
Contents

Andrew Hamilton

Social justice is not a spectator sport Page 5

Fiona Murphy

The anatomy of hope Page 8

Fiona Katauskas

A vision of the future Page 11

Kate Galloway

The unfinished business of colonisation Page 12

David L Falcon

I am part of it Page 14

Kerry Murphy

Indigenous is not alien, High Court decides Page 17

Felicity Rorke

Still a long way to go in ending family violence Page 20

Gillian Bouras

Coming soon or late Page 23

Cristy Clark

Why business as usual is so scary Page 25

Kirby Fenwick

AFLW continues to make history Page 28

Neve Mahoney

Religious freedom bill needs more work Page 30

Andrew Hamilton

Apology anniversary as a time to reflect Page 34

Najma Sambul

A discovery of connections Page 36

Fiona Katauskas

The Adventures of Barnababy Page 38

Jocelin Chan

Trauma revisited: Coronavirus in Hong Kong Page 39

Helen Burt

Hopeful vision for a better NDIS Page 41

Michele Madigan

Fight against nuclear waste not over yet Page 43

Andrew Hamilton

After the fire Page 46

Barry Gittins

Choosing to choose

Page 49

A sustainable response to disaster

ENVIRONMENT

Eliza Spencer

It has been a summer of biblical proportions. Fires, floods, smoke, and sickness have filled screens and smartphones with images of loss and destruction. In the midst of bushfire relief events and community raffles, concerns about how those in need can be best supported continue as emotions run high. While the nation grieves the loss of life and land, we need to begin the conversation of how we can respond mindfully to disaster and find sustainable solutions for disasters to come.



Professor Alexander 'Sandy' McFarlane has observed crisis and trauma responses in Australia since the Ash Wednesday fires, and noted that 'overemphasizing the need for acute assistance doesn't really give due credence to the importance of the long-term response. One of the really important issues is to let people know that this is not going to be solved today, and to give them a clear framework and understanding about how matters are going to be resolved'.

The lack of clear understanding about how best to help has led to accusations of mismanagement from small online fundraisers all the way up to the Australian Red Cross. When asked about the public anger towards the Red Cross, Director of Australian Programs, Noel Clement, said 'as long as people can see immediate needs not being met it's understandable... people will expect those funds to be on the ground as we are. What we have been explaining is that there'll be some people who don't come forward for weeks and months because they're coping with day to day survival or they're too proud to come forward, we want to make sure there's funds for them when they do'.

Comedian Celeste Barber's campaign to 'please help in anyway you can' has now been caught in legal negotiations after raising \$52 million for a trust fund that can only support maintenance and administration costs for the NSW RFS. Despite huge public support, it remains unlikely that the funds raised will be able to go to her intended recipients, volunteer firefighters and those directly affected.

We talk an awful lot about 'mindfully' responding to situations. Mindful shopping, mindful eating, mindful exercise, even mindful hook-ups; perhaps now is the time to extend that mindfulness to how we understand and respond to disaster. This is not the first extreme weather event in Australia and likely far from the last, when the next 'black summer' arrives, will we have the emotional and financial reserves to again donate in the millions and sew hundreds of koala mittens?

Similar to the child gorging themselves on sugar as a form of comfort, only to crash once the hit wears off, the cycle of disaster, huge campaign, and help cannot continue as the time between the help and the next disaster narrows. Fires may be contained, but floods have now taken their toll on communities and we still haven't finished the bushfire benefit concerts.

'If we as Australians are in this for the long haul, which it appears that we are, long-term action remains just as essential as the 'boots on the ground' response. Long after the Facebook fundraisers lapse and the benefit concerts conclude, there will still be Australians in need of support.'

To give mindfully in a time of disaster looks beyond the immediate needs to the longer-term commitments to communities. 'Some people aren't ready to rebuild, sometimes, make a decision about rebuilding, sometimes for a year, two years or longer,' said Mr Clement. After the initial funds roll in, mindfully giving an amount each week can help organisations deliver infrastructure and assistance to those who need it months and years after disaster, preventing a sudden influx and then lack of cash later down the road.

Professor McFarlane's concerns lie in a similar place, 'I think we misplace our interests. The time when the help is really needed, the community's moved on, and the disaster victims are still very much trying to rebuild their lives,' he said. So many of us were 'buying from the bush' over this past Christmas, but what about the Christmas to come? If we as Australians are in this for the long haul, which it appears that we are, long-term action remains just as essential as the 'boots on the ground' response. Long after the Facebook fundraisers lapse and the benefit concerts conclude, there will still be Australians in need of support. The Royal Commission into the fires will come and go, and it will tell us not much that we haven't heard before; the fires were coming, and we were not prepared.

'People forget and when they use words like unprecedented, unforeseen, what they're allowing people to do is just forget the lessons of the past,' said Professor McFarlane, 'That is one of the things we can't afford to do... we need to hold onto the lessons that we've learned and to incorporate these into the future.'



Dr Cristy Clark is a human rights specialist. Her work focuses on the intersection of human rights, neoliberalism, activism and the environment, and particularly on the human right to water.

Main image:

Social justice is not a spectator sport

FAITH DOING JUSTICE

Andrew Hamilton

It is both tempting and risky to name significant events as watersheds in their effect on public attitudes. Tempting, because they have such immediate impact; risky because in many cases nothing seems to change.



With that qualification, later Australian historians may see the bushfires as a turning point in people's attitudes to the environment and to what they demand of politicians. At a more abstract level, too, they may mark a shift in the way we think about social justice. As we commemorate the International Day of Social Justice on the 20th of February, leading to the Catholic Social Justice Council [conference](#), this bears reflection. Thought about social justice has developed over many centuries, as can be seen even in a broad and vastly over-simplified summary. In the pre-modern world justice was set in the context of relationships between individual persons. It explored what was due to and from people in their relationships, taking account of the differences in status of the parties from commoners to kings, women to men, adults to children, and slaves to free. Today the ways in which their conclusions reflected the unspoken values of their societies are evident.

Thought about social justice as we know it developed in the nineteenth century when theorists like Karl Marx responded to the appalling conditions of the poor by demonstrating the power of institutions and public attitudes that perpetuated poverty and locked in wealth. Reflection about justice then needed to take into account not only the persons involved but the 'it': the social structures that shaped their relationships and often denied the dignity of the poor.

As Catholic reflection on such topics as war, labour relationships, regulation of large corporations and the treatment of refugees developed, it insisted on the inalienable dignity of each person made and the importance of personal responsibility, but set this dignity in the context of the institutional relationships that affirmed or denied it. This led to the recognition of social as well as personal rights. Their extent and importance are disputed among Catholics as well as in the larger society. Some still see justice primarily in terms of personal relationships; others give greater importance to the institutional relationships that implicitly affirm or deny personal dignity.

More recently the ecological crisis has pointed to a further set of relationships that shape us as persons, societies and world citizens. These are our relationships with the natural

world of which we are part, and particularly with the non-human and inanimate world. The bushfires have burned into our consciousness that our world is threatened by global warming, and that we are unlikely to pass on to our descendants a nurturing and fruitful place. This threat arises from uncontrolled exploitation of the world for private gain, and is fed by the failure of political leaders to take it seriously.

'Thinking about social justice is not a spectator sport. It involves personal reflection on how far its insistence on respect for the dignity of persons and of the natural world are embodied in our personal relationships and practices, in the working relationships and practices in our own institutions, and in our relationships with the public world and its institutions.'

This reality underlies the further development of reflection on social justice to embrace our personal, communal and institutional relationships with the world, our home. Catholic reflection on social justice has been supercharged by Pope Francis, who in his encyclical *Laudato Si* declared the Cry of the Poor and the Cry of the Earth to be central to faith. He also insisted that neither could be addressed simply by technological fixes but required personal conversion to see the world as gift to be respected, a home, and not as a prison or a mine.

In Catholic thinking about social justice, the future challenge is to hold together the three calls revealed in its history. The first dimension is always to focus on the inalienable dignity of each human person within community. This implies both standing with people whose dignity is violated and insisting that people are not isolated and competitive individuals but are defined by the relationships in communities.

The second call is to respect the dignity of each human being within all the group and institutional relationships that shape our lives - in work, migration, international relationships, economic settings, freedom of speech and of religion, respect for diversity and so on. This involves standing with people whose dignity is violated institutionally, and insisting that governments and institutions and their representatives be accountable for what they do.

The third call is to respect the dignity of each human being and of all beings, seeing them in their interconnections, personal, institutional and ecological. This involves considering the effect for good or ill upon the world of the way all human enterprises are conducted, including those in which we have a part.

Thinking about social justice is not a spectator sport. It involves personal reflection on how far its insistence on respect for the dignity of persons and of the natural world are embodied in our personal relationships and practices, in the working relationships and practices in our own institutions, and in our relationships with the public world and its institutions.

That challenge can be faced as a burden, and wielded against others like the scythe of the Grim Reaper. If so it will not be met. It must be nurtured by developing a vision of a splendid and interrelated world whose health will lighten, not darken our lives. That sense is found in the theme of the Catholic Social Justice Conference: 'serving communities with courage and compassion'.



Andrew Hamilton is consulting editor of *Eureka Street*. He will co-present a workshop on eco-justice during the Catholic Social Services Conference '[Serving Communities with Courage and Compassion](#)' with Dr Bronwyn Lay, Ecological Justice Coordinator for Jesuit Social Services.

Main image: Two young women volunteering at a community garden (Getty Images/
Thomas Barwick)

The anatomy of hope

ARTS AND CULTURE

Fiona Murphy

After sixteen seasons, *Grey's Anatomy* is still breaking new ground. On the 13th February the episode 'Save the last dance for me' featured a deaf doctor. Actress Shoshannah Stern guest stars as Dr Riley, a diagnostic expert who is flown to Seattle from San Francisco to examine a patient with a mysterious set of symptoms.



Despite having never watched the television series, I follow the story closely via social media. Through the week I refresh my twitter feed for updates. Dozens of news stories pop up, this is, after all, a historic moment in pop culture. Stern is playing the first deaf doctor on prime-time television. As I read the articles and tweets, I feel a bittersweet mixture of excitement and sadness. It is rare to see disabled television characters in a position of power and authority, let alone in my workplace.

