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## **BRIAN MATTHEWS**

**CREATIVE**

*Brian Matthews*

# The Advertiser

Captain leads  
tributes as grieving  
nation bids young  
star farewell



Brian Matthews is honorary professor of English at Flinders University and an award winning columnist and biographer.

## TIM REVIEW WEEK 2

### REVIEWS

*Tim Kroenert*

**Charlie's Country (M). Director: Rolf de Heer. Starring: David Gulpilil, Luke Ford.**  
**108 minutes**

Charlie

*Tim Kroenert is assistant editor of Eureka Street.*

## SUMMA WEEK 2

**AUSTRALIA**

***Andrew Hamilton***

IS

*Andrew Hamilton is consulting editor of Eureka Street..*

## Buyer's remorse

### CARTOON

**Fiona Katauskas**



Fiona Katauskas' work has also appeared in ABC's *The Drum*, *New Matilda*, *The Sydney Morning Herald*, *The Age*, *The Australian*, *The Financial Review* and Scribe's Best Australian political cartoon anthologies.

## Seeking asylum in the Promised Land

### INTERNATIONAL

*Nik Tan*



Developed countries around the world are trying to deter asylum seekers from accessing protection under international refugee law.

The United States returns Cubans seeking refuge by boat and Central American children travelling by land. The European Union's border agency Frontex conducts pushback operations on the high seas while Italy detains asylum seekers in Lampedusa. Australia's Operation Sovereign Borders policy includes push backs, mandatory detention and offshore processing in Nauru and Papua New Guinea.

Israel is no exception. A spike in asylum seekers from Eritrea and Sudan arriving across the Sinai Desert in recent years has given rise to Israeli deterrence measures, including detention and possibly involuntary return. The 65,000 African asylum seekers, who entered Israel between 2006 and 2013 have been labelled 'infiltrators' posing an existential threat to the Israeli state by the government.

And yet Israel is a state with refugeehood in its roots, from the time of the Exodus story when the Israelites were persecuted in Egypt and delivered to freedom, with the instruction that they were to welcome strangers. Indeed Israeli refugee advocates have encouraged a change of policy on the basis of Jewish exile in Egypt as recorded in the Torah. The 1951 Refugee Convention, the cornerstone of international refugee law, was adopted primarily to provide for the protection of Jewish refugees throughout Europe following the Second World War. Israel took part in the drafting of the Convention and became a signatory in 1954.

The surge in asylum seeker numbers poses significant policy challenges to Jerusalem. On the one hand, as a Jewish state Israel provides protection and indeed citizenship to Jews and anyone of Jewish descent seeking it. On the other hand, Israel is a western-style democracy with the rule of law and international obligations to abide by - obligations that are being violated with respect to African asylum seekers.

Demographics are important to Israel. As a Jewish state, Israel is sensitive to the balance between Jews and non-Jews entering the country. Jewish immigration is seen to strengthen national identity and conversely, non-Jewish migrants to dilute it.

Notwithstanding, the 2012 claim by Binyamin Netanyahu that around 60,000 non-Jewish asylum seekers 'threatens the social fabric of society, our national security and our national identity' seems far fetched.

Israeli asylum policy since 2007 has been characterised by deterrence not respect for refugees. In 2012, a five-metre high steel fence was built along much of the 240-kilometre Israel-Egypt border to 'prevent unauthorised infiltration.' Asylum seekers arriving at the border fence were refused entry and left to sit in the desert. Multiple amendments to the Anti-Infiltration Law have provided for the detention in much the same way Australia detains asylum seekers. In December 2013, such an amendment provided for the indefinite detention of asylum seekers without charge in the Holot 'residency' centre located in the desert from which residents are unable to leave.

Perhaps the most serious charge of violating of international refugee law levelled at Israel is that of *refoulement*. This duty requires states not to return 'in any manner whatsoever' a person who faces a real risk of persecution under the Refugee Convention. The principle of *non-refoulement* is fundamental to international refugee law, included in a range of other human rights treaties, and is broadly accepted to amount to customary international law.

From 2006, Israel conducted 'hot returns' to Egypt of asylum seekers picked up within hours of crossing the border. Since abandoned, the policy may have violated the *non-refoulement* principle had Egypt returned those refugees to their country of origin-known as chain *refoulement*-or persecuted them itself.

Today Israel does not directly *refoul* African asylum seekers, instead encouraging 'voluntary' return to Sudan and Eritrea through the threat of indefinite detention, a policy position that reminds us of Australia's use of offshore detention. In 2013, the United Nations High Commission for Refugees (UNHCR) said, 'agreement to return to Eritrea under a jail ultimatum cannot be considered voluntary by any criterion.' Human Rights Watch recently reported that Israel had not recognised any Sudanese asylum seekers as refugees, despite some coming from Darfur.

In another parallel with Australian policy, the Israeli judiciary has proven a ballast for asylum seeker rights. In a recent decision, the Supreme Court ordered the closure of the Holot residency centre and invalidated the use of detention as a measure to pressure return.

In many ways these deterrence measures are a familiar story. Today 86 per cent of the world's refugees reside in the developing world. Developed states like Israel and Australia are implementing sophisticated and techniques to prevent access to asylum and avoid protection obligations after arrival. In response, people-smuggling networks are also becoming more adept at circumventing border controls and disruption activities. This dynamic is likely to continue.

Nevertheless, can asylum politics in Israel be argued to be a special case? The state was founded as a haven for Jews after the Holocaust and yet, in the most serious cases, victims of the genocide in Darfur may have been denied protection.

In 2007, a group of Sudanese refugees visited Yad Vashem holocaust museum in Jerusalem. Chairman Avner Shalev said, 'As Jews, who have the memory of the Shoah (Holocaust) embedded within us, we cannot stand by as refugees from genocide in Darfur are knocking on our doors.' Israeli President Shimon Peres said in January 2014, 'we remember what it means to be refugees and strangers.'

Against the backdrop of the Jewish experience of exile, persecution and refugeehood and the history of the Israeli state itself, should we expect Israel to show greater commitment to international refugee law and refugee rights?



*Lawyer Nik Tan, who has experience at DFAT and the Centre for Multicultural Youth, is an editor at Asylum Insight.*

*Image: "Crossing of the Red Sea", Nicholas Poussin.*

<!--Follow him on Twitter.-->

## Homage to the king of herbs

CREATIVE

**Gillian Bouras**



I am at home near Kalamata, and it is Thursday as I write. But on Sunday I was in Athens, and staying with my youngest son, daughter-in-law, and grandson Orestes. That morning I woke to an empty house, for newly baptised Orestes had been taken early to the local church: Sunday was the Feast Day of Tou Stavrou, the Exaltation of the Honourable and Life-Giving Cross, one of Orthodoxy's Twelve Great Feasts. Church was packed, Nina said on their return.

I should have remembered the day. I should have remembered the lessons Aphrodite, my late mother-in-law, taught me so long ago. But there was so much to learn. I had been raised Presbyterian: when I told this fact to a Catholic friend of mine, resident in Greece for many years, she said with a startled look: 'Greek Orthodoxy must have come as a blow between the eyes, then?' Well, not quite, but perhaps it wasn't far off.

My Nonconformist grandmothers did not have a clue about the Orthodox pattern of Feast and Fast, and would not have approved of it, anyway. (I can still almost hear them creaking and groaning in their graves every time I light a candle, even though they should be well used to this practice by now.) They were firm in their belief in a personal connection with the Almighty: no intermediary or fuss was ever necessary. A nominal sacrifice (coffee, chocolate) during Lent was the only formal requirement.

One of the first of Aphrodite's lessons, however, concerned the amount of fasting or abstinence that went on, for more than half the Orthodox year involves abstinence of some kind. Aphrodite swore me to secrecy on the one occasion I saw her eat meat on a Wednesday, the day that commemorates Judas's betrayal, and of course she never ate meat on Friday. The forty day period before Easter involves a gradual diminution of animal products in the diet, and there are lengthy fasts before Christmas, the Feast of the Dormition of the Virgin, the Beheading of St John, and again before Tou Stavrou, which is the name-day for all those called Stavros or Stavroula.

