it often is lost in *ad hominem* argument and in the vortex of controversy he stirs up. The last two chapters of O'Brien's book are a case in point. The whole tone of the book changes—from a smooth purr, like a Rolls-Royce engine idling, to a shrill screeching, as though a brick had been jammed on the accelerator. Yet one cannot help at least respecting his consistency—he is a courageous precursor of a modern post-nationalist Ireland in which the links between church and state have been greatly loosened, liberating each institution from the grip of the other.

So passionate is O'Brien's loathing of the IRA, Sinn Féin, Gerry Adams and John Hume (the leader of the major non-militarised Catholic party of the North), that he lumps them all together and accuses them of conspiring to get Britain to dump the Union without consulting the unionists themselves.

He creates an entity he calls 'Adams-Hume' and charges it with responsibility for this outrage. In his last chapter, he suggests that the Union itself, through the perfidy of 'Adams-Hume' and the British Government, has become a threat to unionists. His solution is for them to join a united Ireland and use their voting power to enter a coalition with parties in the republic to challenge church power and to secularise the country. He sees the Irish 'peace process' (he always inserts the quotation marks around the phrase) as a fraud on unionists.

This proposal astonished the nationalists, and his unionist colleagues and friends even more so. It encouraged the Ulster Unionist Party, which had been scourged by O'Brien for sitting at a table with Sinn Féin, to give him a dose of his own medicine. They forced his resignation from the UKUP in November 1998. He remained doggedly unrepentant.

It is easy to agree with O'Brien that the IRA and Sinn Féin are untrustworthy murderers of innocent people (and I would include in that description the hundreds of young working-class Scots, English, Welsh

and Irish men and women in uniform they have mercilessly killed) without drawing the hysterical conclusion that the 'peace process' is a sham and a fraud, and that John Hume is Sinn Féin's cat's paw. It is also easy to concede that the unionists' wish not to be incorporated into the Republic ought to be respected, without regarding them as victims in the process, as O'Brien does.

THE LAST TWO CHAPTERS unbalance, but not to an irreparable degree, what is otherwise a witty and urbane account of a principled and honourable life, devoted to public service in the best sense of that phrase. O'Brien's great hero is Edmund Burke, supporter of liberal causes including the emancipation of Catholic Ireland and the American Revolution, but whose castigation of the French Revolution led to his own denunciation by his former allies and friends. O'Brien undoubtedly sees himself on a parallel course with his icon, unjustly treated for standing up against an ideology (religious nationalism) and a party (Sinn Féin-IRA) which are woven into the fabric of Irish mythology.

Christopher Hitchens once said of him, 'There's nothing vicarious—nothing *armchair*—about the politics of Conor Cruise O'Brien. He is, and always has been an *engagé*.'

It is easier to criticise his excesses, perhaps, than to grapple with his ideas, but he smooths that task of thinking about his thinking by the fluency and elegance of his prose.

He is also a gifted, humorous dramatist. He recounts an attempt to negotiate with an official from the Department of Justice (which controlled immigration) during the 1956 invasion of Hungary by the USSR, to obtain the admission of a number of refugees. 'We don't accept applicants from Communist countries,' said the official. O'Brien pointed out that they were all *anti*-Communists, which was why they were refugees. 'I don't care what sort of Communists they are,' said the man from Justice, 'We don't want them here.'

Isaiah Berlin has said in another context, 'To realise the relative validity of one's convictions and yet stand for them unflinchingly is what distinguishes a civilised man from a barbarian.' That could stand as an epitaph for Conor Cruise O'Brien. No-one interested in Irish politics from 1916 should miss this engaging book. ■

Hugh Dillon is a NSW magistrate.

Dollar dramas

THEATRE

Geoffrey Milne's second take on the Nugent Report.



THE FINAL REPORT of the Commonwealth Government's *Major Performing Arts Inquiry* (the 'Nugent Report', delivered last December) focuses on 31 major performing arts companies, ranging from the Australian Ballet, Opera Australia and the pit orchestras, to Circus Oz and eight theatre companies (the four state theatres plus Bell Shakespeare, Playbox Theatre Centre, Company B Belvoir and Black Swan).