Over a decade ago, when applying to study physiotherapy, I carefully read through the application form. It contained a brief but troubling caveat: all students must be physically able to participate in the coursework. I felt nervous, even scared. The answer seemed clear cut to me, but would the university agree? I'm profoundly deaf in one ear and moderately deaf in the other. Would my hearing limit me in some way? I didn't think so. Just to be sure, I got a summer job as a physiotherapy aide to observe how physiotherapists work. After weeks of working alongside a group of health professionals in a small rehabilitation hospital, I felt confident that with training I would be able to do the job. Even so, when I submitted my application, I chose not to disclose my disability. The risk of rejection felt too high. Instead, for the next four years, I pretended to be hearing.

This is not an uncommon experience. In a position statement released in 2019, the [Australian Medical Student Association \(AMSA\)](#), called for medical schools to 'have clear guidelines' for admission to 'help avoid confusion and potential discrimination' regarding what the 'inherent requirements' are of a health care professional.

The statement acknowledges that 'although there are no national statistics on the number of people with a disability applying to or being accepted to medical school, or on the number of doctors with disabilities, anecdotal evidence suggests there is a significant number who face discrimination.'

'*Grey's* was the most collaborative experience I've ever had on a show that was not

mine,' Stern said. She also adds that '*Grey's* didn't just collaborate with me, they also reached out to several other deaf doctors to make sure that what they were writing was accurate.'

The AMSA believe that medical schools and workplaces must 'provide an inclusive environment that actively encourages and enables doctors with a disability to practise medicine.' Emphasising that 'except in circumstances that would compromise patient safety, disability should not be a barrier to medical training.'

Given that there are so many barriers in place for deaf or disabled people to become health care professionals, it is ground breaking to see a deaf doctor on television. Shoshanna Stern has a well-established reputation, having appeared a cast member in a range hit television shows such as *Weeds*, *Lie to Me* and *Supernatural*. As well as writing, producing and starring in the critically acclaimed television show *This Close*. In an interview with [Entertainment Tonight](#), Stern explains how she was invited into the *Grey's Anatomy* writers room to help develop Dr Riley's character.

'*Grey's* was the most collaborative experience I've ever had on a show that was not mine,' Stern said. She also adds that '*Grey's* didn't just collaborate with me, they also reached out to several other deaf doctors to make sure that what they were writing was accurate.'

This level of authenticity is important. According to the 2018 [GLAAD report](#), which tracks the representation of diversity on American television shows, 'of all series regulars on primetime broadcast programming, 2.1 per cent (18 characters) [were] people with disabilities'.

It isn't just an issue of low representation, but also inaccurate representation. A [new study](#) found that 80 per cent of disabled characters on American Network television were played by able bodied actors. This is actually an improvement. An earlier study, from 2016, found that this figure was 95 per cent. In Australia, the [statistics](#) aren't much better, with just 4 per cent of disabled people featuring as main or recurring characters in television shows broadcast between 2011 to 2015.

In [an article](#) for ACMI, writer and comedian Alistair Baldwin argues that often on television disabilities 'are treated as inherently tragic, depressing and/or intriguing (amnesia being the soap genre's favourite disability for hitting all three) before ultimately being 'overcome' within a few weeks - and never brought up after that point.'

Grey's Anatomy didn't simply hire an actor with lived experience, they went one step further by giving Stern creative input and a compelling story line. I can't help but hope that this is the beginning of real change. I have no doubt that watching authentic deaf characters on television would have helped my confidence when I was younger as this past week alone, while watching Dr Riley, it has bloomed.



Fiona Murphy is a Deaf poet and essayist. Her work has appeared in

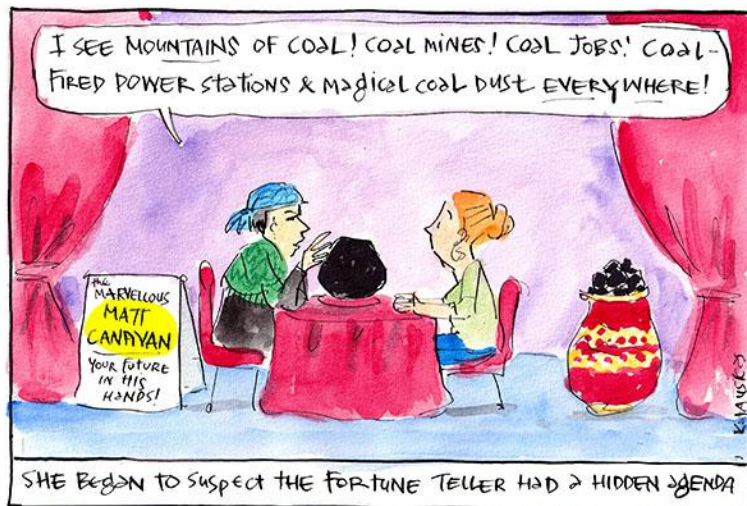
Overland, Kill Your Darlings, Griffith Review, amongst others. Her debut memoir, *The Shape of Sound*, will be published by Text in 2021.

Main image: Shoshannah Stern on stage at NYWIFT awards ceremony (Getty Images/Lars Niki)

A vision of the future

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.

The unfinished business of colonisation

AUSTRALIA

Kate Galloway

Last week the High Court of Australia handed down its decision in *Love and Thoms v The Commonwealth*. As reported here in December, the plaintiffs, Daniel Love and Brendan Thoms, are both non-citizen Aboriginal men who have lived in Australia since they were young. The government tried to deport them because they each have a criminal record. The men appealed against their deportation, arguing that the government did not have the power to deport them under the constitution.



The High Court agreed with Love and Thoms, in a majority of 4:3.

All four judges in the majority agreed with the principle that 'Aboriginal Australians... are not within the reach of the 'aliens' power conferred by s 51(xix) of the Constitution'.

Although agreeing on the principle, the majority judges were not unanimous in how this principle applied to both men. Mr Thoms is a registered native title holder. As such, the law has already acknowledged his Aboriginality through an exhaustive process of determining an ongoing connection by the native title holders with their lands. For this reason, there was no question that the principle applied to him. After the judgment, Mr Thoms was released from immigration detention where he had been held for some months.

Mr Love, however, while part of an Aboriginal community, is not a native title holder. For this reason, some in the majority made no finding as to whether he fell within the principle. In the narrowest of the judgments, Justice Nettle found that the Federal Court should determine whether, as a matter of fact, Mr Love satisfied the relevant test concerning his Aboriginality. If he did so, then he too would fall outside the 'aliens' power.

Because of the difference in the findings of the majority judges regarding Mr Love, it is unclear what will happen next for him - whether his matter will need to be heard by the Court, or whether the matter will simply rest. In the meantime, he too is free from detention.

The minority judges seemed particularly concerned with two factors. One was apprehension about the possible attribution of 'sovereignty' to Aboriginal communities. The implication was that this might come close to contradicting the sovereignty of the Australian State. The other was a concern about introducing 'race' as a criterion for citizenship.

'This difference - between the existence of sovereignty and the consequences of sovereignty- is crucial to understanding that the divergence between the judgments lies in how the issue is framed.'

Predictably, following the decision some commentators have denounced the decision in pejorative terms as 'judicial activism' that has generated a 'woke outcome'. Some have suggested that the government must be sure to appoint 'Capital C conservatives' to the High Court to protect the constitution. These comments are reminiscent of the hysteria following the decision in *Mabo*, in 1992 - hysteria that has, in the long term, been unfounded.

By contrast, as pointed out by Professor Megan Davis, the judgments were 'cautiously framed' and the case 'emphatically reinstates its prior pronouncements' on sovereignty - namely that it is a matter for the parliament, not the court. Justice Nettle affirmed that 'the Crown's acquisition of sovereignty over the territory of Australia from 1788 cannot be called into question in this or any other Australian municipal court.' He pointed out though that 'the consequences of the acquisition of sovereignty in and for municipal law *are* justiciable...' This difference - between the existence of sovereignty and the consequences of sovereignty - is crucial to understanding that the divergence between the judgments lies in how the issue is framed.

On the question of race, there is no doubt that the Australian Constitution does itself engage with race. As Justice Gordon points out, there is a head of power concerned with race. The constitution does not prohibit special treatment of race. Additionally, the inquiry as to whether Love and Thoms are 'aliens' under the constitution is not *only* a question of race. It is a question of biological descent, self-identification and recognition by an Indigenous community. This 'tripartite test' is well known and has long standing. Despite claims to the contrary, the decision in *Love and Thoms* affirms the standing of the common law, including the unassailable power of the Australian State to make and enforce law. It upholds the centuries-long common law principle of accommodation of Indigenous laws in a colonial context. In this respect, the decision accords with a contemporary legal and social understanding of how Indigenous Australians fit within the broader Australian polity.

But what is clear also is that this decision has arisen because Australia has unfinished business with Aboriginal and Torres Strait Islander peoples. Until we engage in proper legal relations with Indigenous Australians, on freely negotiated terms, we will continue to see new questions arise for determination - such as they have in this case.



Kate Galloway is a legal academic with an interest in social justice. She is presently associate professor of law at Griffith Law School.

Main image: An Aboriginal flag waving against a stormy sky (Getty Images/ Sean Garnsworthy)

I am part of it**ARTS AND CULTURE***David L Falcon***Selected poems****Earth from space**

Beyond sunlit planes of sea and sand
Like the shade on my front lawn
Nightshadow creeps over continents
Cities light up in glowing clusters
While the deserts hide their campfires
Something exquisitely cosy
About the world
Tucked in for the night

Grace

There are in my life
Moments of grace
Sudden certainty that all
Of life is good

Times when the journey
Is on a throne
Carried high and forward
By those who love me

Like when I breathe
The cold moist air at the start of the rain
And the inward gasp
Draws with it the very earth

Brothers

today
i rode my bike
near the river
we'd known as kids
the houses hefted on stilts
legacy of the 50s floods
the tracks along the banks
as lonely as our empty house

i thought of something you said
as we chipped up to the eighth green
at cabramatta last week
we were near the creek
and you said
you couldn't understand
why they didn't clean it up

so people could put boats in and use it

your words I knew
hid heartache
our common pain
i saw again for a moment
rowboats for hire
kids dropping from a rope tied high in the trees
oars slapping in rowlocks as fathers
rowed their sunday families upstream

Nanna's place

a beaded doily for the flies
glass louvres and lino floors
tea leaves in an old square tin
the dark varnished clock
its pendulum swinging silently
a springy 'boing'
strikes the hour without argument

time passing as it should
albert as present now
as when he stood lathering his face at the mirror
or left his warm imprint in the kapok mattress

daisies struggle near the front gate
bobbing their heads in the breeze
ants march in procession across
the path below the empty letterbox
she still says no news is good news

With Chris and Tony at Bronte

as we stand at the rail
looking down on the old rock pool
I try to see myself a little boy in the water

but to look is to make distance
easier to be the little boy
see me
looking down fifty years later

we watch a crab mid-rock
out of sync with the waves
and a boy about to dive
rocking on the verge of letting go
as each hump of water bellies near his feet

he dives
i dive with him
the water enters my nose and throat

i am part of it



David's work has been published in the Sydney Morning Herald, various anthologies and literary journals. He has performed his work at Varuna, NSW Writers' Centre, Poets' Union Venues, Radio Station 2NBC; and the Live Poets' Society. His work has also been featured in Red Room projects and can be found online. He is currently preparing a collection for publication.