I make my way to the Cathedral of Athens as Autumn is advancing. Dry leaves are falling

and crackling underfoot, while the delicate pink and white fronds of the Smyrna acacia are withering. The Cathedral is not at its best, for extensive repairs and renovations are taking place. But two important shrines lie undisturbed on either side aisle within the building. One large white marble coffin, decorated with gold and topped by a crown, houses the mortal remains of Patriarch Gregory V, hanged on the order of Sultan Mahmud II at the time of the outbreak of the Greek War of Independence.

The other shrine is that of St Philothei, patron saint of Athens. Nun, educator, and philanthropist. She lived and worked in the sixteenth century, and she, too, was killed by the ruling Ottomans. Her body lies in a casket sumptuously decorated with rubies and pearls, which is paraded through local streets on her name-day, February 19th.

In pride of place on this feast day, a modest silver cross lies in a glass case; the cross is surrounded by leaves of basil, the plant that was supposedly found growing on the True Cross when it was discovered by St Helen in 326. The word basil means king, the plant is considered the king of herbs, and bunches of it are always used in the sprinkling of holy water.

I light a candle. And think, as usual, of many people and many things. And also as usual, I accept the fact that I don't know precisely why I am lighting a candle, or why, on this occasion, I am in the Cathedral of Athens. But there I am, pondering the martyrs and my grandmothers, all of whom were convinced of the power of the Cross.

All of them belonged, in their time, to a simpler world, one in which there was far less self-doubt, far less questioning of belief. I know that envy doesn't do, but for a brief moment I envied them their certainty.

*Gillian Bouras is an expatriate Australian writer who has written several books, stories and articles, many of them dealing with her experiences as an Australian woman in Greece.*

## Is there a defence vote?

**AUSTRALIA*****John Warhurst***

On the one hand the wider Defence community seems to be in the ascendant in Australian society at the moment, yet the Australian Defence Force has still suffered an effective cut in pay over the next three years and there are calls for a Royal Commission into sexual abuse and harassment within that institution, including the Australian Defence Force Academy.

It is quite impotent to do anything about an adverse pay outcome because it is locked in to the government politically and structurally (through the Defence Force Remuneration Tribunal), but it remains to be seen whether the government will set up yet another Royal Commission.

The first element in the general Defence ascendancy is that the ADF has been in almost constant overseas combat operations for a decade or more and is currently deployed against Islamic State. These operations have been widely praised in the Australian community and have brought the members of the defence forces considerable honour. This recognition has come in the form of several awards of the highest military honour, the Victoria Cross, and through some civilian honours, including Young Australian of the Year and now the chairmanship of the Australia Day Council to VC winner Ben Roberts-Smith.

Secondly, the Coalition government is in office and the conventional wisdom is that it, rather than Labor, represents the Defence interest better. Within the Coalition parties former Defence force members are growing in numbers and influence. For instance, a former army officer, Stuart Robert, an ADFA graduate, is the Assistant Defence Minister. He was the public face of the government in stamping out any suggestion that the pay decision could be revisited.

Thirdly, former Chiefs of the Defence Force are now very highly placed in Australian society. They occupy the positions of Governor-General, Sir Peter Cosgrove, and NSW Governor, David Hurley. At the state level, Queensland Premier, Campbell Newman, is a

former Army Major.

Fourthly, the military has been thrust front and centre into administering border protection policy. Until recently, the militarisation of that policy has seen General Angus Campbell standing beside Immigration Minister Scott Morrison at press conferences.

Finally, we are just beginning the massive commemoration of WW1. Effectively this means a huge focus on the defence forces and on their courage, valour and sacrifice on behalf of the Australian community.

Yet despite Independent Tasmanian Senator Jacqui Lambie projecting herself as the defender of the defence community and promising to vote against all government policy until the pay offer is upgraded, Defence welfare may not have a big political impact at the next election.

This reflects on the political power of the wider Defence community as expressed through a so-called defence 'vote'.

The Defence 'family' are generally trusted on Coalition voters. Most are politically and culturally averse to Labor and to its allies such as the trade union movement. It will take a lot to turn them into swinging voters.

Already there has been some speculation that Labor will benefit. The Shadow Parliamentary Secretary for Defence, Gai Brodtmann, has called on Coalition MPs to stand up for ADF members in their electorates. Allan Thomas, the national president of the Australian Peacekeeper and Peacemaker Veterans' Association, hopes that some Coalition MPs will lose their seats over the issue. But this association is just a minor player.

Voters make up their minds not just on personal financial self-interest but on wider policy and cultural issues. Roberts-Smith has already said as much. ADF members largely remain political allies of the Coalition when it comes to the ballot box.

Criticism of the government by smaller Defence pressure groups will not be enough. Political change will come about only in the unlikely event that the big and generally pro-Coalition pressure groups, like the Returned Services League, not just 'remain very disappointed with the government's decision' (which is actually code for 'we are still inside the government's tent') but start campaigning actively and publicly against the Coalition government.

*John Warhurst is an Emeritus Professor of Political Science at the Australian National University and a Canberra Times columnist.*

*Northern Australia defence forces exercise image by Wikimedia Commons.*

## A broken life gathered in beauty

**CREATIVE**

***Bill Rush***



**Gabriel**

I don't know your precise job description

though I know that part of it is announcing  
good news. Assaulted by daily horrors we  
could surely do with more of it down here.  
Was it you who started the old cliché; Look  
for the silver lining which turned into song?  
So not your words then, but when you did  
speak, the young girl was truly astonished.

Taking your advice, I find solace in clouds.  
On this November day, the breeze attempts  
to herd them over azure pasture. My head  
lifts upwards. Beyond the shadow of your  
spread wings lies the shimmering light of  
high summer and the one who imagined us.

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**Give us this day our daily water**

more to be desired than bread  
bright chameleon pulsing  
in the ocean's plenitude

delight in its transitions  
fog steam ice snow  
its power of resurrection

give honour to rain-bellied  
clouds soon to give birth  
deep soaking of red soil

bless all things aqueous  
pearls bouncing off green  
bride of new grass

our flesh married to water

**Matins**

I hope no-one asks me  
what the preacher said  
or who among the hurt and hungry  
we remember today

for I'm looking  
south, where David  
strikes his harp in a riot of glass  
and the hymns wash over.

His face is sorrowful, though  
it's hard to think the psalm  
is penitential in this sea of  
red, blue and gold.

Perhaps it's a trick of the light  
but is his crown slightly askew?  
O Absalom, Absalom, he laments, as  
his broken life, gathered here in beauty,  
is knitted with lead.



*Bill Rush, who sees poetry as 'healthy speech' that invites both clarity and response, had his third collection Into the World's Light published by Interactive Press in 2013. Clouds image by Shutterstock.*

## Killing Religion an own goal for ABC managers

AUSTRALIA

**Michael Mullins**



During the week, ABC 730 NSW presenter and public broadcasting advocate Quentin Dempster referred to a 'nincompoop' in senior ABC management who was heard to comment on the need to get rid of the 'strangle-hold of specialisation'.

Dempster did not name the manager, but last Monday the incoming Director of Radio Michael Mason told a meeting of Radio National (RN) staff that they would suffer disproportionately because the ABC had to 'reshape the network for the digital future'. He went on to announce extensive cuts to RN's specialist programs.

RN is the home of specialisation at the ABC, and religion has been one of its signature specialisations, because of the public broadcaster's 'cultural diversity' charter obligation, and the fact that, often and increasingly, there is a deeper religious or spiritual explanation to what is happening in our world that eludes most, if not all, other mainstream media.

Yet religion is a particular target of the 'reshaping', with a 40 per cent staff loss compared to 10 per cent in other RN program areas. At the time of writing, the only program to remain in its current form is Andrew West's *Religion and Ethics Report*, though it will suffer from the 70 per cent cut to resources for religious programs. There will be less depth in Rachael Kohn's *The Spirit of Things*, with its air time being reduced, and the ABC's longest running radio program *Encounter* will be absorbed into a new program that belongs to the features genre.