Its ramifications for the theatre companies (and on others *not* considered in the Report) are what I am interested in here.

In many ways, the Nugent Report makes a valuable and timely contribution to securing the future of the companies it examines, and if—as reported in the press late in March—an extra \$67 million of government money starts to flow into those organisations, starting in next May's Commonwealth Budget, then some of its real impact will soon be felt. But it still needs to be stressed that this is ultimately a limited account of performing arts in this country, given the huge volume of activity that the Report does not consider—all of the companies presently funded by the

Australia Council's diminishing Theatre Fund, for example.

It is certainly admirably detailed and reveals a willingness to tackle real issues, great and small. In *13.1: Scheduling*, for example, the report recommends that major organisations get their act together to avoid the tedious habit of clashing opening nights while *Recommendation 10.2.6* urges them to bite the bullet and 'be required as part of their funding agreements to demonstrate that they have artistic succession plans in place'.

On the other hand, the issues of co-production and buying-in of shows among major companies, and the recommendations relating to national and regional touring, are more contentious.

Discussing the imperative for our major companies to 'provide access', *Recommendation 11.1.1* stipulates that these 'companies should continue to provide the current overall quantity of ... product in regional and rural areas ... because a trend is emerging for regional and rural touring to be reduced, including to capital cities such as Hobart and Darwin'. Another, *7.1.5*, exhorts the Commonwealth Government's

regional and national arts touring agency, Playing Australia, to provide triennial funding to those 'major companies which tour within Australia as a core activity'.

While the extent of regional touring by major organisations may have declined a little when comparing 1997 and 1998 (as the Inquiry finds), it is still much more prominent now than it was prior to the advent of Playing Australia in 1993. The current tours of *Beauty Queen of Leenane* and *Secret Bridesmaids' Business* certainly 'provide access' in the ways called for in the Report, and there are robust and vigorous local organisations in place to capitalise on any increased availability of Playing Australia funds. Both of the above productions, by the way, are going to Hobart, but neither is going to Darwin—very few productions do. It would presumably take a lot of extra incentives to fulfil this objective. So, on the face of it, the Report's touring recommendations would appear sound enough.

BUT IT IS NOT ONLY the major companies which tour in regional Australia. What is to

become, for example, of La Boite's regular tours outside Brisbane? Or of Barking Gekko's extensive Western Australian regional tours? Are the cutting-edge, smaller-scale productions presently toured by Performing Lines still to be supported? The Report is silent on these matters. More worryingly, it also has nothing to say about the impact of head-office touring on the regional theatre companies, like Railway St Theatre, Theatre South and Riverina Theatre Company in NSW. This sector's fortunes have declined badly through the 1990s. Some of these companies face an even more anxious future in the wake of Nugent.

Recommendation 12.2.1 proposes a continuation of co-production among the major companies, 'with a view not just to reducing costs, but also to improving quality, by being able to invest more in higher quality productions and being able to access recent ... international repertoire'. *12.2.2* further recommends that major companies buy in productions from each other to 'round out artistic seasons' and 'because a broader product range can be provided for audiences; production costs can be amortised over a longer run; and employment for artists, particularly in the less populous States, can be increased' (my emphasis). A crucial rider to this recommendation is that 'Sydney and Melbourne companies in particular are encouraged to [buy in] innovative product from companies based in Brisbane, Perth and Adelaide'.

Actually, co-productions and buy-ins have been achieving greater prominence in the national repertoire for quite some years. In 1986, for example, the four state theatre companies (Melbourne, Sydney, Queensland and South Australia) totalled 51 productions between them, with just two buy-ins. By 1990, the same four staged a total of 44 productions, including four co-productions or buy-ins from among the Confederation of Australian State Theatres (CAST) network. However, in the five years from 1994 to 1998, the trend towards greater co-operation and fewer productions accelerated markedly.