Main image: An aerial shot of Earth (NASA)

Indigenous is not alien, High Court decides

AUSTRALIA

Kerry Murphy

Daniel Love and Brendan Thoms were the plaintiffs in two recent High Court cases. Both men are Indigenous. They were born outside Australia, held foreign citizenship, had never taken out Australian citizenship and, having been convicted of offences carrying custodial sentences of 12 months or more, were subject to automatic cancellation of their permanent residency and removal under the Migration Act.



What is novel about their case is that this was the first time the High Court needed to consider whether an Indigenous person can even come within the Migration Act at all. At its heart, the question was whether an Indigenous Australian who was eligible for citizenship but had never formalised it could be regarded as an alien and therefore subject to removal. In a landmark judgment, a 4:3 majority of the Court found that Indigenous Australians were not aliens, even if they were not citizens.

In part, the High Court relied on the landmark decision of *Mabo v Queensland [No 2]* of 1992 (the Mabo Case), which was the foundation High Court case for Native Title. Previously the authority of the Mabo Case was not seen as pertinent to Migration or even citizenship law in Australia.

The Mabo Case overturned long held legal fictions and assumptions about terra nullius. Now the case was relied on to overturn another assumption about whether in migration terms, there are just citizen and non-citizens. As one of the majority judges Justice Gordon stated: 'In the nearly 120 years since Federation, awareness, understanding and acknowledgement of the connection between Aboriginal Australians and this country have increased. By contrast, the significance of the notion of 'British subject' in Australia has diminished.'

Both Love and Thoms identify as Indigenous through a parent. Love is as a descendant of the Kamilaroi People and Thoms is from the Gunggari People. Thoms is also a common law holder of native title, relating to the land and waters of the Gunggari People. Both are Queenslanders. The problem was that neither was born in Australia. Love was born in Papua New Guinea and Thoms in New Zealand and they hold the citizenship of their birth countries. Neither holds Australian citizenship.

Until the High Court's decision, they were considered as non-citizen permanent residents of Australia. Both men have criminal records. These two points - their 'non-citizen' status and criminal records - brought them to the attention of the Department of Home Affairs.

'There is a great irony that the first European settlers to this country were not only unlawful boat arrivals, but mostly transported criminals who would all have failed the character test. For the first time our migration law will need to deal with the interaction between restrictive migration laws, and laws for the Indigenous peoples of Australia.'

The Migration Act states that if a non-citizen is serving a term of imprisonment, and they fail the character test in s501, their visas must be cancelled automatically. Relying on the provisions, they were taken into mandatory immigration detention straight after their release from prison. They could seek revocation of the cancellation, but must remain in detention whilst this process continues. Love managed to have the cancellation revoked but at the time of the High Court's judgement on 11 February, Thoms was still in immigration detention.

The question for the Court was whether the Migration Act applied to Indigenous people who for whatever reason did not hold Australian citizenship. The court ruled by a majority that the Migration Act did not apply to Indigenous people because they were 'non-aliens' even if they were 'non-citizens'. The case is complex, 169 pages and 468 paragraphs, and each of the seven judges wrote their own judgment.

The key issues were about Constitutional interpretation. The parliament's power to make laws about aliens and naturalisation, such as the Migration Act and the Citizenship Act come from s51(xix) of the constitution. So the core issue was whether Indigenous Australians can ever be seen to be 'aliens' and therefore potentially subject to the Migration Act; or whether they could not possibly answer the description of 'alien' in the ordinary understanding of the word.

Previously it was understood that for the purposes of migration and citizenship law, people in Australia were either citizen or non-citizens. Now the court has explained there is a third category - non-aliens, and such people are not subject to the Migration Act because only aliens are subject to that act.

What was the meaning of 'alien'? The judges looked at the origins of the word, and previous cases going back to the Immigration Restriction Act of 1901, and cases such as the Lim Case of 1994 that resulted in the mandatory detention law we still have in 2020. Justice Gordon stated that the term aliens 'conveys otherness, being an outsider, foreignness... the term does not apply to Aboriginal Australians, the original inhabitants of this country. An Aboriginal Australian is not an outsider to Australia.'

An issue of concern for the minority judges was whether the decision meant that 'race' was the determining factor for whether a non-alien was even a category in Australian law. Some judges said race should not be a factor in this. However, the majority held that it was not an issue about race per se, but about the meaning of alien. Also there was nothing in the Constitution prohibiting a law regarding a special treatment of race, in a positive sense.

An Indigenous person may also be an Australian citizen, by automatic grant or by application. The vast majority of Indigenous Australians will fall into this category. But, as the majority of the Court has found, it is also possible for certain Indigenous people such as Love and Thoms, to be not citizens, and not aliens - they are 'non-aliens' in the term used by some of the judges, because of their membership of an Indigenous community. One of the key reasons for this was because the Indigenous people of Australia were never intended to fall within the power in the Constitution to make laws about aliens.

The Mabo Case posited a three part legal test for recognition of a person as Indigenous: biological descent, self-identification and recognition of his/her membership of an Indigenous People by elders or those with authority in that group. Mr Thoms had been so recognised by elders in the Gunggari People and is a native title holder.

The effect of the Court's decision is that a 'non-alien' cannot be detained or removed from Australia under the Migration Act because the Migration Act cannot possibly apply to

them. It also means that the immigration detention of a 'non-alien' is unlawful. Already the government is looking at what options it has to amend or overturn the case. There were also very strong critical reactions back in 1992 after The Mabo case. Back then, the Native Title law was passed to create systems for assessing claims and disputes over title. We wait to see how the government reacts legislatively.

There is a great irony that the first European settlers to this country were not only unlawful boat arrivals, but mostly transported criminals who would all have failed the character test. For the first time our migration law will need to deal with the interaction between restrictive migration laws, and laws for the Indigenous peoples of Australia. So whilst the Mabo Case was primarily about property and native title issues, now there has been a further development in the law. As Justice Gordon stated: 'Native Title is one legal consequence flowing from common law recognition of the connection between Aboriginal Australians and the land and waters that now make up Australia. That Aboriginal Australians are not 'aliens' within the meaning of that constitutional term in s51(xix) is another.'



Kerry Murphy is an immigration and refugee lawyer and part-time lecturer on immigration and refugee law at ACU.

Main image: Exterior of the High Court of Australia (Getty Images/kokkai)

Still a long way to go in ending family violence

AUSTRALIA

Felicity Rorke

Content warning: This article discusses instances of family violence

The Royal Commission into Family Violence conducted by the Victorian Government in 2015, told many of us what we fundamentally already knew - that family violence is a widespread issue for many women across this state, and that our services, systems, institutions and communities are not doing enough to effectively support victim survivors.



Nor do we hold those who use violence against their families to account or work in collaborative ways, share information when that information could lead to more supportive actions and increased safety for women and children, primarily. One in three women in Australia have experienced some form of physical violence since the age of 15. One in five women experience sexual violence. One in six women has experienced physical or sexual violence by a current or former partner. This means that there is between 2 to 4 million women impacted by violence across Australia. We also know that the police report that approximately 65 per cent of family violence incidents that they attend in Victoria have children present when the violence occurred. Having worked in the area of family violence in one way or another for all of my social work career spanning some 30 years, I know too well the impacts that such violence can have on an individual, their immediate and extended family and their community. Impacts that lead to injury and even death, loss of job and income, loss of friends and family, loss of faith, self esteem and confidence to name a few. As a young social worker, I began to understand that this was an issue that was very prevalent but not necessarily discussed across community and human services, let alone in the media or broader public spaces. My experience of supporting a woman to leave her family home and seeking police assistance ended up with the police officer reporting me to my manager for being unprofessional because I asked why he was late arriving, leaving us with the man who had abused his wife. He retorted that there were 'people out there stealing cars.'

'Crucially, it also made clear that faith leaders and communities need to establish processes to examine how they currently respond to family violence, and whether practices operate as deterrents to the prevention or reporting of, or recovery from, family

violence or are used by perpetrators to excuse or condone abusive behaviour.'

I am very pleased to note that there has been improvement from the police force in responding to family violence. Not only are there Family Violence Units in every police division, but that police refer victim survivors to family violence support services after every incident that they attend. The cultural shift within the police force has been extraordinary thanks to the initial work of Commissioner Christine Nixon.

But then I also began to consider my own experiences and recognised that I had grown up in a family where there was family violence. My father never hit my mother, but psychological, emotional, financial abuse and control were ever-present. He also liked to hit his children.

I know that our family was not the only family experiencing this in our country Catholic community; and I wonder if my mother or one of her friends would have taken heed of the Church's preaching of love, compassion and justice and sought refuge or solution from the Church. As some of the rare studies into faith-based family violence will attest, it is likely that the response would not have been one based on safety and justice for the women and their children.

The Royal Commission made 227 recommendations about how the service system could improve responses to victim survivors, with better coordination, a more nuanced and legislated risk-assessment framework, an information sharing scheme also legislated, a more skilled primary workforce and more training for all community and human services staff.

Faith-based institutions and groups were also targeted, and three specific recommendations (163, 164 and 165) were identified and refer to processes and resources that can and should be developed and/or improved.

This included ongoing professional development for faith leaders. Giving women from faith-based groups the opportunity to inform family violence standards and services (for victim survivors and perpetrators), ensuring that they reflect the needs of people of faith. Instituting best practice training packages, including information on referral pathways for victim survivors and perpetrators.

Crucially, it also made clear that faith leaders and communities need to establish processes to examine how they currently respond to family violence, and whether practices operate as deterrents to the prevention or reporting of, or recovery from, family violence or are used by perpetrators to excuse or condone abusive behaviour.

At some point the Victorian Government will ask the Catholic Church how these recommendations have been implemented. It would be my hope as the Executive Director of a Catholic-based crisis refuge for women and children experiencing family violence that I can say the Catholic church is working with its social services, schools, parishes and clergy to do everything that it possibly can to fulfill these recommendations.