'Genre' is RN management's new buzzword, but it's hard to fathom why. That is because it does not sit well with Managing Director Mark Scott's 'digital future' vision, as long as the widely accepted 'content is king' meme continues to apply to digital publishing industry practice.

Genre is associated with form, which is opposed to content. It allows for the endless repetition of single and superficial ideas, while the principle of specialisation provides multifaceted checks and balances to guard against this. Each discipline offers a different way of looking at the world, and isolating one from others allows us to reach the greater depth of understanding required by the 'cultural diversity' charter obligation.

Meanwhile the curse of digital technology is that it is too easy to publish the same thought in as many forms or 'genres' as we like. That's why content is indeed king and an ABC that values specialisation is perfectly positioned to shine in the digital world. It's just a pity that the management 'nincompoops' don't appear to grasp this.

Of particular concern is news that those managers who do understand - the guardians of specialisation at the ABC - have been made redundant or had their roles reduced.

Religious TV executive producer Rose Hesp - who is responsible for *Compass* and the purchase of the BBC's *Songs of Praise*, which the ABC is cancelling - is going, and the

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role her RN equivalent Jane Jeffes is being diluted. Rupert Murdoch has been accused of manipulating the Abbott Government to ensure the emasculation of the ABC, as payback for the support that helped it win the 2013 Federal Election. It's not the size of the cuts that are likely to deliver what Murdoch wants, but management's decisions in implementing them.



*Michael Mullins is editor of Eureka Street and worked in ABC religious radio for several years around 1990.*

<!--Follow him on Twitter.-->

## Don't forget it's 'World' AIDS Day

### AUSTRALIA

**Andrew Hamilton**



As a focus of fear and stigma, Ebola has replaced AIDS in Western consciousness. So World Aids Day offers an occasion for reflection on the human lives affected by HIV, on what needs to be done to address the spread of HIV in Australia and also on the devastation caused by AIDS elsewhere.

When its threat and extent were first recognised, AIDS was difficult to address because it carried a double stigma. It was a mysterious, lethal disease that caused great suffering and noticeable physical symptoms, and led to the death of many who suffered from it. There was no cure for it. It carried the stigma associated with fear.

The spread of AIDS was also associated with unprotected sex between men and sharing injecting needles, and so carried the cultural and religious taboos associated with that conduct. It carried the stigma associated with sexuality and addiction. Stigma makes for silence, because to reveal infection or sexual orientation is likely to bring exclusion and discrimination. Silence makes for ignorance as no one talks about the reality of the disease and its transmission. Ignorance contributes to the spread of the disease among vulnerable people.

In Australia, AIDS receded in public consciousness as more effective antiretroviral medicines were developed and became more widely available, so preventing HIV from developing into AIDS. Public education about the causes and the ways of preventing the disease were also effective, particularly when the education was undertaken by community groups whose members were more liable to infection. The stigma associated with fear and with sexuality was challenged and discrimination diminished. Stories of men caring heroically for their AIDS infected partners became more familiar to the public.

In Australia the goal of the Day is to reach a point where there are no new HIV infections, no discrimination and no AIDS related deaths. That seems theoretically attainable. But the reality is that the number of people diagnosed of HIV have increased over recent years. So the need for more public awareness and education among vulnerable groups remains. Stigma, too, which is notoriously difficult to overcome, needs to continue to be addressed so that no one will be reluctant to seek diagnosis and treatment of the HIV virus.

But *World Aids Day* encourages us also to think beyond Australia. Africa remains the continent most afflicted by AIDS. Even there the number of HIV cases diagnosed has declined in recent years, but the suffering of people with AIDS, their families and of communities is incalculable. And in contrast to Australia where AIDS is mostly contracted by men, in Africa it affects women. Of adolescent and young adults diagnosed with HIV, some 70% are female.

In Africa cultural and economic factors are also significant. The fear of AIDS and the

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stigma associated with it discourage many people from seeking advice and help. The need for men to live far away from home in order to find work, too, contributes to infection. And poverty drives many women into sex work to support their children. As with other conditions that present as medical problems, HIV in Africa is also a problem of fairness. It makes us ask what people in wealthier nations owe to those in poorer nations, what attention governments ought give to the most disadvantaged, what respect between sexes entails, and what values should guide both economic and personal life in all nations. AIDS is correctly diagnosed as an illness of the body. It also invites diagnosis of the spirit.



*Andrew Hamilton is consulting editor of Eureka Street.*

*Image courtesy YEAH/worldaidsday.org.au*

## Why Phil Hughes' death resonates

AUSTRALIA

*Kerry Murphy*



I remember first seeing Phil Hughes bat at the Sydney Cricket Ground in his first game for NSW back in 2007 where he scored 53. He was the new 'boy from the bush' with a slightly unorthodox left-handed style. He was then only 18, being born in our bicentenary year.

I later witnessed his highest test score at the SCG, 87 - traditionally the unlucky number for Australian cricketers - against Sri Lanka in January 2013, the second highest score in the Australian innings of 432. He was a strong and confident player and you always felt there was a chance of excitement when he was there.

Sadly he never scored a test century in Australia, but he scored two in South Africa in Durban in 2009. His century in each innings in Durban in March 2009 was achieved at the young age of 20 years and 98 days - 31 days younger than the great Bradman achieved.

Death at 25 is a shock, whether it is a famous cricketer or a young person setting out on their life and career. I think back to what I had managed to achieve at 25, and then think about what if that had been all I managed to do. What possibilities were there for Phil Hughes? Once again he seemed on his way back to the Australian team having recently scored 243 for an Australian A side in August against South Africa.

He was a professional cricketer, who was chosen to play for his country, the dream of every young cricketer. The hard part for the professional cricketer often comes at the end of their career - what do they do next? Sadly Hughes will never reach that quandary. Those of us who have played cricket know there is a risk, but is it life threatening? How was it possible? I have been hit on the head several times by a cricket ball, and was nearly concussed once as an umpire, but I never imagined the chance of a fatal injury as happened this week at the SCG.

Playing cricket it is about enjoyment and participation with your team mates. Getting a low score or being hit all over the ground as a bowler can be disheartening, but you try

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again the next game and hope for the best. Sadly for Phil Hughes his last game was a draw and he wYeas recorded as retired hurt for 63, at his old home ground playing for his adopted State of South Australia.

A few years ago I remember the contest between a determined Steve Waugh and the South African fast bowler Alan Donald also at the SCG. Waugh batted through what was a ferocious spell of fast bowling, but he did not come away unbruised. In his book, *The Meaning of Luck*, Waugh commented on courage and said in his view real courage was the ANZACS charging into machine gun fire at Gallipoli, not cricketers facing fast bowling.

Phillip Hughes died from an injury playing the game he loved. The shock of the suddenness of the death following the injury on Tuesday has stunned fans and players all over the cricket world. The shock of it has a numbing effect, yet just seeing the photo of his devastated parents leaving St Vincents shows the extent of their loss. His death is a tragedy. The other tragedy is for the young NSW bowler Sean Abbott. What must he be feeling, having to always live with the memory of bowling that bouncer.

Will this change the way cricket is played? Will the bowler hold back in case he injures the batsman, will the batsman be more careful but hesitant because of knowing what happened to Phil Hughes? Should the International Cricket Council (ICC) intervene to restrict such dangerous bowling? Will there be hesitancy in Mitchell Johnson as he comes running in to bowl to the Indians this summer?

I hope not. For the spectator we like to see a solid contest, marked by skill and the beauty of that seemingly effortless shot sending the ball to the boundary, or the stumps cartwheeling away after a perfect delivery. These achievements we lesser skilled spectators can only dream of ever performing.

Young people are dying every day around the world, in tragic circumstances. Yet somehow the sudden and unexpected death of a young cricketer has the headlines. Maybe it is partly in the way that the 'boy from the bush' who did well image still resonates in Australia. Maybe it was because he just did what he loved and did not make a fuss about being dropped from the test team, but he went back to working hard and making his way back into selection.