Over that time, the CAST companies staged some 216 productions between them, including the STC's commercial co-productions and New Stages shows and some 27 buy-ins or co-productions from CAST colleagues. But if we further discount buy-ins from *outside* the CAST network (for example, from Playbox, Company B, Black Swan and Griffin) the actual number of new productions mounted by the state companies falls to just 177: an annual

average of just 35.4 productions. In other words, the state theatres are now producing 14 fewer plays annually than they were in the mid-1980s.

A shrinking repertoire is one obvious outcome of this trend, which is also followed to some extent by other major organisations like Playbox in Melbourne and Black Swan in Perth, while Bell Shakespeare's yearly repertoire is actually expanding.

Last year, the same trend was discernible in such projects as the tour of Company B and Black Swan's *Cloudstreet* (which was presented in Melbourne by a consortium of Playbox, the MTC and the Victorian Arts Centre Trust and in Adelaide by the Adelaide Festival Centre and STSA), Company B's *The Judas Kiss* (which appeared variously as an 'MTC', an 'STSA' and an Australian Presenters' Group production in various cities) and in the QTC/Bell co-production of *Long Day's Journey Into Night*. In a piece of mathematical sleight-of-hand, these three actual *productions* thus add up to more than ten *presentations* among the major organisations' and others' annual programs.

IN TANDEM WITH a shrinking repertoire, this co-production and buying-in spree has equally clearly shrunk the opportunities for work among performing and other creative artists. True, the actors lucky enough to get a gig on a touring show enjoy a longer period of employment, but with fewer shows getting up (and with evidence to suggest that average cast-sizes are shrinking over time as well) there are fewer gigs available. The same is true for designers, playwrights, directors, set-builders and costume-makers and practically everyone except backstage crews, publicists and others in administration.

In recommending an even greater exploitation of this system in the short term by the major organisations, the Nugent Report seems to be condoning this rather expedient diminution of activity and employment opportunity—in direct contradiction to part of its own *Recommendation 12.2.2* and much of the material published in its previous Discussion Paper of July 1999. That paper's section 6.2: *Artistic performance adversely affected* clearly identifies all of the problems I have mentioned above (plus others, like less investment in the development of creative and performing artists), but the Final Report still countenances a system that ensures their continuation.

But it goes even further. Given that the state theatres staged 11.5 per cent fewer new productions from 1994 to 1998 but received 11.4 per cent more subsidy from the Australia Council over the same period, and that the Report recommends even more subsidy for the sector, it would seem to suggest that we should continue to pay these companies more and more for doing less and less. Or is the longer-term aim of increased funding to enable them to start doing more again and employing more artists? Let us hope that the latter is the outcome.

Let us also hope that some of the other recommendations are adopted, such as the rider to *12.2.2*. Apart from a couple of recent collaborations between Company B and Black Swan and the semi-national tours of the indigenous musicals *Bran Nue Dae* and *Corrugation Road* from WA, and several QTC productions of plays by David Williamson which have had southern tours, most of the touring traffic is one-way: *out* of the south-east corner of the country. If pressure can be brought to bear (or funding provided) to reverse this flow, then there is some hope of an improvement in work opportunities for artists working in the less populous states, many of whom are still Melbourne- and Sydney-based. There may even be a chance for more locals to get work.

In summary then, the Report does go a fair way towards making life easier for the major theatre *companies* (which are evidently earmarked as a kind of protected species) and it might even go some way towards making the future for some of their creative artists more secure. But I remain unconvinced of its benefits for the often more exciting and genuinely innovative but underfunded smaller and middle-sized companies, and for the young people's, regional and community theatre companies in which the Inquiry was not interested. They, of course, were not in its brief from a government which is only interested in what happens at the top end of town.

Only when a decent proportion of the proposed new performing arts money—and a lot of serious hard thinking—finds its way into the *non-major* companies (with a healthy top-up of the Theatre Fund for a start) will many of us feel more secure about the future of the performing arts as a whole. ■

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FLASH IN THE PAN



Object all sublime

Topsy-Turvy, dir. Mike Leigh. It has always been fashionable to dislike Gilbert & Sullivan. All the more credit, then, to Mike Leigh for deciding to come out as a G & S fan with *Topsy-Turvy*—the title an ironic comment, perhaps, on its relation to his usual output.