Felicity Rorke is Executive Director of Good Samaritan Inn, Melbourne,

Victoria. She will be chairing a workshop at the upcoming national Catholic social services conference, 26-28 February 2020, in Melbourne, on the topic, 'Domestic Violence: Awareness, Prevention and Progress'. The workshop includes speakers from Good Shepherd Australia New Zealand and colleagues from New Zealand who work in this area.

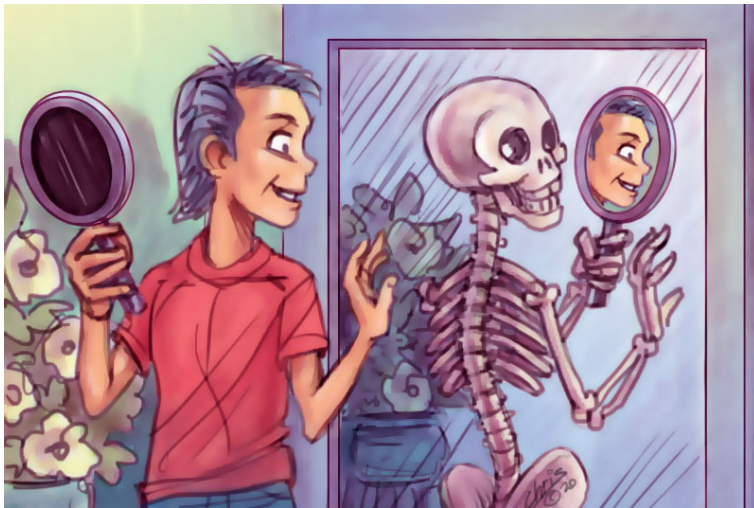
Main image: Boy sitting with his head down in a hallway (Getty Images/fiorigianluigi)

Coming soon or late

ARTS AND CULTURE

Gillian Bouras

The old saying has it that the only certainties are death and taxes. Well, tax evasion is a universal sport, while super-wealthy and eccentric optimists occasionally demonstrate a taste for cryopreservation.



However, surely the subject of death, 'so permanent and blank and true,' as Philip Larkin wrote, preoccupies us more than taxes? We all have fears of ceasing to be, but recently English journalist Matt Rudd pondered why it is that mid-lifers are much more worried about death than old people are.

Yet my maternal grandmother, devout Christian though she was, sounded a note of rebellion that blended with one of yearning. She was past 90 when she told my mother: 'Marjie, I don't want to die.' My mother floundered. 'But you're a believer.' The reply was quick: 'Oh, I'm not worried about all that; I just don't want to say goodbye to you all.' My other grandmother, more than twenty years younger when she died, not having reached 70, could not face a world without working in her garden. 'If I can't dig, I don't want to live.' But when she accepted the inevitable, she said, 'I'm so disappointed.' That's it. People in mid-life fear death for many reasons, but disappointment must be one of them, for there are always so many things to do, so much in the world to see and to experience, a whole host of people to get to know, various ambitions to be realised, a great number of projects to be finished. Crime writer P.D. James, for example, worried every time she took a flight. 'If this plane goes down, I won't be able to finish my current book.'

And we are all aware of people who try new experiences at an advanced age. A friend of mine visited China when she was 87; a woman of the same age had her first ride on a Harley-Davidson, and yet another made a tandem parachute jump when she was 84. Another octogenarian friend, an inveterate traveller, and also a mother and grandmother, once told me about flying into Heraklion in the teeth of a violent electrical storm. I was much younger than she, and certainly not as brave. 'Weren't you frightened?' I asked, knowing that I would have been scared stiff. 'Not really,' she replied, 'I have no responsibilities now, you see, and it does make a difference.' All those years ago, I looked at my three young children milling around, and thought she might be right. Now I know she was.

'My blood has now settled down to a quiet simmer, and I ponder the subject of death every day, not with tranquillity, but with a kind of resignation.'

None of us likes to think of their way of life falling into the sere and yellow leaf, but life as we know it here on earth would surely become tedious if it went on forever. And the thought of death usually enhances the value of life, is 'the dark backing that a mirror needs,' as Saul Bellow put it. One man, knowing he was ill, told me that every day was now a present, while Clive James found that his creativity and literary output increased dramatically almost from the minute he knew his days were numbered. Another wise man once told me that we fear death while our blood, as the Greeks say, is still boiling. 'But,' he said, 'your blood will eventually stop boiling, and your fear will subside.'

My blood has now settled down to a quiet simmer, and I ponder the subject of death every day, not with tranquillity, but with a kind of resignation. But I wish my spiritualist great-grandfather, who was always going to report from the other side and tell us what death is really like, had been able to file his story.

Never mind. Perhaps those who are still in mid-life need to cultivate an attitude of acceptance, and concentrate on enjoying the here and now, which is what the old have to do. Mark Twain, satirist and sceptical Presbyterian, said he had not been bothered by the fact of being unborn for millions of years, and he didn't think being dead for millions of years was going to bother him either.

Then there's Catholic philosopher Pascal's wager: those who bet on God existing have a great deal to gain in terms of present happiness and life beyond the grave. And can thus find peace at any age.



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.

Main image: A person looking into a mirror with a skeleton reflected back at them (Illustration by Chris Johnston)

Why business as usual is so scary

ENVIRONMENT

Cristy Clark

Shortly after Christmas Day, the sky disappeared. It was only then that I realised I'd always taken it for granted. The sky, and the air. I'd always taken the air for granted too, and now it was hazardous.



Like many parts of Australia, my hometown of Canberra had a truly terrible summer. Surrounded by bushfires, and sitting in a geographic bowl between mountain ranges, the city filled with smoke and choked on it for months.

The smoke filled the air with fine particles that are dangerous to human health because they penetrate deep into the lungs, can trigger or exacerbate chronic disease and respiratory problems, and have been linked to increase mortality. Concentrations of PM2.5 - the smallest and worst of these fine particles - are measured in terms of 10 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), with up to 25 $\mu\text{g}/\text{m}^3$ considered low risk, 40 to 106 considered 'unhealthy', and 250 to 500 considered 'hazardous extreme'.

From mid-November to late January, Canberra's PM2.5 levels mostly hovered between 50 and 100, and a for a few terrifying days in early January they sat just below 1000 - so high an official rating didn't exist.

Meanwhile, bushfires in surrounding areas burned out of control, incinerating everything in their path.

All of this was bad enough, but the thing I struggled with the most was that, for the most part, life just went on as normal. Yes, some people wore PM2.5 masks. Yes, there was a run on air purifiers and weather sealing tape. But, apart from those 'beyond hazardous extreme' days when many places shut up shop, not a lot changed and, honestly, I couldn't get my head around it.

'All of this was bad enough, but the thing I struggled with the most was that, for the most part, life just went on as normal.'

On one such 'normal' day, I caught the light rail into the city to go to work. As we disembarked, the air was thick with smoke haze and the sun was small, dim and red. I walked through the haze in a crowd of office workers wearing masks and felt as though we had all stepped into a new reality - a dystopic future that had already become our present.

When I examined my reaction, I realised that on some level I was expecting all of this horror to make a difference. I know it was naïve, but I even hoped these bushfires might act as a circuit breaker and force our government to accept the need for more serious climate action.

Then, on 29 January, Prime Minister Scott Morrison extinguished my naïve hopes by appearing at the National Press Club to reassure us that the government is focused on 'keeping our economy strong'.

He went on to stress the importance of adaptation and resilience, because 'when it comes to practical safety of people living in bushfire zones, hazard reduction is even more important than emissions reduction.'

Although the Prime Minister did acknowledge 'the need to take action to reduce global emissions, to mitigate the risk of climate change', he defended the LNP's existing 'balanced and responsible emissions reduction plan', because anything else might risk damaging the economy.

On the one hand, this past summer has absolutely demonstrated the need for us to adapt to the reality of a changing climate and to do everything we can to make communities and our environment more resilient to the heat, the droughts and the increasingly frequent extreme weather events. Given that we have already locked in worsening climate change, focusing on adaptation and resilience is common sense.

On the other hand, it is utterly chilling to hear our Prime Minister emphasise adaptation and resilience in a context in which he is refusing to take serious mitigation action. Warming the climate to +1 degrees celsius has already ushered in a new reality of heatwaves, severe droughts, and catastrophic fires that start in Spring and burn for months. We are currently on track to reach +3 degrees celsius by 2100, which will lead to sea level rises of between 1 and 2 metres, extreme heatwaves, a significant drop in food production, and many more bushfires and extreme weather events.

Are we happy to just adapt to these extreme outcomes? Shouldn't we be doing literally everything in our power to reduce these risks?

The other day, my daughter casually mentioned that her personal future wasn't worth worrying about since 'the world is literally going to explode.' She said it in such a matter of fact way, and it broke my heart.

She's not alone in feeling anxious, even nihilistic, about the threat of climate change. Children all over the world are experiencing 'eco-anxiety' or 'climate depression'.

And, yes, I know that alarmist language doesn't help, and that helping her to combat feelings of powerlessness by taking some kind of action does. But, honestly, explain to me how that works when the air is literally hazardous, the sky has disappeared, and our Prime Minister is telling us to adapt because the economy is more important than mitigation?



Dr Cristy Clark is a human rights specialist. Her work focuses on the

intersection of human rights, neoliberalism, activism and the environment, and particularly on the human right to water.

Main image: The Australian Parliament house is hardly visible behind a dense smog.
(Photo by Daniielc/Getty Images)

AFLW continues to make history

AUSTRALIA

Kirby Fenwick

Footy returned to our radios, televisions and suburban grounds right around the country last weekend as the fourth season of the AFLW kicked off. It was a weekend of history making moments, but it was also a weekend that highlighted some of the very real challenges facing the competition.



Four new teams - Gold Coast, Richmond, St Kilda and West Coast - have joined the competition in 2020 bringing the total number of teams to 14. However, the AFL has resisted calls, most notably from the players, for a 13-week home and away season, instead persisting with their controversial conference setup and an 8-week home and away season followed by a three-week final series. Of course, this decision has ramifications.

Last Friday night, newcomers Richmond were beaten by last season's grand finalists Carlton in front of 15,337 people at Princes Park. For many Richmond fans the result was far outweighed by the historic nature of the night. Tigers coach Tom Hunter said it best post-match when he described the night as being 'just a little bit bigger than footy'. 'For the Richmond Football Club to have a women's side run out for the first time, in their inaugural season, in front of so many yellow and black supporters tonight... it meant a lot to a lot of people,' Hunter said. And he was right. The same can be true of Gold Coast, St Kilda and West Coast, whose fans expressed similar sentiments across the weekend as their teams were beaten in their debuts. These were historic games, marked by many historic moments including the first goalkickers for the teams.