There is a tragedy in the loss of such a potentially great player but also for the bowler who will never forget the moment of impact. As a spectator we can salute the late Mr Hughes, and the joy and hope he brought to spectators around the world. May he rest in peace.

*Kerry Murphy is a cricket umpire who also works as an immigration lawyer.*

*Image: Wikimedia Commons.*

## Long-grassers seen as blight on Darwin's iconic foreshore

AUSTRALIA

*Mike Bowden*



I was sitting on the front verandah of our lovely small flat on Darwin's Nightcliff foreshore, having invited my adult son and his family over for dinner. We were talking the local Vinnies' decision to relocate its SOS Van from its highly visible city location on The Esplanade. This followed the airing of safety issues and complaints from members of the community.

As we looked out on the bike and walking path adjacent to the azure Arafura Sea across from our home, he raised the uncomfortable but pertinent question that emerges for all residents when faced with the possibility that the tranquillity and amenity of their beautiful environment is threatened by anti-social behaviour in close proximity.

Darwin has a small group of 'long-grassers' who live rough both in the vicinity of the CBD and the original dormitory suburbs to the north. The Vinnies SOS van has been servicing the needs of the Darwin City based group for many years, with a permit from the Darwin City Council. It offers a meal and hot drinks to homeless clients five nights a week in a spot close to where many of them spend the night.

It is a highly visible and iconic location, a short distance from the War Memorial that commemorates the bombing of Darwin during World War II. Permanent residents live in high rise apartments nearby and tourists stay in the five star hotels along The Esplanade. Like my own verandah, here are some of the best views in the Top End.

My son and I wondered how a community is to respond to the needs of its most marginalised citizens when their behaviour becomes an embarrassment, and possibly a danger, to other residents and visitors.

Should the interests of tourist entrepreneurs be put before those of the homeless and hungry? Should residents be able to enjoy the their picturesque location without the noise, fighting and litter of the riff raff?

The issue emerged on the day after Italian media reported that the Vatican had installed a shower block for the homeless on the edge of St Peter's Square. If it is acceptable to cater for the marginalised in that highly visible tourist hot spot, surely there's a moral imperative to acknowledge the rights and needs of the marginalised in Darwin.

Despite such conjectures, the St Vincent de Paul Society NT decided to relocate, so that it could continue to provide the service in a less visible location.

But where to? Initially Vinnies has decided upon Ozanam Centre, its major outreach centre 2.5 kilometres away in Stuart Park. Those who are hungry and homeless will somehow need to get themselves over to Stuart Park to get a feed.

Then how long will it be before the residents in the apartments and expensive homes, and business owners, in Stuart Park start to object? And if it is reasonable to require the hungry to travel so far for charity, the surely must be ready for further relocations of the facility.

What are the alternatives? One of the major Churches in the Darwin CBD was asked if they would 'house' the service. All that is required is an open space for a small van and room for about 40 people to congregate for an hour or so and access to toilets. The request was denied, presumably because a judgment based on a negative assessment of the questions posed above emerged. There are at least four other major Churches located in the CBD including St Mary's Star of the Sea Catholic Cathedral.

Is it reasonable to expect one of these to offer a location (all have the space and toilet facilities)? Surely this is the 'smelling like the sheep' work that Pope Francis was talking about when addressing his priests in March this year.

If not the Churches, who else should step up to the plate? Surely it is not the responsibility of religious people and institutions only. Indeed local service groups in Darwin both sponsor the SOS Van and staff it regularly. Many of these people who give up their time are not church goers. Similarly the Darwin City Council has a responsibility to meet the needs of all residents of the City, not just ratepayers. It, too, must accept a responsibility to engage in a careful investigation to find an appropriate site.

There is a committee comprising relevant service providers, including Larrakia Nation, the Native title holder body in Darwin, who have been tackling this issue for many years. But a major concern is that widespread community ignorance and disinterest allows the strong voice of a small group to dominate the agenda and seems to have compelled the agencies to anticipate a community backlash, rather than feel that they are actually doing the community's essential work on its behalf. The decision to stay on the Esplanade might be 'On the Nose' but it was the right decision, sadly forgone.

*Mike Bowden has worked as a teacher and community worker in Alice Springs and Aboriginal communities in the Top End.*

## Harper Review's new world of public service for profit

AUSTRALIA

**Julie Edwards**



### COMPETITION POLICY REVIEW



Australia sits on the cusp of sweeping reforms that would radically change the nature of public services and, through them, our society.

After several months of consultation, the [Competition Policy Review](#), chaired by Professor Ian Harper is now preparing a final report that has the potential, over time, to result in significant reform to public services on which Australian governments invest over [\\$184 billion \(12.1 per cent of GDP\)](#) each year.

These include the education, health and other social services that we all access or rely on at some point in our lives. These social investments build capabilities so that people can realise their hopes and aspirations, they contribute to more cohesive and inclusive communities, and are often there for people during times of crisis.

The *Harper Review* recognised the vital role these services play in our society. But its *Draft Report* strongly signalled that reform is needed to better promote competition principles. It argued that a reduced role for government and diversity of public service providers will lead to greater choice, effectiveness, innovation and efficiency. In doing so it seeks to complete the radical alteration of the relationship between state, market and society that has been underway in Australia for the past three decades.

A fundamental problem with the arguments put forward by the *Harper Review* to date, has been a failure to understand that many public services exist as a response to the failures of the market. Public services also have a wider civic mission that is represented in time-honoured values of citizenship, fairness, justice, representation and participation. These values are threatened when services are seen as products that can be broken up and sold on the market.

Worse still, the promised benefits of government reducing its role in providing services have rarely been realised. What we have seen, in practice, is that this sort of reform provides a quick fix for governments looking to save money. Too often the winners are not service users or taxpayers, but for-profit providers who 'game' human services

markets to the detriment of those who need services the most.

Experience has shown us the challenges that arise where the role of government is diminished. In the 1990s Victorian prison system radically and rapidly reformed into the type of model that the Harper Review has endorsed. At the time the state's prison system faced a range of significant challenges and through reform several new prisons were able to be constructed.

However, there were immediately major problems - most notably a series of deaths during the first months of operation of the Port Philip private prison and major safety issues at the Women's Metropolitan Prison - which resulted in the prison being taken over by the state. An independent review of the system in 2000 noted deficiencies in the Victorian system and called for a '*renewed focus on collaboration rather than competition, and on promoting the notion of a system rather than an industry*'.

More efficient, effective and diverse public services are possible, as are greater levels of choice. But to make this a reality requires more than simple notions of competition. Instead it requires collaboration and partnership between organisations, a strong sense of civic mission, and a genuine commitment to building relationships and networks that empower people and communities.

Government has a vital role to play, and one that is much greater than that of a purchaser of services as envisaged by the Harper Review. Community organisations also have a role to play here. Again this role must be more than simply being government service delivery arms operating in a competitive market. In many circumstances community organisations can further their mission and add value to the delivery of public services, but we must never compromise our sense of mission, independence, collaboration, and relationships of trust with the community.

On one level the Harper Review raises some high level questions about the nature of public services and the role of the market, the state and the community. More importantly, it affects the day-to-day lives and experiences of everyone. It will impact upon the nature and quality of services that we often take for granted, including everything from childcare and schools right through to health services and aged care. We all have an interest in ensuring that these social investments deliver the best possible outcomes not only for individuals, but for communities and our wider society.



*Julie Edwards is CEO of Jesuit Social Services.*

<!--Follow him on Twitter.-->

## Shock of the new bourgeois reality

CREATIVE

**Ellena Savage**



I am in the US for work, and I'm reading Ralph Waldo Emerson. His beautiful and vivid essays string together the material and immaterial in ways that are transcendental. They help explain how the material and immaterial are so densely and confusingly interwoven here in the US, which is a place of both immense creativity and great poverty.

In his powerful essay 'Circles', Emerson writes: 'That which builds is better than that which is built &hellip; Better than that hand, and nimbler, was the invisible thought which wrought through it.'

For me, this points to the immaterial forces that drive historical change and creative transformation, while acknowledging the ways the contemporary moment is always held to be material, a-historical, and permanent. 'Everything looks permanent until its secret is known,' he says.