The film takes the year 1884–85, when *Princess Ida*, the seventh result of the partnership, unexpectedly foundered—despite its excellent music. We are shown the consternation this caused in the D'Oyly Carte company and the serious quarrel it engendered between Sullivan and Gilbert as they cast around for a successor. There is a stop-gap revival of *The Sorcerer*; and then, right in the teeth of Sullivan's insistence on a subject of real human interest, the idea for *The Mikado* suddenly presents itself as a Japanese sword falls from the wall in Gilbert's study.

Both men avidly set to work, and the immediate success of the piece ends the film. Well, not quite. The actress who plays Yum-Yum, on the verge of a breakdown, addresses the mirror and begins to recite her song, but finally the scene switches to its being sung in performance. The fragilities have been harmonised, transcended; the

forcing house of art has wrought its magic once again.

Apart from the music, which is superlatively well-played and sung, the dominant performance in every sense was Jim Broadbent's as Gilbert. The physical resemblance is close, while he has caught Gilbert's overbearingness and ferocity, but also his studied courtesy, defensiveness, and the unfailing wit. (It's the tribute of one director to another.) Equally tellingly, the film shows Sullivan (Allan Corduner, above, with Katrin Cartlidge) as a little more pugnacious—if muddled—than he is usually regarded. Wonderful cameos are also given of the Savoy principals, and some of the exchanges between them are so expansive that we come to feel as though we know them. Moreover, the film is accurate historically: Gilbert did want to cut the Mikado's song, and the comic lead George Grossmith did inject himself with morphine.

Leigh's sense of period style is consummate. The telephone is so new that people haven't yet quite worked out the conventions of speaking into it. The dialogue continually reminds us how Gilbert simply impacted contemporary forms of speech or turns of phrase, and how the deepest antagonisms could be expressed within the constraints of a deadly formality. The editing is masterly, too: a deft cut takes us from lesbian cavorting to the tune of

Offenbach in Paris to three sturdy Brits sweating it out in armour as they beef out Handelian strains in *Princess Ida*. Too many notes, perhaps; but *Topsy-Turvy* cannot be too highly recommended.

—Jim Davidson

Colossus messus

Gladiator, dir. Ridley Scott. When the great General Maximus (Russell Crowe) leads his Roman lads to victory over the grotty long-bearded rabble in Germania, he becomes a hero to his troops and the apple of an Emperor's eye. But Maximus is homesick, Emperor Marcus Aurelius (Richard Harris) is dying and his son Commodus (Joaquin Phoenix) is jealous.

So begins the three-hour epic that cost not only an arm and a leg (prosthetically speaking) but some unreal number of hundreds of millions of dollars to boot.

If after *Mad Max 3* they had made *Mad Max BC* they might have come up with something like *Gladiator*. Mad Maximus is driven to the very edge of sanity by the brutal slaying of his young family. Possessed by the demons of despair, he swears to avenge their deaths. Apart from a bit of political chit-chat and intrigue, the rest of the film is basically one hell of a barney in an over-sized sandpit. Much to my disappointment, graphic carnage and hungry big cats basically shape the remainder of the story.

It's hard to watch this film and not ask the question, why? Haven't we been here before, perhaps without so much blood or such enormous digital crowds, but hell, what's a few million Romans among friends, countrymen?

When Clint Eastwood made *The Unforgiven* he showed us how powerful a familiar genre can be if you artfully shift its parameters, darken its heart a little and acknowledge its weary bones. Scott is no stranger to these shifts—after all, he's responsible for some great genre-tinkering: *Alien*, *Blade Runner*, *Thelma and Louise*.

The film is dedicated to the late Oliver Reed, who played the gladiator trainer, Proximo. His performance is wonderfully cartoony. I suspect that while Scott was reading histories of Rome, Reed was reading *Asterix the Gladiator*. It's a shame they didn't share their libraries. *Gladiator* would have benefited immeasurably from the likes of Vitalstatistix, Prefect Odius Asparagus and Centurion Gracchus Armisurplus.