It's perhaps unsurprising that the newcomers were unable to record a win first up. Many of the teams had played only a handful of games together. West Coast coach Luke Dwyer made the point post-match that the Eagles had played only three games together. Familiarity may breed contempt but it also builds better players and more cohesive teams. It was a point that Olympian Kim Brennan spoke about on the ABC's *Offsiders* last Sunday morning. Brennan supported the AFL's expansions, saying that she believed sports 'have to be aggressive in expansion to increase opportunities and stimulate that supply and demand issue.'

'It feels almost cliché to keep placing the word 'history' alongside the AFLW. But, it's also right.'

However, Brennan also raised questions about the AFL's decision to only play eight rounds. 'My question mark would be whether eight games is enough to actually improve the amount of match experience and the quality of the players to really drive up the standard of play in line with the accelerated expansion,' she said.

The length of the season was not the only discussion point from the opening round. The first game, between the Tigers and the Blues had been touted as a lockout. Carlton members received messages from their club urging them to arrive early. And the AFL set up a big screen outside the venue for any overflow. It wasn't a lockout. But plenty, including sports journalist Kate O'Halloran, pointed out that that was more about the AFL's refusal to ticket games than fan's support. 'Speaking to fans on Friday night, I was also told that many who had wanted to attend had stayed at home to watch the match on TV, because they could not, or did not want to, line up from 6:00pm or earlier to be assured entry,' Kate wrote for the ABC.

It seems unlikely that debate on these issues will go away anytime soon. And nor should it. The season structure was a significant part of the CBA negotiations that came to a head at the end of last year. And fans will no doubt continue to be frustrated by the lack of ticketing and the uncertainty that brings. But on the field, there's plenty to celebrate. Young and talented players like Maddy Prespakis, Gabby Newton, Georgia Patrikios and Roxy Roux are providing an exciting example of where the competition is heading. More and more, the newly drafted players will have enjoyed unbroken football pathways. They won't have been turned away from the game at fourteen. Instead, they'll have played juniors football and then progressed into academy programs exposing them to elite coaching and training - the same kinds of programs long enjoyed by their male counterparts. That is something to be celebrated.

It feels almost cliché to keep placing the word 'history' alongside the AFLW. But, it's also right. Sabrina Frederick kicked Richmond's first AFLW goal last night. Britt Perry did the same for the Sun's against her old team, Dana Hooker wrote her name into the history books for the West Coast Eagles and it was another MacDonald, this time a Molly, who kicked the Saints first goal at Moorabbin. There'll be more of those moments and that's something to be celebrated too.

Eight games may be far from enough. The holdout on ticketing may be hampering and not helping as intended. There may continue to be debate around the conditions and the league and what the future looks like. And the detractors, though increasingly seeming to lose ground to the fans, will never be far away. But young girls, and young boys too, have more than 400 hundred new heroines to look up to, footballers they can admire and aspire to be like. And that is absolutely something to be celebrated.



Kirby Fenwick is a fan first and a writer, editor and audio producer second. She is the creator of the award-winning audio documentary, *The First Friday in February* and produces the regular segment, 'Voices From the Stands' for Triple R's *Kick Like A Girl*. She is a founding member of Siren: A Women in Sport Collective. You can find her on twitter @kirbykirbybee

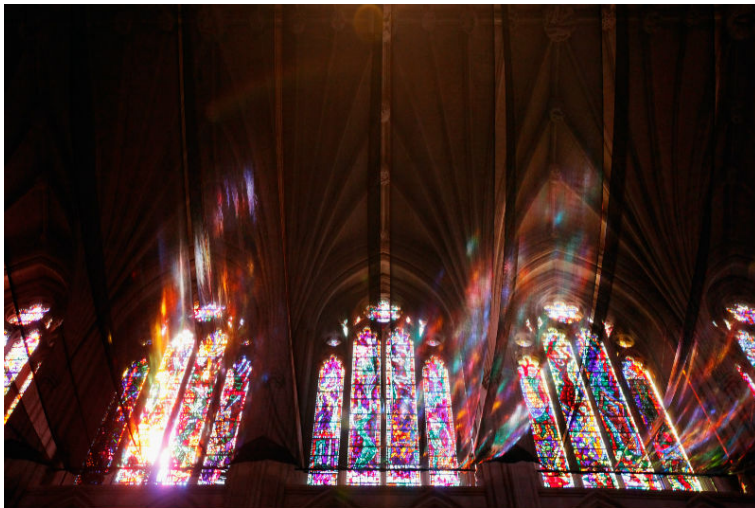
Main image: Sabrina Frederick of the Tigers kicks a goal during the round one AFLW match between the Richmond Tigers and the Carlton Blues at Ikon Park on February 07, 2020 in Melbourne, Australia. (Photo by Kelly Defina/Getty Images)

Religious freedom bill needs more work

RELIGION

Neve Mahoney

Submissions to the second draft of religious freedom bill have closed and activists are gearing up to speak out against the bill, which will likely be introduced to parliament in March.



I could give an overview and lay out the facts. How most people would agree that to discriminate against someone on the basis of their faith (or lack of faith) is wrong, but that's only a part of what bill is intending to do. Like how the privileges given to people of faith in this bill are 'unique' to the western world. How in an ouroboros-like bit of logic, it will allow people of one faith to discriminate against another faith. Or that several mainstream faith organisations have made statements that they don't agree with this bill.

And of course how healthcare professionals are already allowed to make conscientious objections, or how religious organisations like churches and schools already have the right to hire and fire people who injure their 'religious susceptibilities'.

But other commentators have already done that. These points will be the same points you'll hear in every news article or talking head on *Q and A*.

Instead, I think about how there are certain phrases that when I hear them give me a sort of sickly, fearful feeling. These phrases are things like, 'traditional families' or the even slipperier 'Christian values'. In and of themselves, these phrases are just words. To me, and to many like me, they are sharp and pointed, weapons used to keep us in our place. I don't need someone to tell me at work that because I'm queer I'm going to hell. Years of church and Catholic schooling and marriage equality debate have already made the coded language very clear when I'm not welcome.

I think about how I don't remember feeling much religious freedom when I was young, faithful and told over and over again that my faith and my sexuality were inherently opposed. How I was systematically stripped of any comfort or trust I had in my own faith, in the assurance of God's love.

'I'm not going to pretend to be objective. I absolutely have skin in this game. Bills like these aren't just another bill to me, they are working to make sure I will always feel

insecure in religious spaces.'

As it always goes, the focus is on the ways the people like me could infiltrate faith spaces or hypothetically infringe upon others rights to say or do what they want without consequences, without much consideration for the viewpoints of those people themselves.

I'm not going to pretend to be objective. I absolutely have skin in this game. Bills like these aren't just another bill to me, they are working to make sure I will always feel insecure in religious spaces.

However, I am privileged in many ways, including the ability to write something like this on this platform. But if this bill has the impact that its detractors say it has the legal potential to, I won't be hit the hardest.

Instead, it could restrict LGBTQ+ people from accessing for specific health care, like hormone therapy treatment or IVF. It could be yet another barrier to health care for Indigenous people, disabled people and for all women who live in rural and remote areas. It could allow at risk people to be turned away for emergency housing. And people who experience the trauma of SOCE (sexual orientation change efforts) who go on to report it, despite recent state efforts to ban the practice, might not be able to get providers deregistered. All areas of discrimination against the marginalised that religious institutions should be fighting to prevent.

I am tired of writing about this. I am so tired of fighting just to be treated like my existence is a threat. But still, I will write to the politicians, again. And I will go to the protests, again. Because religious freedom should make people free from discrimination, not enable it.

Neve Mahoney is Acting Editor. She has also contributed to *Australian Catholics* and *The Big Issue*.

Main image: Stained glass windows emit a rainbow glow (Getty Images/ Chip Somodevilla)

What does it mean to be a settler?

AUSTRALIA

Marnie Vinall

When I opened my social media on the morning of New Year's Eve - I came face to face with pictures posted by my friends and family of flames licking the outskirts of my hometown.



The pictures were of the mountain that overlooks Corryong, Mt Mittamatite, and it had fire creeping up the mountain steep. The mountain that I never really noticed when I lived there. That mountain we went up one year for Mother's Day. Now, it looked shockingly helpless.

And I felt helpless as my thumb scrolled the images.

It's a bizarre feeling seeing your hometown in the grip of turmoil through the lense of social media. You know you can't just jump in the car and grab the nearest hose with the firefighters; you can't drive through it solely to hold your grandmother's hand while she worries the house she has lived in her whole life would burn.

You sit in your house in the middle of a city and you try to occupy yourself while you wait for any semblance of information. You systematically refresh Facebook every few minutes hoping for the best - some reassuring status saying it's over, the flames have gone and everyone's gone to bed.

But unfortunately the news that began to trickle out were stories of homes lost, of livestock perished and my friends and family left emotionally shattered.

And since I saw the pictures of the mountain on fire, since I saw the video of my friend driving through literal flames at the beginning of January - I've watched my Facebook feed mould into a place of support for the community I grew up in.

It started with Facebook groups that popped up filled with relevant and accurate information to help locals that had been evacuated. Information on where they could get food that was being delivered into the town, where the community meetings were being held, where to get a pair of free blundstones.

A few days later a video was uploaded that a month ago, maybe I would have scrolled past. It was the staff inside the supermarket dancing in and around the aisles with the hashtag #corryongcandance.

The familiar faces in videos like this were so comforting - the town was doing okay, they were getting through and the positivity that engulfed the video was contagious.

And now as I write these last paragraphs; I'm sitting in my family home in Corryong. The

roads are no longer blocked, Corryong is open once again.

As I drove in the burnt trees and landscape was jolting. I turned the music down to let my brain process the familiar landscape looking so naked and bare, the trees naked and black. I felt sad for my town, it felt incomprehensible to have been here in the thick of it. Now, it's a Saturday night and neighbours either side of me are laughing with their friends and family - not just laughing for the sake of it, actually laughing - big bellowy laughing.