The San Francisco neighbourhood I'm staying in could best be described as the Prius capital of America, or possibly the neighbourhood with the highest instance of fresh paint jobs on Edwardian exteriors. Anyway, it's a very nice neighbourhood, and by nice of course I mean comfortably middle-class.

It used to be populated by artists and dilettantes, and now it is affluent. We are a block away from an organic grocer, and a dog park, and my neighbours shouted at my housemate for smoking a cigarette in a public area. Because everything seems permanent until its secret is known, middle class-ness looks obvious until the fact that it is predicated on order, authority, and materiality becomes known.

The middle classes - and without irony I really mean *the bourgeoisie* - consume art and culture, perhaps in a similar manner in which they consume Priuses and house paint. These are modern-day versions of iron and grain.

Artists need the bourgeoisie, then, because material things like health and safety and housing and nourishment require material upkeep. But artists are *not* middle class. They can't be. They have to exist as Emerson's 'invisible thought' that works through the

material world, or else there is no possibility for transcendence or change. But then, I'm reminded of Jean-Paul Sartre, who writes that poets never 'resemble the bourgeoisie more closely than when they attempt to set themselves apart from it.'

Nadine Gordimer distinguishes artists from the bourgeoisie by affirming the notions of 'relevance and commitment' that are central to an artist's mode of being. Sartre writes that the bourgeoisie is 'unable to ground its privileges in Being' but rather ground it in moral negation, and Gordimer seems to finish his contention by describing this dominant class as a 'closed-value system' which offers only a very limited set of freedoms for artists.

By creating social power through negation, by imposing moral bonds on outsiders to affirm dominance ('Do not smoke, smoking upsets my vision of natural harmony from which I draw my social privilege'), the bourgeoisie attempts to contain Emerson's 'secret' from 'becoming known' - so as to protect its permanence. Art threatens, at least it should threaten, the logic of this permanence, and the invisible wells of privilege.

For artists, writes Gordimer, commitment 'is the point at which inner and outer worlds fuse.' In mastering a form, artists 'create new norms and forms out of and for a people recreating themselves.' To permanently transform the permanence of the present has spiritual as well as material outcomes.

Participating in the dominant culture comes with its privileges, of course, alongside its restrictions. And living as we do, the choice of opting out of this culture is especially difficult. The daughters and sons of the bourgeoisie who are enabled to make art because their material legacy supports them must especially feel this, because often they take up the challenge by ripping off the outward cultural signs of people who are kept outside the bourgeoisie. Think Miley Cyrus' appropriation of Black American culture. This kind of cultural flipping is low-cost, and probably serves the interests of the dominant class in any case. Genuine transgressions cost a lot more.

Working in publishing, this is one of my biggest concerns: that the need to exist inside an economy regulated by bourgeois tastes and preferences restricts the possibilities for the work that I make, curate, and work with. It's quaintly twentieth century, and profoundly bossy, to impose this asceticism onto people who make things. But when our present is rocked by the incredible injustices we are watching unravel in Ferguson, artists are called upon to drop their aspirations for class mobility that is tethered to the material, and instead draw light on the immaterial, Emerson's 'secret'.

*Ellena Savage has just been appointed editor at [The Lifted Brow](#).*

*San Francisco image by Shutterstock.*

## Dark descent to ethics-free journalism

### REVIEWS

**Tim Kroenert**

**Nightcrawler(MA). Director: Dan Gilroy. Starring: Jake Gyllenhaal, Rene Russo, Riz Ahmed. 117 minutes**

In the summer of 1997 the *Los Angeles Times* stretched the ethical presumptions of fly-on-the-wall journalism to near breaking point. According to the *American Journalism Review* in March 1998, the reporter and photographer behind the paper's 'Orphans of addiction' series watched as children as young as three 'were endangered and neglected time and time again by their drug-addicted parents'.

The story made for powerful reading, and led to at least one of the children being eventually rescued by Child Services. But 'at least four months elapsed from the time the *Times* found the children to the day after the series began', the *AJR* said. 'By the time the story came out, that kid could have been dead,' Michael Nash, then presiding judge of the Los Angeles County juvenile court, told the journal.

The 'intervention dilemma' is a perennial consideration for journalists and those who pay them. The desire to objectively document reality, to 'hold a mirror up to society' (in the words of the *Times* reporters) is a noble and vital function of news media. But the decision to intervene or not when lives are in danger ought to be dictated by robust personal and institutional ethics. In this instance the *Times'* decision to not intervene was questionable.

But what happens when those ethics are stripped away altogether, and replaced by the bottom line? *Nightcrawler*, the directorial debut of Californian filmmaker Gilroy, probes the inner workings of a ratings-chasing LA television news network whose bread and butter are sensationalised stories about accidents and class-based crime. They're not alone in this: they are just trying to keep up with their competitors.

'Is there a problem with us running this?' veteran producer Nina Romina (a formidable Russo) asks a colleague regarding one piece of grainy, gory crime scene footage. 'You mean legally?' said colleague replies. 'No, morally,' Nina spits sarcastically. Hers is in fact a morally bankrupt world. Ethical questions are raised only by skittish off-siders, whose qualms are quickly quashed by the necessity for higher ratings.

It proves to be the kind of world where a person like Louis Bloom can thrive. Gyllenhaal brings an easy smile and cold, dead eyes to his portrayal of a resourceful and ambitious sociopath who raises himself from petty thief to the rank of nightcrawler - a cameraman who specialises in shooting the aftermath of road accidents and violent crimes, and selling the footage to news networks.

Louis has the personality profile to match the job title. He is well aware of the value of his sordid work to those who pay him, lucratively, to do it. He uses this to manipulate Nina professionally and sexually. He has delusions of grandeur, too, increasingly

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influencing the scenarios he shoots in order to maximise their artistic and financial merit. His faith in Nina's cynicism pays off: she laps it up.

*Nightcrawler* is a jet-black satire that, like Scorsese's *The Wolf of Wall Street*, paints a world where the evil and the corrupt are allowed to thrive, because their evil and corruption stem from the same kinds of preoccupations with material comfort that are simply the hallmarks of unreconstructed Western society. Nina's desire for job security and Louis' for wealth and fame are all too relatable.

And like *Wolf* it is laced with humour; Louis' faux-managerial interactions with his hapless intern Rick (Ahmed) are downright hilarious. This makes Louis engagingly likeable, but doesn't change the fact that he, the film's hero, is merely a sympathetic villain. Just as Scorsese's film tacitly implicated us in the excesses of Wall Street, Gilroy's demands discernment in what we consume as news.

*Tim Kroenert is assistant editor of Eureka Street.*

## Disruption of government business as a good

AUSTRALIA

***Andrew Hamilton***

If your image of ideal public life is steady as she goes, the big stories of the last two weeks will have been disquieting. They have told of fragmentation, unpredictability and disruption. These qualities are characteristic of times when established institutional processes are breaking down.

The G20 meeting received most attention. The agenda of the conference was carefully controlled to focus on economic growth and to make broader issues like climate change marginal. The Australian Government clearly hoped that the meeting would also give some legitimacy to its budgetary measures.

To these plans and hopes, the unexpected agreement between Presidents Obama and Xi Jinping on climate change, and Obama's reference to the defects of Australia's approach to climate change in his speech to students in Brisbane, caused massive disruption.

Domestic and international attention was turned away from the central business of the meeting, which was the need to address climate change. When Prime Minister Abbott met French President Hollande a week later, both men sang from Obama's hymn book. The following week senators unaligned with the major parties struck down the financial services regulations introduced by the Government. These were seen to favour the big financial players, whose reputation for benefiting themselves at the expense of small investors was already becoming noxious. The unexpected rebellion by the senators was yet another disruption of the Government's economic policies. It also spoke of the fragmentation and fluidity of the Senate and of the obstacles it put in the way of the smooth implementation of government policy.

These events might be seen to be unrelated. But I would see in them a common theme. They both challenge the belief that agendas can be centrally controlled and that good governance is constituted by discipline and sole ownership of the agenda. They suggest that the ability of political parties to impose their ideological agendas without testing them against the human values they embody is breaking down. The problem does not lie in the disruption but in the way governments act when allowed to have their way.