—Siobhan Jackson

Bar Mars

Mission to Mars, dir. Brian De Palma. *Eureka Street* can be a dangerous place to work. One chance allusion to the putative inhabitants of the Red Planet in *Watching Brief* and I find myself dispatched to report on a movie which will very likely by the time you read this review be heading for your local video store where it will provide a useful alternative to booze, dope and Moggies for insomniac youth.

Because it's S L O W. *Apollo 13* slow. Rip Van Winkle slow. *Days of Our Lives* is a mad, breathless caper compared with it. It's two hours long and feels like an entire 24-hour sci-fi marathon at the local arty fleapit, where it will doubtless be programmed at the end when everyone's snoring amid the piles of thrown popcorn and Fantale wrappers. You stumble out of *Mission to Mars*, brushing cobwebs off your face, wondering just how many dialogue-and-plot clichés a single film can contain before critical mass happens and the audience erupts in ugly riots. And when I say 'audience', the 6pm screening I attended consisted of me, and a chap in a wheelchair with three attendants who'd obviously given him no say in the matter.

The 'plot'? Well, try 2020 (certainly not vision, artistic or otherwise) as astronauts vie for the first Mars mission, *American of course*. And their lives and loves unfold before us like sands through the hourglass, these are the days of our li... Sorry, I'm dropping off again.

And Martians look like Lladro figurines* and because they're so wise and benevolent they set you tricky intelligence tests and if you fail you get sucked up into this giant vacuum hose (Oh, the humanity!) that comes out of that big face on Mars, presumably from up its nose.

AND there's a token cute married astronaut couple who should have a bucket of water thrown over them for egregious exhibitionist snogging, just so's we know *What A Happy Couple They Are So It's All The More Poignant When ...* AND there's a token cute black. AND a token cute nerd. AND a token cute widower who was considered dangerously emotional because he took some time off when his wife died. He is, of course, the cutely bravest of the brave and ends up being taken off to another planet and he gets sucked up into this cute long tube thing just like the Bugs Bunny Mars cartoon, which was Einsteinian compared with this.

I've told you the ending so you won't have to go. No, don't thank me, it's all right, I'm working out my karmic balance. Next incarnation I'm gonna be Pope.

*Unless, of course, Lladro knows something we don't, in which case Lladro figurines look like Martians, which is good because it's one bit of kitsch that humanity can't be blamed for. On the other hand, think of Jeff Koons ... No, don't.

—Juliette Hughes

Far, far away

Galaxy Quest, dir. Dean Parisot. Once, in a ratings season long, long ago there was a program called *Galaxy Quest*. It didn't do that well. Twenty years later, it has become a cult classic. Time and again, the stars put on their old costumes and turn up to 'Galaxy Quest' conventions where they shake hands and trade trivia with people who devote themselves to living within an elaborate but sterile fantasy. They sign autographs for \$15 a throw. There is no shortage of fanatics willing to pay. For the old actors, it's a living. A living, but not a life.

The opening of *Galaxy Quest* is one of the most effective satires of contemporary entertainment and leisure to turn up for a long time. It targets more than just the *Star Trek* junkies of this world. It playfully sticks out its tongue at the commercial interests which pigeon-hole imaginations and feed obsessions. It indirectly mocks the lives of those who buy a new Manchester United jumper every time the team has a new one, which is about twice a year. It implicates the people the Australian cricket team call 'tragic', the ones who know more about the statistics of a player's career than the player himself. *Galaxy Quest* tells of people lost in a very narrow space. It might be OK for teenagers. But what about the ones who don't move on?

Galaxy Quest itself does move on. It never loses its energy or sense of humour. The roles, particularly that of Alexander Dane (Alan Rickman), a Shakespearean actor who has been frustrated in his career by being typecast as Dr Lazarus, continue to grow. But the film is happy, after a time, to move away from the poignant world it has been creating and play just for fun.