And today when I went down the main street to buy bread there were people everywhere. Locals and tourists. My mum runs the pub in the main street, even though she was busy, she said a thank you to everyone who left after eating lunch there. There are still intermittent reminders of the bushfire - I was filling up my water bottle today when I felt my mum's hand on me telling me 'not to drink the tap water'. But I'm proud of this little township of not even 2,000 people - bonded by the grips of fear they experienced together; now closer than residents that just share the same postcode and take each others bins out every now and then. They can now rebuild - physically and emotionally - and watch the tiny glimmers of green that are now sprouting up beneath the wreckage of the bushfire, together and maybe even closer than before.



Helen Burt has worked for over 30 years in the community sector, mostly in faith-based organisations. In that time her roles have included program development, policy work and management. Due to a progressive illness, Helen now uses NDIS services and at times undertakes some advocacy around disability-related issues. She will be presenting at a workshop titled, Advancing Dignity and Equality within the Framework of the NDIS, together with Anne Kirwan, CEO of CatholicCare Canberra and Goulburn, at the upcoming national Catholic Social Services Conference, in Melbourne from 26-28 February.

Main image: Woman in her home, using crutches. Her dog is stretching behind her. (Getty images/jacobia dahm)

Apology anniversary as a time to reflect

AUSTRALIA

Andrew Hamilton

In the years before then Prime Minister Kevin Rudd's Apology to the Stolen Generations in February 2008, politicians debated the value of the gesture. Some contrasted symbolic reconciliation with real reconciliation. Those of us with a theological bent were reminded of debates between Catholics and Protestants about sacraments. Whether in the Eucharist, for example, Christ was made really or merely symbolically present. In both cases opposing the real to the symbolic devalued the real power of the symbol to create a new reality.



All apologies are symbolic. They do not change the facts of past injury and insult, but enact a changed relationship with the possibility of further change in the parties involved. They affect relationships - those most cloudy but also most tangible of things. Apologies embody a way of relating built on respect. In doing so, they also acknowledge a moral code shared by both parties, and a shared acceptance that it has unjustifiably been disregarded.

They also imply a pledge to act differently in the future. The respect embodied in an apology is based in the recognition that both parties share a common humanity that lies deeper than the differences based on religion, race and wealth. All these things are expressed in the gesture of apology.

In the Apology to the Stolen Generations the Australian Government spoke on behalf of all Australians in recognising that it acted wrongly in removing Indigenous children from their parents. It recognised also that the reason for the removal was the disrespectful claim that its targets were defined, not by their shared humanity, but by their race. This disrespect caused lasting damage to the children and families.

It was of great significance that the Prime Minister made the Apology in person to representatives of the Stolen Generations and that they accepted it. His gesture stated that all Australians are equally entitled to respect, and that the government and all Australians are responsible to ensure that all Australians are treated equally, regardless of race and history.

The symbolism of the Apology embodied strong statements about the way we Australians commit ourselves to treat one another. They can never be unsaid. They can, however, be disregarded. For that reason the Apology continues to be important. It is a measuring stick by which both the conduct of government and the treatment of Indigenous

Australians can be judged.

'The Apology, however, is not simply a marker of failure. It also points to small but precious signs of respect in the Australian community.'

The dignity, seriousness and non-partisan spirit of the Apology stands in judgment on the rancorous disregard of parliamentary conventions, partisanship and lack of seriousness and of courtesy in the years following. It also, of course, judges that of many preceding years. This behaviour embodies a deep lack of respect, which makes it natural to see apologies as a sign of weakness and a stratagem of last resort for deflecting blame. The polarising attitude can be seen in the words attributed to PG Wodehouse, 'It is a good rule in life never to apologise. The right sort of people do not want apologies, and the wrong sort take a mean advantage of them'.

The Apology has also set a standard by which to measure the treatment of Indigenous Australians today. In particular it highlights the disrespect underlying the election-driven Intervention that preceded the Apology, and the subsequent humiliating and disempowering measures directed against Indigenous communities. Though not driven as directly by racially biased ideology, too, the disproportionate rate at which Indigenous children are removed from their mothers, Indigenous children are incarcerated and decisions are made without proper consultation about Indigenous communities, indicate a serious institutional lack of respect.

This record also indicts the barrenness of the claims for real reconciliation when opposed to symbolic reconciliation. Without the change of heart and attitudes enacted in the Apology, Indigenous Australians will continue to be the victims of policy decisions made about them without their participation, and of administrative actions taken by people prejudiced against them.

The Apology, however, is not simply a marker of failure. It also points to small but precious signs of respect in the Australian community. The courage of young Indigenous Australians calling out discrimination and racial abuse, and the increased credence given them, for example. Also the significant number of Indigenous Australians who are entering the professions, the arts, and being employed in managerial positions is another candle in the darkness. At events and celebrations in the Australian community, too, it has become increasingly common to acknowledge the Traditional Owners of the Land, and for Indigenous Australians called on to speak at these events to longer be seen as guests but as hosts.

These things do not make up for the institutional disrespect suffered by Indigenous Australians. They are candles in the dark, offering us hope, that the spirit of the Apology may engender respect in the relationship between the first and the later Australians.



Andrew Hamilton is consulting editor of *Eureka Street*.

Main image: Candles spelling out sorry on the front lawn of Parliament House in Canberra (Getty images/Andrew Sheargold)

A discovery of connections

ARTS AND CULTURE

Najma Sambul

I've often wondered what it means to belong to a religion. I'm a Muslim and Islam is defined as either meaning 'peace' or 'submission'. Although it is both of these things, for me it represents renewal and the ability to make a brand new start at each point in the day. We pray five daily prayers, a tenet of my faith, and in each prayer there is a new beginning where old and new intentions meet, passing each other by just enough to say hello.



My family and I came to Australia in December 1998. We arrived at Launceston Airport, greeted by a motley group of Tasmanians who were excited and I suspect nervous about becoming a support group to a single mother, her five young children and my dear uncle who at 16 years old - despite his best efforts - was a child himself. The group had come together by the chance enquiry from one churchgoer who asked another if they could dedicate time to this - to us. So, we clambered into a mini van with our meagre possessions, and the myths and half-truths we knew about Australia followed suit. Since being displaced by the Somali Civil War in 1991, we'd been living in Dadab refugee camp - one of the largest in the world. I was born there a few years later. As night fell, the stories we had heard of the Western world, far from the plains of Kenya would come to life. 'Money falls from the skies', one dweller would proclaim. He would be met with, 'And don't forget, you never go hungry. Food is everywhere!' They said we were headed to a utopia. And, they weren't far off.

As we drove through the green Tasmanian landscape, our eyes darted in excitement at nature and infrastructure easily co-existing. Somalia or Kenya had nothing like this: buildings there were often clumsy and didn't quite belong, but here they got it right. We arrived at a quaint red brick house in an inner city suburb, our first home outside a refugee camp. My mum and uncle were in animated conversation about how we had made it, us kids heads popping up like meerkats trying to get a closer look.

A few years passed and life was good in Launceston. But, it was quiet and amongst a micro Somali community, another place, Melbourne, was often discussed at great lengths. Slowly families began to move and finally so did we. During this upheaval, I became a child fixated on the meaning of life, grief was an emotion I had become so used to and I had many questions, to which the answers I found, were in books - this became my form of escapism. This love of words motivated me to pursue a degree in

writing.

'It was not until I had grown up that I realised how impactful was the kinship extended to us from our Christian brothers and sisters. My mum went on to return the gift of charity extended to us. She founded a non-profit organisation in 2007, The East African Women's Foundation...'

We managed to stay connected to our friends in Tasmania, and through the trials of life, death and everything in between we only grew closer. I've even been back a few times, a couple of years ago. My siblings mock me for that. How could *I*, the youngest, who had the least recollection of our childhood, keep going back? I guess Tassie felt like my real birth place.

It was not until I had grown up that I realised how impactful was the kinship extended to us from our Christian brothers and sisters. My mum went on to return the gift of charity extended to us. She founded a non-profit organisation in 2007, The East African Women's Foundation, dedicated to helping future generations. I volunteer for the organisation, partly from obligation, mostly free choice.

And what of Tasmania and the community there? Well, they're still doing God's work and helping the new wave of immigrants and refugees to find how to call this place home.

In 2014 after the shock death of my uncle, we reunited with a dear Mercy Sister. I hadn't seen her for over a decade. So, when I saw her hobble toward me, arms outstretched, a sense of overwhelming familiarity enveloped me. We've been inseparable ever since.

Recently, she invited me to a poetry day, where a small group of people shared poems and discussed them. I said 'Nah, poetry's not my thing'.

She responded, 'Rubbish, you're poetic! You just don't know it.' I nodded, politely. Did I believe it? Nope.

So the next time we met, she gave me some poems that had been shared at that poetry day. I read most of them, aloud, at her request, amused but nothing more. Then, I read, 'i thank You God for most this amazing' by E.E. Cummings. As I read the poem, my throat became tight with emotion and I cried. I knew this appreciation of God and nature, but in a different language. As Cummings says:

*How should tasting touching hearing seeing
Breathing any-lifted from the no
Of all nothing-human merely being
Doubt unimaginable You?*

So, too in the Quran it says, 'Which of the blessings of your Lord will you deny?'
No longer was poetry an afterthought for me.

*now the ears of my ears awake and
now the eyes of my eyes are opened.*

Najma Sambul is an aspiring novelist who wants to make a difference in how marginalised groups are perceived in the literary world. She has written a number of unpublished short stories that have accumulated dust and many red marks over the years, but remains optimistic about their future.

Main image: Night view of the city of Launceston, Tasmania, with houses in the foreground and the Sacred Heart Church in the background. (Getty images/Jess Swallow)

The Adventures of Barnababy

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.

Trauma revisited: Coronavirus in Hong Kong

INTERNATIONAL

Jocelin Chan

Right before I turned six, my parents packed us out of our home in high-density east Kowloon and moved into my aunt and grandfather's seaside house. Just three metro stops from our home, cases of SARS (Severe Acute Respiratory Syndrome) were trebling at the Amoy Gardens housing estate. School was suspended after weeks of having our temperatures taken and logged before class. Face masks were a ubiquity; we couldn't even pop out for groceries without wearing one.



When I landed back in Hong Kong in late January to celebrate New Year, I didn't anticipate reliving this traumatic period of my childhood. Yet, when I landed on Monday, face mask-wearers were in the minority. By Thursday, you would be hard-pressed to find someone unmasked on the metro. China finally confirmed after a month of concealment that the novel coronavirus was transmissible between humans and the cloud of dread that sank over Hong Kong was bitter with the 17-year-old trauma of SARS.