If this is so, we should ask how we should read the signs of these choppy times. First, we should insist that governments reflect on what matters in governance and not simply on how to govern efficiently. What matters is the human good of people living now and in the future, and particularly of people who are disadvantaged. The problem for the Australian Government is that it is perceived to neglect what matters and to act unfairly. Its policies have removed protection from people who have reason to believe that large financial firms will exploit them. They have also subordinated care for the environment to short term profit. The Senators recognised that the financial regulations did not serve humane values. President Obama called the Government on the values behind its climate policy. Both disruptions pushed the Government back to reflect on what matters.

Second, when people lose their trust in governance, many voices need to be heard, particularly the voices of those deliberately excluded from the conversation. The senators' disruption to the Government gave a voice to those who have been treated badly by banks and financial agents. Obama's disruption gave a voice to the future generations of Australians and to the world community whose voices the agenda of the G20 meeting was designed to mute. In both cases we are entitled to feel satisfied that the Government's agenda was disrupted.

Third, timely symbols are powerful. Critics often contrast them with actions that make a practical difference, and deride them. But the emission agreement between the United States and China and Obama's speech placed climate change firmly on the international agenda. They also signalled that crude forms of climate change denial could no longer be taken seriously. If, as many forecast, an El Nino rules Australian climate in the coming years, the challenge of dealing effectively with climate change will return also with some urgency to the political agenda.

In Australia, disruption of government business as normal is not the problem. The problem lies rather in areas where Governments can walk over vulnerable groups with impunity and without fear of disruption. The cruel and secretive mistreatment of asylum seekers and the Western Australian Government's plan to rip the guts out of Indigenous communities and dump the people in townships come to mind. If these activities are the mark of governments in control of its agenda there is much to be said for disruption.

*Andrew Hamilton is consulting editor of Eureka Street.*

## Clivey had a little Lambie

### CARTOON

**Fiona Katauskas**



Fiona Katauskas' work has also appeared in ABC's *The Drum*, *New Matilda*, *The Sydney Morning Herald*, *The Age*, *The Australian*, *The Financial Review* and Scribe's Best Australian political cartoon anthologies.

## How Pope Francis took the world by surprise

**EUREKA STREET TV**

**Peter Kirkwood**

Pope Francis is one of the most prominent international leaders at present, and he's the focus of this interview on *Eureka Street TV*.

In our Skype conversation, American journalist, Robert Mickens, a veteran Pope-watcher and Vatican analyst, gives his frank views on the relatively brief but highly significant and surprising pontificate of Pope Francis.

Mickens first came to prominence in 2005 when he began what would become his very popular column, 'Letter from Rome', in the prestigious British Catholic newspaper The Tablet.

But his life in the Eternal City started long before that. He first went to Rome in 1986 as a seminarian for the diocese of Toledo, Ohio in the Midwest of the USA to study at the Gregorian University run by the Jesuits.

After two years he decided that life as a priest was not for him, largely because of disillusionment with the clericalism and careerism he saw in the Church in Rome. But he continued theological studies and completed the three year course as a lay person.

In 1989 he got a job at Vatican Radio where he remained till 2000. During this period he was deeply affected by interviewing a wide range of impressive Catholics, mainly visiting missionaries and religious, who reaffirmed his faith. He often travelled with Pope John Paul II, doing live radio commentary for papal liturgies.

From 2000 till 2003 he did his first stint as Vatican correspondent for *The Tablet*. He then moved to Geneva for two years to work as a communications officer for Franciscans International, an NGO representing all the branches of the Franciscan order on social justice issues at the United Nations.

In 2005 he returned to Rome to work for *The Tablet* again as Vatican correspondent, and he began his column, 'Letter from Rome.' This continued till April of this year when he parted ways with the publication.

In October 2014 he became editor of a new online Catholic journal Global Pulse. As well as being the new home for his 'Letter from Rome', it compiles reporting and features from a number of well-known national and regional journals including *Eureka Street*. The others are La Croix from France, Commonweal Magazine from America, eRenlai from Taiwan, and UCANews from sources across Asia.

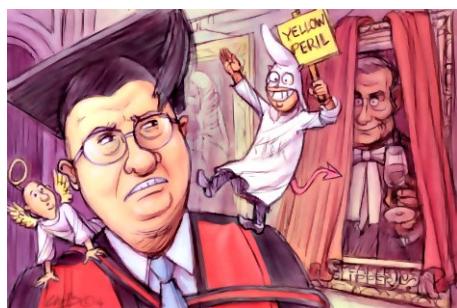
**This Skype interview is in two parts - Part 1 (13 mins) above, and Part 2 (11 mins) below:**

*Peter Kirkwood is a freelance writer and video consultant with a master's degree from the Sydney College of Divinity.*

## Sleazy private lives should not affect our judgment of professionals

AUSTRALIA

**Paul Begley**



Last month a set of private emails from Sydney University professor Barry Spurr went public and created controversy because they were racist and sexist, and therefore highly offensive in the public domain. It was reminiscent of the episode two years ago when the media and courts trawled through the private text messages of parliamentary speaker Peter Slipper.

A former student of Spurr - 'Kristen' - posted a comment online in which she expressed deep offence at the emails. But she insisted that view was not at all relevant to any assessment of Spurr as a professional.

In her experience, Spurr was an outstanding teacher. Kristen recalled that her personal dealings with him at the time were 'coldly civil', which is all she required of him in his role as her teacher.

But the editor of *New Matilda*, which published the emails, suggested the persistent turn of mind behind the emails may have affected the professor's impartiality as an English curriculum panel advisor of the Federal Government. If that is the case, he insisted, it is a 'no brainer' that the public has a right to know.

Public appointees are routinely required to declare private interests that may conflict with their public duty. Those interests are usually taken to be financial, because people have been known to offer personal financial inducements as a means to expedite favourable public policy outcomes by those in a position to influence outcomes.

*New Matilda* did not reveal its source but it appears editor Chris Graham received the emails from a person who believed there was an issue of conflict. The professor, understandably, questioned whether his private correspondence should ever have been made public. A court will shortly decide on that question.

Kristen saw a side of Professor Spurr that spoke to his professional standing in her eyes, and it was all good.

With respect to Slipper, the nation was given a good opportunity to see how he performed professionally. The consensus among those who observe parliamentary proceedings was that his style may have been idiosyncratic, but his even-handedness, good judgement, and competence in the Speaker's chair, were all beyond question.

Whatever else might be said about him, in that role Slipper was a consummate professional.

Yet unrelated and unresolved private utterances have destroyed Slipper's career, and reportedly wrecked his marriage and his health. These included abuse of Cabcharge entitlements and a more serious sexual harassment allegation made by his former

employee James Ashby.

The federal court, it seems, had been treated as a plaything. In December 2012, Justice Rares wrote: 'Mr Ashby's predominant purpose for bringing these proceedings was to pursue a political attack against Mr Slipper and not to vindicate any legal claim he may have'.

He insisted that parties before the court cannot be allowed to misuse the court's process by making damaging allegations knowing they would 'receive very significant media coverage', and then seek to abandon the claims.

On the position of the court itself, Justice Rares said: 'To allow these proceedings to remain in the Court would bring the administration of justice into disrepute among right-thinking people and would be manifestly unfair to Mr Slipper.'

By granting leave for Ashby to appeal, and then being deprived of the opportunity to hear the appeal, has the federal court 'allowed the proceedings to remain (unresolved) in the court'?

Or alternatively, has Ashby allowed the original Rares' judgement against him to stand by not taking up the permission granted him by the court to pursue an appeal?

Whatever the answers to those questions, it would appear the federal court has probably been abused, and that Slipper has been the victim of an immense injustice.

The argument of the columnist in *The Australian* that the above mentioned Kristen was responding to is that private thoughts create no public harm. If there is any validity to this, Professor Barry Spurr would be hoping that the federal court finds a better way to resolve the private-public issues in his case than it did in the Peter Slipper matter.