Some of those dressed up at one 'Galaxy Quest' convention just happen to be real aliens, Thermians. These remnants have only been able to save their civilisation because they have intercepted broadcasts of 'Galaxy Quest' and used them as

'historical documents'. They have built a battleship like the one on the show. Now they need the actors to take it into battle. Which, of course, they can only do with the help of nerds on planet Earth who know more about the craft than they do.

—Michael McGirr SJ

Class set-up

Erin Brockovich, dir. Steven Soderbergh. This is a socially committed drama confronting corruption and abuse of power in corporate America, or else it's a paean to the power of big tits, big hair, short skirts and leopard-skin prints. Well, actually, it's both—a rousing affirmation of the power of cleavage, 8" minis and 3" heels to take on a multi-billion-dollar corporation and win. And it's all true (well, kinda sorta).

The plot, based on a true story, goes something like this: Erin Brockovich (Julia Roberts), loud-mouth white trash ex-beauty queen and unemployed single mother of three, brings \$28-billion corporate giant to its knees, and delivers justice to the little people poisoned by its toxic effluent and criminal negligence.

Ultimately, the film isn't really about Erin vs the corporate giant, however, or courtroom dramas of duelling lawyers. It's about the little people of this world vs the big ones with all the money and power and status (and that includes the lawyers Erin draws into the case)—the kind of populist drama Frank Capra would have understood.

So we see all sorts of scenes of Brockovich putting snooty lawyers in their place with her common sense and sharp tongue, scenes contrasting her empathy for the people suffering at the hands of the corporation with the coldness and indifference of the lawyers, scenes showing us her blunt and earthy humour (asked by her boss how she managed to finagle sensitive documents out of the local water board, Brockovich just looks down and replies, 'They're called boobs, Ed').

This is all very charming and fun, and if the real-life Erin Brockovich is anything like the film version, she's smart, determined and gutsy as hell, not to mention being a hoot to hoot. But it's hard not to feel a bit cynical when a corporate giant (Julia Roberts' films alone have grossed over \$2 billion) decides to make its money by selling the image of people power back to the people at \$12 a ticket (\$9 concession).

—Allan James Thomas



All stitched up

THE GREAT AMERICAN QUILT has started again on Foxtel. It has caused no dissension in the house this time because it's on at 2.30pm on Sundays when most people are out or doing the garden. Previously it would evoke from the menfolk tirades equal only to those about *Keeping Up Appearances* (Channel Seven, 5pm weeknights). Hyacinth Bucket inspires terrified hatred in men, which gives rise to naughty but satisfying *Schadenfreude* in me. I love her, and take a horrible satisfaction in the way she always bounces back, her lunatic optimism and steel-plated snobbery shielding her from reality and retribution. To call her self-centred is like calling mandatory sentencing a bit unfair, but she wouldn't be funny if she had real feelings.

The Great American Quilt was made in 1991 but never loses its fascination; I watch it in something like a Zen state: colour, structure, balance, skill are all contemplated in a strong historical perspective. The presenters, three women and a man, are all quietly intense about their subject: occasionally as I watch I think how lovely it would be to have no greater cares than the correct placement of a patch or whether I should do log-cabin or wedding-ring. Two of the women, Laura Nownes and Diana McClun, wrote a book whose title *Quilts! Quilts!! Quilts!!!* says it all. That title's enthusiasm is, well, more about life under a quilt, surely. (Yes! Yes!! Yes!!!)

Countless parasangs away at the far end of the TV spectrum, sits *The Footy Show*. I rang my sister, who barracks for Geelong, and asked her what she thought of it. When I say she barracks, I'm talking of a woman whose children edge away from her at matches and pretend to be orphans because she can't help encouraging her team from the sidelines.

'It's sheer unmitigated blokery,' she said. 'I only watch it every few months or so, and then I always have to go away and be sick because of something Sam Newman's said.'

So I watched it, the whole thing, not just for ten appalled minutes. It seems to be close to an old-style Tonight show of the kind that Graham Kennedy used to host, except that the studio audience are well-oiled and strictly controlled for boos, cheers and laughter. Eddie McGuire is token Homo sapiens in the chair, with Trevor Marmalade as some sort of servile wisecracker in the bar. There are guests who are brought on for various reasons—the night I watched, Shane Warne was on. Warne's not much of a footballer, I thought, but the show isn't really about football. It's really all about Sam Newman.