Hong Kong was hit hardest by the SARS outbreak in 2003, counting 299 deaths. In a city of 6.7 million, the spread of the virus was exacerbated by the high-density environment: most residents live and work in high-rise buildings and take public transport.

Experts blamed the Chinese government for covering up the initial outbreak in the Mainland, leaving Hong Kong unprepared for the devastation. Hong Kong still bears the scars of the epidemic; there are signs in lifts assuring users that the buttons are regularly disinfected, public service ads on disease prevention are routine, hand sanitiser is a feature of lobbies, and wearing a mask regardless of illness is common.

The novel coronavirus has similar symptoms to SARS with a higher infection rate and lower mortality rate. No one wanted a repeat of 2003. The coronavirus transfixed everyone; I couldn't ride a lift or have New Year dinner or go hiking without hearing a conversation about the coronavirus. The demon of the past had reared its head again. As ill people were discovered in Hong Kong, it was easy to slip back into paranoia mode: hand sanitisers out, face masks on.

In the last few months, face masks had become contentious in Hong Kong. Many had donned them during pro-democracy protests to protect their identities, leading the local government to ban them. The court ruled this ban as unconstitutional; by the time of the coronavirus outbreak, the beleaguered Chief Executive Carrie Lam was still trying to overturn this ruling.

A new wave of criticism crashed over Lam. Even antigovernment vandalism, a feature of Hong Kong's streets since mid-2019, took a public-health turn. She was slammed for not wearing a mask, for dropping her mask ban agenda too late, for not safeguarding the supply of masks as people queued to buy them. For issuing discriminative advice to foreign domestic workers, advising them to stay home on their single day off. For not imitating Macau's extreme steps - closing the border with the Mainland and either deporting or quarantining all recent Wuhanese visitors - to protect medical staff and the vulnerable, ill-equipped and high-density population.

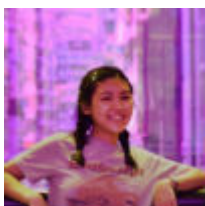
'Even if the government had to be pressured into action, Hongkongers maintained fastidious in following whatever public health procedures they could to protect themselves: wearing masks, washing hands frequently, avoiding wild animals, and avoiding crowds.'

Despite these shortcomings, the local government re-implemented a measure from SARS - faster than in 2003 - by suspending school until March. Civil servants could work from home; private businesses were encouraged to follow suit. Quarantine measures for those who had come in contact with those infected were immediate. After a week of strikes from medical unions calling for a border shutdown, Lam announced that anyone coming from the mainland would be quarantined for fourteen days.

Even if the government had to be pressured into action, Hongkongers maintained fastidious in following whatever public health procedures they could to protect themselves: wearing masks, washing hands frequently, avoiding wild animals and avoiding crowds.

Following advice from 2003, I shifted around my travel plans to avoid crowded metropolitan areas and made excursions to less-populated rural and countryside areas. In these places, I found myself in touch with the natural and local beauty that Hong Kong had to offer with sights that I probably would have missed out on if I hadn't been trying to avoid the coronavirus. I could even take my mask off on a hike.

For many Australians, the coronavirus has made East Asians a source of fear. Seeing us wear masks provokes anxiety - we are paranoid, Other, and diseased. But the reality weaves a traumatic past with a complex present. We are only human, and just like everyone else, we want to protect ourselves however we can.



Jocelin Chan is writer and Roman history postgraduate student based in Sydney. Her writing has appeared in Voiceworks, Pencilled-In, Visible Ink, Cortex Journal, and various university publications.

Main image: Hong Kong street during the daytime with people wearing masks. (Photo by Jocelin Chan)

Hopeful vision for a better NDIS

AUSTRALIA

Helen Burt

A vision of equality and dignity inspired the National Disability Insurance Scheme, which was introduced in Australia on the 1st July 2013. Developed by the amazing people with disabilities, family members and supporters, moulded by the Productivity Commission, and finally embraced by the Australian community and parliament, the NDIS is a major social reform that offers people with disabilities the chance to move forward, claim their rightful place in society and live out their potential.



Community supports for people with disabilities evolved over many hundreds of years, reflecting attitudes to difference and the social systems for managing poverty. It was only in the 1970s that Australia saw large institutions developed in the early years of the colony begin to close. For many people, life in the institution was replaced by life on the streets, or a regimen in group homes, which replicated institutional life. It took many years for governments to realise that despite being housed in the community, people with disabilities were often not part of the community, or able to achieve their goals and potential.

An adequately resourced support system based on the individual needs and aspirations of Australia's people with disabilities, whether they be physical, intellectual or psycho-social, has taken nearly 50 years to establish and will probably take even more time to fully implement and consolidate.

Prior to the NDIS, formal supports for people with disabilities were fragmented, poorly funded, and inequitable, based firmly on an outdated welfare model. The NDIS as proposed turned this on its head, promising a national, universal system allowing people with disabilities themselves choice and control over their services - what is needed, and how, when and where it is provided. This vision is clearly alive, even while the reality is very much a mixed bag.

My personal experience during the first 18 months of involvement with the NDIS was frustrating and particularly deflating for someone who had written submissions, emailed politicians and understood the potential of the scheme. My only contact seemed to be with an immovable, impossible-to-navigate bureaucracy determined to stand in the way of me receiving any support I was promised.

I'm now in my second year as a part of the scheme, and the NDIS is beginning to offer me the sort of transformative support originally envisaged. 'Small' things, such as access to the support services I need for a few days holiday (something that hasn't been

possible since I've been in a wheelchair); and 'big things', which will change my life by giving me the opportunity to live in an apartment adapted for my needs. Even while I celebrate these changes for my life, I am acutely aware that I am one of the lucky ones. Not everyone will enjoy such life-changing opportunities. Benefitting from the scheme depends on who and where you are, and where you started from in the system. As an educated person living in an urban area, I am in pole position. Despite this, it wasn't until my second plan was done that I obtained significant benefits in my life. By this time, I had a supportive and knowledgeable team around me, knew what to ask for, and what would lead to tangible benefits.

'Even while I celebrate these changes for my life, I am acutely aware that I am one of the lucky ones. Not everyone will enjoy such life-changing opportunities.'

Unfortunately, many people are unable to get access to the NDIS at all. There is also great inequality among those who become NDIS participants.

A submission from People with Disability Australia to the Tune Review stated: 'There is an emerging and troubling picture that some people get good plans while others, particularly from marginalised groups or communities are left with poor quality plans, with limited access to supports and services that are included in their plans.'

There is much to criticise about the current operation of the NDIS. Most prominently is the failure of the scheme to live up to its potential as a universal, accessible and coherent service system able to decrease disadvantage among the lives of people with disabilities, particularly those whose disability intersects with broader social disadvantage.

I remain hopeful that a proactive focus on access and equity, along with a determination to rid the organisation of unnecessary regulations and bureaucracy will see the NDIS take its place among the great Australian social reforms.



Helen Burt has worked for over 30 years in the community sector, mostly in faith-based organisations. In that time her roles have included program development, policy work and management. Due to a progressive illness, Helen now uses NDIS services and at times undertakes some advocacy around disability-related issues. She will be presenting at a workshop titled, *Advancing Dignity and Equality within the Framework of the NDIS*, together with Anne Kirwan, CEO of CatholicCare Canberra and Goulburn, at the upcoming national Catholic Social Services Conference, in Melbourne from 26-28 February.

Main image: Woman in her home, using crutches. Her dog is stretching behind her. (Getty images/jacobia dahm)

Fight against nuclear waste not over yet

ENVIRONMENT

Michele Madigan

On January 31st, just three days before he offered his resignation as Minister for Resources and Northern Australia, Senator Matthew Canavan made his long awaited, if predictable, announcement: Australia's long lived intermediate radioactive waste will be stored, and the low level waste deposited, at the Napandee site in the Kimba region of South Australia.



Canavan's decision was a natural follow on from his December 13th announcement that with just 47 per cent of voters in favour, the Flinders Ranges site of Wallerberdina was no longer under consideration. As such, the Kimba decision was predictable. However it still came as a jolt to most of the farmers and others rightly fearful of the plan to host nuclear waste which even the government now admits will remain toxic for an unimaginable 10,000 years.

The early November Kimba vote of 61.17 per cent in favour on the proposed project followed the four year divisive government campaign. On December 5th, Kimba region farmer Terry Schmucker explained the vote's long history: 'We have already been through this once already where everyone was on equal terms. The minister at the time had already ruled there was not broad community support. However the landholder that nominated his land the first time then renominated a different part of his farm and his friends and family within the Kimba council moved for a vote of only the council area. The community funding has now been restricted to the Kimba council area only because of this - people are looking at the large inducement, not the radioactive waste issues.' He concluded that 'if the 50 km radius was applied at Kimba like it is at Hawker the vote would fail at these waste sites.'

After their 20 year struggle to successfully obtain their native title rights, which included the Kimba region, the Barngarla people were astonished at their own exclusion from the vote. As Jeanne Miller movingly explains in Kim Mavromatis' four minute [film](#), as Aboriginal people with no voting power they are put back 50 years, 'again classed as flora and fauna.' The Barngarla case against the Kimba Council will return to the Federal Court on February 21st.

After the Kimba region announcement, most predictable was the delight of the man due to profit the most from the arrangement in monetary terms. Jeff Baldock of Napandee is to be paid four fold for the 160 hectares of his land that the federal government plans to acquire.

Not much doubt, however, that Baldock and his family over future generations may get much more in repercussions than bargained for. At our privileged gathering on 5th February in Adelaide's CBD, every time a guest referred to 'intermediate long lived nuclear waste', Dr Helen Caldicott, an internationally known anti-nuclear campaigner, insistently corrected the term to 'high level' nuclear waste. Somewhat surprisingly, on February 6, ANSTO (Australian Nuclear Science and Technology Organisation) senior nuclear officer Hef Griffiths voiced the same opinion. Speaking to the ABC's Paul Culliver, Griffiths admitted France classifies waste from reprocessed spent nuclear fuel as high level nuclear waste - and when the waste gets shipped back to Australia it is reclassified as intermediate.

Unsurprisingly, there has been more media coverage of this issue in the Murdoch owned *Adelaide Advertiser* since Senator Canavan's announcement. One opinion piece to one (extreme) side, more facts than usual have been reported. Unswerving however has been the insistence by many correspondents of the repetition of the government mantra that the project is all about medical nuclear waste. The reality is that over 90 per cent of the waste, measured by radioactivity, is intermediate long-lived waste including the nuclear spent fuel rods and also the parts of the previous nuclear reactor. And no, X-rays and radiotherapy aren't nuclear medicine.