*Paul Begley is a Melbourne based writer who works in public relations.*

<!--Follow him on Twitter.-->

## Jacqui Lambie and wildcard senators are not rogues

AUSTRALIA

*Tony Kevin*



Jacqui Lambie has resigned from the Palmer United Party, apologising to the nation for weeks of acrimonious sniping and instability in parliament.

The disintegration of the relationship between the Tasmanian Senator and PUP leader Clive Palmer prompts us to ask what we can properly expect of the new independent senators who took office at the beginning of July, and what they can expect of us as voters and commentators on politics.

On the first question, I suggest they are all doing their best to fulfil their mandates to state voters, and to the nation. Sometimes some of them make poor choices before voting. So, of course, do senators representing one or other of the major parties, including the Greens. But the newbies can also make good voting decisions that add value to our threatened democracy, economy or environment.

On the second question, the answer is simple. We should offer the independent senators - and Clive Palmer - no more and no less respect than we give to senators from the Coalition, Labor or the Greens.

I think we are now failing at this. Regularly. This is concerning, because the independent senators all have strategic votes that are capable of determining the outcome of votes concerning important questions including human rights, climate change, counterterrorism, budget cuts in areas including health, education and the ABC, and more.

If we fall into the now habitual trap of treating the new independent senators or Palmer with mockery or disdain, our democracy and the interests of ordinary people will suffer. Setting aside the ten Green senators, who have arguably earned respect already, we need to consider what value the other eight crossbench senators bring to the Senate and to our democracy.

Two of them - Xenophon and Madigan - are experienced. Xenophon is almost universally well-regarded, and Madigan is finally earning some grudging respect. But the six new

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independents, and Palmer, have been copping a sustained bad press from many commentators including some from the ABC.

There are two kinds of critique. First, that they are know-nothing ignoramuses - the result of flaws in the electoral system - who just should not be there. The second is that they are, at heart, right-wingers, vulnerable to being bought by the Coalition when the right bribe comes along. The former critique can be heard from anywhere, the latter comes from the left (from Labor and even, at times, the Greens).

I have not found either critique justified in the five months since the six newbies joined the Senate. Lambie is doing strong lobbying for the ADF and families in keeping defence pay in line with inflation, and she is standing up for Tasmanian rights. Together with Ricky Muir, she made a good choice in joining Labor, the Greens and other independents - excluding the two other PUP senators, who in my view wrongly voted with the government this time - to reject the government's dangerous proposed new FOFA regulations.

The PUP itself has spoken out against the government's proposed health, education and ABC cuts; has blocked the abolition of the Renewable Energy Target; has retained the Climate Change Authority. True, it helped the government abolish the carbon tax, but it held open the possibility of a future emissions trading scheme (also Labor's policy). PUP seems to have the right instincts on boat people human rights, although this remains to be tested in votes.

Leyonhjem is doing good work on civil liberties under pressure of panic-driven terror laws.

This is not a bad record over five months for six newbies. Listening to Lambie explaining to the media how she will conduct herself in Parliament from now on, given that she apparently no longer feels bound by PUP directives, I was impressed by her exposition of her responsibilities to ADF people and to Tasmanian electors. I hope that her present breach with Palmer will not result in either of them succumbing to Coalition blandishments. Lambie says she will vote with PUP where they agree on the issues; and she stressed it is not about personalities. Lambie could in time become a new Brian Harradine.

I found Palmer's ability to negotiate good outcomes with Al Gore on important climate change issues impressive. Of course he carries baggage of self-interest - who does not, in this Parliament? - but he is no worse than most and better than some.

I can understand the hostility of the major parties, and even the Greens, to the newbies. They have upset the predictable protocols of a two or three party Senate. They are wild cards. It is in the major parties' self-interest to try to exploit differences, to weaken and destabilise them.

But why the visceral hostility of many in the media towards the new senators and Palmer? Why do so many commentators and editorialists go out of their way to mock and belittle them? The present malignant coverage of the Palmer-Lambie split is perhaps the worst example. At the moment, some people are head-kicking Palmer, trying to worsen the split. There is developing some real or pretended respect for Lambie.

But long before this, Lambie herself came in for heavy sexist and classist media bullying. In many ways she filled Julia Gillard's old slot: as a woman, with a broad accent and She has an earthy style, an unconventional taste in clothes, and a lack of the experienced politician's media instinct for self-preservation. On this, she has learned fast, and I don't think we'll see a repeat of her injudicious 'well-hung' joke some months ago.

Xenophon - a smart, experienced operator - says that it is important to treat the newbies seriously and with respect. He is right. It's time, I suggest, for Labor, the Greens and the mainstream media to stop demeaning the independent senators and their parties.



*Tony Kevin is an award winning author and former diplomat.*

## Suitcase crammed with affluence

**CREATIVE**

**Jena Woodhouse**



### Border Crossing

As I cram my suitcase with 'essentials' before flying north,  
a scene witnessed in northern Epirus is brought to mind --  
terrain where gorges and ravines disdain the borders  
drawn by states -- a corridor for traffic between neighbours,  
used by men on foot, shod only in cheap  
plastic slippers meant for bath or beach.  
Carrying a grocery bag as luggage, food to last a day,  
they passed us going separate ways, their destination Athens.

When we walked the Vikos Gorge -- a party from an embassy -  
we crossed paths with a cohort of young men, as many as fifteen,  
trudging south to something more alluring than they'd left behind,  
pushing on beyond vertiginous abyss and watercourse,  
where patrols were baffled by the labyrinth of crest and crease.

The fugitives were like a slur to affluence:  
our Italian trekking boots embarrassed  
by their plastic scuffs; our rucksacks stuffed  
with more food than they'd eaten in a month;  
the feather beds and comfortable hotel awaiting us.  
What they thought could not be read in faces pinched with need.  
They plodded on, a ragged band of hungry, thirsty refugees,

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hoping for a crust of bread, a shallow cave to lay their heads  
when evening fell, and wolves were on their scent.  
Perhaps tomorrow, there'd be grapes and oranges awaiting  
them; farmers who would pay in kind for harvesting.

### **The Integrity of Ruins**

The Parthenon  
A lifetime's food for thought is hived  
in contemplating certain ruins.  
Can it be that DNA of cultural memory restores  
the missing architrave, the ornament,  
the attributes of grace?

Or is there solace in the fact  
that some part of the whole is spared,  
despite history's vicissitudes -  
the loss of faith, neglect, decay -  
an anamnesis that alludes  
to principles of perfect form,  
born of genius and time -  
synopsis, apogee of all  
a people dreamed of and aspired to  
in their lease on fate.

As a fountain effervesces, fresh and self-perpetuating arcs and arabesques inscribing  
water's airborne trajectory, so the ruins of a temple, transposed to imagination, glimmer  
with audacious phantom trajectories of stone in space, shaped by visionary leaps,  
geometries of faith. Filoxenia If you should reach this city with your votive offerings  
intact, you will receive mementos in return from the metropolis: the voices of Athena's  
little owls on the Acropolis; wild olive trees, their obol-fruit; the onyx tongues of  
cypresses; a cohort of stray curs that sleeps all day outside the temple gates; a permit to  
ascend the sacred eminence, the violet heights beloved of master architects and artisans  
of Attic light. You will be serenaded by cicadas till October wanes; you'll inhale jasmine  
essence along Queen Sophia's Avenue, explore streets named for Aphrodite, Bacchus,  
Eros, Byron, Shelley; be assigned a theatre seat of honour for the festival, with ghost  
applause resounding for Euripides' new tragedy, raucous laughter greeting Aristophanes.  
You'll borrow from a lexicon whose masters worked in poetry as others crafted gems and  
precious metals in antiquity; shaped marble, delicately veined as Artemis - Penteli's core:  
these pleasures that augment the store of sojourners will all be yours. Hypnagogues will  
seek you as you sleep, to take your hand in theirs and lead you through the city upon  
city far beneath your feet. You won't remember this, for they will mask your dreams with  
commonplace, yet as you walk those streets, you'll wish to dream their dream, and never  
wake. Should you arrive bereft of gifts, you'll still be welcomed as a guest and charmed  
until you come to dread the word 'farewell', the leavetaking...