Newman is a man in his 50s, with a very smooth face. He has vigorously denied persistent rumours that he has had a

facelift. He read a transcript of a speech that had been made in the South Australian Parliament, criticising his alleged facelift and the way he makes fun of people in his street-talk segment. You could hear the audience holding its breath (watch him go after this one, Wayne). You could see that Newman occupies the position of the pub philosopher, the one who uses Big Words, whose speech rhythms are enough of the ruling class to cow the proles, whose half-baked articulacy is enough to awe the dumb. He did not disappoint them as he launched into a diatribe of the 'You, sir, are a pig' variety. The audience hooted its approbation: go to it Sam. He's a character, he is. Ooh he can really let them have it with his Dry Wit.

THEY ALSO BROUGHT ON some women to demonstrate that football isn't sexist any more, but I looked in vain for evidence that would have proved this. Not one of the women was a club president, coach, or AFL commissioner, so how they figure bringing on the ladies was going to prove anything but the contrary is a puzzle. One admitted cheerfully she'd been hired as a 'token blonde'.

Maybe the women who go to *The Footy Show* are just nice women who fancy footballers, but how they put up with Sam Newman is anyone's guess. Some people get their kicks from being kicked. It's just an extension of football, really, I suppose. It's a popular show, always rating in the top 20, which tends to prove that you never lose money by underestimating public taste. It shows a vast gulf between the sexes, to do with taste and gender-politick. I know that not everyone would be riveted by American quilt culture, but the male fear and loathing of Hyacinth Bucket has got something to do with her being fat, 50 and bossy; forget the snob thing—it's very confronting to see her ordering all those men around.

Maybe this is all a men-from-Mars-women-from-Venus thing. What would the Martians think of *The Footy Show*? I always imagine Martians as sagacious, hyper-evolved Renaissance-persons, with ethical systems that I now sadly identify as Dag Hammarskjöld's rather than Kofi Annan's. Bring back the cool Scandinavian ideal humanism of the mid-20th century, I say: that century that all the kicking and screaming was about, as politics and money actually dragged our wills, effectively and quietly, into something very like the early 19th as our bodies groped untidily into the 21st. ■

Juliette Hughes is a freelance reviewer.