'After their 20 year struggle to successfully obtain their native title rights, which included the Kimba region, the Barngarla people were astonished at their own exclusion from the vote. As Jeanne Miller movingly explains in Kim Mavromatis' four minute [film](#), as Aboriginal people with no voting power they are put back 50 years, "again classed as flora and fauna"'.

To avoid any unnecessary repetition of details regarding the medical waste argument I suggest that any interested reader would do well to read the respondents' questions and information to my last published [article](#). In addition, there is always the valuable [Friends of the Earth](#) scientific information source.

The hosts of the Kimba Rally for Sunday February 2nd, expecting 100, were overwhelmed and delighted with the crowd, a physical count revealing five times that number. Mrs Waniwa Lester, widow of the late Yami Lester blinded by the 1953 British nuclear tests at Emu Junction, travelled the 467 kilometres from Adelaide with me to attend. Weeks in the planning, it turned out the rally took place two days after the Minister's actual announcement of the nuclear site.

MC Peter Woodfold, President of No Radioactive Waste on Agricultural Land in Kimba or SA, summarised the local divisive campaign in his speech, saying 'if you want to know what intimidation is, you stand between people and money.'

Perhaps most moving of all the excellent speeches were those from other farmers, James Shepherdson and Tom Harris. As reported in the *Stock Journal*, Shepherdson said the community had not initially been told that the facility would be used to temporarily store intermediate-level radioactive waste, in addition to the storage and disposal of low-level waste. He said funding injections, such as a \$20 million government community fund, did not outweigh potential problems with grain quality. 'Farmers are under scrutiny and at the beck and call of buyers and brokers, and to risk what is an \$80m income for this district every 12 months, for a one-off \$20m payment, that's absurd,' he said.

Kimba farming land is an important part of South Australia's just 4.5 per cent agricultural cropping land. Tom Harris revealed with some distress the current doubt by insurance agents regarding his insurance viability because of its proximity of his farm to the nuclear storage site; this may jeopardise his sons' succession.

Reflecting the determination of local No campaigners, ACF 's Dave Sweeney warns that the fight is far from over. Various hurdles along the way in which opponents can be involved include the required Environmental Impact Statement and then the assessment the regulator ARPANSA (The Australian Radiation Protection and Nuclear Safety Agency)

must make. The inclusion of other opponents is more likely when transport routes are finally revealed.

Coming from a long established Eyre Peninsula family, P Boylan is clear: all of SA's West Coast will be affected and must have a say. Peter Woolford goes further, in view of the extraordinary ramifications of this decision for the whole state, a referendum is needed. No, it's not over yet. Nor will it be. On an issue that will have implications for every generation to come, just 452 local residents cannot be allowed to speak for 1.7 million South Australians.

Michele Madigan is a Sister of St Joseph who has spent the past 38 years working with Aboriginal people in remote areas of SA, in Adelaide and in country SA. Her work has included advocacy and support for senior Aboriginal women of Coober Pedy in their campaign against the proposed national radioactive dump.

Main image: Nuclear waste barrels (Credit: Charissa Van Straalen/Getty Images)

After the fire

ARTS AND CULTURE

Andrew Hamilton

Selected poems

Queensland Prelude

After the fire
they found a nail preserved in glass,
and piles of dust and ash.

After the fire
this place lost its memory
of trees cleared, a slab hut,
of fences, a verandahed timber house,
and a circle of orange trees.

After the fire
they sift through the ashes
for memory's sake.

Boxing Day at Gerroa

Smoke today was in the air,
scratching at the eyes and nose.
The declining sun was tomato red,
burning from a hundred fires,
grieving for a land turned black.

Gerroa on vacation.

Black is in this summer:
black togs, black tops, black caps.
black crows pick at yesterday's scraps;
black oyster catchers, red beaked, probe for worms;
black ash marks out the tidal line -
ash of houses torched and livings lost,
ash of people, trees and birds.
Flying low above the waves
a squadron of white seagulls,
disregards the dress code.

Beach Dawn Service

The red-eyed sun comes veiled in smoke,
the sea is fringed with blackened ash,
the chastened waves murmur threnodies.
Beyond the break stand acolytes,
leaning on their long candles,
waiting to process;
gulls and oyster catchers fret restless on the beach;

a pelican fishes at the river mouth
parked discreetly as a hearse.
The breathless air awaits the hour
when the unveiled sun will rise and blaze
and, for the deflowered earth,
exact a reckoning.

New Years Eve

Today smoke hung in the air
scratching eyes and throat;
the evening sun set red and frayed,
bleeding from a hundred fires,
grieving for an earth stripped black and bare;
the retreating tide was edged with ash.
Today they called a fire ban throughout the state
for safety, in respect and solidarity.
Tonight in Sydney fireworks desecrate the bridge;
Respect and solidarity are burned to ash,
chucked on the bonfire of frivolity.

New Years Day

Smoke in the air,
bushfires south of Nowra,
no sun to be seen, no landmarks along the beach,
no bookends of Black Head, and Coolongatta,
no hinterland, no hills,
no oyster birds, no crows,
no walkers.
Only a flight of gulls crying, seeking purer air,
only breakers washing in and out,
only a jagged line of black ash along the shore,
like the script on Belshazzar's wall,
trailing back to bushfires south of Nowra,
trailing forward to the future
for those who will to read.

A respite day

Today the sun rose silver,
the smoke now blown away,
the beach now bounded by Black Head and Coolangatta.
Long waves rise and tumble on the shore
and people walk freely.
Tomorrow, at Nowra the hot wind will blow,
the fire will cross the Shoalhaven,
ash, smoke and fear will stain the air.

Apocalypse, Gerroa style.

The sun rises blood-red,
its furnace wreathed in smoke;
four horsemen drum and thunder down the beach;

four oyster-catchers fly wailing over the sand;
a line of spearmen stride upright across the water.
A white gull, wings spread wide,
glides across the waves,
turns, and, settles lightly on the sun-flecked shallows.
In its beak it bears no olive branch.

Gerroa in mid January

Today the flames have struck at Bundanoon
and edged to Kangaroo Valley.
The nuns have gone from Jamberoo Abbey,
and piles of ash wash up upon the beach
like a bird dumped by a cat on the doorstep,
played with, then dumped again,
like random phrases whirling in a world too wild for words:
the wrack of the Deutchland,
ashes from Dresden,
smoke from chimneys further East;
coals from Newcastle.
Over the smoky airwaves,
fly scraps of airy reassurance:
a fire to end all fires,
peace in our time.
The ashes plead: Never Again.
The unsheathed sun threatens,
greed will deliver,
the fire next time.



Andrew Hamilton is consulting editor of *Eureka Street*.
Main image: A red sunset shrouded in smoke (Getty Images)

Choosing to choose

ARTS AND CULTURE

Barry Gittins

In 1982, The Clash released the lil' ditty 'Should I Stay or Should I Go?' forever capturing the agony of indecision. The song has amused and informed generations; its longevity points to the truth that making choices, large or small, costs us something.



In the early days of burgeoning romance, do I declare my interest, or wait and see? If it works for both of us, do I commit? Pop the question? Their place or mine? Do we rent, or take on a mortgage? Are kids in the grand scheme? Do I pursue other career paths, or stick to what I know in the job market?

Later (much, much later) do we buy a puppy to replace our dearly departed dog? It is, after all, getting on four years now since our much-mourned hound wagged his last goodbye.

Do we teach our teenagers to drive in our manual cars, lurching away, grinding gears and mastering the bunny hop, or buy an 'auto auto' to minimise mayhem?

I don't know how you are travelling, but I find I'm increasingly being clobbered with dilemmas. Considering I am one of 7.5 billion human beings toddling around the planet I suspect that it's not just me.

We are flooded with choices, and even more so we are faced with the choice of how to choose - rationally, subconsciously or emotionally. I think the latter rings true for all of us. The *New Scientist* turned a catchy turn of phrase, suggesting 'emotions are actually evolution's satnav, directing us towards choices that have survival benefits'. So when we are cut off on the freeway, or someone does us wrong, or we need to make a change in our lives, we do well to choose our response wisely. Our choices and their consequences have changed as we have changed as a species.

'Making choices can be torturous, for us and for our loved ones. Students of the psyche call it "analysis paralysis"; over-analysing options and stewing in our own metaphysical juices.'

Making choices can be torturous, for us and for our loved ones. Students of the psyche call it 'analysis paralysis'; over-analysing options and stewing in our own metaphysical juices. You'd think it would be easier these days, with the technological resources we

have available. Choosing directions seems passe these days, with GPS satnav. Search engines connect us instantly with a plethora of possibilities. But that's often the problem.

Too many options or no options, choosing's hard. Here are some options for us to get past our indecision.

You can go with what you know. Psychological scientist Christian Frings attests that if we have to barrack for Roger Federer or Michael Berrer to win a match we'll go with Rog 'cause we know and love him as a human brand.

Numbering options can also work. Faced with the perennial 'What do you want for dinner?', US author Kimberley Key suggests you list options: 'I was thinking about spaghetti, saag paneer, or filet mignon tonight. Do any of these interest you?'

There's the tried and true subliminal spreadsheets. When you are in the grip of analysis paralysis, listing your pros and cons is a venerable strategy. Psychologist Dr Ben Newell from the University of New South Wales in Sydney says it worked for Charles Darwin and Benjamin Franklin (the American Founding Father calling it his 'moral algebra').

Or leave it to chance, and throw a dart. Before Robert Downey Jr was mutilating a semi-Welsh accent, Hugh Loftin's literary Dr Doolittle was hurling a dart at a map to decide on his next adventure.

Writer Madeleine Dore has suggested that while 'it might sound morbid... if you picture yourself on your deathbed, which choice would you feel more content with? Often when we look back, it's the choice that put you more into the world and connected you with people.'

Ultimately, deciding is about selecting a mature, evidence-based and hopeful course of action. We are not seers with crystal balls. We hope for a good outcome, just like the emotional creatures we truly are.

But I have found that bouncing ideas around, talking choices through with your partner, loved ones and trusted confidantes, takes a lot of stress out of the process.

I'm happy to announce that miniature schnauzer Cinda will be joining our family soon, filling that puppy-sized hole in our lives.

Sometimes it's worth taking your time before you choose. I will have to get back to you about those driving lessons.



Barry Gittins is a Melbourne writer.

Main image: One woman throws darts as a man composes lists of moral algebra (Illustration Chris Johnston)