### **August 15 - Tis Panaghias**

In rich cathedrals and poor village chapels  
linked by the Aegean amphitheatre -  
pebbles known to God, a string of prayer-beads  
in the palm of time  
illumined by a sense of the divine -  
under skies cerulean and cloudless,

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within countless shrines  
glow icons of the Virgin and Her Child.

On Tinos, pilgrims move on hands and knees  
to the Basilica, where miracles are worked  
through their belief in Her eternal grace.  
Only through a love so unconditional,  
maternal, chaste, can ailments and indignities  
on Earth be made to dissipate.

In harbour squares throughout the archipelagos,  
in cloisters and in monasteries the length  
and breadth of Greece, old women are shedding tears  
to ease the burden of their years,  
young women are reciting prayers  
before the image of their faith...



*Jena Woodhouse has had two novels published by Ginninderra Press - Farming Ghosts and Dreams of Flight.  
Young woman with suitcase image by Shutterstock.*

## The things you can't get for free

AUSTRALIA

***Michael Mullins***



In a surprise move during the week, Senators Jacqui Lambie and Ricky Muir joined Labor, the Greens and other independents in passing a disallowance motion that reverses changes that watered down Future of Financial Advice (FoFA) legislation that was designed to protect consumers.

In 2012, Labor enacted the original legislation that put an end to commissions and bonuses linked to the sale of financial products recommended by financial advisers. Financial advisers were banned from receiving commissions and instead needed to charge clients - rather than the big banks - a fee for their services.

For a short time, consumers no longer received 'free' financial advice. But they could be more trusting of their advisers because, like anybody in business or the professions, financial advisers look after the interests of those who pay them. This was now consumers rather than the big banks.

But unsurprisingly, the banks were not happy with this, and successfully lobbied the Coalition Government to weaken Labor's consumer protection legislation. The Government was able to put the banks' wishes into law as soon as Finance Minister Matthias Cormann could persuade Clive Palmer to reverse his opposition to diluting Labor's protections.

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The battle between big business and consumer advocates over who gets to pay financial advisers has broader implications for the provision of professional services in the community, particularly in health and education. It reaches into the important issue of public trust.

A few years ago leading educators endorsed the practice of companies such as McDonald's funding numeracy and literacy programs in schools because governments did not have the funds that were needed. It goes without saying that school principals and teachers will avoid doing anything to offend those who are paying for their programs, at the very least. In all likelihood, many will put in a good word for McDonald's, or whoever is providing sponsorship funds.

Corporate 'partnerships' with schools and other other organisations providing human services, such as welfare agencies, are now common. It is true that these sources of funding enable a lot of good to be done. But at every point it has to be asked who is calling the shots. The companies would not be in it if their involvement was not demonstrably serving their bottom line. Otherwise their shareholders would have good reason to revolt.

Now that cuts to the ABC are being announced, we are reminded that it is Australia's most trusted media organisation and public opinion leader. The reason is simple - the public is paying for it. Its charter, management and staff have always been fervently opposed to sponsorship. If the ABC ever accepts advertising or other forms of sponsorship, trust will be eroded.

We need to recognise the importance of instilling and maintaining trust in all our public institutions and professional practices so that they serve the interest of the community ahead of that of big business. They're worth paying for.



*Michael Mullins is editor of Eureka Street.*

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## Unauthorised maritime arrivals don't have names

AUSTRALIA

*Kerry Murphy*



Bad laws make people suffer. That truth lies at the heart of the migration law changes proposed by the Government, which wait to be passed by the Senate.

Consider the case of 'Ali' from Iraq. Ali (not his real name) fled Iraq because of threats against him from militias because of a family member's history in the Ba'ath party. Although Ali was never in that party, he was targeted by association, a common and continuing problem in Iraq.

Ali fled to Indonesia and was interviewed by UNHCR, which approved his case as a refugee. Then he waited for resettlement, but it never came. After a few years, he took his chances on a boat for Australia in 2010. He was taken to Christmas Island and interviewed and then sent to the mainland detention centres. At the time he arrived he was termed an 'offshore entry person (OEP)' and was therefore excluded from making an application for a protection visa until the Minister lifted the bar. He was also referred to as an 'irregular maritime arrival (IMA)' in some Immigration documents.

Initially his case was refused by Immigration, despite the positive finding of the UNHCR in Indonesia. Fortunately his case was successful on review and in February 2011, he was accepted as meeting the refugee criteria. At the time, he was still in detention but his condition was deteriorating. He was finally released into the care of a family member who was already an Australia citizen, but he was not given permission to work. He was granted the Temporary Safe Haven Visa (TSHV) for a week, which created a new barrier to lodging a protection visa under s91K, unless the Minister lifted the bar.

That is as far as he has managed to get. He has undertaken further security and police checks, all positive. His status changed by mid this year when his bridging visa E expired, but he was not granted a further bridging visa, so he is technically unlawful and at risk of detention - despite the positive refugee finding back in February 2011. Inquiries with Immigration about the case were met with standard replies such as 'the Department is awaiting checks from an outside agency (code for ASIO)' or 'the case is still being

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processed'. It was unclear what that latter explanation meant because there was no visible progress to being granted a substantive visa.

He is now married to an Australian citizen and has a child here. But although his immigration status remains unchanged, the terms used to describe him have changed. In June 2013, the term 'offshore entry person' was repealed from the Act and replaced with another three word term leading to a three letter acronym - 'unauthorised maritime arrival (UMA)'.

With the arrival of the Coalition Government, the legal term UMA remains unchanged in the Act. But the new Minister insisted on calling people 'illegal maritime arrivals (IMA)' despite no such term appearing in the Act or Regulations. In fact the term 'illegal' has not been in Migration Law since 31 August 1994.

The other dramatic change lies in the so far unsuccessful attempts to reintroduce the Temporary Protection Visa (TPV). The new version of the TPV (TPV 3.1) provides no mechanism of ever getting a permanent visa. The TPV gives a three year temporary visa, with a bar to applying for any other visa, no return travel facility and no family reunion. The deal with the Palmer United Party (PUP) was to have another type of visa the Safe Haven Enterprise Visa (SHEV) as well as the TPV. The regulations for the SHEV have not been yet disclosed, but it seems it will be a five year visa, with some access to other visa applications being possible after three and a half years of work or study in as yet undesignated regional areas.

I explained this to Ali. I told him he might get the city visa (the TPV) which will take him nowhere but he can work. Or if he goes to the country, and works or studies for 40 months on the 'country visa' (the SHEV) then he might be able to apply for another visa to stay. His only alternative is to return to Iraq and lodge the partner visa from there. But since he was found to be a refugee from Iraq he still fears to return there, especially with the high level of violence due to the fighting against ISIS. He tells me 'I cannot go to Iraq, I will be killed. I just want to stay here with my wife and child, what should I do?'. A question I cannot answer.

Ali had lived in a regional area for a while, but had returned to Sydney. He wants to work but has no permission to work. He has no Medicare, and no income apart from limited Red Cross assistance. He has a wife and a young child to support. Culturally it is very hard for him to not be the family 'bread winner'. His only choice is likely to be to accept the SHEV, and go and live in the country for forty months, hopefully find work and then apply for a partner visa, assuming that will be legally possible by then.

The 'earn or learn' slogan may go down well with some, but Ali's case does not fit the announced criteria for the SHEV. He would probably find it easier to get work in the City, remain close to the extended family and be able to support his wife and child. Otherwise they will have to pack up for the country in the hope of finding work and suitable accommodation. If he were a young single man, this would be easier, but he is now 50. After winning his case and being accepted as a refugee in February 2011, he is now worn down by this long process. His self-esteem was destroyed by a long period in immigration detention. His identity is now also gone. I recently received a letter for him where he was referred to only by his boat number and the term 'illegal maritime arrival (IMA)'. His name was nowhere to be seen on the letter and so he is now just a boat number and a derogatory three letter acronym.

Bad laws make people suffer.

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