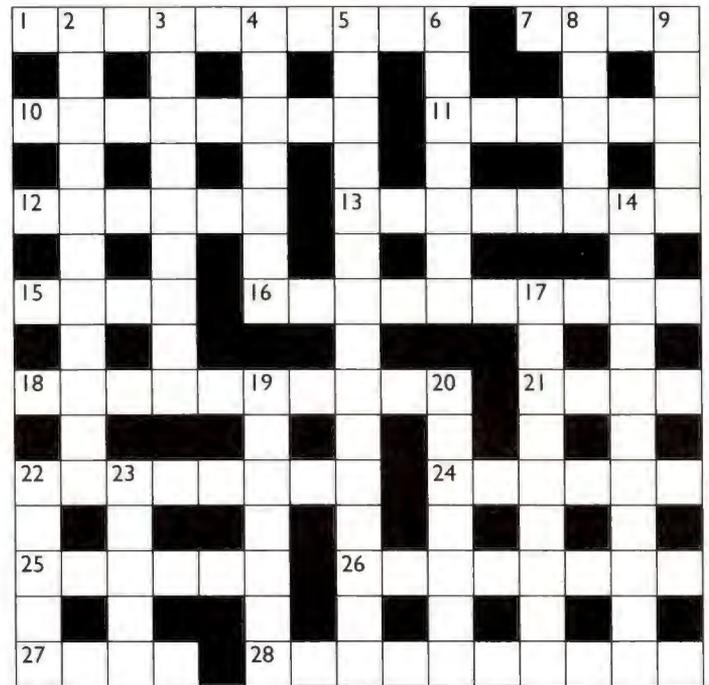
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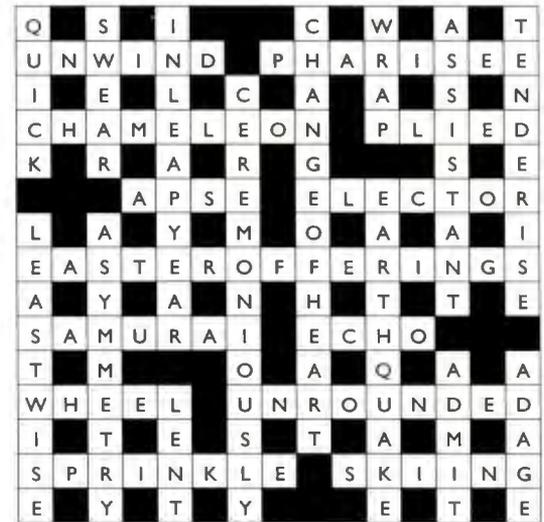
1. Study manual left out possible consideration of seasonal periods. (6,4)
7. American city with leading Irish clergymen concerned about the congregation? (4)
10. Is higher development of pug worth the trouble? (8)
11. Disaster signal at a festival of the month. (6)
12. Last great edition on fabric collection. (6)
13. Of little importance, it's not even new! (3-5)
15. Cause a fuss in detention. (4)
16. Take certain direction on horseback to reach Humberside, say. (4, 6)
18. Initially, temporary jobs with trade in these valuables—possibly in Paris. (6, 1/3)
21. Gorge on exotic teas. (4)
22. Nice tour—but spoilt by people so disturbed. (8)
24. Some family members live in fancy Riviera resort facing south-east. (6)
25. In the procession, I was in the lead with the queen, making me even more self-important! (6)
26. That is included in racing crews' numbers. (8)
27. One with keen sight needed on the golf course, we hear. (4)
28. Possibly dressier percentage returns on means of production for fruit beverage. (5,5)

DOWN

2. Shouldn't appear here. Arrange short pruning before putting on table! (11)
3. International organisation to make booking with no embarrassment. (9)
4. Twice present but unavailable, apparently. (7)
5. Nathan wandering around continent holds belief of early church. (Refer to calendar, 2nd May) (10, 5)
6. Half Narvik, it seems, wanted to attend the tutorial. (7)
8. Sum up the French capacity to confuse. (5)
9. What you are now doing, without anyone in charge, in the cellar, perhaps. (5)
14. However, Helen's notes are confusing. (11)
17. The god of the underworld dispatched her, decapitated, for being non-conformist. (9)
19. Ironic outcome of CIA stir up! (7)
20. The bird that goes brown as it gets old? (7)
22. New romance, perhaps ... (5)
23. ... results in constant conjunction. (5)



Solution to Crossword no. 82, April 2000



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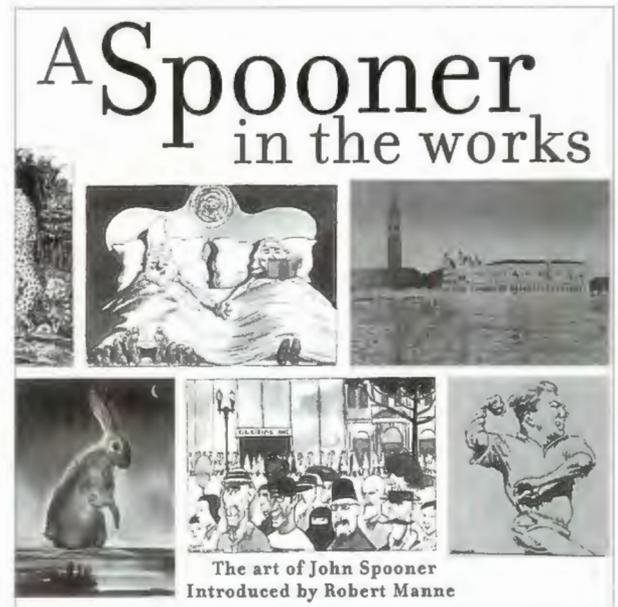
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